PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 375

HOUSE OF COMMONS

OFFICIAL REPORT

FIRST SESSION OF THE FIFTY-THIRD PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FIFTIETH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 2001–02

COMPRISING PERIOD
19 November—30 November 2001

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19 November 2001

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

IN THE FIRST SESSION OF THE FIFTY-THIRD PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 13 JUNE 2001]

FIFTIETH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 375**

SIXTH VOLUME OF SESSION 2001–2002

House of Commons

Monday 19 November 2001

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Antisocial Behaviour

1. **Mr. Brian Jenkins** (Tamworth): What further plans he has to encourage the police and other responsible bodies to tackle the problem of antisocial behaviour and disorder in communities. [13339]

The Minister for Police, Courts and Drugs (Mr. John Denham): The Government are determined to tackle antisocial behaviour, such as loutish behaviour, vandalism, graffiti and all its other manifestations. Local crime and disorder partnerships must tackle antisocial behaviour with their local crime strategies. Each partnership has been asked to appoint a co-ordinator to tackle antisocial behaviour. We want partnerships to make use of the full range of measures available to them, such as antisocial behaviour orders and acceptable behaviour contracts.

Mr. Jenkins: Does my right hon. Friend recognise that unfortunately, although we have given the power to those partnerships, we have not yet devised a method of presenting them with the will? We recognise that the key to improving the quality of life of many of our citizens is to get rid of antisocial behaviour, so does he have plans to introduce a league system to ensure that those partners, particularly the police, are monitored in connection with those important measures?

Mr. Denham: We have every intention of publishing information about which areas have used antisocial behaviour orders and which have not. We shall look closely at the strategies drawn up by crime and disorder reduction partnerships, which are meant to come into place next April, to ensure that they have given proper emphasis to that aspect. My hon. Friend is right to say that Parliament has made several tools available to local partnerships to tackle antisocial behaviour, and that where communities are still facing that problem yet those tools have not been used, people have every right to ask why not.

Derek Conway (Old Bexley and Sidcup): Is the Minister aware of the work of the Bexley community safety partnership? I was one of those who might have thought that this was a sociologists' make-work exercise, but the partnership has done a tremendous job, particularly on the Ellenborough Road estate. If the Minister wants the opportunity to study somewhere where a partnership is working effectively, he need travel no further than the borough of Bexley.

Mr. Denham: I am grateful to the hon. Gentleman for drawing his local experience to the attention of the House. He is right: where every part of the local partnership is working together, and where there are agreed procedures for acceptable behaviour contracts and for amassing the evidence for antisocial behaviour orders, as well as the use of other methods, that has a real impact on the problems that people face. If I have the opportunity to visit Bexley, I will undoubtedly do so.

Phil Hope (Corby): My right hon. Friend will be aware of the positive take-up of parenting orders as one approach to tackling antisocial behaviour. Where they have been piloted they have been successful. Most Members recognise that developing effective parenting skills that enable parents to take responsibility for their children who are committing offences plays an important part in a sustainable approach to reducing juvenile crime. Does he support the idea of broadening out parenting programmes so that all parents, whether their children are in trouble or not, have the opportunity to access those programmes, and young people and their parents can develop better skills and prevent the reproduction of juvenile crime from one generation to another?

Mr. Denham: My hon. Friend is right about the effectiveness of parenting orders. The Government want extended support to be available to parents to assist them with a job that most people find a challenge at times. We shall certainly look into his idea and see if there are ways of taking it further.

Mr. Nick Hawkins (Surrey Heath): Does the Minister not realise that what the Opposition predicted would happen when the Government were introducing antisocial behaviour orders—that they would prove far too bureaucratic to be heavily used—is exactly what has happened? At the time, the Government predicted that there would be thousands of orders. Can the Minister explain why so far there have been only about 300, and chief executives of local authorities and senior police officers are tearing their hair out over the wholly unnecessary bureaucracy associated with ASBOs?

Mr. Denham: One of the difficulties is that some people irresponsibly perpetuate myths about antisocial behaviour orders. In areas that have made little use of them, the belief that they are difficult and bureaucratic is far greater than in the areas that have made effective use of them, often as the pinnacle of a series of measures designed to tackle such problems. I disagree with the hon. Gentleman, and in the not-too-distant future we will publish research evaluation that shows that if people are properly organised at local level they can make effective use of antisocial behaviour orders. Moreover, as I hope to make clear in answer to a subsequent question, there have been more antisocial behaviour orders than the most recently published figures suggest. I hope to clarify that later this afternoon.

Oakington Detention Centre

2. **Mrs. Anne Campbell** (Cambridge): What future role he envisages for the Oakington detention centre. [13340]

The Secretary of State for the Home Department (Mr. David Blunkett): Subject to the outcome of the appeal to the House of Lords, we intend that Oakington will continue to operate on the basis of detention in order to maintain our capacity to make speedy decisions in about seven to 10 days. We therefore propose no changes to its purpose or operation.

Mrs. Campbell: May I take this opportunity to welcome my right hon. Friend's review of asylum, immigration and the voucher system? Will the change of name, from detention centre to secure removal centre, change the nature of what happens at Oakington? Will the jobs of the people from the refugee legal centre who work at Oakington be safeguarded under the changes?

Mr. Blunkett: It is not our intention to redesignate the Oakington facility as a removal centre. It is our intention to maintain the legal services, which were, incidentally, responsible for taking us to court in the first place. I congratulate those concerned on nearly, but not quite, doing away with their jobs. Their jobs will remain and will follow the same pattern as at the moment, which has helped us enormously in providing speed and clarity in dealing with applications. Some 99 per cent. of initial claims are refused and, after adjudication and the initial appeal, only 5 per cent. are found to have been justified. The legal provision is helping us to achieve credibility and speed in dealing with applicants.

Mr. Humfrey Malins (Woking): Does the Home Secretary agree that the first 10 days of any asylum application are the most critical? Will he therefore confirm that the best possible legal advice and help will be made available at each and every induction centre?

Mr. Blunkett: As the hon. Member is aware, support and advice are given immediately through the voluntary organisations. We have taken steps to ensure that those giving advice are properly registered, so that checks are made on the quality and nature of the advice. That ensures that the money provided from the public purse, as well as that provided by those seeking asylum, is not abused.

Asylum Seekers

3. **Paul Farrelly** (Newcastle-under-Lyme): Whether asylum seekers whose applications have taken longer than six months to process are entitled to apply for permission to work. [13341]

The Parliamentary Under-Secretary of State for the Home Department (Angela Eagle): Under the terms of the employment concession, adult asylum seekers can apply for permission to work if their application has been outstanding for longer than six months without a decision being made on it. Once such permission has been granted, the asylum seeker is entitled to take employment.

Paul Farrelly: I am grateful to the Minister for that answer. The partner of one of my constituents, Angela Giray, was refused permission pending an appeal against the refusal of asylum. It is distressing when the situation is confused, and both employers and asylum seekers are confused. Could the Minister outline what measures she will take to ensure that people are better aware of the rules in future, given the recent changes?

Angela Eagle: There has been no change, and none is intended, to the employment concession. Any individual asylum seeker who is concerned need only check with the authorities to see whether he or she has been given permission to work. It is also an offence for employers to employ an asylum seeker who has no such permission.

Mr. Nigel Waterson (Eastbourne): Does the Minister agree that the only reason why permission to work is a major issue is the 40,000-plus backlog in the system?

Does she accept that my constituents in Eastbourne are not filled with confidence by the Government's belated conversion to the need to set up more centres to deal with asylum seekers when Home Office Ministers are consistently unable to tell me how many asylum seekers currently reside in my constituency?

Angela Eagle: We can say how many asylum seekers reside in the hon. Gentleman's constituency under the national asylum support service dispersal scheme, but he will be aware that his local authority runs the interim scheme that preceded dispersal and so may be able to help him. We do not have national figures available by constituency that take account of the pre-1999 scheme and the NASS dispersal scheme. I wish that we did, and we are trying to compile them, but we can give him only the figures that we have.

Mr. David Drew (Stroud): Does my hon. Friend agree that it depends on how we define "work"? Will she commend the interesting work of Time Banks UK with regard to paying refugees and asylum seekers in time currencies so that we can truly value their worth in this country?

Angela Eagle: Once people have been granted refugee status, they are certainly available to work. However, I reiterate that if all asylum seekers were to work, that would be a big pull factor which would encourage more people to apply for asylum in Britain. At the same time, we are more than happy to encourage those who are in the middle of the asylum process to do voluntary work, if that is what my hon. Friend is talking about.

Sir Sydney Chapman (Chipping Barnet): Notwithstanding the point made by my hon. Friend the Member for Eastbourne (Mr. Waterson) about the backlog of some 40,000 cases waiting to be decided, does the Minister agree that it is deeply worrying that more than 300 people have been kept in detention for more than 100 days? Will she address that issue as a matter of priority?

Angela Eagle: I can announce that we have successfully taken all asylum seekers out of detention at Cardiff prison, as I undertook to do following a recent Adjournment debate. My right hon. Friend the Home Secretary has announced our intention to ensure that no asylum seekers are kept on remand in prison by the end of January. It is important to realise that some asylum seekers are detained because it is thought that they may abscond or be about to be returned to their country of origin, and that some of them are in prison for other reasons, such as criminal offences. There will always be a reason to keep a certain number of asylum seekers at particular parts of the process in detention, and I do not apologise for that.

Kevin Brennan (Cardiff, West): Are any of the asylum seekers currently held in prison ever likely to be granted permission to work? I welcome my hon. Friend's announcement that Cardiff prison has been cleared of asylum seekers as a result of the commitment that she gave in the Adjournment debate organised by my hon. Friends the Members for Cardiff, North (Julie Morgan) and for Cynon Valley (Ann Clwyd). The fulfilment of that pledge is well ahead of time.

Angela Eagle: I accept my hon. Friend's congratulations on that matter. On his first point, people often spend small amounts of time in detention, while we establish their identity, for example. It is difficult to generalise about whether anyone who has been in detention while we establish their identity may then have a valid claim for refugee status and end up working. That may well be the case, but the figures as we collect them do not allow me to give my hon. Friend detailed information.

Mr. Oliver Letwin (West Dorset): Does the Minister accept that the policy of accommodation centres will have failed hopelessly if it takes as long as six months to process the applications of asylum seekers?

Angela Eagle: The key to the success of our asylum changes is how quickly we can manage to get an individual from the beginning of the process to the end. The longer that takes, the more difficulty any system will have.

Mr. Letwin: I suppose that I should say that I am grateful for that answer, but as we have not received one, I would be even more grateful if we did. Meanwhile, can the Minister guarantee that the accommodation centres will provide doctors, lawyers, immigration officials and adjudicators? They are needed on the spot if decisions are to be made in a lot less than six months.

Angela Eagle: I can guarantee to the hon. Gentleman that the accommodation centres will be the focus of all the help that is appropriate to give asylum seekers—on legal, health, education or training matters—as they go through the process.

Victims of Crime

4. **Mr. Mark Francois** (Rayleigh): If he will make a statement on the Government's policy towards the victims of crime. [13342]

The Minister for Criminal Justice, Sentencing and Law Reform (Mr. Keith Bradley): The Government are committed to improving support and services for victims of crime. We have already made good progress, and work is continuing to ensure that the needs of victims are given the priority they deserve.

Mr. Francois: Ministers will be aware that it is important for victims to feel that those who have committed crimes against them are likely to be caught and punished. To that end, what progress is being made with delayed Home Office IT projects such as the crime recording system and the custody and case preparation system, for which many police forces are still waiting?

Mr. Bradley: Clearly, the use of technology is essential in improving the efficiency of the court and sentencing processes and in ensuring public confidence in the criminal justice system. We have made great strides in supporting victims through the introduction of the witness support service within the courts. That will be backed up by good technology and we shall continue to roll out the programme in the years to come.

Mr. Graham Allen (Nottingham, North): Does my right hon. Friend accept that sometimes the numbers on victims of crime are largely inaccurate, especially on crimes such as antisocial behaviour—the "lesser" crimes—because although people try to report crime, often the telephone is not answered promptly at police stations? Will my right hon. Friend undertake to examine that matter, so that police forces are set targets or are inspected to ensure that they respond quickly to members of the public? That would also help to restore confidence in local police forces.

Mr. Bradley: It is absolutely essential that there is public confidence in the whole criminal justice system, and I shall certainly undertake to look at the issue raised by my hon. Friend to see whether we can ensure the maintenance of a prompt response when the public contact the police.

Simon Hughes (Southwark, North and Bermondsey): The concerns of victims are obviously central to the sentencing process and to reform of the criminal justice system, on both of which the Government have been or are holding consultations. Is the Minister minded to propose any further increases in the rights of victims or their representatives to take part in the court process? Can he confirm that the planned legislation on sentencing and the proposed review of the courts system will be introduced in the next Session and that neither of them will be introduced in the remaining part of this Session?

Mr. Bradley: The hon. Gentleman is right. We have just completed the review of the sentencing framework proposed by John Halliday, and the consultation on the Auld report on the courts system is currently under way. It is certainly our intention to introduce legislation on both matters in future.

We should not forget that we are already making progress to support victims. As the hon. Gentleman will know, in October this year, we brought in the personal victim statement, which allows victims to recount to the court the circumstances of the crime committed against them, so that the decision makers are aware of the views of victims at every stage of the criminal justice process.

Mr. Lindsay Hoyle (Chorley): I am sure that my right hon. Friend is aware of the problems for victims of crime in south Lancashire when the police fail to answer the phones. Will he hold discussions with the chief constable on reversing the decision to answer phones centrally and ensure that calls from victims of crime are answered much faster?

Mr. Bradley: I shall certainly look into the issues raised by my hon. Friend. We want to ensure that there is a good response from the police so as to maintain public confidence in the service that is being provided. We shall look closely at the matter and if my hon. Friend would like to write to me with the details, I shall certainly consider it further.

Mr. Andrew Mitchell (Sutton Coldfield): While the Minister is thinking about the victims of crime, will he bear it in mind that the level of burglaries in Sutton Coldfield has risen during the past year alone by more than a third—by 34 per cent? How long will it be before burglaries in Sutton Coldfield are back to the same level as when Conservative Members last sat on the Government Benches?

Mr. Bradley: Under the British crime survey, it is my understanding that burglary has fallen during the last period. As a former resident of Sutton Coldfield, I share the hon. Gentleman's concerns about any increases in particular areas. We need to address that as a matter of urgency.

Caroline Flint (Don Valley): What discussions has my right hon. Friend held with the Lord Chancellor's Department about communities which are victims of crime—especially incidents of antisocial behaviour? I am concerned that often the courts do not take such issues seriously, and do not award penalties to the perpetrators which reflect the gravity of the impact of crimes that affect the wider community rather than an individual victim.

Mr. Bradley: My hon. Friend is right. From my constituency experience, I know that the effect of antisocial behaviour has an impact not only on particular neighbourhoods or streets but on the whole community. It has a dramatic impact on the community's view of the criminal justice system. We have to ensure that measures such as antisocial behaviour orders not only tackle the problems in a particular vicinity but send a message throughout the area that we are not prepared to tolerate behaviour that undermines the integrity of our local communities.

Minor Offences

5. **Tim Loughton** (East Worthing and Shoreham): What discussions he has had with magistrates regarding downgrading of penalties for minor offences. [13343]

The Minister for Criminal Justice, Sentencing and Law Reform (Mr. Keith Bradley): The Home Secretary regularly meets and corresponds with members of the magistracy to discuss a wide variety of issues, including sentencing.

Tim Loughton: That is very informative, but does the Minister endorse the new guidelines that are being given out by the Judicial Studies Board to youth courts to downgrade as many low seriousness offences as possible to a penalty of only conditional discharge, together with Lord Woolf's advice to consider halving the sentences that magistrates give to less serious criminals? What message does the Minister think that sends out to the 130,000 people arrested last year for offences of criminal damage, graffiti, shop lifting, car vandalism and making obscene phone calls—let alone to their victims?

Mr. Bradley: The hon. Gentleman does not quote precisely from the guidelines. We have to ensure that the sentencing framework, which is currently under review, suggested in the Halliday report ensures that the offences introduced meet the crime, that custodial sentences are used for those crimes that warrant them and that we have tough and effective community sentences for crimes that warrant such measures. We have to ensure that the right people are put in prison and the right people serve in the community to ensure reparation and rehabilitation and to stop reoffending. We also have to ensure that the guidelines are applied consistently across the courts, so that the public can understand and have confidence in them. Clearly, the hon. Gentleman takes a great interest in such issues, so I shall read with great interest his submission to the Halliday consultation.

Mr. Chris Pond (Gravesham): Is my right hon. Friend aware that one young person in my constituency has been arrested 76 times in a matter of months? Do not the courts very often let down such young people by not treating seriously those offences, which are repeated time and again? Is he aware—I am sure that he is—that that causes real frustration to the public and to the police involved in serious cases such as that? Will he convey that message to magistrates when he next meets them?

Mr. Bradley: My hon. Friend makes a very powerful point. As John Halliday made clear in the report, we have to ensure that action is taken to try to stop persistent offenders reoffending. We need a sentencing framework that ensures not only that that can be the case, but that those people who are determined to flout the law in the way that my hon. Friend describes receive the punishment that they clearly deserve.

Police Retention

6. **Tony Baldry** (Banbury): When he expects to meet the chief constable of the Thames Valley to discuss retention of police officers. [13344]

The Parliamentary Under-Secretary of State for the Home Department (Beverley Hughes): The Home Secretary has no immediate plans to meet the chief constable of the Thames Valley police. However, the hon. Gentleman will know that, since April this year, officers and rejoiners appointed to the Thames Valley police on or after 1 September 1994 and not in receipt of housing allowance have benefited from a new allowance of £2,000 per annum. In addition, the starter home initiative will help around 170 officers to buy first homes in the next three years. Both those measures will help not only recruitment but retention.

Tony Baldry: While I thank the Minister for that answer, may I ask a question of which I have given her notice? Are not Thames Valley police officers in the worst of all possible worlds: their cost of living, including housing, is high, yet they do not benefit from the allowances paid to Metropolitan police officers? Metropolitan police officers receive an annual London weighting of £1,773, an extra London allowance of £1,011 and a further London allowance of either £1,000 or £3,327, depending on when they join. In other words, a Metropolitan police officer, doing exactly the same job as a Thames Valley police officer, can be £6,111 a year better off. It is not surprising that the Thames Valley force is losing officers—they are joining other police forces in the country, where their pay and conditions are better.

Beverley Hughes: As the hon. Gentleman says, the current differential between Thames Valley and the Met for recruits is about £4,000 a year. That reflects the different pressures that those forces face in terms of recruitment and retention as well as other factors. He will also know that the Police Negotiating Board set the pay differentials for recruits to those two forces and that the police arbitration panel rejected the claim by the staff side on the board for additional allowances for all forces. At the same time, the panel endorsed the two levels of allowance—£2,000 and £1,000—for the two groups of forces around London. In the tribunal's view, the respective allowances reflect the different circumstances and pressures that those forces face.

Mr. Andrew MacKay (Bracknell): Does the Minister appreciate that people in Bracknell and elsewhere in the Thames valley will see her responses as hopelessly complacent and out of touch? Let me try to explain to her once more that the Thames valley is stuck between the Met, with its high salaries, and areas further away from London where there are lower house prices. Consequently, we are not getting the right level of retention, and people in the Thames valley are suffering. Will she now answer the question properly?

Beverley Hughes: That is a bit rich from a member of the party that scrapped the housing allowance. As I told the hon. Member for Banbury (Tony Baldry), the issues facing different forces—the pressures on recruitment and retention and other factors such as the relative cost of living—have been assessed by the Police Negotiating Board and reconsidered by the tribunal. The tribunal decided that the levels of the allowances were right, given those pressures. It is up to the Police Negotiating Body to consider any further changes.

Mr. James Paice (South-East Cambridgeshire): Does the Minister agree with the previous Minister with responsibility for the police, the right hon. Member for Norwich, South (Mr. Clarke)? He told the House:

> "The number of people leaving"

the service

> may be taken as an indicator of morale."—[*Official Report*, 11 December 2000; Vol. 359, c. 63W.]

What conclusions, therefore, does she draw from the answer given to me on Friday by the Minister for Police, Courts and Drugs—that non-medical resignations from the police force have risen by 75 per cent. in the Thames valley and by 27 per cent. overall in England and Wales under this Government? Figures also show that officers spend only 17 per cent. of their time on patrol, so what is the cost—in terms of rising crime, public concern and taxpayers' money wasted on training—of the crisis that clearly now exists in police morale?

Beverley Hughes: That point is true, to the extent that the wastage rate in Thames valley is somewhat higher than the national average. It is about 2.4 per cent. compared with a national figure of about 1.1 per cent. The wastage rate in the police service across the board is very low compared with that in other occupations, and that reflects the additional allowances in that area, terms and conditions and the £1.6 billion of extra resources that the Government have put into policing over three years, precisely to enable the police to do a better job for people in our communities.

September 11

7. **Tom Brake** (Carshalton and Wallington): What the estimated cost to the Metropolitan police is of increased security measures being undertaken following the events of 11 September. [13345]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Bob Ainsworth): The Government greatly appreciate the immediate response of the Metropolitan police authority and service after the terrorist attack in the USA on 11 September. There has been a great deal of speculation as to the additional costs to the Metropolitan police of the increased security measures. We have set in train a process for the detailed assessment of the additional resources deployed. We are actively considering these and hope to make an announcement in the next few weeks.

Tom Brake: I thank the Minister for that reply. He will be aware of the concerns expressed by some borough commanders about their ability to continue policing locally because of the commitment that they are having to make to key locations in central London. He will also be aware of the question that my hon. Friend the Member for Southwark, North and Bermondsey (Simon Hughes) asked on 22 October about the estimate of the rising costs involved in that.

Will the Minister confirm exactly when the report on the additional costs will be produced? Will he also tell us what additional financial assistance will be forthcoming for the Metropolitan police authority to cover those additional costs? How many additional specials will be provided as a result of the additional funds; and what impact will all that have on rising street crime in London?

Mr. Ainsworth: The Commissioner has informed us that in the immediate aftermath of 11 September there was a desire on his part to reassure people by moving substantial numbers of police officers to areas that were perceived to pose the greatest threat. The chair of the authority, the Commissioner and the Home Secretary have had a number of meetings and are aware of the need to make absolutely sure that the situation is rebalanced.

If I were able to give the hon. Gentleman the figures for which he asks, I would do so. There are the immediate costs of the aftermath of 11 September to consider, and the ongoing level of security that is needed is being assessed. As I said, we hope to be able to make an announcement in the next few weeks.

CCTV

8. **Dr. Vincent Cable** (Twickenham): How many applications to his Department for closed circuit television funding have been rejected in the last two years. [13346]

The Parliamentary Under-Secretary of State for the Home Department (Beverley Hughes): Under round one of the initiative, 354 funding applications worth a potential £63 million were successful and 382 were unsuccessful. Under round two, 332 funding applications worth about £106 million were successful and 449 were unsuccessful.

Dr. Cable: Is the Minister aware of the great frustration in communities like mine because, having been encouraged to put forward well designed and badly needed applications for CCTV funding, they are being turned down by rigid financing rules that require local councils to carry the full current costs of the schemes? Will she speak to the Treasury, which I suspect is the source of the problem, about introducing more flexible arrangements to enable more councils to have that valuable initiative implemented in their areas?

Beverley Hughes: As all hon. Members know, CCTV schemes are very popular, both with local authorities and, indeed, with local people. As I said in my answer, a total of 738 applications have been successful under a scheme that has put £170 million into CCTV initiatives as part of a crime reduction programme.

Although the hon. Gentleman's local authority of Richmond upon Thames submitted proposals under round one—unfortunately, none was successful because there were higher priorities and better bids—no proposals were received from it under round two. I understand his disappointment—but if authorities do not bid, they do not get.

Lawrie Quinn (Scarborough and Whitby): Does my hon. Friend agree that some CCTV systems that are successful in central areas have pushed criminality out on to estates and into outlying areas? Will she give careful consideration to the Eastfield area of Scarborough? The community there desperately wants CCTV but does not seem to be able to get hold of the right people in the local council to push that initiative forward. What is the best way of doing that on behalf of the local community? *[Interruption.]*

Beverley Hughes: As one of hon. Friends says, my hon. Friend the Member for Scarborough and Whitby (Lawrie Quinn) has done precisely that.

We have received anecdotal reports of displacement, which is an issue in some schemes but not in others. We are evaluating 17 of the current schemes to determine their effectiveness across the board. Indeed, one of the questions relates to whether crime is displaced to areas without cameras as a result of CCTV. On my hon. Friend's more general point, we are reviewing the entire crime reduction programme and I shall let him know of future initiatives.

Mr. David Cameron (Witney): Will the Minister join me in welcoming the CCTV system being launched in Witney on 14 December and congratulate all who have been involved in getting the project up and running? Does she agree that it will give welcome relief to many shopkeepers and newsagents who have had their windows smashed and suffered from petty crime? Will she confirm that small towns, like many in my constituency in west Oxfordshire, will continue to be encouraged to bid?

Finally, will she try to find ways to encourage multiple retailers, which benefit greatly from CCTV schemes, to help to fund them?

Beverley Hughes: I am very glad that the hon. Gentleman endorses the initiative and the finance that the Government have made available to provide what local people and retailers want. I am pleased that his area, albeit represented by him, has been able to benefit under that scheme. In addition to funding the CCTV initiative, the Government have introduced extra funding to help small retailers to remain in their areas, particularly where there is high crime, because their remaining is important for the local economy.

Antisocial Behaviour

9. **Mr. Bill Rammell** (Harlow): If he will make a statement on the use by the police and local councils of antisocial behaviour orders. [13347]

11. **Mr. Stephen Hepburn** (Jarrow): If he will make a statement on antisocial behaviour orders. [13350]

The Minister for Police, Courts and Drugs (Mr. John Denham): As a result of a recent exercise by the Home Office and the police, I can inform the House that the total number of antisocial behaviour orders issued up until the end of September this year was 466, an increase of more than 180 on the previous figure. It is clear that the orders have a significant role to play in tackling antisocial behaviour. A review of their effectiveness will soon be completed, and we will be looking at measures to enhance their use.

Mr. Rammell: My constituents are concerned about antisocial behaviour by a minority, which is a scourge on our community. Does the Minister accept that there is frustration because, despite the welcome increase in the use of antisocial behaviour orders, they are not being taken up as quickly as they should be? Has he considered Ipswich council's piloting of the acceptable behaviour contract with persistent young offenders, which I believe could be a way forward on this issue?

Mr. Denham: Yes, and I understand that my right hon. Friend the Home Secretary will be going to Ipswich tomorrow to see that scheme in action. In many parts of the country, antisocial behaviour orders have proved most effective as part of a well integrated system that includes a lower level of warning measures, such as acceptable behaviour contracts, so that a young person heading towards an antisocial behaviour order is in no doubt of the consequences of continuing their offending behaviour.

Mr. Hepburn: I welcome that answer, and I agree that antisocial behaviour orders are effective, but we need more of them. Is the Minister aware that it takes a police constable an average 100 hours to enact an order? Will he try to cut down on bureaucracy not only to increase the use of orders but to get PCs on the beat, where they should be?

Mr. Denham: As I said, the research that we will publish in the not-too-distant future does not back up the argument that there is impenetrable bureaucracy and that time is wasted in enacting the orders. None the less, I accept that the extent to which people are organised locally makes a difference to the time taken to get the necessary evidence to the courts. I can assure the House that we are open to every practical suggestion to streamline the orders further and to reduce the amount of time and effort required to enact them.

Bob Spink (Castle Point): Will the Minister visit my constituency so that he can see for himself the nightmare that youth crime is creating for residents in Canvey Island, Tar Pots and Thundersley Common? Does he accept that the best way to deal with antisocial behaviour is to get more police officers on the streets, which means that the Government must provide more resources and reduce bureaucracy? They should also introduce the two IT schemes to which my hon. Friend the Member for Rayleigh (Mr. Francois) referred earlier.

Mr. Denham: The good news is that this Government are providing the resources, which means that police numbers are rising. We will achieve record police numbers in the next 18 months, and during the lifetime of this Government the number of police officers in England and Wales will exceed 130,000.

The hon. Gentleman is absolutely right to say that, as we get those record police numbers, we must make the most effective use of their time. The research that we recently published showed that 47 per cent. of a police officer's time is spent in the station rather than out on patrol duties, and we have set up a taskforce headed by the chief inspector of constabularies, Sir David O'Dowd, to consider ways of tackling the bureaucracy that is diverting police officers from doing the job in the way they want to do it.

Chris Grayling (Epsom and Ewell): Is the Minister aware that, despite the contribution that antisocial behaviour orders can make, antisocial behaviour of the kind found in my constituency, especially Ashtead and Stoneleigh, can be tackled only if the police have proper sanctions to use against the offenders? The police in my locality have discovered that because they can take little practical action against young offenders there is a certain "I don't care; you can try it on with me, but you can't touch me" mentality among those youths. Something needs to be done to give the police real sanctions that they can use against juveniles when they step out of line.

Mr. Denham: I agree that the police need to be able to take effective action. However, I am pleased that innovative work by the police in areas like Wrexham and Islington and pioneering initiatives such as acceptable behaviour contracts show that if there is close working between the police, local authorities and other agencies, it is possible to give clear warnings to young people about the consequences of their actions. It is important that the police be supported effectively by magistrates; the Lord Chancellor addressed that when he recently spoke to the Magistrates Association about the need to enforce ASBOs.

Judy Mallaber (Amber Valley): On 1 November, after threatening police with a home-made firearm in a neighbourhood in my constituency following a domestic dispute in Codnor, Mr. Steven Dickson was shot dead by an officer of the Derbyshire police armed response unit—the first fatal shooting by Derbyshire police since 1977. That is being investigated by the Police Complaints Authority according to normal procedures, but it is obviously a tragedy for Mr. Dickson's family and stressful for the police involved.

Does my right hon. Friend agree that police and bystanders must be protected in such incidents and that the person with the firearm may need to be stopped instantly? However, what progress has been made in investigations of the availability of an effective non-lethal weapon which can avoid loss of life while giving proper protection in firearms incidents?

Mr. Denham: My hon. Friend has raised a very important issue. The whole House will accept that the job of armed police officers is extraordinarily difficult; judgments have to be made, sometimes in extremely short periods, which can have tragic consequences if they are wrong in either direction.

My hon. Friend is right to raise the issue of non-lethal alternatives to firearms. We are close to completing the second phase of work by chief constables and the Northern Ireland Office on those alternatives. We hope that a report will be published by the Northern Ireland Office in the near future, paving the way for a more detailed analysis of factors to be taken into account, of the full medical effects, and of the technologies that look most promising, because they can incapacitate people quickly without fatal consequences. I hope that I have reassured my hon. Friend that work in that important area is progressing urgently.

Crime (Slough)

10. **Fiona Mactaggart** (Slough): What assessment he has made of recent trends in crime in Slough; and if he will make a statement. [13348]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Bob Ainsworth): The Home Office does not publish statistics showing total recorded crime below force level. However, thefts of vehicles fell by 7.2 per cent. in the Slough basic command unit in the 12 months to March 2001; domestic burglary fell by 1.4 per cent. in the same period.

Fiona Mactaggart: I am sure that the Minister is aware that in every other category, crime increased in Slough. Is he aware that those units of Thames Valley police force with a devolved system of management have fewer resources to deal with crime than other units? Will he promise to seek an early meeting with the new chief constable of Thames Valley, when he is appointed, to ask what he will do about the fact that the area that I represent, which has the highest crime in Thames valley, has the fewest resources to deal with it?

Mr. Ainsworth: I am aware that my hon. Friend is discussing these matters locally, that she has raised them with the director of crime reduction for the area and also with her local commander, and that she has asked that the issue of the allocation of resources be taken up with the chief constable. As I have a constituency not dissimilar to hers, I am aware of some of the arguments, and she is no doubt aware that the allocation of resources within the police force area is an operational matter and one for the chief constable.

Internet

12. **Charlotte Atkins** (Staffordshire, Moorlands): What action the Government are taking to protect children using the internet. [13351]

The Minister for Criminal Justice, Sentencing and Law Reform (Mr. Keith Bradley): In partnership with industry, the police and children's charities, we have established a taskforce on child protection on the internet. With those partners we share the aims of making the United Kingdom the best and safest place in the world for children to use the internet, and of helping to protect children the world over from abuse fuelled by criminal misuse of new technologies. Backed by the taskforce, a public awareness campaign on internet safety will be launched next month.

Charlotte Atkins: I am grateful to my right hon. Friend for that response. In light of the Channel 4 news report on the Internet Watch Foundation, does my right hon. Friend consider that self-regulation is working, and should the IWF be more accountable?

Mr. Bradley: I am sure that my hon. Friend is aware that the Government work closely with the Internet Watch Foundation and keep its work under review. As a result of lobbying by a number of parties, including the Government, the board of the IWF revisited and revised its policies on 15 November. The result is a recommendation to all internet service providers serving UK customers not to host news groups which the IWF identifies as regularly containing child pornography; to prepare, in consultation with interested parties, a list of news groups which have names that appear to advertise or advocate paedophile content or activity; to draw up a code of practice covering the conduct expected of ISPs that subscribe to the Internet Watch Foundation; and to initiate a discussion concerning the size and composition of the board, the selection process for members and any other matters of governance. The Government welcome the internal review and look forward to seeing the results later this year. I am sure that my hon. Friend, who takes a great interest in such matters, will watch progress closely.

Norman Baker (Lewes): Every hon. Member will welcome any steps that the Government can take to protect children using the internet and to clamp down on paedophiles who seek to abuse the internet, but will the Minister reflect on the powers that he and his colleagues seek to give themselves today under the Anti-terrorism, Crime and Security Bill, which will allow the Government to monitor and secure data from all internet communications, in pursuit of any crime, including shoplifting and vandalism? In the balance between civil liberties and protecting individuals, have not the Government got it slightly wrong?

Mr. Bradley: The Government take child pornography extremely seriously. I can tell the hon. Gentleman, first, that what is illegal offline is illegal online, and we must be diligent in monitoring that. Secondly, we are carefully considering the current offences associated with sex offences, particularly "grooming", to see whether we should introduce a new offence of intent to meet a child for the purpose of committing such an offence. We must monitor such matters closely. Internet developments are extremely important. We must ensure that children can safely use the internet, because of its great benefits for them, but we must also ensure that they are protected. We intend to do so by means of the sex offences review and other matters that we are examining through the Internet Watch Foundation. We will continue to work closely with the industry to protect our children.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Does my right hon. Friend accept that one of the easiest ways to protect children might be to get the industry to provide software that would be available to parents to monitor automatically what was going into their own machines? I have grave reservations about self-monitoring. It is clear that children can be lured into chat rooms quite unwittingly, and the danger needs urgent assessment.

Mr. Bradley: My hon. Friend is absolutely right. Clear public awareness of the dangers of the internet and chat rooms is crucial. That is why we are launching the public awareness campaign and will continue to work very closely on education programmes in our schools to ensure that young people are aware of the dangers. On the point about software, programmes are being developed, including so-called walled gardens, which enable limitation of internet use so that parents can be confident that their children are using it safely. We will continue to look closely at how the programmes are developed and to ensure the absolute priority of the Government in this area, which is to protect children.

Michael Fabricant (Lichfield): While I welcome the Government's initiative regarding chat rooms and news groups, may I ask the Minister whether he agrees that it is not the role of Government to control the output of websites? Censorship is not their role. As he correctly said, software packages are currently available to enable parents to ensure that their children do not look at unsuitable websites. Does he agree that the Government could be even more proactive in advertising and promoting this issue to parents, educating them on it and ensuring that they are made aware that the software exists?

Mr. Bradley: I am sure that, if the hon. Gentleman reads my previous comments, he will see that I have already covered many of the issues that he raises. I repeat that we must ensure the protection of our children while they are using the internet. Any new ideas or initiatives that he feels to be appropriate for the internet taskforce will be considered. The taskforce is chaired by the Under-Secretary of State for the Home Department, my hon. Friend the Member for Stretford and Urmston (Beverley Hughes), and is a combination of the industry, users and all people involved in the area. We will consider closely any plans that he proposes.

Community Police Centres

13. **Mr. Derek Wyatt** (Sittingbourne and Sheppey): What plans he has to continue the community police centres pilot schemes. [13352]

The Minister for Police, Courts and Drugs (Mr. John Denham): The aim of the pilot scheme in Swale was to provide a central means for members of the public to bring non-urgent and non-criminal inquiries and problems to a single point and have them resolved. The Government encourage schemes such as this, which is an excellent example of a joint partnership between Departments that improves public access to meet the needs of local communities. It was funded via a successful joint invest-to-save bid by Swale borough council and Kent police, and decisions on continuing with such schemes lie with local partners.

Mr. Wyatt: I thank my right hon. Friend for that response. Perhaps he, like his predecessor in the Home Office, will pay a visit to the area and see the system. I point out that, where there are police headquarters and borough council headquarters, it is very confusing for people to know which one to go to—something that he should perhaps bear in mind in relation to future funding. Furthermore, has he considered widening the scheme to include neighbourhood watch and housing benefit, so that there is one centre in the local community to which people can go with real problems?

Mr. Denham: Local initiatives of this sort are very much for local partners to identify. I would certainly welcome local initiatives that try to bring together a wider range of local government services, police services and others in one place. In addition to trying to co-locate services physically, as I understand was done in Swale, it is important for police and local authorities to co-operate on internet-based access and telephone call centres.

Terrorism

14. **Mr. Keith Simpson** (Mid-Norfolk): What measures he has taken since 11 September to co-ordinate emergency planning in the United Kingdom in the event of a major terrorist attack. [13353]

The Secretary of State for the Home Department (Mr. David Blunkett): With my responsibilities for chairing the Civil Contingencies Committee, I have been leading a comprehensive review of how contingency plans can be updated. We are taking all necessary and sensible steps to make sure that the country is well protected to handle all eventualities, including any major terrorist attack. Those steps will be building on the extensive work already in place, including the work done leading up to the millennium. They include the work being undertaken by my right hon. Friends the Minister for Police, Courts and Drugs and the Minister for Local Government, and my hon. Friend the Parliamentary Secretary, Cabinet Office, who have been leading resilience and contingency planning groups dealing with matters both nationally and in London, and with chemical, biological and radiological problems.

Mr. Simpson: In the event of a large-scale terrorist attack on London or one of our other large cities, who would be the operational commander co-ordinating the emergency services?

Mr. Blunkett: As with the attacks on the mainland by terrorists based or operating in Ireland, the police are in charge of co-ordinating and leading the response. Once the plans are in place, they will work with all emergency services. I am proud of the work of our emergency services in responding over many years to a variety of eventualities.

Orders of the Day

Anti-terrorism, Crime and Security Bill

[Relevant documents: First Report from the Home Affairs Committee, Session 2001-02, on the Anti- terrorism, Crime and Security Bill, HC351.

Second Report from the Joint Committee on Human Rights, Session 2001-02, on the Anti-terrorism, Crime and Security Bill, HL Paper 37/HC 372.]

Order for Second Reading read.

3.30 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): On a point of order, Mr. Speaker. As you know, a timetable motion has been tabled on which we shall vote later, at least under the deferred procedure. So many hon. Members wish to speak that you have felt it necessary to impose a 10-minute limit on Back-Bench speeches. There is genuine anxiety about the timetable. Will you consider not putting the Question on the timetable motion unless and until the Home Secretary makes a statement to explain why two days are deemed sufficient?

Mr. Speaker: If the motion is on the Order Paper and is moved, I must put the Question.

Simon Hughes (Southwark, North and Bermondsey): On a point of order, Mr. Speaker. After the Second Reading debate and the vote on the timetable, we will consider a motion, which has an hour and a half for debate, on whether to support and agree to this country's derogation from article 5 of the European convention on human rights.

Last week, my hon. Friend the Member for North Cornwall (Mr. Tyler) wrote to the Leader of the House to ask whether discussion of the derogation could wait until we had completed our consideration of the Bill. That would enable us properly to consider the need for the derogation. This afternoon, there is a debate in the House of Lords about whether such consideration should happen at the end of the Bill's passage through both Houses.

May I, through you, ask a Minister to explain whether the Government are willing to accept that logical proposal? If they are, we would not have to spend a lot of time today arguing about whether to pull out of an article of the human rights convention when it may be rendered unnecessary by Parliament amending the Bill.

Mr. Speaker: That matter could be explained during the debate that we are about to hold.

Before we proceed, I point out that the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) was right to say that there is a 10-minute limit on Back-Bench speeches.

3.33 pm

The Secretary of State for the Home Department (Mr. David Blunkett): I beg to move, That the Bill be now read a Second time.

I thank all those—my advisers, officials and hon. Members, including my ministerial team—who have worked so diligently with me on the Bill. I should also like to put on record my thanks to the members of the Joint Committee on Human Rights and of the Select Committee on Home Affairs for their speedy and diligent work.

It would be useful to deal with the question that the hon. Member for Southwark, North and Bermondsey (Simon Hughes) asked about the derogation from article 5 of the European convention on human rights. We believe that it is sensible to seek the consent of the House of Commons and the House of Lords because unless Parliament agrees to clauses 21 to 23 and associated provisions, which relate to detention, the need to seek a derogation from article 5 under article 15 will not arise. It is therefore sensible to have the provision in place. It will fall automatically if Parliament does not consent to the clauses that I mentioned.

Simon Hughes: Will the Home Secretary give way?

Mr. Blunkett: I shall, but I want to make a little progress afterwards. Obviously, I shall then give way to hon. Members.

Simon Hughes: I thank the Home Secretary for being as courteous on this matter as he has been throughout the proceedings so far. Will he reconsider the issue that he heard me raise earlier, and with which he has partially dealt? Does he accept that, by virtue of the order that the Government laid last week, there is a 40-day period within which the order is the law. At the end of the 40 days, it will lapse if Parliament does not agree to the proposal in both Houses. Given that the Government have the cover that they seek, is it not, in a sense, an abuse of the judgment of both Houses to assume that they will agree that the Bill should remain as it is, when there may be ways—following the Human Rights Committee's proposal—in which it could be amended to avoid derogation? In that case, the Government would not need the decisions of both Houses, the 40-day period would lapse in the normal way and the Government would not, to put it crudely, be putting the cart before the horse on a hugely important national and international legal obligation.

Mr. Blunkett: The 40-day period stands, but we do not agree that there is an alternative way of proceeding that would be acceptable to the Government; if there were, we would propose it. This issue will be the subject of the debate today, and of subsequent debates here and in the House of Lords. On that basis, we are seeking the consent of the House on derogation.

Circumstances and public opinion demanded urgent and appropriate action after the 11 September attacks on the World Trade Centre and the Pentagon. Many parliamentarians understandably demanded caution, proportionality and a response that would last for the future. Over the five weeks following the attacks, in which thousands of men and women lost their lives, it was the Government's task to appraise the measures that would be necessary to close loopholes and set aside anomalies that had developed over many years in existing legislation.

We therefore took our time in preparing the statement of 15 October, which laid out precisely the kind of measures that I am proposing this afternoon. I make no apology for having taken another five weeks to come to the House with these measures, which required consideration. Given the

[Mr. Blunkett]

need to put in place safeguards that could be required any day and at any time, I do not believe that 10 weeks is a hurried period.

It is important to recognise that, in the first few weeks after 11 September, the emotional response to what had happened—the sight that people beheld and the hundreds of public service workers and volunteers who lost their lives trying to save the lives of others—could have evoked an immediate and, I would have thought, universal call for even more draconian measures than those that I am accused of introducing. It would have been wrong to do that. *[Interruption.]* Conservative Members laugh, but it was understandable that the United States Government sought to pass their Patriot Act by 26 October, which they did and it has now received the signature of the President. It was appropriate for us to be more circumspect, and to bring to the House what we consider to be proportionate and reasonable measures.

Mr. Hogg: The right hon. Gentleman made the point that he has taken 10 weeks to contemplate the contents of the Bill. That was indeed right. Given that it was necessary for him to take 10 weeks, does he understand the anxiety in this place that we are being asked to pass the Bill—all 114 pages and 125 clauses of it—in two days beyond today? Surely that cannot be right.

Mr. Blunkett: I am not absolutely certain that the length of the debate and the scrutiny given to a Bill are one and the same thing. The length of the debate and our scrutiny of it depend on the availability of time to deal with the aspects of the Bill on which there is genuine disagreement. Disagreeing with something on which there is general approbation is entirely different. It seems to me that the time available in this House and the House of Lords will be used effectively and rightly to scrutinise those proposals that have already received public attention and on which there has been considerable comment.

Mr. Kevin McNamara (Hull, North): My right hon. Friend will be aware that the time set aside for consideration in Committee, on Report and on Third Reading is roughly equivalent to four Committee sittings. Is that a proper way to deal with this most important legislation, the significance of which he has underlined, given that terrorism and other such Bills were considered for much longer? The Bill contains the embryo of five Bills.

Mr. Blunkett: I do not accept that it contains the embryo of five Bills. The measures are coherent, they deal with a threat of a particular nature, they were laid out on 15 October with one or two exceptions—Opposition Members pressed us on those, including that in respect of corruption—and they are before the House for agreement. If there were no emergency, if there had not been a terrorist attack and if there were no danger that not passing the Bill by the end of the year would put us at risk, I would not be introducing it in the first place.

Mr. Edward Garnier (Harborough) *rose—*

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy) *rose—*

Mr. Blunkett: I shall give way once more, but then I must make progress so that we do not lose time for the debate that Members want. We must get on to arguing about the content.

Mr. Garnier: I am most grateful to the Home Secretary for giving way a fourth time so early in his speech.

My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) complained about the lack of parliamentary time to discuss the Bill following the 10-week gestation period. It was published only towards the end of last week, but it will complete its Commons stages by the beginning of next. That allows only a week for outside bodies to concentrate on its terms and lobby those in the House who are interested in its content and implications. Although the Home Secretary may be right that he spent 10 hard weeks drafting the Bill, surely those outside the House should have rather longer than a week to lobby Members and the Government on its content and effect.

Mr. Blunkett: But the debate has been going on for 10 weeks, and the detail was laid out on 15 October.

Mr. Mark Fisher (Stoke-on-Trent, Central): Not the detail of the Bill.

Mr. Blunkett: I am being substantially heckled by my hon. Friend. Does he want to intervene?

Mr. Fisher: I am most grateful to the Home Secretary. Surely he appreciates the distinction between the principles that he laid out on 15 October and the detail of the Bill. We are expected to scrutinise and pass law, and that law is based on the wording of the Bill. As the hon. and learned Member for Harborough (Mr. Garnier) said, outside bodies have only a week in which to consider the Bill and advise us. Surely the Home Secretary accepts the historical precedent that when the House acts quickly, it seldom acts wisely.

Mr. Blunkett: I have no intention of getting into conflict this afternoon, but, if I might say so, I had not noticed that the past 10 weeks were free of detailed comment by a range of lobbying organisations and individuals. *[Interruption.]* Yes, about the Bill, the nature of its content, the statement of 15 October and the work undertaken by the Human Rights Committee and the Home Affairs Committee over the past week, including detailed evidence given to them by the very groups to which my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) referred. Those groups clearly had a handle on the principle and the detailed substance of the Bill, and the Under-Secretary, my hon. Friend the Member for Stretford and Urmston (Beverley Hughes), and I were questioned in detail in those Committees on that content. The idea that people have been deprived of knowledge of the details or implications of the Bill does not bear thinking about.

I have certainly learned one thing. I believed that lobby groups and those connected with the law understood the existing provisions more fully than proves to be the case.

I shall try to deal with that this afternoon, because what the Bill seeks to do is build on what is already there rather than transform or overturn it. If there is any confusion in the minds of those giving advice or lobbying Members, I hope that we shall be able to end it during the days ahead.

Mr. Llwyd: As a legal challenge to the Bill is highly likely, will the Home Secretary elaborate on his definition of a public emergency, and also explain why the United Kingdom is the only country subscribing to the European convention that considers such an emergency to exist?

Mr. Blunkett: I shall deal with the second point during my speech. I am well aware of the differences that exist not merely within countries that are signatories to the convention, but across the world. However, the definition of terrorism in the Terrorism Act 2000 and the article 15 provisions gave us precisely the power to act in circumstances envisaged by those who drew up both the European convention on human rights, as approved in 1953, and the European convention on refugees, as approved in 1951. They foresaw circumstances in which it would be necessary to take action to derogate—to suspend temporarily—a particular article or clause, in order to be able to act in a particular way to respond to what was happening. I am positing that the circumstances of 11 September and its aftermath are such that they warrant immediate action.

An article in *The Times* on 15 September stated:

> "Despite fine promises and emergency legislation, Britain is still home to hundreds of extremists who have made this country one of the centres for the violent transnational network that inspired and encouraged the barbarism in New York and Washington."

That is just one of hundreds of statements that have been made over the past 10 weeks about what people perceive to be the situation in our country. Again and again, people—including people in the United States—have illustrated the real dangers that exist, and it is on that basis that I shall spell out today why we felt it necessary to act.

Let us recall for a moment not just what happened on 11 September, but what has happened since. Let us recall the interviews given and the video recordings made by bin Laden and the al-Qaeda group, which have spelt out their determination not simply to threaten once, but to threaten the civilian populations of the United States and those working with it. It is for that reason that we are proposing measures allowing us to take rational, reasonable and proportionate steps to deal with an internal threat and an external, organised terrorist group that could threaten at any time not just our population, but the populations of other friendly countries.

Jeremy Corbyn (Islington, North): Does the Home Secretary accept that many people who are obviously appalled at what happened on 11 September believe that the answer is not to suspend traditional legal rights such as the right of access to courts in this country, but to use the criminal law against those planning or perpetrating criminal acts? Many people are deeply disturbed about this piece of emergency legislation, and believe that it will be no more effective than the Prevention of Terrorism (Temporary Provisions) Act 1974. Peace eventually came to Ireland through a political process, not a legal process.

Mr. Blunkett: I would take my hon. Friend's appeal more to heart if it were not for the fact that we are debating use of the very machinery that the House agreed, in 1997, to ensure that the legal process is followed and legal rights exist. I think that fundamental misunderstandings have arisen among lobby groups and others because of that point.

In 1997, the House unanimously passed the Special Immigration Appeals Commission Act 1997, which established the commission. I would be interested to know whether any hon. Member would like to use their comments in debates on that legislation to contradict me now on this legislation. Does anyone wish to intervene? No hon. Member from either side of the House voted against that legislation, which was subsequently approved by the other place. It was approved not only because previous practice had been judged not to accord with the level of human rights that was needed and accepted at the end of the 20th century, but because, in November 1996, the then Government had lost the Chahal case, which considered the acceptability of the process being used to eject people from the United Kingdom.

It was adjudged in the Chahal case that there had been improvements in the process, such as use of the three wise men and women, but it was also held that the process for ratifying the Home Secretary's power of certification for removal was not acceptable because the power infringed article 3 of the European convention on human rights. That is the nub of the issue. There is also no disagreement that the previous Government would have introduced the 1997 Act.

After the Chahal judgment, therefore, the House passed a measure that effectively provided judicial review of the Home Secretary's right to certificate the removal of an individual who is not a British national, but who is judged to be endangering national security or whose presence is not conducive to the public good.

Mr. Hogg: Will the right hon. Gentleman give way?

Mr. Blunkett: I shall give way in a moment, but I should like first to deal with what I consider to be a fundamental misunderstanding of our proposals.

The question for hon. Members is, what did they think that the Special Immigration Appeals Commission and the judicial process would do? What cases was the commission to hear? Was it to hear cases in which there was judged to be a risk, or cases in which the presence of an individual was not conducive to the public good and the Home Secretary had heard evidence from the security and intelligence services and was prepared to act? The answer is yes; the commission was established to consider precisely those types of case. Nevertheless, the very judgment that led to the commission's establishment was the one that held that article 3 precluded us from sending people back to their death, to torture or to degrading treatment.

The current situation, therefore, is that evidence may be adduced by the security and intelligence services, the Home Secretary may believe that he or she is correct to issue a certificate and the Special Immigration Appeals Commission—SIAC—may judge that that belief is correct, but the Home Secretary cannot deport that person because of the risk to the person's life. That is, and has

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been, the situation. The difference now is that we want to ensure that people cannot continue to conduct or organise terrorism from this country.

Mr. Hogg: Will the right hon. Gentleman give way?

Mr. Blunkett: I shall give way in a moment, when I have finished making this point.

The issue for me to decide is whether I should seek an opt-out from the European convention, and then to opt-in again by using, I think, article 58; to say that individuals should be released although we have evidence which SIAC is prepared to uphold that warrants detention; or to seek to hold those individuals.

It is the third choice that we are putting before the House this afternoon. If we were prepared to derogate, or if I were prepared to sign a certificate to send someone to their death because no third safe country was available, we would not be introducing the measure in this form. We are doing so precisely to avoid that eventuality. That is why—you will forgive me for mentioning this, Mr. Speaker—I have been slightly depressed over the past day or two about how the case has been put, and how some in the media who know better have sought to mislead those who have no reason to know better because they were not present, did not see and could not read about the steps that led to the establishment of SIAC precisely to deal with the circumstances that I described.

Mr. Hogg: The right hon. Gentleman places great weight on the Special Immigration Appeals Commission. Surely he should remind the House that under the Act that established that commission, it is entitled to withhold from the detained person particulars of the reason why he is detained. Furthermore, the Law Officers of the Crown can appoint a representative for that person who is expressly stated not to be responsible to the persons whose interests he is appointed to represent. That is not a very good safeguard of rights.

Mr. Blunkett: The right hon. and learned Gentleman may make a judgment about whether that is acceptable to him, but it was acceptable to the whole House in 1997. Following a challenge in the courts in the case of Mullah Rehman, the Lords judged five weeks ago that both the process and the threshold of evidential base were acceptable and in line with what the House intended when it passed the Act unanimously in the first place.

David Winnick (Walsall, North): Will my right hon. Friend give way?

Mr. Blunkett: I shall in two seconds—but first I shall answer the second element of the question.

The person who is adjudged to be a risk has the right to take on a legal advocate of his own. When the case reaches the point at which evidence is presented by the security and intelligence services the delivery of which—this is why SIAC was established—would put at risk the operation of the security services, and those working with them and for them, often covertly, an advocate from a list of advocates is provided, as in 1997 the House judged should happen, to allow evidence to be presented and the case on behalf of the person charged to be heard and properly dealt with legally. Then a right of appeal on a point of law to both the Court of Appeal and the House of Lords is provided in similar circumstances and with similar rights.

David Winnick: I take the view that in all circumstances the powers that my right hon. Friend is taking are necessary. I am not happy—no one could be—about what is happening, and I work on the assumption that several people have been allowed in who should never have been allowed in. Does my right hon. Friend accept that some of us who take that view are, despite his comments, worried about the lack of judicial review? If we introduce measures that no one likes, and people are to be locked up for reasons that we believe are justified, some form of judicial review—apart from what my right hon. Friend has been explaining—is all the more necessary, and its existence would make me much happier.

Mr. Blunkett: We would have to return to anything that the House decides about extradition or asylum issues more generally. All that we seek to do in the Bill is to make clear what SIAC and the Lords believe to be the case. In the cases that have gone to SIAC since the Act was passed four years ago, judicial review has not been sought, because the operation of SIAC has been judged to constitute a judicial review of the Home Secretary's certification. That is the issue that we are dealing with and that is why SIAC was seen as a substantial improvement on what existed previously.

The issue this afternoon is whether it is right that we should hold people in circumstances where we cannot transfer them to a third safe country, where the country to which we originally sought to transfer them does not have extradition agreements and therefore where their lives would be at risk, or whether we should release them into the community. At issue is an enhanced risk, post-11 September, which we believe warrants our taking that difficult but balanced and proportionate step. In doing so, we will ensure that the House will annually reaffirm or otherwise the measure on detention. In any case, the derogation has a five-year life and is automatically a sunset clause.

I also wish to make it clear that we do not think that a debate of one and a half hours would be adequate should we have to seek reaffirmation of the provision under the affirmative procedure and, with the agreement of the Leader of the House, we would seek to provide a more extensive opportunity for debate.

Mr. Robert Marshall-Andrews (Medway): My question is not intended to be pejorative, because I am genuinely interested in the answer. Does the Home Secretary accept that there is a sea of difference between SIAC being used to deal with issues of deportation—with all the problems that SIAC has as a review body—and its being used to review decisions to incarcerate and imprison, indefinitely, without trial and, indeed, without charge? If evidence exists against the people about whom we have heard, why are they not being charged and tried in this country?

Mr. Blunkett: If the evidence that would be adduced and presented in a normal court were available, of course we would use it, as we have done in the past. We are talking today about those who are adjudged to have committed, organised and supported and helped those involved in terrorism worldwide in the circumstances of 11 September. Those who drew up the European convention and the refugee convention could not have dreamt of the act that took place on 11 September, but they did envisage some act of that kind that would at some point require us to be able to take the necessary steps. That is why I am using article 15 to derogate from article 5, rather than seeking to withdraw altogether. If evidence could be presented that is not subject to the parameters that I laid out a moment ago, it would be used. I know that my hon. and learned Friend is a barrister and, as a non-lawyer, I always listen carefully to those who are—[HON. MEMBERS: "Airy-fairy ones?"] I listen carefully whether they are airy-fairy or not.

Mr. Marshall-Andrews: What about SIAC?

Mr. Blunkett: I am coming to SIAC. It was the establishment of SIAC and the judgment in the Rehman case that upheld the threshold required and the nature of the way in which the evidence should be presented that answer my hon. and learned Friend's question. The House accepted, and the House of Lords agreed, that in some cases the nature of the evidence from the security and intelligence services will be such that it would put at risk the operation of those services and the lives of those who act clandestinely to help them if that evidence were presented in normal open court. That is the measure of the proposals this afternoon.

Mr. Neil Gerrard (Walthamstow): Can my right hon. Friend explain more about the way in which SIAC will operate in cases where he is making a certificate relating to articles 1(f) and 33.2 of the refugee convention, which do not simply cover people suspected of international terrorism? How do his comments about article 3 and returning people who may face the death penalty relate to clause 34, which the Home Office's explanatory notes say provides that, in considering whether those articles apply, there is no requirement to consider the threat to life or freedom of someone who is removed from the UK?

Mr. Blunkett: Clauses 33 and 34, while being separate from clauses 21 and 23, are related to them. Let us consider the example of someone who is picked up on suspicion of being involved in or engaged in terrorist acts while in transit through one of our airports. The moment they are picked up and there is the intention to remove them, they then claim asylum and the rights that go with it in terms of having their case heard through the asylum process. To be able to adjudge that in those circumstances the substantive case for asylum is not heard is to acknowledge the circumstances of the detention of someone who was about to leave the country or go about their business in another way without actually claiming asylum, who is then using the asylum machinery precisely to get round the existing law. That was debated immediately after 11 September because a case at Gatwick illustrated the problem.

Following the consultation on extradition, we will be able in the Extradition Bill to deal with these matters more extensively, where extradition powers exist; however, where they do not, we have to be able to deal with the circumstances that we are discussing today. This is our home—it is our country. We have a right to say that if people seek to abuse rights of asylum to be able to hide in this country and organise terrorist acts, we must take steps to deal with them.

The underlying question is whether this measure is necessary. Is there really an issue arising out of 11 September that warrants us taking such steps? That is the fundamental question raised in the media and, in effect, raised here this afternoon.

Several hon. Members *rose*—

Mr. Blunkett: I will give way, but let me answer the question. I have posed one, so I think that I will answer it.

My right hon. Friend the Chancellor of the Exchequer spent the weekend in Ottawa with colleagues from across the world. He was engaged, rightly and effectively, in getting 183 countries to affirm that they would establish what we have established—a terrorism finance unit—as a way of co-operating and getting to the bottom of the most careful and clandestine networks the world has known. My right hon. Friend spent the weekend encouraging people from 183 countries to do that not because there has not been a new threat but because the threat has increased dramatically. That is not merely because people acted as suicide bombers, flying planes into the World Trade Centre, but because they have openly declared that it is open season on all of us. They want to destroy our lives, our liberty, our values and our way of life. If 10 weeks makes such a difference in terms of perception, I despair of our being able to hold in our mind the gravity of what we have been dealing with and the threat that exists. The question is whether, proportionately and cautiously, we should take steps to protect ourselves.

Mr. Kevin Hughes (Doncaster, North): I welcome the legislation that my right hon. Friend is bringing forward. After 11 September, it is probably long overdue. Does my right hon. Friend find it bizarre—as I do—that the yoghurt and muesli-eating, *Guardian*-reading fraternity are only too happy to protect the human rights of people engaged in terrorist acts, but never once do they talk about the human rights of those who are affected by them?

Mr. Blunkett: I declare straight away that I do eat yoghurt and occasionally muesli—in the summer, I even wear sandals; but I do not suffer fools gladly. It seems to me that although the nation of course has a right to scrutinise what we are doing and to question us—to ask why on earth we are taking additional measures—we must also face up to things and be prepared to understand that people out there really want us to get a grip on any danger that threatens their or our lives, or the operation of this country—its economy, working and lifeblood. That is all that we seek to do this afternoon: to explain the necessity of having to take these actions and, on the back of them, of having to derogate.

Mr. Graham Allen (Nottingham, North): Will my right hon. Friend accept the thanks of many Members in the Chamber for his new news today that debate on future renewals will not be limited to an hour and a half—unlike our debate on the motion that we are to discuss later tonight? Given the circumstances of the 40 nations that have signed the European convention and, indeed, of the United States itself, why does my right hon. Friend think

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that circumstances in the UK should lead us to suspend habeas corpus? That is not the case for those other nations, which were equally affected and, in one instance, much worse affected by the tragedy on 11 September?

Mr. Blunkett: In the United States, the Patriot Act gives the Attorney-General sweeping powers of detention. It gives powers in terms of the ability of the Attorney-General first to certificate and then to hold people pending their removal from the country. Of course, they are not subject to article 3 of the European convention on human rights. In countries such as France—

Mr. McNamara: Will my right hon. Friend give way?

Mr. Blunkett: I am still answering a question.

In countries such as France, where the investigatory magistrates have considerable powers, a different law applies. People can be—and have been—detained without trial while investigations are taking place, for up to four years in certain circumstances. From time to time, investigatory magistrates are challenged. Indeed, the French have been challenged in the European courts. When the challenges are upheld, the magistrates take a different approach, but based on French law, not British law.

I am proud of the fact that British law provides the human rights that are being defended and considered by all of us this afternoon. I am not intent on trawling through the anti-terrorist, criminal or civil laws of each country in order to abuse their systems, but I want to make one thing absolutely clear so that there is no mistake: those of us who are arguing the case this afternoon for additional powers are just as committed to human rights and civil liberties as those who legitimately and reasonably seek to oppose the powers. Some of us—in fact, all of us on the Government Benches—have spent our lives fighting for the civil liberties and empowerment of people who do not have access to wealth, privilege and power.

Several hon. Members *rose—*

Mr. Blunkett: I shall give way to my hon. Friend the Member for Hull, North (Mr. McNamara) in a moment, but first I give way to my hon. Friend the Member for Sheffield, Hillsborough (Helen Jackson) because I have to live with her regularly—

Helen Jackson (Sheffield, Hillsborough): I beg your pardon!

Mr. Blunkett: I shall rephrase that. I have to keep our friendship going.

Helen Jackson: I am most grateful to my right hon. Friend, and I am glad that he rephrased what he said about our living together.

I do not doubt the intentions behind the Bill and the need for action following 11 September, but I hope that my right hon. Friend will clarify an issue that relates to the effectiveness of this provision. I understand that the objectionable bits of the Bill on detention and the length of time that people might be detained applies only to people who are not nationals of the country in which they live. I should be grateful if my right hon. Friend would clarify this query: to what extent can he be sure that the people who are part of the international network about which we are concerned at the moment are not nationals of the various countries in which they live? Is there not a danger that we are labelling those individuals who are stateless, and directing this Bill at them, so ignoring potential terrorist activities from people—

Mr. Mark Francois (Rayleigh): On a point of order, Mr. Speaker.

Mr. Speaker: Order. I shall take the hon. Gentleman's point of order in a moment. The hon. Lady's intervention was certainly far too long.

Mr. Francois: You have just dealt with my point of order, Mr. Speaker. I was about to ask whether there was a 10-minute limit on interventions.

Mr. Blunkett: I return to my original point, and I apologise to the House for making it again, but it is important to stress that we are seeking the powers in relation to detention and the use of SIAC precisely on the basis of our immigration and nationality provisions and the inability to send people to countries in which they would be put at risk.

The right to regular review exists; the right to leave the country exists; and the right to ask that Parliament reconsiders what we are asking it to pass in relation to these measures exists; but all that is based on the presumption that, in normal circumstances, we would have asked people to leave our country but that we have been unable to do so because their lives would thereby be put at risk. I shall give way to my hon. Friend the Member for Hull, North, because I promised to do so.

Mr. McNamara: I am grateful to my right hon. Friend for giving way; he is being most forbearing. He mentions the United States Patriot Act and the power of the US Attorney-General to detain people for up to four weeks. Will he confirm that, under the US constitution, any act by the Attorney-General is subject to scrutiny by the Supreme Court of the United States and cannot be excluded?

Mr. Blunkett: Well, it is, but that question has two answers. First, the person will be detained while that process takes place. Secondly, under the existing Acts and powers and in the circumstances where the Attorney-General would use his powers, military courts can also be used. In such circumstances, evidence can be presented in precisely the way that we intend under the SIAC process. I would not advocate such an approach, and I do not imagine for a moment that other hon. Members would.

Sir Teddy Taylor (Rochford and Southend, East): I thank the Home Secretary for giving way so often and helping Back Benchers to understand this complicated Bill, but will he genuinely explain why clause 21 states:

> "'international terrorism' does not include terrorism concerned . . . with the affairs of a part of the United Kingdom"?

Does that mean that individuals from Turkey, Florida or other places who help and finance the Real IRA or the IRA will not be covered by the Bill? Bearing in mind the fact that international terrorist organisations co-operate with one another and help one another with financing and training, is it not crazy to exclude the Real IRA from a Bill that deals with international terrorism?

Mr. Blunkett: When such a foreign national is suspected of international terrorism or linked with international terrorists, he would be subject to the Bill.

Sir Teddy Taylor: No.

Mr. Blunkett: Yes. We can argue it out in Committee on Wednesday and I will be happy to do so. There will certainly be time to argue about that particular phrase.

I want to make progress by giving Members the opportunity to intervene on different parts of the Bill. Before I move quickly through the Bill in detail, I want to lay to rest once and for all the idea that, because action has been taken—action criticised by others—that has liberated two-thirds of Afghanistan from the threat of the Taliban, the threat has somehow gone away. It has not. It is worth bearing in mind the fact that a wounded and cornered tiger is more dangerous than ever.

Fiona Mactaggart (Slough): Will the Home Secretary give way?

Mr. Blunkett: One more time, but then we must move on to consider the clauses.

Fiona Mactaggart: I thank my right hon. Friend for his patience.

Further to the question raised by the hon. Member for Rochford and Southend, East (Sir T. Taylor), I thought that, under the Bill, when a case could be brought to trial in the United Kingdom—as I would expect for a case of terrorism in Northern Ireland—the person subject to immigration control would be subject to due legal process in Britain. Can my right hon. Friend assure me that where it is possible to conduct a trial in the UK—because the evidence and the witnesses are here—we will seek to bring these criminals to trial here?

Mr. Blunkett: My answer is unequivocally yes. Of course we would do that. The hypothetical question was not about the act that could be charged—such as organising terrorism in Northern Ireland—but about whether it could be shown that there was a link to terrorism world wide.

Mr. Fisher: Will the Home Secretary give way?

Mr. Blunkett: I will give way one more time to ensure that we do not irritate each other by misunderstanding the arguments.

Mr. Fisher: I am most grateful to the Home Secretary for his patience. Following on from the point made by my hon. Friend the Member for Slough (Fiona Mactaggart), do not the courts in this country have all the powers that they need to take evidence in camera, and are not judges able to clear the court? In respect of any evidence—my right hon. Friend identified it earlier—that prejudiced sources or the security forces or is prejudicial to the case, powers currently exist to hold part of a court trial in camera. The need to assume the wide powers in the Bill is not readily apparent.

Mr. Blunkett: My hon. Friend is right. The difficulty, as adjudged in passing the measure that set up the Special Immigration Appeals Commission and that results from the challenge of Mullah Rehman, is that some evidence is not admissible in such a court, but it is admissible in SIAC. That protects the security and intelligence services. The required threshold has to reach the level where SIAC adjudges that the decision taken by the Home Secretary on advice is correct. The Rehman judgment affirmed that what we believed to be the case over the past four years was indeed the case—that the threshold of evidence that would not be admissible in a normal court is acceptable in the SIAC process. I hope that that clarifies the position, because there has been a major misunderstanding about that at the public level. Although I have tried on various news and current affairs programmes to clarify the issue, it has not been possible to spell it out.

Parts I and II complement the Proceeds of Crime Bill in stopping organised terrorism and crime being perpetrated through money laundering by organised finance—a subject that my right hon. Friend the Chancellor of the Exchequer considered in Ottawa. We are seeking the ability to freeze assets, to take unified action with other countries and to introduce restraining orders. I also referred to the terrorism finance unit.

Part 3 will enhance the power of disclosure to law enforcement agencies, with clear guidelines, and allow disclosure to be presented in constrained circumstances, including those that relate to criminal investigation.

Part 4 deals with the issues to which I have just referred. In addition, I intend to make a small amendment to clause 25. During the deliberations of the Joint Committee on Human Rights, it was pointed out to me that there should be a test of reasonableness. It is my intent, therefore, to introduce an amendment to clarify that. I hope that that information helps the House and shows that we are genuinely prepared to listen and respond to what is proposed on such matters.

Part 5 covers issues that relate to the controversy that has arisen in respect of religious hate. For the sake of clarification, I again want to put on the record what we seek we do. The debate on this subject has been going on for a long time. We were approached by leaders of the Muslim community—it was a representative leadership group—who thought that it was only right, fair and protective to include religion with race in terms of avoiding incitement to hate using the Public Order Act 1986. I considered that and decided that their point was fair and reasonable. That suggestion was also made when the Crime and Disorder Act 1998 went through Parliament and the Opposition pressed us hard to implement it. At the time, my right hon. Friend the Home Secretary, who is now Foreign Secretary, accepted that there was a reasonable case for keeping it under review, but that it would not be introduced then.

Since then, others from the Muslim community—representative or otherwise—have said that they do not like the idea. It has been suggested—I heard people say this as recently as this morning on the radio—that it might be used against Muslims. That is true; it might, because

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Muslims are no less subject to the law than Christians, Hindus, Jews or anyone else. I do not want gesturism. I hope that the provision will protect all those who have deeply held religious beliefs from having that faith used to incite hatred against them. This is a public order Act, and it is the order that we are talking about. To be prosecuted, the power has to be used against the perpetration of threatening, abusive or insulting words or behaviour with—this is the crucial phrase—the intention and likelihood that racial hatred would be stirred up. That is the crucial element.

Several hon. Members *rose—*

Mr. Blunkett: I will give way in a moment.

The case is to be adjudged by the Attorney-General and brought only if he believes that there is a case to be heard. That brings the law into line with those of the Jewish or Sikh faith who have already been adjudged by the courts to be covered by the term "race".

Sir Brian Mawhinney (North-West Cambridgeshire): I am grateful to the Home Secretary for giving way and want to put a question to him from a Christian point of view. He will know, to use his own words, that two of the central foundations of the Christian faith—namely, that Jesus Christ was both man and God and that people can get into a relationship with God only through Jesus Christ—are deemed by some in other religions to be insulting and offensive. Indeed, in some countries it is so insulting and offensive that the very statement of Christian faith is enough to put someone in prison. Will the affirmation of those fundamental Christian beliefs fall foul of his Bill?

Mr. Blunkett: The answer is unequivocally no.

Several hon. Members *rose—*

Mr. Blunkett: I give way to the hon. Member for Banbury (Tony Baldry).

Tony Baldry (Banbury): I fully support the Home Secretary's intention to extend to Muslims the protection afforded by race relations legislation to members of the Sikh and Jewish faiths. However, the problems with that legislation, including the exclusion of Muslims from its provisions, have simply been created by judges in their interpretation of it. Why does not the Home Secretary simply amend the Race Relations Acts of 1965 and 1976 to extend their protection to the Muslim community, rather than creating a new criminal offence? Will the Home Secretary acknowledge—

Mr. Speaker: Order. The hon. Gentleman's intervention is far too long.

Mr. Blunkett: Religious discrimination is a different matter, and it does not relate directly to the issues that we have been debating, which are public reassurance and calm in our communities following the hatred and associated dangers arising from the events of 11 September. Those tensions could have been extremely dangerous, and we have devoted an enormous amount of police time and resources to providing protection. It would not have been right separately to pick out, and discriminate either for or against, a particular faith, because that in itself could well have caused difficulties with public reassurance and social cohesion.

People are entirely entitled to their views on this matter, but including religion with race seemed to us to be a perfectly reasonable measure, associated as it is with the aggravated offence, which has been extremely successful—almost 22,000 such cases have been considered, and there have been 4,000 prosecutions.

Mr. John Gummer (Suffolk, Coastal): May I put a very straight point to the right hon. Gentleman? The hon. Member for North Antrim (Rev. Ian Paisley) has on occasion said that the Pope is the anti-Christ and the whore of Babylon. Would that be illegal under this Bill? As a follower of His Holiness, I do not think that it ought to be illegal, because people should be allowed to say what they want.

Mr. Blunkett: The argument is not whether people should be allowed to say what they want but whether the intention, and the likely effect, of their comments is to stir up racial hatred. *[Interruption.]* Both the intent and the consequences will be the basis on which the Attorney-General will make a judgment on any individual case. The great strength of our democracy is that we can debate, and people can say what they believe, but another strength, represented by race hate legislation, is that we can prevent people from using that democracy to develop hate into attacks on other people.

I have paid careful attention to the column inches devoted to this matter. It is interesting that the very people who, in the weeks immediately after 11 September, wanted us to take action against particular, vocal individuals on the grounds that they were developing hatred, are now so strongly opposed to us including religion in laws to prevent that hatred becoming effective.

Ms Diane Abbott (Hackney, North and Stoke Newington): The whole House supports the stated intention behind the religious hatred clause, but if it is partly to afford to other religions the protection currently given to the Christian faith by the blasphemy laws, surely another way around the problem is simply to get rid of the blasphemy laws.

Mr. McNamara: The laws apply only to the Church of England.

Ms Abbott: I am sorry.

Mr. Blunkett: There is an interesting debate to be had about the blasphemy laws—I said so to the Joint Committee on Human Rights—which apply only to the Church of England. However, this is not about religion or the blasphemy laws; it is about public order and whether we are taking the right steps to ensure that we broaden the definition in relation to hate and the aggravated offence. An amendment will undoubtedly be tabled on Wednesday, which we shall be able to debate; we will reflect on what was said back in 1998.

Part 6 deals with weapons of mass destruction and will extend the scope of the Chemical Weapons Act 1996. Those are precautionary measures but, in my view, quite sensible. Part 7 deals with dangerous substances and secures the necessary protection for laboratories and other places where they may be held. Part 8 increases security in and around civil nuclear installations and will enable the Office of Civil Nuclear Security to deal with that. Part 9 updates aviation security and makes improvements to the Aviation Security Act 1982, which has some extraordinary loopholes. Part 10 deals with policing.

Mr. Chris Mullin (Sunderland, South): As the Home Secretary may have noticed, I have kept quiet until now. Why is it necessary to extend the powers of Ministry of Defence police to cover any act in any part of the country, not just those involving terrorism?

Mr. Blunkett: They are to be used in specific circumstances. It is important to distinguish the MOD services that we are talking about from the military police; I read one article that clearly implied that we were talking about military police moving around with guns in their hands. We are not. I want to make it clear that any use of weaponry would be entirely under the provisions of the authorisation requested by police services in the normal way. We are talking about circumstances in which MOD services would be brought in, either on the request of the local police or where there was judged to be a definable emergency, and only for that period. It is right and proper that in the police reform legislation that we will introduce next year, we ensure that the normal powers for police complaints will be available; if there is any action under the measures by people acting in a certain way, there is no doubt that individuals will have normal protection.

Parts 9 and 10 also enable us to deploy the transport police in a more sensible way than is available at the moment; that is not controversial in any way. Part 11 deals with the retention—

Norman Baker (Lewes): Will the Home Secretary give way?

Mr. Blunkett: For anyone watching the Parliamentary Channel, part 11 deals with communications data and their retention.

Norman Baker: I am grateful to the Home Secretary for that clarification. Why will the powers that he proposes to give the authorities require all communications data to be kept and the authorities to have access to them not simply for the purpose of safeguarding national security, which people will understand, but for the purpose of the prevention and detection of crime, which could be any crime whatsoever? Why are the powers so sweeping and far-reaching?

Mr. Blunkett: Because it has become abundantly clear that it is impossible to distinguish the issues when one cannot separate out crime and terrorist funding, crime and terrorist organisation, and crime used to fund terrorist acts. That is why there is a provision allowing data already held by the service providers to be held under the voluntary code that we intend to put in place.

We thank, as I did on 15 October, the service providers for their co-operation, which we expect to continue. We are providing a reserve power only against people who undercut or damage the reputation and work of others by refusing to take part and co-operate with the code. The data will not include content, merely subscriber details already held and itemised billing, and will be renewable after two years.

Part 12 deals with bribery and corruption. We were happy to respond to the many voices, including those in the House, calling for such provisions. Part 13 deals with a range—

Sir Teddy Taylor: Will the Home Secretary give way?

Mr. Blunkett: I did not think for a moment that my friends on the Eurosceptic wing would allow that to pass. For clarification, the affirmative procedure would apply under part 13.

Sir Teddy Taylor: Clause 109(3) states that references to the treaty on European Union include references as amended by the treaty of Nice. As I understand it, the treaty of Nice has not yet been approved by all member states, and is unlikely to be approved by member states. Is it right to put into our law a provision amended by the treaty of Nice, when that treaty has not been approved by each member state?

Mr. Blunkett: I believe that the hon. Gentleman would be strongly in favour of our approving what we consider appropriate. The treaty of Nice and the Tampere European Council took forward provisions that were expected to be carried through in the usual way, after detailed scrutiny and an affirmative resolution. They included the 1995 and 1996 conventions on extradition, as well as laws updated in 2000 on mutual legal assistance. I do not know whether the hon. Gentleman was against the 1995 and 1996 provisions, but such measures are precisely the sort that will be carried through.

The provisions relating to arrest warrants, which have caused such interesting debate in Europe, not least when I was discussing them last Friday, will be carried through, subject to the agreement of the House, in the Extradition Bill, rather than in the measure before us. The Bill also contains provisions dealing with the manifests carried by carriers, to introduce the protections that we seek.

The Regulation of Investigatory Powers Act 2000, the Terrorism Act 2000 and the Bill provide the country with the power to defend itself, and provisions to monitor and scrutinise how that power is used, to ensure that Parliament is not ignored and can hold the Executive to account for the actions that they take, and to ensure that our security and intelligence services are used effectively.

I am aware of reports in the broadcast and print media of people abusing our intelligence and security services. On the basis of their performance 10 or 20 years ago, one or two commentators have called those services useless. They are not useless. Over the past few days, together with the Customs service, they have proved that by picking up those who threaten our lives in the United Kingdom from Ireland. We owe those services a debt of gratitude. Members of the police and security services, for instance, who approach vehicles that are about to explode in order to save the lives of others do not deserve the opprobrium of those who simply write columns and who have never in their lives taken the responsibility for making a decision, apart from what they would buy from Sainsbury's.

[Mr. Blunkett]

Let me put the matter simply, as though we were dealing with someone who has been invited into our home—someone who is not a member of our family, but who accepts our hospitality. Let us suppose we find that, in our home, they are undertaking actions that are unacceptable to us. In normal circumstances we would ask them to leave, but that might immediately put their life at risk. We would surely want to take steps in our home to ensure that we and our family were secure. Using the Special Immigration Appeals Commission and the powers that we are setting out in the Bill, we endeavour to do precisely that, while of course protecting the civil liberties gained over many years in our nation and including the power to set aside even the limited requirement of detaining people on a limited basis should it prove that the threat that emerged on 11 September diminishes or disappears. I would be the first to come back to this House and ask for us to drop that power, but I am the first this afternoon to ask that, in the circumstances, we agree to it.

4.45 pm

Mr. Oliver Letwin (West Dorset): These are dangerous times—I think that is agreed across the House—and there are loopholes in our national security. That, too, is agreed across the House. However, the purpose of the House and of Parliament as a whole at a time such as this is not merely to enact into law the first set of propositions that occur to Her Majesty's Government, but to achieve an appropriate balance between public safety, which it is the Home Secretary's responsibility to protect, and individual liberty, which this House and Parliament as a whole were established to protect. Most of what I want to say relates to that balance and to the elements of the Bill that I and my hon. Friends believe do not appropriately strike that balance.

First, however, I want to say a word about process. I have discerned across the House, as everybody here must have done, a strong feeling that a few days—three days, in the case of this House—are not enough fully to scrutinise the Bill. However, I accept the severe time constraints under which the Home Secretary feels that he is operating. I also accept, therefore, that it is probably appropriate to allow this House and the other place the opportunity to make up ex post for what we will have failed to do ex ante, by providing a drastic set of sunset clauses so that Parliament as a whole will have a full opportunity to revisit almost all parts of the Bill regularly, and so that the great bulk of it will fall away unless Parliament chooses to re-enact it. We will then have the opportunity to see how it works in practice and to investigate whether the Home Secretary is correct, or whether some of the arguments that hon. Members, including me, will advance in this debate are proved right.

Mr. Hogg: Does my hon. Friend accept the proposition that, although there may be parts of the Bill that are truly urgent, the great majority of it cannot from any viewpoint be considered as such? Is not the best way forward to identify that which is truly urgent, incorporate it into a one or two-part Bill and deal with the rest of the matter in proper order?

Mr. Letwin: My right hon. and learned Friend and I will probably not wholly agree about this, but I am willing to take on trust and for the time being the judgment made by the Home Secretary, as he is in a position—whereas I am not—to understand what is urgent and where the loopholes are. If it turns out that some of the provisions were not needed or that they have not worked as the Home Secretary supposed, that will be an argument for them to fall. Of course, my right hon. and learned Friend will agree that some provisions should not have been included in the Bill in the first place. We will come to them in a moment.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Does not the hon. Gentleman accept that that is quite a comforting doctrine, as it says that if the House of Commons passes bad laws, that is good enough, as long as we know that we will return to them within 12 months? Does he accept that it would be far better if the House of Commons and the other place had time to consider the Bill carefully before it gets on to the statute book, and not after we have discovered that, as too frequently happens these days, we have made a pig's ear of it?

Mr. Letwin: Of course, it would be better if we had more time now. However, I suspect that the hon. Lady would agree that the time needed to scrutinise the Bill in detail is not simply an extra couple of days. If that were the case, I am sure that the Home Secretary would give way to the argument. The problem is that consultation on a wide range of measures has been inadequate because of time. The Home Secretary believes that he needs powers now to protect us against a potential appalling attack on our fellow citizens. I am unwilling on behalf of my party to put my country at the risk of the Home Secretary being proved right. I am therefore willing in that exceptional case to accept the argument that we should reconsider the matter later.

Mr. Richard Shepherd (Aldridge-Brownhills): I could not let that go. My hon. Friend's approach to the Home Secretary is sympathetic and could almost be described as osmosis. Although that may be admirable, let us consider part 12, which covers bribery and corruption. What is so urgent that it needs those provisions? What arises from 11 September that requires them?

Mr. Letwin: My hon. Friend is right. Part 12 is not an emergency measure. For a long time, Conservative and Liberal Democrat Members have called for legislation on bribery and corruption to implement our obligations under the Organisation for Economic Co-operation and Development convention. I accept that the inclusion of the provisions constitutes an inelegance. However, it would be difficult for my party to oppose it given that we called for it.

Mr. Blunkett: I am grateful for the way in which the shadow Home Secretary expresses his genuine disagreements. I believe that the Conservative spokesman for international development suggested that the Bill would be a suitable vehicle for the provisions in part 12. I accepted that, given that it affects the OECD and the financial implications that the Chancellor tackled in Ottawa yesterday. The United States has said that it wants precisely such measures to help with anti-terrorist activity.

Mr. Letwin: I fear that the answer to that intervention is simply yes.

Mr. Menzies Campbell (North-East Fife): The general approach that the shadow Home Secretary intends to take to the Bill has excited a great deal of interest. Looking back at all those who have occupied the office of Home Secretary in the past 14 years, does he believe that it would have been legitimate in every case for Parliament to adopt the principle of "Trust me, I'm the Home Secretary"?

Mr. Letwin: It is never appropriate to adopt a principle of trusting anybody. Parliament exists not to trust but to scrutinise. I wholly accept that we should be willing to pass legislation at the current pace only in the most exceptional national circumstances. That view has not always been shared by Labour Members.

However, when the Home Secretary of the day believes that an urgent threat to our national security needs to be resolved but Parliament does not have adequate time to do that through scrutiny, proper sunset clauses are the only way in which to proceed. I hope that there is general agreement on that and that the Home Secretary and members of the Treasury Bench will eventually subscribe to our drastic amendments on sunset clauses.

Meanwhile, we must not delude ourselves that it is sufficient to express the fears and hesitations that many of us may have about the short time available for scrutiny, or to use them as an excuse to sit back and refuse to carry out the scrutiny that we can in the few days that are available to us. We have tried to begin that scrutiny in the past few days. I shall give three examples of amendments that I believe we shall table jointly with Liberal Democrat Members. I hope that they will command wide support in the House of Commons and the other place.

Part 3 deals with disclosure and includes strong provisions to increase the amount of disclosure of personal details by Government agencies, including the Inland Revenue and Customs and Excise. We shall try to limit that. The Bill would permit disclosure under the circumstances of any criminal investigation, including that of a minor offence. We want the provision restricted to terrorist-type offences.

Part 4 gives a definition of international terrorism that I believe simply contains an error. The response of the Treasury Bench will be interesting. The definition specifically excludes terrorism that is

> "concerned only with the affairs of a part of the United Kingdom".

Members on both sides of the House will recognise that the effect of that is that, if someone comes to the UK from a foreign country to engage in the kind of terrorism that is specifically restricted to Northern Ireland, these provisions could not be used against them. That cannot be the intent of the Government, and we would want to see an amendment to that provision.

My third point relates to the section with which my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) was concerned. Notwithstanding the short time available, we want to carry out what scrutiny we can on the section on bribery and corruption. Clause 106 contains another error. I understand from our legal advisers that the clause as drafted would have the effect of making it a common law offence—indeed, probably an imprisonable one—for a member of Her Majesty's security services to bribe a foreign official to get information to stop terrorism in the UK. That cannot be the intent of the clause, and we shall table amendments to cure that.

Mr. Fisher: Does the hon. Gentleman share my concern over the wording of clause 21(2)(c), in which the definition of an international terrorist includes someone who

> "has links with a person who is a member of or belongs to an international terrorist group"?

When we are taking such extreme powers, is association of that nature—and the way in which it could well be interpreted—really satisfactory?

Mr. Letwin: I have to admit that, before the hon. Gentleman's earlier intervention, I had not taken proper note of clause 21(2)(c). I found his arguments compelling, and I shall discuss with my colleagues whether we could table an amendment to try to cure that anomaly too. I agree that there is a problem there, and I suspect that there are other problems lurking in the text of part 4.

Bob Spink (Castle Point): Does my hon. Friend agree that a better way of dealing with that aspect of part 4 would be for the Government to use articles 57 and 58 of the European convention on human rights to gain reservation against article 3, so that those threatening national security could be deported to countries such as, say, the USA and India?

Mr. Letwin: Not only do I agree with my hon. Friend, but I have spent a large amount of time in the last few weeks propagandising for that view. I shall come to that hugely important question in detail in a few moments. My hon. Friend is absolutely right.

I turn now to the three major elements of the Bill in which we see large-scale problems, and for which we do not think that scrutiny and detailed correction will suffice. The first relates to clauses 109 and 110, which, as the Home Secretary so helpfully pointed out, relate to the implementation of third pillar decisions by the member states of the EU. The clauses propose that such implementation should occur by statutory instrument.

The Home Secretary confirmed today what an earlier letter from one of his Ministers had hinted at, namely that it is his intention to implement the framework decisions on counter-terrorism and on the Euro arrest warrants through the forthcoming Extradition Bill, rather than through statutory instruments. We are grateful for that. On account of that, however, clauses 109 and 110 cannot be regarded as urgent. This cannot be regarded as an emergency provision if the very items most closely related to the emergency with which we are dealing are going to be implemented not by statutory instrument under the clauses, but by another route that is already available—primary legislation.

We have a case, therefore, against including clauses 109 and 110—at least as they are currently drafted—in emergency legislation, and a material case against them in any event. The whole point of the third pillar of the EU is that it gives member states an opportunity to continue to control the vital question of how they are governed from the point of view of their criminal law.

That is not just a matter of intergovernmentalism. To coin an adaptation of the words of Edith Cavell, intergovernmentalism is not enough. We need a continuing

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parliamentary check, so that it is possible to revise what Ministers in Brussels have decided between them. That is why we want these clauses to be restricted to the very narrow extradition proceedings to which the UK is already committed, and thereafter to lapse, so that we can return, as we believe that we should, to implementing EU third pillar decisions in primary legislation. To give an example, that would mean that with proposals such as the Euro arrest warrant, we would be able to argue for amendment—as we will—so that the Euro arrest warrant related exclusively to terrorism. Such amendment would be possible only under a Bill such as the Extradition Bill. It would not be possible if these clauses remain intact, so we want to excise them in that form.

Mr. Hogg: Will my hon. Friend do more to emphasise his objection to clause 109? Is not the real objection that, hitherto, primary legislation has been required to put such measures into law? We are being asked to approve by way of emergency legislation, rushed through in two days, a state of affairs in which primary legislation will not be necessary to implement third pillar regulations. That would be done under the affirmative procedure—unamendable at that.

Mr. Letwin: My right hon. and learned Friend teaches me that I am wholly inarticulate. That is precisely what I was trying to say.

Mr. Gummer: Does my hon. Friend accept that that objection is shared even by those hon. Members who are Europhile? It is not acceptable that, using the excuse of emergency legislation, the House should deny itself the opportunity properly to scrutinise what in most cases I would find perfectly acceptable had the House debated it properly.

Mr. Letwin: I concur with my right hon. Friend. He and my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) were members of the Cabinet who gave us the third pillar and part of the point was precisely that the House should retain the right to control those matters by primary legislation. I believe that we should utterly resist including in this emergency legislation provisions that deny the House that right. So, incidentally, does the Home Affairs Committee. As in other areas, there is a distinct congruence of the views of Conservative Members and the Committee, which has in its ranks a majority of Labour Members.

Mr. Shepherd: I must reinforce my hon. Friend's point. Under title 6 of the European Union treaty, which deals with home affairs and some police matters in co-operative terms, primary legislation must be used.

Mr. Letwin: My hon. Friend is right, and that is a strong point.

Part 5 contains clauses that largely relate to incitement to religious hatred. I put it on record that Conservative Members recognise that the Home Secretary has a noble motive in introducing them. He wants, as we want and as every Member of the House wants, to protect vulnerable religious communities. That is not an issue. Moreover, he has included clause 39, which makes it an aggravated offence to engage for religious reasons in an act that is anyway an offence. We are more than happy to subscribe to that clause.

We see a genuine distinction between an evil and illegal act committed by an individual for ulterior motives and such an act committed for religious reasons. The difference is that sectarian strife can ensue if the motive is religious. That is a consequence for society worse than even the offence itself. Therefore, just as with a racially aggravated offence, we see an argument for a religiously aggravated one. There we are at one with the Government.

I fear that we have the severest reservations about the rest of part 5—all those clauses that deal with incitement to religious hatred and the definitions that flow from it. In the first place, we are worried about including such provisions in emergency legislation. These are immensely delicate issues and there are huge questions of freedom of speech, some of which my hon. Friends and Labour Members have already raised.

I do not know, and I suspect that Ministers do not know, what will be the true extent of the legislation's effects. No clear answer was given to my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) when he asked whether the Member who has called the Pope an anti-Christ would be affected. I do not know whether he would be affected. I do not want to subscribe to legislation that could have effects on free speech that none of us in the House knows.

Mr. Gummer: May I put another case to my hon. Friend? If a religious group allows its children to die because it does not accept blood transfusions, and if I drew that to the attention of others, they might well be very angry about the death of the children. Would I be breaking the law in making a direct connection between the religious beliefs of that group, and the deaths that result? If so, it means that I cannot properly argue the case in this country in future.

Mr. Letwin: I do not entirely know, and what worries me is that I am not certain that the Home Secretary has fully fathomed the answer. Earlier, in response to a question, he said that what had to be shown under sections 18 to 23 of the Public Order Act 1986—which are the relevant sections—was that the defendant intended to stir up religious hatred and that, having regard to all the circumstances, racial hatred was likely to be stirred up. It is not so. The word "intends" in section 18(1)(*a*) is governed by what follows—the word "or" followed by

> "(*b*) having regard to all the circumstances racial hatred is likely to be stirred up".

There is all the difference in the world between those two little words "and" and "or".

I am sure that, under the "and" clause, my right hon. Friend's hypothesis would be unfulfilled—I am sure it would not be the case that he had intended to stir up racial or, in this instance, religious hatred. But whether, having regard to all the circumstances, religious hatred would be likely to be stirred up by such a statement, I do not fully know—and I do not believe Members will know unless and until judges make decisions.

Mr. David Cameron (Witney): Will my hon. Friend consider a work that was without doubt hurtful, even hateful, to members of a particular religion, and indeed led to disorder on the streets of this country? I refer to "The Satanic Verses".

Mr. Letwin: My hon. Friend brings me to the second of my deep concerns about clause 39.

We stand at a very difficult moment for the country, for reasons that the Home Secretary rightly adduces. We are potentially under attack; but this is also a difficult moment because relationships between the Muslim community and the remainder of our citizens are tense. That is acknowledged on both sides, and the Home Secretary and I share an earnest desire for the tensions not to be aggravated.

The Home Secretary rightly said that a piece of legislation of this kind could and would apply to Muslims, as to all our fellow citizens. That is how our law operates: it is blind to the persons with whom it is dealing. My hon. Friend, however, has raised a vital question. It can be replicated in many other ways. We must ask whether the editor of *The Muslim News* will find that he or some of his writers are under threat. Will Muslims feel that the use of this law against them at this time might have deleterious consequences?

We are dealing with a matter of great delicacy. It deserves to be part of a considered debate featuring wide consultation and deep thought over a prolonged period, and very probably allied to the resolving of the whole question of religious discrimination, which is the item that most worries most religious minorities. We firmly believe that it would be far better to remove these clauses, and to leave the Bill to concern itself with items that are genuinely to do with terrorism—this is not such an item—so that we can return later to consider, properly and deliberately, the question of religious discrimination and all the attendant questions.

Mr. Tony McWalter (Hemel Hempstead): In that case, will the hon. Gentleman support my amendment to delete these clauses entirely—including clause 39—so that they can be given the careful attention that he has recommended?

Is the hon. Gentleman aware that when I raised the matter with the Home Secretary in the House a couple of weeks ago, he expressed complete incomprehension in regard to claims made by me at that time, and made today by, for instance, the right hon. Member for Suffolk, Coastal (Mr. Gummer) and the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg)?

Mr. Letwin: Although we could argue about clause 39, on religiously aggravated offences, I go along with the rest of the hon. Gentleman's view. I think that it is extremely significant that the Home Affairs Select Committee has taken the view that

> "We have not seen sufficient evidence to justify the proposition that extending the law of incitement to include religious as well as racial hatred will work in practice . . . We therefore see no reason for this measure to be included in this emergency Terrorism Bill."

I hope that the Home Secretary will heed those remarks from a source that is not partisan and that he will see fit to withdraw those clauses.

Simon Hughes: It may be helpful for the hon. Gentleman to have confirmation that, having talked to the Christian and other faith communities, we believe that the strong preference of all faith communities is the one that has been expressed by him and by the hon. Member for Hemel Hempstead (Mr. McWalter). The faith communities believe that we should legislate carefully and separately on the issue and that we should not mix debates on terrorism with those on how we protect people's faith and their right to criticise faith. That view should be a support for the hon. Gentleman and his colleagues. It is also held by a very large coalition which I detect may find favour in a few days in the other place.

Mr. Letwin: I wholly agree with that, and our soundings among the same communities have produced the same results. I also think that the hon. Gentleman has, by allusion, made an enormously important point. To confuse protection of any minority, but particularly Muslim minorities, with counter-terrorism is itself to make an elision that is dangerous in the current circumstances. Muslims are not, as the Home Secretary and the Prime Minister have freely and frequently acknowledged, terrorists. Muslims are Muslims—they are from a religion—and terrorists are terrorists. We do not want to be discussing the one in the same breath as the other.

Part 4 contains the internment clauses which have caused most of the scintillating debate today. If these clauses are to remain in the Bill—in a moment I shall give the reasons why I believe that there is a much better route to use than that type of internment—they will need amendment. However, I think that the Home Secretary may have started to move in directions that are welcomed by Opposition Members.

Clause 21(1)(a) currently requires the Home Secretary merely to believe that the person in question who is to be interned is a risk to national security. In the context of that inevitably draconian power, there should surely be at least a requirement for substantial grounds for belief. I think that that chimes with the Home Secretary's welcome statement earlier today that there would be some form of reasonableness constraint. I should like a reasonableness constraint allied to substantial grounds.

Mr. Marshall-Andrews: Does the hon. Gentleman agree that desirable though such provision may very well be, and although such provision may well be included in the Bill, if judicial review remained—and there seems to be absolutely no reason why it should not remain—the divisional court would import a question of reasonableness into the test in any event?

Mr. Letwin: The hon. and learned Gentleman moves me on to my next point, on judicial review. Perhaps unlike him, I sympathise with the Home Secretary's desire to exclude from consideration by judicial review the decision made by the Home Secretary himself.

Mr. Hogg: On the merits.

Mr. Letwin: Yes. I believe that the Home Secretary fears that, if the merits of his decision are subject to

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judicial review, the merits will be subject to judicial opinion. He believes, and I have some sympathy with this line of thought, that it is the Home Secretary of the day—

Mr. Marshall-Andrews *rose—*

Mr. Letwin: I promise the hon. and learned Gentleman that, if he can contain himself, I am about to make a point that will fully expose my view. Then I shall be happy to enter debate with him.

The Home Secretary believes that it is the Home Secretary of the day, in the democratically elected and accountable Government, who should decide, on the merits of the case, whether the individual concerned is a danger to our national security. I can sympathise with that view, although with the profoundest doubts and hesitations.

However, I cannot sympathise with the further leap that the current text takes, of entirely excluding judicial review. The Special Immigration Appeals Commission was set up not for the purpose of determining whether a person should be detained indefinitely, but for other and lesser purposes. Although, as the Home Secretary rightly says, that body was originally established with a view, de facto, to reviewing judicially decisions made by the Home Secretary, it is not constituted in a manner that gives sufficient assurance that by itself it will always act properly.

The Lord Chancellor sets out the rules for that body, and we want at least an amendment that makes it possible to test by judicial review whether the body followed its own rules. That must be the absolute bare minimum of procedural constraint. To take a ludicrous example—

Mr. Blunkett: I should hate the hon. Gentleman to embark on a ludicrous example before I was able to challenge him on a less ludicrous one. Surely the right of appeal to the Court of Appeal and, if given leave, to the House of Lords on a point of law is itself a point of law relating to whether the SIAC process has been observed properly by the High Court judge and those sitting with him.

Mr. Letwin: No. I have taken legal advice on the matter—as, obviously, has the Home Secretary—and we shall argue it out in Committee. As I understand it, an appeal on a point of law would not lie if there was a procedural irregularity in the conduct of SIAC. To take what I hope is a ludicrous example—although it has happened in English courts—if the person presiding over the commission on a given occasion were asleep during its proceedings, I understand that the Home Secretary would debar legal review of the decision to put someone into an English jail indefinitely, notwithstanding the fact that the person presiding was asleep. That needs reviewing.

Mr. Marshall-Andrews: May I say, slightly painfully, that in this respect I agree entirely with the Home Secretary? That would be a matter of law, and would clearly be covered. The real problem surely relates to an attack on the merits, on which a Minister decides, on the basis that someone will be incarcerated indefinitely. For that not to be reviewable is abhorrent. Does the hon. Gentleman not understand that in judicially reviewing a Minister's decision, the divisional court does not say whether it agrees or disagrees with the Minister? It must find that no reasonable Minister would have come to that conclusion. In my experience that has always been so: I cannot think of a single case in which the divisional court has not dutifully followed that principle.

Mr. Letwin: The hon. Gentleman makes a powerful case, to which we shall attend and, perhaps, return in Committee. The question is whether the judicial review might be restricted to a kind of reasonableness that genuinely does not seek to judge whether the Home Secretary was right. That elision increasingly worries Members on both sides of the House. If the definition could be genuinely restricted to the case of reasonableness as it was originally understood, Opposition Members would have considerable sympathy for such an amendment.

Mr. Hogg: I understand why my hon. Friend is reluctant to subject to judicial control the Home Secretary's decision about whether someone is likely to be a threat to national security. That is a qualitative judgment and is difficult to make, and therefore rather difficult to subject to appeal. The question whether someone is associated with a terrorist organisation, or whether reasonable grounds exist to suspect that he or she is, is ultimately a matter of fact. I put it to my hon. Friend that there is a strong case for that issue to be the subject of an appeal and review procedure.

Mr. Letwin: My right hon. and learned Friend makes another important point, and I am more than prepared to consider that, too, in the 24 hours that are available to us. We may return to it in Committee. Indeed, I have no doubt that he will want to return to it in Committee, by which time we may be willing to support him.

Mr. McNamara: Those are all very fine legal points and distinctions, but for many of us the important question is whether the person who is to be incarcerated should know the reasons and evidence on which that incarceration will rely. We are saying that we will have to depend on the good faith of my right hon. Friend the Home Secretary. I have great respect for my right hon. Friend, but there have been other Home Secretaries, in other circumstances, whose objectivity has been more coloured by the need to retain popular support than by the interests of justice and the individual. It is because we believe that a person should know the evidence that is being used to justify his incarceration that we object to this part of the Bill.

Mr. Letwin: The hon. Gentleman takes us beyond the question of the process to be used and advances an argument against part 4 as a whole. There I leave him, because the Home Secretary and the Government do not currently have a viable alternative. They should develop such an alternative, which returns us to the point made by my right hon. and learned Friend the Member for Sleaford and North Hykeham a moment ago.

Mr. Garnier: It surely is not beyond the wit of the Home Secretary, or of man generally, to come up with a process that can accommodate the protection of the rights of the individual subject to the detention order and the necessary requirements of the secret services to protect their sources of information. Those are both proper things to want to protect, so surely, between the 659 of us, we can devise a process that would achieve both aims.

Mr. Letwin: I agree that it ought not to be beyond the wit of the House—and the other place, which may have a large role to play—to devise such a balance in part 4. That should be our primary purpose in Committee and it should be the primary purpose of the other place. I hope that we will devise such a scheme and amend the Bill accordingly. If we are unable to do so, a drastic revision after a year may enable us to correct what we have been unable to get right now. Between those two possibilities, I hope that we will get nearer to having a part 4 with which we feel more comfortable.

We cannot ever feel wholly comfortable with part 4 because it poses two difficulties. The first, which concerns some Labour Members and some of my hon. Friends, is that each time we intern people—under whatever procedure—indefinitely and without a full trial, we create another precedent that, in the long run after an accumulation of precedents, may prove dangerous to our liberties. That is a worry. Secondly, and ironically, we may cause a risk to our society. The Home Secretary rightly seeks to protect British citizens from attack by means of the Bill, but if people connected with terrorism are interned without trial in our jails, that may be a potential cause of their friends, relations, allies and compatriots taking action from the outside to seek to liberate them through hostage taking, reprisals or other measures. Will the Bill impose an additional risk on us?

For those reasons—the reason of precedent, which every hon. Member takes seriously, and the reason of increased risk—we should have a viable alternative to putting people in jail indefinitely. In my opinion, there is a viable alternative because the Home Secretary is in an unusual position. Most of our predecessors would have found it astonishing to be told that a British Home Secretary who had serious grounds for believing that an individual posed a threat to the stability of our society and the safety of our population was unable to prevent that individual from entering the country. That is indeed an astonishing state of affairs. It is yet more astonishing that on discovering that such an individual is in this country, the Home Secretary is unable to remove him. He is unable to do those things not because of article 3 of the European convention on human rights, which is often cited, but because of what the judges have decided in cases such as Chahal and Soering, which was not part of the original intention of the drafting of article 3.

The original statements that gave rise to the convention make it abundantly clear that the intention was to make it impossible for a country that subscribed to the convention to engage in inhuman or degrading treatment of its citizens or anyone else in its country—something to which I wholly subscribe. The judges extended that doctrine so that it was impossible for the Home Secretary's predecessor—a man whose politics I do not share but who is, by any standards, a reasonable man—to remove to India, which is not in a state of barbarism but has a proper legal system, two individuals whom he conscientiously judged to be a risk to this country. That strikes me and my right hon. and hon. Friends as absurd.

The Home Secretary has today helped enormously to take the debate forward in a constructive fashion by reinforcing the very point to which we have been trying to draw attention. Under articles 57 and 58 of the European convention on human rights, it is clearly possible—we have taken formal legal opinion on this and no doubt the Home Secretary has employed half the English Bar to consider it—to engage in an inelegant manoeuvre to remove ourselves from the convention for a millisecond and re-enter with a reservation, parallel to, though much more restrictive than, the reservation that the French have entered in respect of national emergency. That would enable the Home Secretary to have two weapons at his disposal. I think that the one to prevent entry or remove the person in question will be used more often.

In the extreme circumstance that someone would be sent back to a most ghastly death and the Home Secretary judged that the risk to this country of interning him would not be so great as to make even that tolerable, then it is reasonable, I think—just, and with my heart sinking—for the right hon. Gentleman to put that person in indefinite detention, at least until the country in question becomes reasonable enough for him to return that person there. Instead, the Home Secretary is creating a situation in which he is willing to put at some risk our civil liberty precedents and our safety, as far as reprisals are concerned, simply to avoid that inelegance. I find that astonishing.

I hope that the Home Secretary will reconsider this state of affairs and take action. I do not believe that primary legislation is required at this stage. Oddly enough, in the Human Rights Act 1998, the same provisions apply to reservations subsequent as to derogations subsequent. The same kind of order that we will be debating later could apply to reservations. The Home Secretary could take action without any significant primary legislation being necessary in the short term. I hope that he will look again at the question and spare many of us the great anxieties to which part 4 gives rise by providing himself with a proper viable alternative.

Mr. McNamara: The hon. Gentleman's word "inelegant" is an elegant way of describing sending people back to countries where they might be killed, tortured, subject to inhuman treatment or the target of American bombs. The statements of the leaders of the United States make it clear that countries that take into their territories people even suspected of terrorism will be legitimate targets. The hon. Gentleman is not asking my right hon. Friend to do that, is he?

Mr. Letwin: We are talking about a fine balance. I respect the hon. Gentleman's pure position. However, does he really believe that the fact that someone comes from what, by our standards, is an unpleasant country—even if it has a perfectly proper judicial system—justifies us opening ourselves to the possibility of an appalling attack on our fellow citizens? The logic of his twin attack on part 4 and on my alternative is that the Home Secretary exposes us to that very risk. I am struggling to preserve so far as possible the fabric of our liberties while giving the Home Secretary the greatest possible scope to protect our public safety. It is that twin act—not so pure, but desperately important—in which we as a Parliament must try to engage.

Mr. McNamara: On that basis, we should never have taken into our country any refugees who were Jews,

[Mr. McNamara]

because they were likely to be followed by German Nazi persecution—[HON. MEMBERS: "Rubbish!"] That is the logic of the hon. Gentleman's argument. In the words that he used to describe the countries to which people were being sent, he also supports and strengthens the case being made by my right hon. Friend.

Mr. Letwin: My mother-in-law left Germany in 1939. Her entire family was wiped out. I am rather grateful that this country received her because it gave me my wife. If she had come here with the intention of blowing up Londoners I do not think that she should have been let in. That is the argument I am making. I am not making it because I do not care about refugees: I do—passionately. I am making it because the Home Secretary has to balance our protection against the protection of individuals who are seeking entry. That seems a rational position.

Mr. Gummer: Does my hon. Friend agree that there is also a great inelegance because in the present circumstances we are saying to countries such as India, which have become independent, that we do not trust them as they should be trusted? We are thus taking a view that they must find immensely offensive. I do not understand why those who are most enthusiastically anti-imperialist should take upon themselves a role that they would not adopt in any other circumstances.

Mr. Letwin: My right hon. Friend is unequivocally right. The case of India shows his point clearly. Let me take him one step further: if Mr. bin Laden were not to be apprehended and eliminated by British troops currently trying to kill him—as I understand it—but were to make his way to the UK and to say to the Home Secretary's officials that he was claiming asylum, not only would they have to admit him to this country but it would be impossible subsequently to extradite him to the United States if the Americans insisted on applying the death penalty to him. British troops may hunt someone down to kill him abroad, but if he enters this country we cannot return him to sit on death row in the United States—irrationality!

Mr. Blunkett: In case anyone should think of writing that up as a tremendous debating point, I make it clear that we have had an extradition agreement with the United States since 1974. We understand precisely where we are on that. It was not the Government but the courts who judged that we should not extradite or remove to India, so we come full circle: the hon. Gentleman is deciding—is he not?—not simply that we should disavow but that we should have to withdraw from the European convention on human rights. That is what he is saying.

Mr. Letwin: To repeat: the opinion we have obtained suggests that it would be perfectly possible to withdraw for a millisecond and to re-accede with a reservation. However, the Home Secretary has made an extremely odd point. Our treaty and understandings with the United States rely on the American states to which we are extraditing individuals not applying the death penalty. If an American state or the federal Government insist on applying the death penalty, I cannot understand how it can be right to refuse to extradite a gentleman whom we are trying to kill elsewhere. That is irrational.

I have spoken for too long, for which I apologise to the House. I have done so mostly because I have tried to answer a number of interventions, as the Home Secretary did on a much more magnificent scale. I hope that, in the succeeding few hours, we shall have a calm but effective debate on the detail of the Bill, which poses fundamental issues for our liberties and safety. I hope that in Committee, in this House and in the other, we shall make changes that will make the Bill not perfect—we cannot hope to do that with this rush—but at least better. Finally, I hope that, in a year and in two, three and four years from now, Parliament will have the chance to reconsider the provisions and to decide how many of them are really necessary and how many need further amendment. If we can achieve that in Committee, in this House and in the other, Parliament will have done its job.

Madam Deputy Speaker (Sylvia Heal): May I remind all right hon. and hon. Members that Mr. Speaker has imposed a 10-minute limit on all Back-Bench speeches?

5.36 pm

Mr. Frank Dobson (Holborn and St. Pancras): I do not suppose that any hon. Member welcomes this Bill because we all regret the circumstances that have made it necessary. We wish that there was not a growing threat of terrorism and growing evidence of people provoking and inciting racial hatred and discrimination, but, sadly, there is. We face a dilemma: we are presented with emergency legislation, but we have to recognise that these laws are likely to have to remain in place for many a long year and that they might be strengthened and amended later to combat the threat of terrorism.

Attempting to curb terrorism will be a long process, but we have a duty to protect our law-abiding fellow citizens going about their business or, for that matter, going about their pleasure, and we also have to make a measured response. We must always bear it in mind that one of the objectives of terrorism has been, is now and will be to get us to conspire with the terrorists to bring our valued institutions into disrepute and to get us unnecessarily to erode our democratic standards, so we must be very careful.

The Home Secretary has had a very difficult job in attempting to strike a balance. Broadly speaking, he has got it about right, although hon. Members on both sides of the House have many detailed criticisms. However, I hope that, in the spirit that has been embodied in virtually all the contributions, he will listen to the points that have been made and consider additional safeguards where they can be provided without undermining the general strength of what he is trying to do.

I want to concentrate on the proposal to make incitement to religious hatred a crime in the same way that incitement to racial hatred is a crime. That proposal seems to have provoked a great deal of adverse comment from the commentariat in the newspapers, hardly any of which seems to have addressed the background to the proposal.

The proposal has been introduced because Muslims have been victims of religious hatred and discrimination not just since the murderous events in New York and Washington, but for years. Muslim mothers collecting children from primary schools have been abused and assaulted. Muslim homes have been stoned and fire bombed. Well-qualified Muslim young people have been denied the jobs that they expected to get. All that has happened because of religious hatred and discrimination, yet Muslims have been denied some of the protection that is rightly afforded to other groups.

Incitement to racial hatred and discrimination has been unlawful since 1965, and most of the arguments now being put against making incitement to religious hatred and discrimination unlawful are exactly the same as those put in the 1960s. The problem is that the racial hatred laws cover some religious groups—for example, Sikhs and Jews—where religion and ethnicity coincide, but that is not the case with Muslims. Muslims, if they are a group at all, are a religious group, not an ethnic grouping. Devout Muslims feel resentment because they know that the blasphemy laws do not cover their religion.

I support the proposal to outlaw incitement to religious hatred. As my right hon. Friend the Home Secretary pointed out, the scope has been limited so it does not pose a substantial threat to freedom of speech. I agree that it will be hard to enforce—the law against incitement to racial hatred has been difficult to enforce—but it is not impossible.

We must remember that the law is declaratory. Making incitement to racial hatred discriminatory and unlawful changed society's view of the awful things that had gone on in the past. The law declared that such incitement was wrong and at the moment we are not declaring that incitement to religious hatred and discrimination is wrong. I believe in equality before the law, so I am glad that the Home Secretary accepted our argument that the proposed change in the law should apply to people of any religious belief.

The law should also protect people of no religious belief, because 40 to 45 per cent. of the population of this country—and I am one of them—subscribe to no religious belief. Atheists and agnostics are just as entitled as anyone else to protection against fanatics having a go at them. We should all be equal before the law. We need to right a wrong against Muslims and I believe that this change will do that.

As my right hon. Friend pointed out, the change will have two effects on the Muslim community. It will protect them from attack, and also constrain immoderate attacks by some of them, which is only right and proper. Equality before the law is what we believe in.

If we pass this measure, it will remove the last fig-leaf of legitimacy for the present law on blasphemy. As long ago as 1949, Lord Denning described it as a "dead letter". In 1967, Parliament repealed the Blasphemy Act 1697 and in 1985 the Law Commission recommended—and no wonder—that the common law offence of blasphemy should be abolished. It has never been clearly defined. People may commit a crime without knowing that they are doing so. Despite that, there is strict liability, so if people commit a crime they may be guilty even if they never intended to cause offence in either sense of the word.

The last time that the courts considered the matter in 1991, it was decided that not Christianity but only the Church of England was covered. That relied on the summing up of a judge in Gathercole's case at the York summer assizes in 1838. I am proud of my native city and its contribution to English history, but that is ridiculous. There is no reason why any religion should require special protection over and above what the Bill intends to provide.

Mr. Andrew Turner (Isle of Wight): Will the right hon. Gentleman give way?

Mr. Dobson: No, I am afraid I do not have time.

I understand that the Archbishop of Canterbury and others have objected on the grounds that the change might lead to things being said that cause offence to people of deeply held religious beliefs. Deeply held religious beliefs are not a monopoly of the Church of England. Roman Catholics, Quakers, Buddhists, Muslims, Hindus, Jews and Sikhs all have deeply held religious beliefs and have no protection at all from blasphemy. Although I am not a believer, I recognise their deeply held beliefs and I do not believe that the Church of England is in such a bad state that it needs some special measures. As my right hon. Friend knows from his experience as Secretary of State for Education and Employment, special measures are usually an indication of real trouble.

I have tabled an amendment, which I understand that my right hon. Friend favours. It was drafted by the Law Commission and comprises just 84 words to amend a Bill of 114 closely printed pages. I hope that he will ignore his officials and, if the Archbishop of Canterbury has objected, that he will ignore him. The Church of England should learn to stand on its own feet.

I am reminded of a glorious episode—and I mean that—in the history of the Church of England when Cranmer, Latimer and Ridley were being got at by Catholic theologians. It was said that Cranmer leant upon Master Latimer in the argument, Master Latimer leant upon Master Ridley and Master Ridley leant upon the singularity of his own wit. People in the Church of England should now lean upon the singularity of their own wit and look after themselves. They do not need the state to protect them.

5.45 pm

Simon Hughes (Southwark, North and Bermondsey): Although the right hon. Member for Holborn and St. Pancras (Mr. Dobson) and I differ in our faith, or lack of it—I am a member of the Anglican Church—my party and I share his view that it is nonsense to protect a denomination of one faith in a way that other faiths and other denominations of the Christian faith are not protected.

Mr. Garnier: Will the hon. Gentleman give way?

Simon Hughes: One more sentence; it is an early intervention.

My party believes—in this respect, I share the Home Secretary's view—that it is better to legislate on this matter in the context of other changes in faith legislation, with slightly more time given to them after we have dealt with the emergency provisions that make up the principal part of the Bill.

Mr. Garnier: I am tempted to mention early birds and worms.

Surely the point is simple: the law of blasphemy may be bad, but we should not replace it with another bad law.

Simon Hughes: That is certainly part of our case. I shall return to the argument that, when we legislate on

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faith, freedom of speech and so on, we need to be careful to consider whether we can do it reasonably in a total of two or three hours in the House of Commons, because it will be almost incredible if we can. To think that Parliament as a whole can do it in a couple of weeks is certainly incredible, and we will be in big trouble if we try, because we will be doing a disservice to members of all faiths and because it will be disrespectful. I hope that we can agree on the process even if we have different views—as there are in all parties—about the laws that we should have.

On a more formal note, I thank the Home Secretary, his ministerial team and their officials for the courtesy that they have shown to me, my colleagues and, I believe, Conservative Members in trying to keep us abreast of the preparation of the legislation before it came into the public domain last week. We may disagree—as we do—about some of its elements and about the process, but on the matter of personal political co-operation, I hope that the three main parties have behaved as efficiently as possible given that the Government have an army of civil servants and all the cards at the beginning, and the Opposition parties do their best with the cards that they are dealt at the end. We have also tried to work co-operatively and intelligently with the hon. Member for West Dorset (Mr. Letwin) and his team, so that the politicians disagree only when we really disagree and do not spend time engaging in artificial disagreements when there is little between us.

Mr. Letwin: May I take this opportunity to associate myself with the hon. Gentleman's remarks? I, too, thank Ministers for now distributing early versions of their amendments to us for consideration. They are gratefully received. I hope that the Bill will be an example of scrutiny in opposition, with the Opposition parties working together in co-operation in a way that does service to the nation.

Simon Hughes: That is the formalities over. It is important that we send people the message that we are trying to be adult and responsible politicians as we deal with difficult matters in difficult times.

Liberal Democrats share with all other responsible community leaders the view that exceptional times sometimes need exceptional measures. The 11 September attack was an exceptional attack and, since then, people have been trying to come to terms with exceptional new realities. There has been a severe element of terrorism in the world, the likes of which we have never seen before. We accept that there is a terrorist threat to this country, although its extent is probably better known to Ministers than to hon. Members generally. For those reasons, as Ministers and the House know, we have supported the international diplomatic, humanitarian and military coalition abroad. We may have had some nuances of difference and differences of emphasis, but we realised, and were prepared to say publicly, that we knew that something had to be done.

This debate, however, is not about what we do abroad; today's questions relate to what we do at home. Are the United Kingdom's laws sufficient to deal with the threat, or do they need to be strengthened because we did not foresee the provisions that we would need?

I remind colleagues that only a year ago we passed the Terrorism Act 2000, and only a little earlier we passed the Regulation of Investigatory Powers Act 2000. Those two major Acts give the state considerable new powers, and before we legislate further we should consider whether those are not enough.

We are all seeking to ensure that we get the balance right between the powers that the state properly needs in exceptional times and the liberties that people should have whatever situation we are in. That is self-evidently important because we have no written constitution. With some exceptions, Parliament is supreme, so we have a particular job to do. If, for example, we deny people the opportunity to go to court to have a decision of the Executive investigated, there is no place to which they can turn for a remedy.

There are two fundamental justifications for the Bill. The first is that we need additional powers to deal with terrorists, and the second is that we need an emergency timetable to put those powers into statute within days. However, the problem is that the Bill deals not only with national and international terrorism but with many other matters. Liberal Democrats' first objection is that if we are to be asked to legislate in haste to deal with terrorism, we should do just that, and not tackle matters that are in the Government's queue for action or that it will be convenient to append to this already significant project.

When the Home Secretary was asked why the Bill contains phrases such as "any other criminal offence," he said, in a telling response, that it is because the offences cannot be separated out. That is not the argument that we heard from his colleagues last year when we legislated on terrorist offences. If we are trying to deal with terrorism, as much of the Bill does, we should limit the legislation to that because it gives the state particular additional powers. Other, less serious, crime should not be dealt with in the same way, and there should be no general removal of rights from the defendant or suspect.

Our second objection, which has also been voiced by Conservative Front Benchers, is that time limits are imposed at only two points in the Bill. There is a time limit on the opt-out from article 5 of the European convention on human rights and a possible time limit on some of the powers on data regulation in part 11. Like the Conservatives, we say clearly to the Government that unless, by the time the Bill leaves Committee, it contains general provisions requiring us to legislate again when we have time to do so properly, it will not be acceptable. There is a precedent for such legislation—we have introduced emergency powers for Northern Ireland, as many colleagues know well. In that case, there was not only an annual renewal provision but a requirement for Parliament to re-enact legislation to make sure that what was done in haste was considered more carefully later on.

I need not remind hon. Members that history tells us that legislation rushed into statute for a short period often remains in place for a very long time, and legislation pushed through the House quickly is often very poor. I shall give a minor example. At 4.30 pm my hon. Friend the Member for Torridge and West Devon (Mr. Burnett) went to a delegated legislation Committee dealing with a Home Office measure on the rehabilitation of offenders in England and Wales. From the fact that the Committee had to be adjourned because the measure was not accurately or adequately drafted, we can see the need to get our legislation right. With the greatest respect to the members of that Committee, this Bill is much more wide-ranging and much more dangerous in its implications than that statutory instrument, and we need to learn the lesson.

We welcome the omission from the Bill of two provisions that were talked about and, in one case, even announced. We welcome the fact that the provision for additional sentencing powers for what are colloquially called "anthrax hoaxes" is not retrospective, because that would have been quite wrong. We are grateful that Ministers heard the opposition to that idea and decided not to proceed. Secondly, in his statement of 15 October, the Home Secretary suggested that there might be a general conspiracy law. That is not included, which is welcome news.

I can be very brief about the bulk of the Bill. There are generally good things in eight of its 14 parts. Parts 1 and 2, which deal with the proceeds of crime, terrorist property and freezing orders, are by and large acceptable. My only comment today is that they should logically be part of the Proceeds of Crime Bill, which is in Committee at the moment. I hope that, by the time this Bill has passed through the House, those provisions will be more correctly located with their parent legislation.

Without going into detail, parts 6, 7, 8 and 9 contain measures that the House wants to put into statute. It is obvious, for example, that we ought to be improving aviation security, so we welcome and support those measures.

Mr. Hogg: The hon. Gentleman says that we welcome and support those measures, and he may be right, but does he agree that the process that we have embarked on should enable us to consider them properly and in detail?

Simon Hughes: I thoroughly agree. Those parts of the Bill seem to be related to terrorism, so they pass the first test, but we will not be given the opportunity to consider them in detail, so they do not pass the second test. That is why I hope that, whatever view the right hon. and learned Gentleman takes on other matters, he will join us in voting against the programme motion later.

Mr. Hogg: And the Bill itself.

Simon Hughes: I shall come to the Bill. We cannot begin to deal with those provisions in the two Committee days that are to be allocated. As the hon. Member for Aldridge-Brownhills (Mr. Shepherd) said, a maximum of 16 hours' consideration of a Bill of this size is not possible or justifiable, however exceptional the circumstances.

My comments on the two remaining parts are less controversial. The bribery and corruption measures in part 12, to which we may table detailed amendments, have been included only as an exception to the rule. There was agreement between the three main parties that those measures were not controversial because everybody had argued for them and they were potentially linked to terrorism. Part 14 makes general provision.

So much for agreement—it does not apply to the rest of the Bill. Parts 3 and 11 deal with very important matters concerning the rights of the state to interfere in communications, to find out what communications, technological or otherwise, are passing between people and to require people in the communications industry to hold on to that information for much longer. We have only just legislated in that area. If we need more powers, they should be strictly limited to matters to do with terrorism, and they should be much more narrowly drawn. We shall seek to amend parts 3 and 11 to that effect.

Part 10 relates to police powers. We are told that there will be a police Bill later this Session, so we could reasonably expect those powers to be introduced in that. I ask the House to take care and to seek much more satisfactory answers about two measures in particular before it agrees to them. The first is the power enabling the police to require somebody to remove coverings that they are wearing, even when they have not been arrested or taken into custody. Somebody could be wearing a hood on their way to a football match; they could be taking part in a demonstration on globalisation issues; or they could be wearing a piece of clothing traditional to their culture. It is dangerous to propose seeking powers to identify people before they are believed to have done anything wrong and when there has been no arrest for suspicion an offence. I hope that in due course we can remove that provision from the Bill.

Mr. McNamara: What about somebody wearing a balaclava in a crowd throwing pipe bombs?

Simon Hughes: If they are suspected of committing an offence, they can be arrested and dealt with in the normal way. I understand what the issue is and that it is a matter for debate, but we cannot debate it properly in two days.

The second controversial area relates to whether the Ministry of Defence police and the transport police should have jurisdiction outside their natural territory. Such a provision is left over from the Armed Forces Act 2001. It was got rid of before the election, but is now being reintroduced. Colleagues all over the country, both north and south of the border, have serious concerns about the tight control of policing of non-specialist parts of the country other than by conventional territorial police. Clearly, we seek change on that.

Mrs. Dunwoody: Is the hon. Gentleman saying that, although he accepts a small number of clauses relating directly to the current emergency, almost two thirds of them, which he has carefully enumerated, are not acceptable to him or his party? If that is the case, will he give an undertaking that he will oppose the Bill?

Simon Hughes: I was going to deal with that, if the hon. Gentleman will allow me.

Mrs. Dunwoody: Actually, I am a lady.

Simon Hughes: I beg the hon. Lady's pardon. No one could fail to recognise that she is a lady, unless they were momentarily inattentive; I apologise again.

I have tried to make it clear that eight parts of the Bill seem to relate to terrorism. Six parts either do not relate to the subject or go much wider than we would wish. In a second, I shall explain how we propose to deal with that, both today and in the days ahead. Madam Deputy Speaker—*[Interruption.]*—I am sorry, I mean Mr. Deputy Speaker—*[Laughter.]* I have a defence, as the occupant

[Simon Hughes]

of the Chair has just changed, unlike the sex of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), which is well known to be permanent.

I shall move on to race and religion, which may be safer than gender and sex. Liberal Democrat Members have made the point that the Bill includes perfectly reasonable propositions to remove the blasphemy law which applies only to the Church of England; we support that and have long argued for it. We have long subscribed to the need for an equality Bill, which treats all faiths equally. The right hon. Member for Holborn and St. Pancras (Mr. Dobson) made the point that race relations legislation does not protect all faiths equally.

The Bill makes specific proposals both on incitement to religious hatred and on aggravated offences. I hope that I have made clear our view that we ought not to legislate on such sensitive areas now; incitement to religious hatred comes into that category. If the House is minded to deal with the much easier matter of accepting the aggravated offence of religious hatred and sentencing on it, we ought to follow the proposal of the Scottish Executive, which was put to the Scottish Parliament last week, to consult more widely and relatively quickly on religious incitement but to legislate separately. The Scots are not buying into that aspect of the legislation; I hope that the United Kingdom Parliament will not buy into it either. If we are trying to make sure that community relations improve as a result of the crisis of the past two months, we need to ensure that we do not act in ways that would make it more likely that they worsened.

Mr. Dobson: Does the hon. Gentleman accept that a substantial number of Muslim people have been asking for equality before the law for years—so long, for instance, that the Law Commission's 1985 report on blasphemy canvassed the idea of an offence of creating religious hatred? Although it is convenient to include such a provision in the Bill, it can scarcely be regarded as a rush to judgment. The hon. Gentleman may have talked to religious groups that find it surprising that it has now been thought of, but they were consulted in the past, as the House has discussed it before.

Simon Hughes: That is certainly true, but those groups also say clearly that they would rather have an equality Bill that dealt with all matters of faith, as the Government promised in the last Parliament. We were waiting for a report from the university of Derby, which has now been published, and the Government said that they would introduce such a Bill. Many groups, and the Liberal Democrats, believe that it would be much better to pursue that option.

Part 13 deals with the third pillar proposal. Even though our party is supportive of a European jurisdiction, I share the view that we ought to have primary legislation on important and wide-ranging measures, even if they have their genesis in the European Union. The Secretary of State is justified in seeking a short debate and the right to introduce statutory instruments only in relation to measures that cannot wait until beyond the end of the year because they are time-limited by an EU agreement and are connected to terrorism and related issues.

Mr. Blunkett: They are.

Simon Hughes: Those are the only things that ought to be introduced now. The conclusion to be drawn from what the Home Secretary just said is that we may be able to limit this part of the Bill to those matters. If so, he will find much more widespread support in the House.

Part 4 raises one major issue that has already been touched on and two others, including the process of dealing with asylum applications. The Bill suggests that somebody can be turned away before their application is considered, against the advice of the United Nations High Commissioner for Refugees. It also introduces the power to keep asylum seekers' fingerprints indefinitely, which is not right. In addition, there is the issue of how we deal not just with people who are suspected of terrorism but, as was pointed out earlier, with individuals who could be linked to terrorism—a much more remote proposition—and therefore detained under the proposals. Theoretically, under one derogation, people could be detained for up to five years, although with six-monthly reviews.

We should improve the procedure significantly; we should improve the rights of representation on appeal and throughout the process; we should improve people's opportunity to have their case reviewed, as the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) pointed out, according to both facts and law, and allow more frequent reviews. The key point is that the House should not agree to take away the rights of the courts to hold the Executive, tribunals and Ministers alike to account. That is almost unprecedented; it is entirely unjustified and goes well beyond what is necessary, even in the circumstances.

Later, we shall debate whether we should derogate from the Human Rights Act 1998 and the European convention on human rights. The Joint Committee on Human Rights, which has just been set up, made clear recommendations after taking evidence from the Home Secretary. It stated, in paragraph 30 of its second report, that

> "even if it is accepted that there is such an emergency"—

which is a prerequisite for derogation—

> "the lack of safeguards built into the Bill, particularly in relation to detention powers, causes us to doubt whether the measures in the Bill can be said to be strictly required by the exigencies of the situation."

At the moment, those safeguards are not in the Bill, which is a strong reason for making sure that we do not derogate at this stage from the Human Rights Act and the ECHR. That is why I suggested to the Government at the end of last week that we leave that debate till the end of our consideration of the Bill, and that we do not come back to it unless we can be persuaded—the burden is on the Government—that the Bill contains only what is necessary. If the Human Rights Committee, which we set up to do the job, advises us that the measure is not justified, we should be careful to follow that opinion. If we do not, the danger is that community relations could be significantly impaired because we have not been attentive to those who are suspected and held in detention as a result.

The British constitution works on the basis that Ministers bring proposals to Parliament. It is for Ministers to propose and for Parliament to decide. I gather that some Government amendments have already been tabled, even before we have completed the first day of proceedings on the Bill. If they are good amendments, they will be welcome, but it is strange that the Government are amending their Bill at this stage—

Mr. Blunkett: As I said, we listened and responded to the Human Rights Committee's deliberations last week—yet now the hon. Gentleman tells us that it is strange for us to table amendments. I have every intention of listening. If there are good arguments that the Government as a whole can accept, I will accept them. To do otherwise would be an example of the yah-boo politics that bring the House into disrepute. In return, I hope that, if I convince both major Opposition parties, they will do me the courtesy of giving way on matters which at present they find objectionable.

Simon Hughes: Of course. If the Home Secretary had let me finish the sentence, he would have heard me say that I hoped that the Government would try to get agreement with the Opposition on amendments tabled at this stage. We are all in the business of reaching agreement about any improvements that can be made to the Bill; I accept that, whatever the rigours of the timetable. As the right hon. Gentleman knows, we have tried to ensure that where agreement is possible, it is reached. Yes, we will listen and respond. We hope that the right hon. Gentleman and his colleagues will do likewise.

To answer the question from the hon. Member for Crewe and Nantwich, many significant amendments will be needed in the Commons or the Lords if the Bill is to be acceptable to us. That might make the Bill not only shorter and more focused on terrorism, but much more limited in terms of time. Liberal Democrats see it as their job to make sure that legislation pushed through by emergency procedures has only a limited life. We see it as our job to ensure that anti-terrorist legislation deals with the dangers of terrorism, not with a lot of other issues at the same time. We see it as our job to make sure that the Home Office does not take the opportunity to clear its in-tray just because there is the convenient opportunity of less scrutiny. We specifically see it as our job to make sure that we do not take away the right of anybody in this country to go to court to test whether what the Government or the Executive are doing is right.

We had a choice to make about the attitude that we took tonight and in the days ahead. I have indicated that we will vote against the timetable motion, as the time is ridiculously short. I have made it clear that we will vote against derogation from the Human Rights Act, as we do not believe that the case has been made. However, we are prepared to let the Bill go on to the next stage.

If, in the light of the Home Secretary's last remarks, we are to be constructive, and given that the Government have a majority in the Commons, we will seek to change the Bill by amendment over the next few days. If we do not get the amendments, we will vote against Third Reading. If we get the amendments, the Bill will have been much improved by the fact that the views of the Opposition and of many Labour Back Benchers have prevailed. I look forward to persuading the Home Secretary and his colleagues of the fact that the Bill will be acceptable to deal with terrorism or the emergency only if it is significantly amended.

6.14 pm

Mr. Chris Mullin (Sunderland, South): I shall speak mainly to the Select Committee on Home Affairs report published today. I start by thanking the Home Secretary and his colleagues for co-operating with the Select Committee's attempt at pre-legislative scrutiny, of which I hope we shall see a great deal more.

In the short time available, we inevitably focused on part 4 of the Bill. We were anxious to publish our report and the evidence in time to inform today's debate and the subsequent Committee stage. I hope that hon. Members in all parts of the House will find our report and the published evidence useful.

I welcome the fact that no attempt was made to rush through emergency legislation in the immediate aftermath of the atrocity on 11 September, as has happened with emergency legislation in the past. Like the hon. Member for Southwark, North and Bermondsey (Simon Hughes), I welcome the fact that none of the provisions is to be retrospective. However, I agree with those who say that we could have done with a little more time to scrutinise the Bill.

Despite the Home Secretary bending over backwards to co-operate with our Committee, our witnesses had to give oral evidence and express a view in public before they had a chance to see the Bill. That is not entirely satisfactory. The Bill is large—much larger than any previous emergency anti-terrorism legislation—and it would have benefited from a slightly more generous timetable.

Many of the measures in the Bill are uncontroversial and are plain common sense. They adapt existing anti-terrorism legislation to deal with the threat of chemical and biological warfare; they oblige telecom companies to keep records for much longer than they must do at present to assist with investigations into terrorism; and they enable Customs and Inland Revenue officers to work with law enforcement agencies. All that seems to me, as it seemed to the Committee, desirable.

As regards part 4, the Committee accepted, albeit reluctantly, that there may be a small category of persons who are suspected international terrorists who cannot be prosecuted, extradited or deported, and may therefore have to be detained. However, as everyone who has spoken so far agrees, that is a very large step, which we should not take lightly or with much enthusiasm. We welcome the various safeguards that the Home Secretary has inserted—the renewal after 15 months and 12 months—and I particularly welcome what he said about his willingness to provide for a much longer debate when the time comes to renew the legislation.

We note the six-monthly review of detention in each case by the Special Immigration Appeals Commission. However, we believe that there should be a sunset clause for part 4. As we all know, the history of anti-terrorism legislation is that when it is introduced, it is represented as temporary and as a response to some immediate crisis, but it has a habit of becoming permanent. I have therefore tabled—as have others, probably—a sunset clause which requires the Government to come back to Parliament after five years to go through the entire legislative process to obtain the powers that they seek in part 4.

[Mr. Chris Mullin]

We picked five years—others may choose a shorter or a longer period—because there is a precedent for it. That is what appeared in the Prevention of Terrorism (Temporary Provisions) Act 1984. I believe that the Government could readily concede that measure, and I hope that the Home Secretary will reflect carefully on it. I am sure that he will.

As for the clauses dealing with incitement to religious hatred, most of the evidence that we received was sceptical—first, about whether they would work, and secondly, about whether they were needed. Thirdly, some suggested—I was probably the person whom the Home Secretary heard on the radio this morning, although he was far too delicate to mention it—that the provisions would probably be used first against Muslims, which was not necessarily the intention. Of course, I entirely agree with his comment that Muslims should be as accountable to the law as those of any other faith, but I agree also with those who have argued that the measure has no place in emergency legislation and should perhaps return to the House in another provision that deals with this and other religious issues. If he is going to proceed anyway, as I suspect he will, this might be the moment to adopt the suggestion of my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) and abolish blasphemy as well.

On the third pillar measures, the Bill gives the power to implement all the justice and home affairs measures, rather than those relating only to terrorism, by secondary and not primary legislation. The Committee felt that that was too broad and that the power should be confined to anti-terrorism measures. I hope that the Government will think carefully about the matter.

Mr. Hogg: Will the hon. Gentleman give way?

Mr. Mullin: I ask the right hon. and learned Gentleman to forgive me; I shall not give way, as I have only a few minutes.

There is one other matter that we did not consider as a Committee: extension of the powers of the MOD police, all of whom can be armed, to arrest anyone in connection with any offence in any area, albeit subject to a request from a police force. I believe that the last Armed Forces Bill contained a measure that fell at the last election to confer new powers only in life-threatening situations. The measure before us seems to be an improvement. I welcome the comment of my right hon. Friend the Home Secretary—indeed, I had intended to make the same suggestion—that, if the MOD police are to have these powers, they should be subject to the Police Complaints Authority and perhaps also to Her Majesty's inspectorate of constabulary. However, perhaps that is not possible—of course, he will have taken advice on the matter—and the powers should be limited to terrorism-related incidents.

I recognise, as did the entire Committee, that there is a problem that needs to be addressed. Many of the measures in the Bill are necessary and reasonable, but some go too far and take powers that are too wide, and I hope that some limits will be placed on them during our brief consideration of the Bill.

6.23 pm

Mr. Edward Garnier (Harborough): It is always a pleasure to follow the hon. Member for Sunderland, South (Mr. Mullin), the Chairman of the Select Committee on Home Affairs. I congratulate him and his fellow Committee members on their speedy work in producing the report to which he alluded. In discussing that report, I congratulate also the hon. Member for Bristol, East (Jean Corston) and the Joint Committee on Human Rights on the speedy work that they have done. I am sure that it has informed the debate considerably.

If there is any purpose in this Chamber any more, it is to provide members of the opposition—I refer to the official Opposition, the Liberal Democrats, members of the other smaller parties and, indeed, the members of the opposition that I see seated on the Government Benches—with opportunities to bring to public attention from time to time the ideas that masquerade as considered policy and high principle and which are turned, almost without question, into law.

We have already had an excellent debate. The Home Secretary, who has just left the Chamber, was generous in giving way, as was my hon. Friend the shadow Home Secretary, who made an especially effective contribution. I hope that, if he and other hon. Members question the utility, let alone philosophy, of the Bill or parts of it, the Home Secretary will pause, listen and perhaps even consider what we have to say before sweeping all before him. He said that he would do so, and I hope that he is as good as his word. The victor's laurels do not take long to wither. Although the first stage of the crisis in Afghanistan may perhaps be ending successfully, our duty to unpick legislation, ask the simple questions "Why?" or "What for?" and test propositions almost or even to destruction goes on.

The Home Secretary has a number of arguments at his disposal in support of the Bill. We will have to take some of them on trust, because the evidence upon which he relies is drawn from the secret services. I accept that he cannot tell us everything, but if he wants us willingly, rather than grudgingly, to accept the need to disapply certain provisions of the European convention on human rights barely a year after the Human Rights Act 1998 came into force and to accept in a spirit of co-operation that what were so recently thought to be essential freedoms should be curtailed, he needs to be more open with us and, if I may say so, to avoid insulting the very people whom he needs to apply and carry through his new restrictive provisions.

It is not an argument in favour of detention without trial to say that those who are prepared to uphold the present law against the Executive are ill-motivated. The Home Secretary is clearly proud of the fact that he is not a lawyer. I am sure he is entitled to the proud heart that evidently beats so fiercely in his breast, but he has recently made it an article of faith to vilify judges and lawyers. Ten days ago at *The Spectator* magazine and Zurich parliamentary awards lunch, at which he was the honoured chief guest, he repeated what he had said only a few days before in accusing lawyers—I paraphrase so as not to give the slander excessive currency—of being a money-grubbing vested interest group. Lawyers of that calibre may exist, or it may be that his sense of anger arises from a conversation with the Lord Chancellor.

Lawyers and judges are and must be independent of Government, but they will apply whatever laws, good or bad, that we pass. If we pass laws that have consequences that the Government did not foresee, it is a problem that the Government and Parliament must deal with in a rather more intelligent fashion than by abusing the judiciary and the legal profession. The term "Kill all the lawyers" is not a new motto, but nowadays it has greater resonance in Zimbabwe than it should have in this country. It should certainly have no resonance in the Home Office.

The Government's case is apparently based on a public emergency. The Home Secretary declared last week that we were in a state of emergency so that he could avoid the consequences of the very convention that his Government brought into our law last year. However, what is the evidence to show that such an emergency exists or had to be proclaimed except as a device to sidestep this Government's own legislation?

Article 15 of the European convention on human rights permits a state to derogate from convention rights

> "In time of war or other public emergency threatening the life of the nation".

The functions of government at national, devolved, county, district and parish level continue undisturbed by the events of 11 September. Our public services, as far as this House has been told, have not been affected by international terrorists. If we look at the member states of the European Council or the European Union, do we find an Interior Minister who has reached the same conclusion as our Home Secretary? Surely the French, German, Italian and Spanish Governments, as well as all the others, would have reached the same conclusion, had the evidence existed. They would not have been slow in taking necessary measures to protect their citizens or in declaring emergencies if they had existed. The burden of proof, which is a heavy one and must be discharged by our Government, and the standard of proof to be expected must be sufficient at least to stir in our minds a feeling that this is a policy that has been thought through and is evidence based, even if not to convince us so that we are sure.

Humbug often masquerades as high principle. The signs of political camouflage in the British domestic arena are already emerging. Nowhere is that more evident than in the Government's proposal in the Bill to make it a crime to incite religious hatred. We do not need a law to make that type of behaviour illegal, and nor would it serve the purpose for which some of its proponents hope: deterring anti-Muslim unrest in this country and allowing Britain to be seen as fighting terrorism and not Muslims. Every citizen of this country has the right to expect that the law will protect him from bodily harm as well as safeguard his freedom to worship and to express his views. That does not mean that those who disagree, wish to evangelise in favour of another religion or want to express views that others may find abhorrent should have to curtail their activities or run the risk of prosecution. Parliament should not be in the business of standardising opinion or entrenching orthodoxy. Nor should it make courts of law arbiters of what is right, wrong or acceptable in religious or philosophical controversy. Such debates should take place in the columns of newspapers, in books, on public platforms and in pulpits. The criminal law should protect citizens, not ideas. Plenty of laws make the use or threat of violence against human beings a criminal offence.

It is a mistake to confuse race and religion; they are not always interchangeable. They should not be likened as they are in the Bill. If the Government whip Parliament into passing a law that outlaws incitement to religious hatred but will not define religion and list the religions that are to be covered by the statute, its use to stifle debate and free expression can be foreseen. The Government may not want the law to do that or to be used to that end, but those who are more intent on curtailing than respecting free speech will employ it in precisely that way.

The lengthy Bill, heavy with constitutional and legal implications, will receive a Second Reading. I trust that here on Wednesday and next week and in the other place later, further work will be done and that in the short interval, the public will learn exactly what we are doing in their name. Perhaps it is worth saying that if we are prepared to cast aside essential freedoms to gain temporary security, we are likely to lose both freedom and security.

Mr. Hogg: On a point of order, Mr. Deputy Speaker. Will you clarify the position on interventions? They can help debate. My understanding is that the intervention does not count against an hon. Member's time, although the answer sometimes does.

Mr. Deputy Speaker (Sir Michael Lord): The right hon. and learned Gentleman is precisely right.

6.31 pm

Ross Cranston (Dudley, North): We have a heightened responsibility to scrutinise the Bill because it encroaches on civil liberties and human rights. They have been hard won, and we therefore cherish them. We also know that the great majority of people do not have similar civil liberties and human rights.

Our history teaches us that the Executive can trample on liberties or rights in pursuit of their interests. Habeas corpus was mentioned in one of the many interventions that my right hon. Friend the Home Secretary took. It was an attempt by common law courts in the 17th century to limit one aspect of Executive government. Seldon's case, which was one of the seminal decisions, involved the imprisonment of Members of Parliament by the Crown because of their objections on a taxation issue.

History also teaches us that law enforcement agencies can use discretion partially. As my right hon. Friend the Home Secretary said, Labour Members are especially sensitive to that because the Labour movement was often a victim. The well documented example in the 1930s of the partiality of the police to the blackshirts comes to mind.

Again, history shows that encroaching on civil liberties or human rights, however justified, can go horribly wrong. Obvious recent examples are the miscarriages of justice arising from the fight against Irish terrorism. We must therefore scrupulously test the claims made for a Bill such as the measure that we are considering. What is its overall justification? Are its specific provisions justified? Are there equally effective alternatives that would make less of an incursion into liberties and rights? Will the unintended effects swamp the benefits? How will the checks against abuse, misuse and mistakes work in practice?

I have no doubt about the Bill's overall justification. Terrorism is not new. We have known since the bombing of the World Trade Centre in 1993 and the east African

[Ross Cranston]

embassy bombings in 1998 that al-Qaeda is a major terrorist organisation. However, the events of 11 September have brought home its ruthless dedication and destructive capacity. When we consider other factors such as the existence of rogue or distressed states and the dispersal of the knowledge and technology that relates to biological and other weapons of mass destruction, we know that we face a threat to our way of life. People expect us to act, and we must.

I cannot accept that we should not act because that is somehow contrary to what are said to be our liberal, democratic traditions. We are vulnerable because a liberal democracy enables people to pursue individual interests, and we act as a refuge for those from other states. We will pay a high price if we ignore the minority of fanatics who would abuse the liberties and rights of liberal democracy to destroy it.

In 1940, E.F.M. Durbin, who later became a Member of Parliament, considered the relationship between socialism and democracy and wrote that

> "we should continuously remind ourselves that the enemies of democracy have no moral right to the privileges of democracy; . . . a time may come when, to defend ourselves, it will be necessary to suppress their political organizations."

He was referring to fascism and communism in the 1930s, but his words are equally pertinent today.

Mr. Shepherd: Will the hon. and learned Gentleman give way?

Ross Cranston: Since it will not take up my time, I shall.

Mr. Shepherd: How do we know that people are a threat to democracy?

Ross Cranston: The events of 11 September show clearly that there is a threat to democracy.

Part 4 deals with the dilemma that is posed by the European Court of Human Rights, and decisions such as that on Chahal: we would be in breach of article [illegible] of the European convention on human rights if we deported international terrorists to jurisdictions where they would be tortured, executed or otherwise inhumanely treated. What should we do? Should we allow terrorists to continue their evil work unchecked? The Bill proposes their detention, which will be subject to regular review by the Special Immigration Appeals Commission. That body was set up following a suggestion by the European Court of Human Rights in the case of Chahal. Its composition and methods have been judicially approved by the European court and in the House of Lords in subsequent decisions.

Hon. Members need only consider SIAC's decision in the Rehman case to realise that it is no pushover. It imposed the same high standards of proof as ordinary courts. In the case of Rehman, SIAC rejected the Home Secretary's case. As my right hon. Friend the Home Secretary said, some believe that there will be no judicial review of SIAC decisions. That is nonsense. The Bill provides for an appeal to the Court of Appeal on a point of law. That covers matters such as the sleepy judge, which the hon. Member for West Dorset (Mr. Letwin) mentioned, and the absence of evidence, to which the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) referred. Apart from some interlocutory matters, appeal on a point of law is equal to judicial review. Therefore, judicial review exists.

Mr. McNamara: I accept the point about appeal on a point of law, but although a friend who is appointed to represent the accused may be told the evidence on which intelligence services make their decision, the accused will not. His court-appointed representative cannot tell him that. He is therefore in no position to rebut the evidence against him.

Ross Cranston: The evidence is rebutted by counsel appointed by the Attorney-General to act for the accused. That points to the importance of the independence of the Bar.

Mr. Hogg: The detained person will not know the evidence against him, and he cannot therefore give proper instructions to his representative.

Ross Cranston: Only one aspect of a case before SIAC—intelligence information—will be treated in that way. In other aspects, ordinary counsel, who acts on behalf of the person, will put the case.

Merits review has been mentioned. Judicial review never involves a review on merits. There can be an appeal on a point of law, and issues such as lack of evidence or facts, which the right hon. and learned Member for Sleaford and North Hykeham mentioned earlier, will be taken into account. I do not, therefore, regard that as an objection.

The more substantial objection to the detention provisions is that foreign international terrorists should be dealt with by the ordinary courts. The Terrorism Act 2000 gives the courts extra-territorial jurisdiction to deal with foreign international terrorists who incite, or who have engaged in, terrorist acts abroad. My right hon. Friend the Home Secretary has assured the House that there is still a small number of foreign international terrorists who would not be caught by those powers. He alluded to the problem of the Interception of Communications Act 1986, and the bar that it appoints to bringing evidence before the court. That Act was, incidentally, introduced by the previous, Conservative Government.

I am sure it would help the House if the Minister, or the Home Secretary, could reiterate that it is Government policy that the Bill's provisions will be a last resort—in other words, that if foreign international terrorists can be prosecuted here, or extradited to places where they can be tried, they will be.

I cannot see an alternative to the thrust of the provisions, although the Joint Committee on Human Rights has raised some useful points of detail which I am sure that my right hon. Friend the Home Secretary will consider. I should also say that, at first blush, I am attracted to Professor Gearty's proposal to the Home Affairs Committee for an annual report on detentions, by an independent commissioner.

Earlier this year, I supported the provisions on the disclosure of publicly held information for law enforcement purposes, to which the hon. Member for West Dorset objected, and with the additional protections in the Bill, I cannot see any problem with them. As to the objection to the power to remove face coverings, if the power is handled sensitively, I cannot see a problem, contrary to the views expressed by the hon. Member for Southwark, North and Bermondsey (Simon Hughes). The retention of communications data will be subject to a code of practice, and also to data protection legislation.

On the provisions relating to religion, there has been, as my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) said, an upsurge in religious harassment and attack. Such incidents have occurred in my constituency. Hon. Members may have received through the mail the latest bile from the British National party, a copy of which arrived in my office this morning.

Mr. Deputy Speaker: Order. I am afraid that the hon. and learned Gentleman has had his 10 minutes. I call Mr. Christopher Chope.

6.42 pm

Mr. Christopher Chope (Christchurch): Following on from what the hon. and learned Member for Dudley, North (Ross Cranston) has said, I hope that, if he had been allowed to speak for a bit longer, he would have gone on to tell us that the Home Affairs Committee report contained some useful evidence from Muslim organisations which originally thought that the Bill would be helpful to them, but now realise that it will not be.

The right hon. Member for Holborn and St. Pancras (Mr. Dobson) dismissed the objections raised by Muslims, but he failed to recognise that the organisations which signed up to the document submitted in evidence to the Home Affairs Committee included the Muslim Council of Britain, the Association of Muslim Schools, the Muslim Parliament, the Union of Muslim Organisations, the Muslim college, the Muslim Women's Helpline and others. The Muslim organisations, of which those are some, are against the provisions in part 5 of the Bill. They recognise that there are immense practical difficulties connected with the provisions, but my concern is more an issue of principle. As my hon. and learned Friend the Member for Harborough (Mr. Garnier) said, race and religion are not the same thing. Race and colour are attributes with which we are born, and over which we have no choice, whereas religious belief, or lack of it, is a matter of choice and opinion. In that sense, religious belief is similar to political belief or even, dare one say, support for a football team.

The front page of the sports section of *The Sunday Telegraph* yesterday carried an amazing photograph of a section of the crowd at White Hart Lane on Saturday, when Tottenham played Arsenal. They were carrying placards which had one word on them: "Judas". I understand that those placards were directed towards Sulzeer Jeremiah Campbell, otherwise known as Sol Campbell, the English international footballer. They were directed at him because he had switched clubs, from Tottenham to Arsenal. I do not know Mr. Campbell's religion or, indeed, his race, but if he is a devoted Christian, and if part 5 of the Bill had already been on the statute book, I have little doubt that all those holding up the "Judas" placards would, prima facie, be guilty of incitement to religious hatred.

Those placards were displayed with the likelihood, if not the intention, that they would stir up hatred. I think that they were in very poor taste, if not puerile, but why should it be unlawful in a free society to stir up hatred against people with whom one strongly disagrees, or whose beliefs or behaviour one strongly condemns? I hate communism. I also hate the religious beliefs of Osama bin Laden, but he has religious beliefs—or so we are told—and under part 5 of the Bill, those who support the religious beliefs of Osama bin Laden will receive protection. I have tabled a question on this matter, to which I hope I shall receive a reply. I hate the doctrines of the Dutch reformed church that led to apartheid. I dislike many aspects of Rastafarianism, which has recently been described by the courts as a legitimate religion. I also hate Muslim fundamentalism. Why should we legislate to prevent people articulating such views in our open society?

The hon. Member for Sunderland, South (Mr. Mullin) has done the House a great service in producing his report from the Home Affairs Committee. It is an excellent report, but it is important to consider the scope of the proposed new offence of incitement to religious hatred. The Under-Secretary of State for the Home Department, the hon. Member for Stretford and Urmston (Beverley Hughes), kindly sent us all a document earlier this month, which contained a summary of the key points of the Bill. In relation to this provision, she stated:

> "Whilst preserving the right to practise religion in peace, the Bill recognises the long-standing tradition of free speech. To be prosecuted for stirring up religious hatred, the perpetrator must use threatening, abusive or insulting words or behaviour intended or likely to stir up hatred against a group of people because of their religious belief. Whilst preserving the right to practise religion in peace, the Bill recognises the long-standing tradition of free speech. It will not prevent reasoned debate, humour or criticism of religions or religious practices."

I want to share with the House something that happened in relation to the existing provisions on stirring up racial hatred. In my constituency, a free advertising magazine called *ADvantage* is circulated. It is published quarterly, and comprises mainly advertisements but also some local news. The editor of the magazine had been reading on the internet stories generated by a spoof article written by Richard Littlejohn in *The Sun* in February 2000. He replicated parts of the article in his free newspaper, although I do not think that he attributed them to Mr. Littlejohn.

Someone from the Dorset Commission for Racial Equality objected, and the matter was referred to the police and to the prosecuting authorities. There was no question of going round and discussing with this person what his motives were. An enormous amount of public money was spent on investigating the matter and, eventually, about six months later, the editor got a knock on the door, and two policemen explained to him that he was not going to be prosecuted on that occasion, but that he should not do anything like that again because it was, effectively, against the law, although there was to be no prosecution.

That is a case of someone exercising his right of free expression in a small circulation newspaper. The prosecuting authorities did not have a go at *The Sun*, did they? They spent a lot of time investigating some pretty harmless comments from this person in the Verwood locality of my constituency. If the Home Secretary, or any other worthy, gets up and says that it is not the intention of the Bill to result in the denial of free speech, all I can say is that he cannot guarantee that.

[Mr. Christopher Chope]

In practice, if anybody complains the complaint will be taken extremely seriously by the prosecuting and investigating authorities, because it is about a serious offence. If it is not taken seriously, that in itself will generate a further complaint. That process will take up a lot of time and it will not necessarily result in a series of prosecutions, but people will be threatened by such an atmosphere. I am concerned that the Bill extends so widely into an area where, hitherto, we have been able to exercise free speech and free expression. I support everything that my hon. Friend the Member for West Dorset (Mr. Letwin) said from the Front Bench.

6.50 pm

Mr. Brian Sedgemore (Hackney, South and Shoreditch): The Home Secretary strove magnificently to defend a number of indefensible propositions. Following that unstinting praise, I hope that he regards the rest of my speech as friendly fire.

The historian A.J.P. Taylor argued that Napoleon III learned nothing from the mistakes of history other than how to make newer and bigger ones himself. I think the House will prove to be like that tonight—Napoleonic and ill judged in its attitude to the Bill.

Not since the panic and hysteria that overcame the British establishment in the aftermath of the French revolution has the House considered such draconian legislation. Habeas corpus was suspended twice—first between 1794 and 1801 and subsequently in 1817. The Minister responsible was Lord Eldon—a member of the vilest troika ever to rule Britain. The second member was Castlereagh:

> "I met Murder on the way—
> He had a mask like Castlereagh".

A psychopath, before he went mad and cut his own throat he converted a Dublin riding school to a den of terror where anyone remotely thought to be connected with rebels against the Crown was flogged with the cat o' nine tails until either bones showed beneath the flesh or he betrayed his friends. Now there is a thought for a Home Secretary looking for good ideas to tackle terrorism.

The third member was Viscount Sidmouth, the Home Secretary and perhaps an exemplar for the current incumbent. He prospered through inheritance and corruption, waged war against the British people, set up an army of spies whose good works resulted in the execution of many liberal reformers and introduced a stream of laws to put down free speech as well as an Act of Parliament to prevent public meetings of more than 50 people for any purpose whatever:

> "And many more Destructions played
> In this ghastly masquerade,
> All disguised, even to the eyes,
> Like Bishops, lawyers, peers, and spies".

Unbelievably, the troika prosecuted war against the French with no fewer than 470,598 citizens under arms in a population of just 10 million. Yes, there is much for today's troika—the Prime Minister, the Home Secretary and the Foreign Secretary—to chew over here. But let them beware before they go ahead with the legislation—a rag bag of the most coercive measures that the best mandarin minds from the Home Office can produce, which are manna from heaven for any future or present Home Secretary who wants to establish a police state.

Mr. McWalter: Will my hon. Friend give way?

Mr. Sedgemore: No, sorry.

When the troika of Eldon, Castlereagh and Sidmouth died, the people of England rejoiced and danced in the streets. We would not want that to happen if any of our modern troika died, would we?

The Bill clashes with habeas corpus, judicial review, the rule of law, the notion that justice should be public and be seen to be done and checks on the arbitrary power of the authority of the state, including the Home Office, the security services and invisible commissioners. It threatens freedom of expression with an extended version of the infamous blasphemy laws and invades privacy on the internet and God knows what else—we have not seen its full implications—so perhaps we should pause for a moment lest history judge us badly.

The fundamental fault line of the Bill lies in its refusal to accept the checks and balances of our constitution and its assertion, adumbrated with inelegant clarity by the Home Secretary, that the Executive must be all-powerful and beyond criticism. Our Home Secretary and our Government genuinely and sadly believe that the Executive can justify any action if it is given legitimacy by a compliant Parliament that has long since consigned to the dustbin of political history the notion that our primary function is to check and call to account the Government of the day.

For the Home Secretary, the judiciary is there to be lectured and mocked. Was there ever a more populist person guaranteed to get a cheap laugh as he tries to bring the law and its practitioners into hatred, ridicule and contempt? According to him, MPs know best, lawyers suck and the law is an ass to which only airy-fairy civil libertarians such as me pay homage.

In Shakespeare's "Henry VI, Part II", a bloodthirsty, Blunkett-type character snarls:

> "The first thing we do, let's kill all the lawyers."

Theatrical simpletons and bar-room drunks may enjoy that approach, as will those MPs who, for whatever desperately sad reason, need to stay on message. The rest of us will treat it with scorn.

Yes, the judges have sometimes failed us, but invariably by going along with the conventional establishment wisdom and the dictates of the establishment. Everyone knows that, at the height of the second world war, Lord Atkin, a judge, pleaded with his brethren that they should be more than

> "mice squeaking under a chair in the Home Office".

Who today will plead that MPs should be more than mice nibbling cheese at the Home Secretary's table?

This bad legislation is as unnecessary as it is draconian, as theatrical as the declared emergency is phoney, as beguiling as the chants of approval that will come from those for whom justice is a chimera. To those on these Benches who intend to support the Bill tonight, I suggest that they remember that its most avid supporter is that infantile cretin who edits *The Sun* and that our Foreign Secretary has given a ringing endorsement to the views of the aforesaid Mr. David Yelland. Need I say more? I shall not support the Bill at any stage, and I very much hope that others, too, will refrain.

6.58 pm

Mr. Andrew Hunter (Basingstoke): That is a remarkably hard act to follow, so I hope that the House will show compassion if I fail to match the eloquence of the hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore).

Without doubt, it is right to reassess the country's security needs in the aftermath of 11 September, but, having said that, dramatic claims that the world changed that day should be treated with caution. International terrorism has been a growing reality since the mid-1970s at least and, from one point of view, 11 September horrifically showed its long-existing potential rather than the birth of something new.

When, periodically, the Government create new anti-terrorism measures, the proposals should be tested against strict criteria. Are they appropriate to the threat? Will they be effective in combating terrorism? Do they contain proper safeguards against the abuse of those new powers? Should the new measures be categorised emergency and temporary, and therefore subject to further parliamentary scrutiny, or mainstream, more permanent legislation? When all those are posed about the Bill, they are serious questions indeed.

My first and main concern has already been expressed by other hon. Members and I need refer to it only briefly. The reckless speed with which the Government are taking through Parliament a Bill that touches on supremely important issues of human rights and individual liberties is scandalous. It is wholly unacceptable that our deliberations should be subjected to such a curtailed and arbitrary timetable. It can be predicted with a degree of confidence that a Bill rushed through with such speed will before long be found to be deficient in some way. A 124-clause measure cannot possibly receive the attention that it deserves within the Government's proposed timetable.

Part 4 deals with how to treat foreign nationals in the United Kingdom who are believed to be involved in terrorism. Without doubt, ideally the answer would be through criminal law. I accept that that cannot always be the case: that there are circumstances in which evidence of terrorism, the source of that evidence and the nature of that evidence, if made public, could both jeopardise the source and endanger life. The dilemma that faces the Government—a dilemma significantly of their own making—arises from the existence of articles 3 and 5 of the European convention on human rights.

As it is entirely unacceptable to allow foreign nationals involved in terrorism to wander around the United Kingdom plotting and conspiring, either article 3 or article 5 must become non-binding. Reluctantly, I accept that there are circumstances of national emergency in which the practice of internment is the lesser of evils: it is not right, but it can prevent a greater wrong. It was used very successfully by the British Government during the second world war, and has been used successfully twice by Irish Governments in their dealings with the IRA. It proved counter-productive only when intelligence was deficient. I therefore view part 4 with more sympathy than do some of my hon. Friends.

Mr. Hogg: My hon. Friend says that in certain circumstances intelligence was deficient, and criticises the use of the internment provision on that basis. Does he not agree that there is always a high risk of intelligence being at least in part deficient?

Mr. Hunter: There is always that potential ultimately, but I think the circumstances of the early 1970s, when internment was not a success, no longer prevail. The quality and quantity of our present intelligence is far greater than it was in historic circumstances.

I do not quarrel, in principle, with the proposed role of the Special Immigration Appeals Commission. I believe that the exclusion of appellants and their lawyers can be justified on grounds of national security. I note that the Attorney-General may appoint a special advocate to represent an appellant's interests. I understand that the Government do not propose any derogation from article 6 of the convention, which states that although the press and public may be excluded from a trial in the interests of national security,

"judgment shall be pronounced publicly".

The legal question that interests me is whether, in the prevailing circumstances, the Government can legitimately provoke the powers of derogation in article 5. The European Court has said that the article can be applied only when there is

"an exceptional situation of crisis or emergency which affects the whole population and constitutes a real threat to the organised life of the community of which the state is composed."

I think that whether we face an emergency that threatens the life of the nation may be open to considerable doubt. The greatest threat to the security of the United Kingdom from terrorism is still the threat of Irish terrorism, and the non-applicability of the Bill to such terrorism is a matter of concern.

As for the question of making incitement to religious hatred a crime, I share the widespread conviction that the Bill's proposals may prove unworkable and should therefore be dropped. Moreover, I consider the need for such a new law highly questionable. I do not agree with Mr. Rowan Atkinson and others who argue that comedians may fall foul of the provisions—there is and should be an enormous difference between exposing to ridicule what is deemed to be absurd, and inciting hatred—but I do agree with the pressure group Justice that these measures, apart from constituting a sop that the Government want to throw at the Muslim community, will prove divisive and impractical, and breach fundamental rules relating to freedom of expression.

I feel that the key to much of our dealings with the Bill should be to look at each part separately. We should ask whether, if an individual part of it had been law before 11 September, it could or would have helped to prevent the catastrophe of that day. As for the proposals relating to incitement to religious hatred, the answer is no—and the same can be applied to many other aspects of the Bill.

Plenty can be done to make the country a safer place. We can be granted more resources for the police, better witness protection, the admission of telephone intercepts as evidence in terrorist trials, and a greater willingness to

[Mr. Hunter]

enforce deportation orders when they do not infringe article 3. Some of that may require abrogation of international treaties or curbing of the power of the judiciary, but most can be achieved under existing legislation and without this Bill—a Bill that will become bad law because it is being rushed through with such unseemly haste.

7.6 pm

Mr. Mark Fisher (Stoke-on-Trent, Central): Until the speech of my hon. Friend the Member for Hackney, South and Shoreditch (Mr. Sedgemore), I suspected that most Members agreed about the scale and nature of the dangers that confront us, and that almost all considered many of the intentions and new powers in the Bill to be sensible. The prospect of international terrorism focusing on Sellafield certainly concentrates the mind on the powers of the police around nuclear plants, and the idea that terrorist organisations can accumulate money in their bank balances with impunity in this country commends the relevant parts of the Bill.

It is possible to agree with all that, however, and still to be very unhappy—as I am—with some features of the legislation, particularly the necessity of derogation from a convention to which we have only just signed up, and aspects of part 4. Those fears make it extremely hard for me today to support the Government whom I am generally proud to support in the Lobby.

The Home Secretary presented his case with great courtesy and patience, and engaged with the House. That is to his credit, and no one would doubt his sincerity—or his record of defending human rights, which he mentioned. I fear, however, that the roots of much of the Bill lie in the need to be seen to do something in the face of horrific dangers and anxieties. That is a very bad basis for legislation. Far from calming my fears, the Home Secretary played on them by citing a report in *The Times*, dated, I think, 15 September as a demonstration of opinion outside and the pressure under which the Government found themselves.

I am sure that there is pressure, in that the country wants the Government to do something; but, as I have said, that is a bad basis on which to legislate and to find the correct balance between the powers we have—or should have—to deal with international terrorism, and not just the protection of human rights but the maintenance of the fundamental principles of our legal system, which I consider even more important than specific human rights.

Surely the strategic test that we should apply to our scrutiny of all aspects of the Bill, and to its totality, is this: have we sufficient powers in our existing legal system, after recent terrorism legislation and the creation of the Special Immigration Appeals Commission and other arrangements, to deal with the present circumstances? Only if those powers are totally inadequate should we seek more. I am not sure that that applies to some of the Bill's provisions.

I appreciate that we shall have an opportunity to discuss the derogation in a later debate. However, I remain totally unconvinced that we would be within our rights under the convention to derogate. The convention specifically says that we can derogate only

> "In time of war or other public emergency threatening the life of the nation".

Last weekend, looking round our constituencies, did hon. Members see the life of this nation being threatened? We saw people flocking to early showings of "Harry Potter", and others doing their Christmas shopping. We also saw the trains at least trying to run on time. The life of this nation is not at risk.

Mr. Stephen McCabe (Birmingham, Hall Green): How many attacks of the scale that we saw in New York does my hon. Friend think the United Kingdom can sustain before people say that the nation is being threatened?

Mr. Fisher: That is not the question to ask. Currently, the life of the United Kingdom and other European nations is not being threatened. Although I hope that we do not, we may well suffer the horror of a terrorist attack. None the less, one attack on a nation does not threaten the fundamental life or nature of the state. Such an attack would wound the state grievously and would be a wound that none of us wished to see, but it would not threaten the life of the nation. I believe that that phrase was included in the convention to protect against civil war or a complete breakdown of a country's system of law and order. I do not believe that it was meant to deal with a horrendous attack in another country that made us all only too acutely aware of the scope and nature of terrorism.

I commend the Joint Committee on Human Rights on the speed with which it has served the House by issuing its report. In paragraph 30 of that report, the Committee seems to say that it is not convinced that derogation is justified. I share that view. I am not a lawyer, but I wonder whether derogation would be legal if it were not justified.

Why is no other European country derogating? It is an international problem that affects us all equally, regardless of the primacy of our position in tackling the situation in Afghanistan. Although our Government of course have a prime duty to protect the people of this nation, we must consider the international dimension. Indeed, I would go further and say that we will solve nothing by deporting terrorists from the United Kingdom. Terrorists are as dangerous to this country and to the world if they are in other countries as they are if they are here. Our responsibility is if necessary to tackle terrorism in this country by means of our legal system. I am not sure that we need the extra powers that the Government are proposing to provide in the Bill.

During the Home Secretary's speech, I raised the issue of the definition of a terrorist, in part 4. Clause 21(2)(c) states that an international terrorist is defined as someone who has "links" with an international terrorist group. Considering the severe nature of the legal sanctions, guilt by association, as is implied by the word "links", is really not good enough. I hope that the Home Secretary will consider that issue and accept amendments to eliminate the word "links".

I am also less than convinced by the nature of the provisions on trial and detention in part 4 and by the overall treatment of evidence. The Home Secretary and I had a previous exchange on that issue. He defended himself by saying that the provisions were all to do with inadmissible evidence. Although, as I said, I am not a lawyer, as I have always understood it the rules on inadmissible evidence are based on the nature of that evidence, such as whether it was hearsay, rather than on its source. The crucial issue in this legislation is to protect a source such as the security services. Are we happy that people should be indefinitely detained and imprisoned on the flimsy basis of evidence that they will never hear? I do not believe that we can be.

I am also extremely perturbed about the speed at which we are being asked to move. The Home Secretary said that we have had 10 weeks to examine the matter. Today we are considering not the wider intentions that he announced 10 weeks ago but the actual wording of the Bill. We are passing legislation, and wording is everything. As Thomas More understood, if we do not cling to the wording of the law, when the wind blows we shall have nothing to protect us. We are producing loose wording to define "terrorist", and wording that is misguided in other respects.

I am grateful to the Home Affairs Committee and to the Joint Committee for moving so fast in producing their reports, which none the less show the precise nature of the problem. One Committee met on 8 November, and both met on 14 November. They have had a chance to examine the issues only since the Bill was published. The Bill itself has determined the speed at which we have proceeded. Historical precedent—such as the Dangerous Dogs Act 1989, which is a trivial but real example—shows that, when we move fast, we seldom pass good legislation. The implications of legislation cannot appear immediately. It is only when members of the public test an Act's wording against all the circumstances to which it may apply that we truly see the issues on which we were legislating.

Despite all the semi-sunset clauses that the Home Secretary has included in the Bill to enable us to review aspects of it, I believe that we are moving too fast. If we cannot properly scrutinise legislation, we shall serve neither the House nor the country well.

Mr. Deputy Speaker: Order. Time is up.

7.17 pm

Mr. Robert Key (Salisbury): The world order changed on 11 September, and so must we. Many thousands of my constituents are directly involved in the consequences of that change, whether they are serving in Her Majesty's forces, working at the Chemical and Biological Defence Establishment at Porton Down, or working on anthrax vaccines at the Centre for Applied Microbiology and Research at Porton Down. This is not, however, an entirely emergency Bill. Some things never change, and one of them is Whitehall's propensity to see a good thing and turn it into a Christmas tree. Today we are considering an early and a very large Christmas tree. Some might even allege that it is a leylandii.

Some of our constituents are very concerned about the legislation. My constituent Mr. Guy Nicholls of Salisbury e-mailed me to say:

> "I am extremely concerned about recent developments towards change regarding basic human rights in the United Kingdom . . . Imprisonment without charge or trial is a violation of fundamental human rights and should be dropped from the 'Anti-terrorism, Crime and Security Bill'."

Feelings are running high. Although I accept some parts of the Bill and believe that any Home Secretary would wish to see loopholes tightened and closed, I have difficulties with other parts, the first of which is part 5, on race and religion. One of the greatest strengths of British parliamentary democracy is its tolerance. The British, and I think the English in particular, are tolerant people, but part 5 smacks of intolerance.

There are two broad reasons why I cannot support part 5. As a member of the Church of England, I deplore the intolerance that I sometimes sense both among the Wee Free Presbyterians and in Roman Catholic dogma. However, as an Anglican and an Englishman, I tolerate their right to express a hugely divergent view, and I would not wish to see Free Presbyterians in the Hebrides locked up for denouncing the Bishop of Rome for whatever reason. I first face up to the principles. Legislation should not seek to control all outward actions by telling us what we should or should not do. If it did, our society would be totalitarian. The rule of the law is intended to establish and sustain for society as a whole—for all our citizens—what the Christian tradition calls the common good.

Criticism of another person's race is morally unacceptable; criticism or rejection of religious beliefs or practices is not only acceptable but desirable. The claims and practices of religion are in principle public claims and should be open to public examination and critique. It is such examination and critical reflection that can lead a person towards a change in religion, or, indeed, towards religion itself. Freedom for such examination and critique is an important part of religious freedom. Can the Government and the courts be sure that the Bill will be capable of publicly distinguishing between criticism or rejection of religious beliefs and practices, and expression of religious hatred? We should avoid a legal change that threatens openness to scrutiny and criticism.

On 15 November, in reply to a written question tabled in the other place, the Minister of State, Home Office, Lord Rooker, said:

> "As part of the Anti-Terrorist, Crime and Security Bill introduced earlier this week, we have proposed expanding incitement to racial hatred to cover religious hatred, to protect everyone from religious hatred and harassment."—[*Official Report, House of Lords*, 15 November 2001; Vol. 628, c. WA96.]

In other words, motherhood and apple pie. But racial hatred and religious hatred are not the same, and we cannot simply extend the law on the first to cover the second.

Article 18 of the 1948 universal declaration of human rights gives a clear definition of religious freedom, which is at risk under the Bill. Religious freedom is an immunity and freedom from coercion, and any legislation that threatens that freedom is unwelcome. The least that the Government must do if they want the support of people who think like me is to amend the Bill so as to recognise the major difference between race and religion—one is a fact of life, and the other is not.

The notes that Home Office Ministers have kindly provided, which have already been quoted, state:

> "To be prosecuted for stirring up religious hatred, a perpetrator must use threatening, abusive or insulting words or behaviour intended or likely to stir up hatred against a group of people because of their religious belief".

Who decides? By whose standards, culture and traditions will a policeman or a court judge decide? The provision is entirely unsatisfactory, and I cannot support it.

Part 6, which covers weapons of mass destruction, and part 7, also give me great concern. Like the Research Defence Society, I am worried that domestic terrorism

[Mr. Robert Key]

remains a serious problem and that the position of medical and scientific researchers, who have already been subject to outrageous and violent attacks by animal rights extremists for the past 20 years, is not being dealt with. You may recall, Mr. Deputy Speaker, that in the past year extremists have fire-bombed the cars of 11 people connected with Huntingdon Life Sciences, and attacked several people personally, injuring them gravely.

Several of my constituents have been attacked and bombed and had their lives made a misery. The lives of people working at Porton Down for the protection of our forces, who are engaged in defending the liberties of this country, are being ruined by domestic terrorism. That should have been covered in the Bill.

I turn to the part of the Bill that deals with Ministry of Defence police, Atomic Energy Authority police and British Transport police. There is a lot of good sense in the Bill. The fact that the British Transport police and AEA police are being given extra power and jurisdiction is welcome. I should like the Home Secretary or the Minister who is to wind up tonight to explain what point we have reached with the legislation on mercenaries. The Home Secretary was kind enough to be frank about the matter when I raised it in the House last month. The Export Control Bill was not deemed the right place to include measures on mercenaries, but this Bill is part of a terrorism package and might have included some. What is the Foreign Office up to? It appears to be dragging its feet.

The Chairman of the Home Affairs Committee has already referred to Ministry of Defence police. I spent the first three months of the year in the Standing Committee that considered the Armed Forces Bill, which dealt with that matter. My advice to my hon. Friends on the Front Bench would be broadly to welcome the substantial changes that have been made to the proposed measure. It was pushing their luck to try to tag the measure on to the Armed Forces Bill, and it is pushing their luck a little further to tag it on to this Bill. A lot of probing needs to be done. The revision is sensible, and I welcome it. The wording is quite different; it has been substantially rewritten. However, we still have no independent control for Ministry of Defence police—independent, that is, from the chain of command of the military—or independence for the chief constable, to whom the Secretary of State can still effectively give orders. There are no proper discipline and complaints procedures either. I was therefore delighted to hear the Home Secretary say that the matter would be included in new legislation next year.

No formal agreement or legal arrangements have been made with the Police Complaints Authority. There is no formal discipline or conduct procedure regulated by Parliament. Ministry of Defence police have no formal or independent police committee or authority. There are no formal inspections by Her Majesty's inspectorate of constabulary, although that was promised. No legal liability for torts has been defined, and so on. What has happened to those standing arrangements at a high level? My hon. Friends need to home in on that.

The future role of Ministry of Defence police could be as a gendarmerie, which Britain currently lacks. They are used in Kosovo to great effect, and the matter should be reviewed. In devising a long-term strategy for the Ministry of Defence police, we should consider whether they should be an armed gendarmerie for international peacekeeping operations, if that is the way the world is going, rather than using any more of Her Majesty's forces.

There are good bits and bad bits to the Bill, as my hon. Friend the Member for Beaconsfield (Mr. Grieve) is aware. My constituents want terrorism defeated, and I am robust in that objective. However, we must ensure that we do not extinguish the ancient freedoms that the House has guarded so well for so long.

7.26 pm

Mr. Kevin McNamara (Hull, North): May I ask my right hon. Friend the Minister for Criminal Justice, Sentencing and Law Reform, if he is to reply, to answer two questions—or otherwise to inform whoever is to reply of them? The first relates to the religious clauses and their extension to include religious hatred. Will he confirm that the clauses will provide a remedy for parents and girls at the Holy Cross school in the Ardoyne, who have been victims of a vile campaign of religious hatred? Secondly, will he confirm that the clauses could be said to fulfil the promise in the Good Friday agreement to uphold the right to freedom from sectarian harassment? He will have read in today's newspapers Greenpeace's advert showing routes taken by trains carrying nuclear waste through London. Will he confirm that once the Bill becomes law such adverts will become illegal, and will silence people or organisations that rightly draw attention to health and environmental dangers?

The Home Secretary was charitable in the number of times that he gave way to Members from both sides of the House and in answering some of our points. He did not convince us, but he answered us. Points about the amount of time that we have to consider the Bill have already been well made, and I do not intend to discuss the matter further.

Unfortunately, I shall not be present next Monday, because I shall be chairing a Committee of the Council of Europe—the Sub-Committee that considers the appointment of judges to the European Court. We make recommendations to the Parliamentary Assembly—several countries make recommendations and give us a list. What do most people here think the reply would have been if before 11 September I had asked one of the candidates, "What is your opinion of articles 5 and 15?" and he had said that if there were any source of trouble at home, it would be a mere technicality to derogate, and that would be the end of the matter? A mere technicality? Eyebrows would be raised, people would tap their pencils, and in all probability that person would not have received a recommendation to be a judge on the European Court of Human Rights.

That would be quite right, because the effect of the derogation takes away from the accused the right to a fair trial and to defend himself in person or through legal assistance, and the right to examine or have examined witnesses against him, and to obtain the attendance and examination of witnesses on his behalf, under the same conditions as the witnesses against him. The derogation takes away all those rights under article 6, which are fundamental to freedom. This House cannot and should not accept that.

My right hon. Friend the Home Secretary did not answer the point, which has been raised continually, that no other state in the European Union or the Council of

Europe has felt it necessary, following 11 September, to derogate as we propose to do. Many of those states—Spain, France, Germany and Italy—would all be prime targets on the basis of the undertakings they have given to supply men and women to fight al-Qaeda and the other organisations. Nor has any attempt been made in the US to stop the courts having jurisdiction over detained people. Why do we have to be more American than the Americans, more Catholic than the Pope—old red socks, my great friend? My right hon. Friend has not answered that point to the satisfaction of the Joint Committee or of the House.

My final points concern internment. I shall not deal with the legal niceties, but I remind the House what happened in Northern Ireland. We had a state of emergency, followed by the introduction of internment. Internment led to Bloody Sunday and to the death of Bobby Sands. I was involved in that issue and I know that those three factors—internment, Bloody Sunday and the death of Bobby Sands—were the three great recruiting agents for the Provisional IRA.

People will argue that the present situation is not analogous, but I believe that it is. If one person who was imprisoned under the Bill, whether he was wrongly imprisoned or guilty as hell, went on hunger strike and died, what would happen? We boast that the legislation is not directed against Muslims or Islam, but it was argued that earlier anti-terrorism legislation was not directed against the Irish. At the time, people said, "Oh, it will only affect a few people and we must deal with them." However, that legislation put the entire Irish population in this country through persecution and harassment after 1974, and ended in a situation in which that population did not support the Provos but did not respect the forces of law and order either. There are disaffected young people in this country of Asian-Islamic origin, who feel no tremendous loyalty to this country, for a variety of reasons. Whatever their leaders, elders and muftis have said in good faith about deploring—and I do not doubt that for one moment—what happened on 11 September, if someone put in prison under the Bill dies or an injustice is created, it will foster that same degree of hatred and depth of feeling in the disaffected youth here and in the slums of south-east Asia and Pakistan as in Ireland.

Why are we prepared to risk that happening? Is it because we feel that our institutions are somehow so threatened that we are not prepared to put a person we suspect before a judge to have the evidence against him properly examined? I hope that I am wrong about the effects of the Bill. I want to be wrong, but this omnibus Bill contains every illiberal idea that the Houses of Parliament have already rejected, except for the sweetener on corruption. Are we prepared to risk all that might happen for the sake of this tawdry Bill when we could find out more information about what is happening by having proper surveillance of the dozen or so people involved, probably at far less expense?

7.35 pm

Mr. John Gummer (Suffolk, Coastal): When I first became a Minister, a wise colleague told me not to sign anything for the first fortnight, because a new Minister is always presented with all sorts of things that the civil servants have been keeping in the cupboard and that no Minister previously was prepared to sign. I have that feeling about the Bill. It contains all sorts of elements that we have failed to pass previously and that are being presented to us again. We should start our consideration of the Bill by distinguishing between those elements that are necessary for the prevention of terrorism and those elements that have been brought in under the guise of an emergency Bill and clearly are not necessary.

Nobody could accuse me of being soft on terrorism. Anyone who was present at the heart of the Grand hotel in Brighton when the bomb went off has a clear view of the damage done and the horror created by terrorists. However, I hope that the House recognises that tonight's debate represents the whole reason to be a Member of Parliament: it is the need to protect the liberties of the people against the over-mighty power of the Executive. That battle has to be fought in every generation, even when one cannot but accept that the Home Secretary is a decent man in a Government who are not, at this moment, intending to take penal powers against innocent people. However, that is the very situation in which we should most beware. At no time is freedom more vulnerable than when good men set out to protect freedom against terrorists. The good men have an excuse for almost every action, but that excuse is too ready to be used in the wide way in which it is being used for the Bill.

The only element that could make the situation more dangerous is the speed at which we are moving. The Home Secretary said that it has taken 10 weeks to get to this point. If it has taken him 10 weeks to get here, with the panoply of the civil service at his command, he must understand why those who have concerns about the Bill need time to debate it, to grasp the realities and to ask the questions that he has already shown are very difficult to answer.

The key issue is democracy. Anyone who has seen the Greenpeace advertisement today will have noticed the mistake in it. It says:

> "The nuclear industry is incompatible with a democratic society."

What it should have said is that nuclear power is incompatible with any system except democracy. It is possible to do many things safely only because of our democratic system. The danger of the Bill is that it strikes at some of the freedom that makes so many other things safe. I hate the expression "public safety" because it reminds me of the Committee of Public Safety, but it also reminds me of why that was so terrifying a committee. It used the excuse of public safety to do horrific things. Many of its members were idealists, but one can be an idealist and still do terrible things. That is why I find the Bill so objectionable.

I shall take two examples in which I support what the Bill tries to achieve but still believe the methods in the Bill to be wholly wrong. First, I am a supporter of our active and enthusiastic membership of the European Union, but I do not believe that the third pillar should be passed into law in the form of the mechanism in the Bill. I believe in democracy. I want us to debate the issues and I want those of my hon. Friends who have much greater doubts about it than I do to have the opportunity to put their points of view forward. They will of course be wrong, but that should not deprive them of the opportunity of putting their case, or me of the chance to answer it. That is what democracy is about. I do not believe that that part of the Bill should be accepted.

There is a false connection between race and religion in the Bill. There should be no need for any man or woman to defend himself or herself because of the colour

[Mr. John Gummer]

of their skin. That is not in question. However, it must be necessary for all of us who have faith to defend the basis upon which that faith is placed. In many cases, people do things that are profoundly wrong because of what they believe. Dr. Goebbels, for example, believed what he said. It was evil and wicked but, under this Bill, it could—or could not—be referred to as a religious belief.

So pathetic is this part of the Bill that the notes read:

> "This definition is designed to cover a wide range of religious beliefs but does not seek to define either what amounts to a religion or a religious belief."

If we cannot define what we are trying to protect, it seems odd to seek to protect it. We must know what we are doing, but the Bill does not know what it is doing. Let me give two examples. If anyone suggested that the author of "The Satanic Verses" was intent on stirring up his fellow Muslims, that would not be far from the truth. He wanted to do that, I believe, for what he thought was a good reason. He thought it important to sharpen people's attitudes and get them talking. However, Muslims saw it as a blasphemous insult to their religion. Will the man whom we have spent millions of pounds protecting now be subject to the law for inciting religious hatred? That must be the result of the Bill if it is passed.

The second example involves religions that promote notions which are manifestly damaging. I am not prepared to be prevented from saying that those who believe that children should be killed by not having a blood transfusion are wrong and that they should be stopped from doing that. I know that the strength of that remark may be considered by others, and certainly by the people to whom I refer, as an incitement to religious hatred. I do not like the word "hatred"—I hope that I hate no one, but I know many who would come near to hating when they saw that the result of those people's beliefs was a dead child. I do not believe that that is a suitable case for interference by the law; I believe that I should be able to say what I believe to be true on that issue.

Some organisations, such as Scientology, masquerade as religions. With the protection of this House, I say that Scientology is a fraud. It is a mechanism for money raising, a damaging and hateful thing. Under this measure, however, I should not be able to talk about that outside this House, and that is wrong. The Government should have no part of it.

I must say something very firm about the Government. They ought to believe in habeas corpus. All their instincts should mean that they do not want these provisions in the Bill. I believe these measures to be so fundamentally wrong that I am very unhappy that my party is prepared to support the Bill, although I say to my hon. Friend the Member for West Dorset (Mr. Letwin) that I understand why they are doing so. Of course it is necessary for the Opposition to show that they are fundamentally opposed to terrorism and will not put the people of Britain in danger in any way by not allowing the Government those parts of the Bill that are necessary, but that does not mean that we all have to go along with it.

Some of us must stand up and say that so much is so wrong with the Bill that not only will we not vote for it, but we will vote against it. We do so knowing that people outside know perfectly well that we are not in favour of terrorism and are, indeed, rather right-wing about it. A free society needs to be defended most when there is the greatest degree of pontification, self-opinion and hugely righteous indignation. Righteous indignation makes bad law. The people of Britain need to be defended in the age-old way, by supporting habeas corpus and ensuring that we do not condemn people for their religious views, forcefully put.

7.45 pm

Jean Corston (Bristol, East): I wish to use the time available to me to draw on the report on the Bill by the Joint Committee on Human Rights, which I have the honour to chair.

The Bill was introduced into the House last Monday and our report was published on Friday. I do not know whether it is a record to report within four days, but it must be quite close. I wish to record my thanks to fellow members of the Committee, our staff and legal adviser for making it possible for the House to have the benefit of the report as an example of pre-legislative scrutiny.

I thank the Home Secretary for meeting a delegation of members of the Committee before the Bill was published and giving evidence to us on Wednesday 14 November. I also thank him for responding flexibly to some of our concerns and being prepared to consider amendments on issues raised with him.

It is precisely in circumstances such as the aftermath of 11 September that the need to be seen to be doing something puts the protection of human rights under pressure. Human rights apply to all, even people with unpopular opinions or those who support repugnant causes. It is important that we do not use this emergency procedure to introduce powers that would not have received parliamentary support but for the current concerns and fears.

The Committee welcomed the decision not to increase retrospectively the penalties for terrorism-related hoaxes and the Home Secretary's undertaking to consider rewording clause 27(9) concerning his power to issue a second certificate when the Special Immigration Appeals Commission cancels a certificate. We welcomed the confirmation that under the provisions dealing with incitement to religious and racial hatred, which were urged on us last month by the UN Human Rights Committee, the Bill will not restrict the freedom to express opinions and beliefs, including those which are critical of some or all religions, whether expressed seriously or satirically. So, to respond to a point made earlier on the Opposition Benches, Rory Bremner and Rowan Atkinson will not be out of a job.

The Home Secretary's statement to the Committee was also welcome, in that he told us that there will come a moment when the law of blasphemy will find its place in history. I welcome that. The Committee also accepted that SIAC is a fully fledged judicial tribunal.

Let me summarise the matters to which the Committee wants to draw the attention of this House and the other place. First, no other European country is considering this kind of legislation. Secondly, we believe strongly that there should be a clear definition of the class of people liable to be regarded as international terrorists. We also think that people who are considered to have links with terrorists or terrorist groups are covered by the Bill in ways that give cause for concern. We can find no precedent in United Kingdom law for such a vague definition.

By relying on immigration legislation to detain suspected international terrorists, there is a risk of discrimination on the ground of nationality. We call attention to the proposals to retain indefinitely fingerprints taken from intending immigrants, believing that it stigmatises those who have no criminal connections whatever.

We note the extension of the powers of constables to require anyone on the street to remove facial coverings. That could be a matter of sensitivity for many people, particularly Muslim women.

We also call attention to the extension of police powers in non-terrorism cases relating to detention in a police station, such as being photographed without consent, removing any article worn on the head or face, even with the use of force, and the fact that there are no accompanying provisions covering the taking, storing, retention and cross-matching of the photos. We also note that the code of practice relating to the retention of communications data will not be subject to any parliamentary procedure, even though it may be used in evidence in courts and tribunals.

Finally, the European arrest warrant should be introduced by primary legislation rather than by invoking the provisions in clause 109. In brief form, those were the points to which the Committee wanted to draw the attention of both Houses as they consider the measure.

In conclusion, the Bill entails a great leap of faith and a considerable element of trust. I believe that the Home Secretary has evidence that a number of people—albeit a small number—are abusing our immigration and asylum system for the purposes of terrorism. However, by its nature, that evidence cannot be shared with us.

I have more reason than most people to trust the Home Secretary, having served as his Parliamentary Private Secretary during almost the whole of the last Parliament, but emergency legislation passed in haste can often haunt us. The Bill provides that the power of detention will continue in force for only 15 months, so I hope that the Home Secretary has booked a slot in the legislative timetable for February 2003 to ensure that it is not renewed. As the Joint Committee on Human Rights states in its report:

> "The situations which may appear to justify the granting of such powers are temporary—the loss of freedom is often permanent."

7.51 pm

Mr. Jeffrey M. Donaldson (Lagan Valley): The Ulster Unionist party understands the need for most parts of the legislation. However, I am sure that the Home Secretary will recall that in summer 1998, following the tragic bomb explosion in Omagh in which 28 innocent people were brutally murdered, the House was recalled to debate emergency anti-terrorist legislation and that there was much talk of how effective such legislation would be in combating terrorism, especially the activities of the Real IRA. I bring the attention of the House to the reality that not one person in the United Kingdom has been convicted under that legislation since it was enacted by the House.

The Real IRA—the main target of the legislation—continues to be active in the United Kingdom and, indeed, we have seen its activities recently in Birmingham. To enact legislation is not in itself enough to defeat terrorism, so I urge the Government to look carefully at the effectiveness of the new laws that they intend to introduce.

With regret, we also note that Irish terrorism is not covered in the definition of international terrorism. That is difficult to understand, as the definition of an international terrorist group is that it is

> "subject to the control or influence of persons outside the United Kingdom".

Is a person who resides in the Irish Republic not someone who lives outside the United Kingdom? Is it not the case that the Real IRA, for example, are controlled by people who live outside the United Kingdom? Is it not also the case that the Real IRA and indeed the Provisional IRA have been engaged in international terrorism?

During last summer, three senior members of the Provisional IRA were arrested in Colombia. It is thought that they were involved in the preparation and instigation of acts of terrorism in that country and were sharing their engineering expertise in bomb making with the Colombian terrorist group, FARC. However, the Provisional IRA will not come under the definition of an international terrorist group set out in the Bill; nor will the Real IRA, which has been involved in procuring weapons abroad and has been assisted in its terrorist activities by people residing outside the United Kingdom. It is, of course, a two-way process. The IRA has been assisting other international terrorist groups in acts of terrorism, yet it will not fall under the provisions of the Bill.

The leader of my party, the right hon. Member for Upper Bann (Mr. Trimble), has written to the Home Secretary setting out in detail our views on those aspects of the Bill that affect—or ought to affect—the terrorist situation in Northern Ireland. However, as I said, one of our primary concerns is the definition of international terrorism. Will the Government look at that carefully? We believe that the definition is too narrow. It is wrong to exclude groups primarily involved in acts of terrorism related to Northern Ireland or other parts of the United Kingdom; there is ample evidence that those groups are involved with and engage in international terrorism.

I support the comments of the hon. Member for West Dorset (Mr. Letwin), the spokesman for the official Opposition, on the clauses dealing with incitement to religious hatred. I also support the comments of other right hon. and hon. Members in that regard. There is a genuine fear, especially among Christians, that those provisions will have serious implications for freedom of speech.

The right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) raised the issue of the affirmation of fundamental Christian beliefs. There is a major concern about the proclamation of those beliefs. Will the provisions curb the freedom of Christians, for example, to evangelise in this country? Will citizens of other faiths, who live in the United Kingdom and who might take exception to such evangelism, be able to utilise the laws to curb evangelising Christians?

The Home Secretary must reflect on those points. The concept of civil and religious liberty lies at the heart of our constitution. I and my party are concerned that the provisions will curb civil and religious liberties to such an extent that we shall be unable to pursue the evangelism of our Christian faith in this country for fear that it will cause offence and that we will end up in court as a result of such activities.

I want to focus on the provisions on the retention of communications data. We are disappointed that the Government have not made provision for the admissibility

[Mr. Jeffrey M. Donaldson]

of wire-tap evidence in bringing prosecutions against terrorists. The Home Secretary will be aware of the success of the United States authorities in infiltrating the mafia and securing convictions using the legal powers laid down in "RICO"—the racketeer influenced corrupt organisations legislation.

We have pursued that issue in the House for several years. Interestingly, it was considered by Lord Lloyd of Berwick in his inquiry into anti-terrorist legislation. In considering the arguments for and against the admissibility of wire-tap evidence, he made several points. I quote from one paragraph of his report. In dealing with the arguments in favour of an amendment on the subject, Lord Lloyd stated:

> "The first and most obvious argument is that evidence of intercepted material is admissible to prove guilt in each of the countries which I have visited, and in every other country of which I have knowledge. The United Kingdom stands alone in excluding such material."

Why on earth does the United Kingdom impose that unique handicap on itself when dealing with serious crime, including offences of a terrorist nature? I can see no sense in that.

There are inconsistencies in the approach taken by the Government and also by previous Governments, as at present it is possible for conversations recorded by a device placed on a person to be admissible in evidence, yet evidence gathered using similar equipment to record telephone conversations is not admissible. When the Prime Minister declared war against Osama bin Laden and al-Qaeda, he did so partly on the basis of intelligence information made available to him, no doubt including information gathered using wire-taps. Surely, if it is right to go to war on the strength of such information, it is right to make use of it to prosecute terrorists in our courts. Therefore, I urge the Government to consider the value of using wire-tap evidence and its admissibility in court if we are to secure convictions against international terrorists. It is worth bearing it in mind that, after years of terrorist activity, those people are very astute in the methods that they use to evade conviction, prosecution and, indeed, capture. We see that very clearly with the al-Qaeda group. Therefore, if we are to take stringent measures to combat terrorism, we should use every valid means at our disposal to ensure that those people are brought to justice. Making wire-tap evidence admissible is a valid method to secure prosecutions against terrorists, who are very adept at evading prosecution and conviction.

I return to what I said at the beginning of my speech. The legislation that emerged in the aftermath of the Omagh bombing is on the statute book, but, to date, it has proven totally ineffective in bringing to justice the people who perpetrated the Omagh bombing. They are still at large, free to carry out their evil activities. Therefore, in proceeding with the Bill, the Government need to take steps to ensure that the legislation is more effective than at present. However, I support those who call for the provisions on incitement to religious hatred to be removed and dealt with in separate legislation and at greater length, so that we can fully consider their consequences.

8.1 pm

Mr. Robert Marshall-Andrews (Medway): This is a compendious, complex camel of a Bill. In very large part, it is incontrovertible; in very large part, it is worthy. In juxtaposition, parts of it are draconian, dangerous and completely unacceptable and, unhappily, other parts of it are completely incomprehensible. I would challenge any professor of linguistics or semantics to cast light, meaning or vision on clauses 25 and 26. As I have unsuccessfully wrestled with those clauses for a considerable time and as they go straight to the very deepest and basic part of human liberties, that is, to say the least, a shame.

There are sinister overtones of the great Lewis Carroll in another important part of the Bill. Hon. Members will have noticed that, under clause 21(4), the definition of a suspected international terrorist is someone who has been certified as a suspected international terrorist. That logic would have been well understood by Alice in Wonderland—"words are what I certify them to be."

Some parts undoubtedly require urgent and emergency legislation; other parts manifestly and certainly do not. Religious bigotry certainly does not, nor do other more immediate provisions. For example, the power in respect of disguises in Northern Ireland does not require emergency legislation. Giving police officers the power to say, "Give me your moustache and your balaclava", may well be valuable in the Province, but that provision should not be found in the Bill.

Of course, the Bill's kernel, which has exercised the House for almost the whole debate, is to be found in clauses 21 to 32—the powers of internment and detention by the Executive without trial, without charge and without the subject having the elementary protection of even knowing the basis on which he or she is interned.

Mr. Hogg *rose—*

Mr. Marshall-Andrews: Will the right hon. and learned Gentleman please forgive me for not giving way as time is limited? I suspect that I may well cover what he has in mind.

Before I go on to deal with the Bill in detail, may I acquit the Home Secretary in two respects? May I acquit him of the outrage and the criticism—which came from many different directions, not just from Hampstead socialists—that greeted his description of those who are concerned about arbitrary, Executive imprisonment without charge or trial as being airy-fairy? I do not think for a minute that he believed what he said on that occasion. If he did, it was alarming indeed that he should have shown such contempt for the absolute, central tenet of human liberties, for which hundreds, thousands and possibly hundreds of thousands of men and women—many of them designated as terrorists—have fought during the past century of totalitarian government.

The Home Secretary has a penchant for irony. One might even say that he has fallen for it, and one is forgiving and characterises what he said as an ironic statement, as indeed one does about the words that have occasionally fallen from his lips in relation to the judiciary, which have sounded semi-venomous, if not absolutely venomous. No doubt those remarks were intended to excite the judiciary—as, indeed, they have from time to time—but I acquit him of the charges of illiteracy as to the divisions of power. I dare say that he has read Montesquieu with the care and attention that I have, and I acquit him of that charge.

I also acquit the Home Secretary of the concept that he arrogates such powers to himself willingly—anything else would indeed be alarming—and of the oft-repeated criticism that he is using a populist veil to push through this draconian legislation. Let us acquit him of all those things and consider the substance of what he is attempting to do.

Three tests are necessary to arrogate all those powers to himself. First, are they necessary? Secondly, have safeguards been built into the Bill or the British common law sufficient to deal with those powers? On the first test, I am bound to say—I am sorry to have to do so—that I am unconvinced. I came here with an open mind—I wanted to be convinced. I listened for the evidence, although I appreciate that some of it cannot be shared with us. What did we hear? We heard a quotation from *The Times*, which said that hundreds of terrorists are living in our midst, without any source for that information. Where does it come from? I would lay quite a lot of money on the source probably being a Home Office briefing. Thus, I am unconvinced of the need for such powers, as are many hon. Members.

Let us assume for a moment that there is such a need. Let us pass on to the linchpin of the defence offered by the Home Secretary—that SIAC will effectively take over judicial review. There was a wonderful, dramatic pause when the Home Secretary waved the rhetorical cape and said that hon. Members were all here when SIAC was created, and that those who cavilled at SIAC's powers should stand up and be counted, to a man or woman, but there was silence. I am terribly sorry that I was so slow to get on to my feet; by that time, he had moved on.

Of course, if hon. Members had heard that SIAC—that star chamber of an organisation, with all its draconian powers over evidence—was to be used as an appeals procedure not for deportation but for the indefinite incarceration of people without charge or trial, no one would have voted for it; or, if they had, they would have felt ashamed of themselves a great deal earlier than this. SIAC is not a body known to law. It is a star chamber, and it is manifestly inadequate as the only appeal court against the exercise of such powers.

The final provision that causes concern is clause 29—the deliberate and expressed exclusion of the courts and judicial review from the procedure. I have heard it said that the court considering judicial review cannot take into account the merits of the case before the Home Secretary. I have to say, using the best parliamentary language that I can, that that is complete bunkum. A divisional court, in considering ministerial discretion, has the power to examine everything that the Minister can consider. The test that it applies is: could a reasonable Minister have come to this conclusion? It is a high test, but I do not know why the Home Secretary should be worried about it—I have not the remotest idea. Terrorists or potential terrorists can be kept in custody while a judicial review takes place and we have all the mechanisms and protections in place under the immunity provisions so that information is not revealed in public. At the end of the day, a divisional court makes its decision, but such a court has been deliberately and totally excluded from the Bill.

That is the point at which I stick. I will never vote for the Bill for as long as clause 29 is in it. It is the signpost to tyranny, and I will not take a single step—no matter how few people are involved—down that road.

8.10 pm

Mr. Gary Streeter (South-West Devon): I am delighted to follow the hon. and learned Member for Medway (Mr. Marshall-Andrews), but I wish that he would come off the fence and say what he really means. It is a treat to follow him; he is an advertisement for independent-minded Members who speak their minds. I pay tribute to him for that.

I acknowledge the speech of my hon. Friend the Member for West Dorset (Mr. Letwin), the shadow Home Secretary. I pay tribute to him for what was a real tour de force and an example of how we can oppose with reasonableness and in a forensic way. I hope that it will be a model for the future. It was a privilege to be present to hear his speech.

I have a considerable measure of support for the Bill, but I have three concerns and in the nine and a half minutes that remain to me I shall recite them. First, like many others, I am concerned about the time scale. We all understand that there are times when the House needs to act quickly to deal with emergencies, but there are at least two major provisions that do not, by any means, constitute emergency legislation.

The first is the anti-bribery legislation that flows from a commitment that we signed up to under Organisation for Economic Co-operation and Development provisions back in 1998. I know that because when I carried out a Front-Bench job on international development not a million years ago we consistently called on the Government to incorporate the OECD convention in United Kingdom law and to introduce anti-bribery provisions. My hon. Friend the Member for Meriden (Mrs. Spelman), who is doing a fantastic job in her portfolio, has continued to call for that legislation but she has not, in any circumstances, specified that it should be appended to an emergency Bill. The Home Secretary got that wrong.

We know that for many years many communities have discussed laws against religious discrimination. Until recently, we eagerly awaited the university of Derby's report on the subject because there was a measure of optimism that the Government would consider it carefully and introduce laws on religious discrimination. However, no one anticipated that they would tack those laws on to emergency legislation dealing with terrorism. That is a significant mistake. It is in the nature of Governments that they will seek to maximise every opportunity to pass legislation in the House, but I regret that they are adding to important emergency legislation other provisions that have no place in the Bill.

My two other reservations have been well recited in the debate, but I want to make a contribution to that important discussion. I feel strongly that the Government are making a significant mistake with part 4. We all recognise that those who drafted the European convention on human rights after the second world war attempted to ensure that the holocaust would never happen again. Therefore, we support the convention 100 per cent.

However, can one imagine that, in the late 1940s and early 1950s, it was in the minds of the draftsmen of that convention that a British Home Secretary with strong grounds for suspecting that someone was a threat to national security should not be able to prevent that person from entering this country? That would not have been in their minds. In addition, they would not have contemplated that people in the country who were considered to be a threat to national security could not be deported or, certainly, extradited to countries where the

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death penalty was in place. That takes the convention too far, and judges who have turned article 3 into such a provision have done us all a grave disservice.

The person in the Dog and Duck in my constituency—although there is no pub of that name there—and people considering the issue in detail recognise that there is a problem. It is absurd that this country cannot deal with people who are a threat to national security by sending them back to their home country or onwards for trial to countries such as India or the United States of America. However, in response to that genuine problem, the Home Secretary has come up with a strange and dangerous solution—to intern or confine people without trial for an indefinite period, which must undermine many precious and long-regarded freedoms. He is making a very serious mistake.

My hon. Friend the Member for West Dorset referred to the precedent that such a provision would create, and he was absolutely right. We have now all come to terms with, and have begun to take for granted, policemen walking around airports or Whitehall with machine guns. How did we reach that point in just a few months? Although I am in favour of the police protecting us, such draconian measures represent a slippery slope. If we introduce draconian measures on internment, who knows where we will end up in five or 10 years' time? I ask the Home Secretary to reconsider that provision. We face the real risk of reprisals, so is it right for this country to take on board that extra danger simply because he has chosen the wrong solution to an undoubted problem?

We have offered the Home Secretary another solution. The solution is smart and there is no reason why it cannot work. It involves stepping outside the convention for a millisecond and introducing the restrictions and derogations that we need to make sure that article 3 does not apply in these circumstances. If the Under-Secretary of State for the Home Department, the hon. Member for Stretford and Urmston (Beverley Hughes), believes, after legal advice, that our solution cannot be introduced, will she explain why? I believe that it can and should be implemented.

My final concern relates to part 5. I want to live in a country where people are free to follow their religious convictions and are not discriminated against because of the colour of their skin, their religious faith or their genuinely held convictions. However, I also want to live in a country where there is genuine freedom of speech. Therefore, I say to the Government and to the Home Secretary that they really need to reconsider part 5. It will almost certainly fall foul of the historic law of unintended consequences. If it becomes law, horrendous unintended consequences are likely to make religious relationships worse. I ask them to think again.

Will the Government take the provisions in part 5 out of the Bill and put them in a White Paper so that we can have a proper period of consultation with senior religious leaders? We all want to get on together and to create a society in which people are not discriminated against and in which everyone is treated equally.

Let us think of some of the difficulties involved with seriously and sincerely held religious faiths. Some people might argue, "There is no God but Allah, and anyone who believes differently is an infidel." Others might argue that, "Jesus Christ is the unique gateway to salvation and anyone who does not believe that will not go to heaven." Yet others might say, "The Jews are God's chosen race and nobody else is." However, if the provisions becomes law, we shall have a cocktail for conflict and derision. We want to ensure that no one is discriminated against because of their religious belief, but let us put the provisions into a White Paper so that the Government can consult. If, after the consultation, it becomes clear that legislation is necessary, let us introduce more balanced, insightful and sensible measures.

At the moment, the Bill is flawed. We shall of course support it, because it is important that we send a clear signal to terrorists that we shall close every loophole and take every measure to bear down on them. There are, however, at least two provisions that even reasonably minded people such as me could not support at this stage. The Government have their work cut out to persuade us that they have thought it through, seen the consequences of parts 4 and 5 and decided that, as there are no alternatives, this will make serious and sensible law. At the moment, I have to say that at the very least the jury is out.

8.20 pm

Caroline Flint (Don Valley): I have listened carefully to the debate and was pleased to be in the Chamber for Home Office questions earlier. It is interesting to note how many of today's questions related to MPs' concerns about constituents of theirs who felt that there was no justice in, for example, the way in which antisocial behaviour was dealt with in their communities—a fact which I will link to the debate that we are holding today. I strongly believe that what came out of the tragedy of 11 September was the fact that many people woke up to a world that they did not realise existed. They could not imagine such terrorist action happening in their worst nightmares.

The events have caused me and my constituents to question whether the 20th-century methods of dealing with terrorism, or our perception of what terrorists are or how they behave, is valid in the 21st century. As the debate after 11 September unfolded and the press, television and the House debated the international crisis, many of us discussed how people could commit such a crime. As evidence unfolded, questions were raised about people in this country who in different ways perhaps aided and abetted that crime in New York on 11 September. Whether it is a question of domestic justice, in which constituents feel under seige in their communities, or of an international situation in which they could be a victim of terrorist attack, for me—and I am not a lawyer—it is interesting to hear their voices, concerns and worries about whether the pendulum swings too far in favour of allowing terrorists to have their way.

Whatever is portrayed of the United Kingdom, and whatever arguments we may have on issues of civil liberties, I am pleased to be able to say that, looking round the world, we live in a tolerant and fairly liberal society. Our society recognises that people are entitled to rights in terms of their position. However, some of those people who read in the papers about the latest use of human rights or social justice or equality have started to question whether they are fair.

Lembit Öpik (Montgomeryshire): Will the hon. Lady give way?

Caroline Flint: No, I do not want to take any interventions; lots of people want to speak and I do not want to encroach on their time. I hope that we will have a chance to debate the issue further in Committee.

How have we arrived at this point? The events of 11 September showed us all the extent to which a terrorist network could destroy thousands of lives in a matter of minutes. They showed how it is possible to bring a nation to a standstill. They exposed for many of us a new breed of non-negotiable terrorism. When those planes went into the twin towers, there were no demands or calls to say, "In exchange for this, we'll stop this." As we track events after 11 September, it is clear that bin Laden's explanations and justifications, such as the middle east situation and poverty in Afghanistan, were added on.

We cannot interact with that terrorism as we might have interacted with a different type of terrorism in the past. It is not about doing something in exchange for releasing prisoners. Over the past few days it has emerged that bin Laden could have had a hand in the beheading of the British Telecom engineers in Chechnya, so such terrorism is certainly not about clear demands. From what I have read—I am no expert—the engineers were killed purely because they might have introduced a telecommunications systems in that country which would have allowed people to have access to discussion and debate and because bin Laden wanted to destabilise European investment. Those are not demands that we could understand.

We are dealing with terrorists who have the education and finance to carry out hugely complex terrorist acts on an international basis. They do not need to be heavily armed or strapped up with Semtex; instead they use the latest technology to pursue their aims, based on small networks throughout the world. It is a new form of remote-control terrorism, which uses technology in a way that I have not been aware of before. Few could imagine the shattering of lives that it caused on 11 September, including the lives of 10,000 children who lost a parent on that day.

In the face of such actions, we need new powers to tackle the threat. Our country has a relatively liberal regime. Despite all the discussion about asylum and immigration laws, the system is fair, but the fact is that there are those who seek to abuse it. We know that asylum seekers disappear. We also know that false names are used. We found out that many of the terrorists in the United States used the names of people living in, for example, Egypt. We only need a small number—not hundreds—of highly motivated activists to carry out enormous crimes against humanity.

I believe that, when all is said and done, the debate is about striking a balance between preserving the freedoms that we all cherish and recognising the threat that we face today. We can all contribute to the scrutiny of the Bill, but few of us in the Chamber will bear the responsibility if we do not attempt to tackle a threat that might lead to a tragedy happening in central London similar to that which happened in New York.

The Government are accused of cynicism for pushing the Bill through, but with every day that goes by, we are risking our safety. Terrorists are not awaiting legislation. Bin Laden will no doubt follow world events. As the picture worsens for him in Afghanistan, who knows what plans he has for more murderous terrorist activities around the world? Some of my colleagues have suggested that we risk making matters worse, but what is the alternative? I believe that the detention plans strike a fair balance, and we should also use fingerprinting to get around the problem of people using false names at a later date.

I turn now to police powers to ask people to remove masks or head coverings. My hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey) told me that during elections in Qatar, where she was an observer, every woman wearing a veil was asked to remove it so that she could be identified before going to vote. If there are violent activities on our streets, the police have a right and responsibility to ask people to identify themselves. If people in the vicinity of a violent act are known to the security forces because of their activities, it is right that we should know where they were when the event took place.

I hope that the Bill will receive a Second Reading. We must go home to our constituents and explain that it is necessary. Times are hard and decisions are difficult, but we must bear it in mind that safeguards are incorporated in the Bill to ensure review and to uphold people's right to reasonable behaviour. We must take people with us on this, or we will do human rights a huge injustice.

8.29 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): I very much hope that the House does not accept the advice of the hon. Member for Don Valley (Caroline Flint) because, in justifying her actions, she has focused almost exclusively on the terrorism measures in the Bill. However, as she knows full well, the Bill has 14 parts, and only one deals with terrorism.

That takes me to the central theme of my remarks. I share the reservations of my right hon. and hon. Friends on the Front Bench, but those reservations cause me to believe that we should deny the Bill a Second Reading, rather than abstain or wait and see what happens. I say that essentially for two reasons. First, I am against the process, and secondly I am against much of the content.

I shall deal first with the process, because that causes me the greatest offence. The Bill was published last week. We are discussing it three or four days thereafter. The lobby groups have not yet had an opportunity to express their views. The passage of the Bill will be complete by Monday of next week, following about two days of parliamentary discussion. That is a very odd thing to do with a Bill that infringes civil rights in many important respects and touches on terrorism in only one part.

Most of the Bill has simply come out of the Home Office's back lobby. It has a lot of stuff that it wants to put before Parliament, and it has attached it to this Bill. Part 5 deals with incitement to religious hatred, which is a very important issue, but it has nothing to do with terrorism; part 10 on police powers, ditto; part 11 on retention of communications data, ditto; part 12 on bribery and corruption, ditto; part 13 on implementation of the European Union third pillar, ditto. All those matters are important, but they are certainly not about terrorism, and yet we are subjecting them to a very tight timetable.

[Mr. Douglas Hogg]

Measures of fundamental importance to many of our constituents will be rushed through in two parliamentary days. That is offensive; indeed, it is a scandal.

There was a perfectly proper way forward. I suggested it to the Home Secretary, and it got some support from my hon. Friend the Member for West Dorset (Mr. Letwin). We could have identified that part of the Bill which is urgent and touches on terrorism, put it into a short Bill of one or two parts and asked the House to push it through. We could have cleared the parliamentary timetable to enable the matter to be properly discussed. I would have been willing to do that, and I might even have been persuaded as to the merits of such a Bill, but most certainly I will not support an extraordinarily tight timetable to push through legislation most of which has absolutely nothing to do with terrorism.

I turn now to content. The hon. and learned Member for Medway (Mr. Marshall-Andrews) made an extraordinarily powerful speech, which I cannot emulate, on part 4. He is absolutely right because part 4 is deeply offensive. It concerns internment without trial. I was a Home Office Minister for two years and a Foreign Office Minister for five. When I was a Home Office Minister I argued against internment without trial in Northern Ireland. When I was a Foreign Office Minister I argued against unlawful detention in the middle east.

I seem to remember that Labour Members gave me some support when I made those points—but not now. They were, of course, right because the general arguments against internment without trial are very powerful. We normally get the wrong people; it is unjust; we depart from the moral high ground, and we alienate folk. It is a jolly bad policy to pursue. When one looks a little more closely at the detail, as the hon. and learned Member for Medway has done, one sees what a scandal it is in this case. People can be confined arbitrarily and indefinitely because of the Secretary of State's suspicion or belief. Suspicion and belief are enough to take people's liberty away.

We were told by the Home Secretary that there will be some form of appeal to the Special Immigration Appeals Commission, which was set up under different legislation for a different purpose; the hon. and learned Member for Medway was entirely right about that. However, that judicial safeguard is pretty rum. To start with, the detained person does not necessarily have to know the evidence; he does not even have to be present during the inquiry and may be excluded; he may not necessarily appoint representatives of his own choice. If the Law Officer chooses to appoint a representative for him, the Bill expressly states that he is not responsible for the interests of the detained person. It is a pretty rum safeguard.

The tribunal only has to say that it may be satisfied on the grounds of suspicion or belief for a certificate to be issued. Even if the certificate is cancelled, the Secretary of State can issue another one straight away without any explanation. We were told by the hon. Member for Bristol, East (Jean Corston)—and she is entirely right—that the provisions will die away 15 months after the Bill is enacted. So they will, but the Home Secretary has the power by order, or even without order, to return to the House and revive or extend that 15-month period. That is a pretty rum safeguard.

I am hostile to the Bill because I disapprove of the process used to introduce it. It includes significant measures touching on important civil liberties, but we are proposing to rush it through in one week; that is not right, it cannot be right and the House should not do it, as it means that the Bill will not be properly scrutinised. Even if I am wrong about that—and I am not—part 4 is deeply offensive to those of us who cherish liberty. For that reason, I shall seek to divide the House, even if the only people in the No Lobby are the hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore) and my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer); they will be good company.

8.37 pm

Mr. Piara S. Khabra (Ealing, Southall): I support the Bill and have good reason to do so. I do not believe that its powers will be abused by the authorities in any way. I was surprised by the speech of the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) because the Government to whom he belonged had an appalling record on civil liberties.

I admire the Home Secretary for his courage and guts in fighting terrorism which, everybody knows, is the cancer of society. I offer my condolences once again to the people of New York, who live in a city that seems to be under constant siege. With the atrocities of 11 September in mind, I broadly support the Bill's provisions. The attacks have brought home the magnitude of the threat facing the world. It is true that we have faced terrorism for many years in the form of attacks by the IRA and other groups, but the attacks on New York and Washington took nearly 200 times as many lives in one day as were taken on the single worst day of the troubles in Northern Ireland in 1974, when 33 people lost their lives.

We are dealing with an organisation willing to take terrorist activity to unprecedented levels. America may be al-Qaeda's priority, but bin Laden's own words point to his desire to extend the conflict to Americans and their civilian and military allies. To address that threat, my right hon. Friend the Home Secretary is proposing several sensible measures. On aviation security, for example, the Bill improves the police's ability to deal with potentially dangerous situations at airports and on aircraft. Allowing the authorities to remove someone from a restricted zone makes sense.

In the light of the threats made by bin Laden, another logical step is to tighten legislation relating to chemical, nuclear and biological weapons, including the provision to make it an offence to aid or abet the overseas use or development of such weapons. I approve of plans to allow officers to stop, question and search people travelling or believed to be travelling by aircraft within Great Britain.

Only this year, President Mubarak of Egypt announced that Egyptian intelligence had learned of a communiqué regarding a plan to load an aeroplane full of explosives and plunge it into Genoa during the G8 summit in June. As we know, if terrorist organisations are to succeed, they require funding. The speed with which money can change hands means that the authorities must be able to act swiftly. It makes sense for the Government to have the power to freeze the assets of overseas individuals or groups who support terrorist acts, even if that means acting before the European Union or the United Nations have agreed a course of action.

Stifling terrorists' financial links may make their lives more difficult, but it will not be enough to close down their activities completely. Terrorism is often not a particularly expensive business for the terrorist, who may simply have to pay for plane tickets, van rentals and the rental of two apartments. Clearly, it will be difficult to starve organisations such as al-Qaeda of money. The American Treasury estimates the total cost of the 1993 World Trade Centre bombings at around $18,000. That is why firmer action will sometimes be necessary.

The United Kingdom has frequently taken too soft an approach to those who not only incite hatred, but are willing to offer assistance to terrorist organisations. Terrorists in this country have been given the freedom to indulge in terrorist activities and kill people, including one of my friends in my constituency. I can guarantee that those involved in terrorist activities will not be questioning their actions as we are questioning ours.

Dr. Magnus Ranstorp of the Centre for the Study of Terrorism at the university of St. Andrews said:

> "London is an attractive place because it is a multinational city."

Bin Laden had his advice and reform committee in Britain in 1994 and lived here before he gained notoriety. Our legal system, with all its avenues of appeal, which is used to provide justice for the citizens of this country, is often exploited by terrorists and their supporters. Some of the press, politicians and human rights activists also sometimes give support and encouragement indirectly.

For that reason, I welcome the introduction of firmer detention powers. Arbitrarily detaining massive numbers of suspects would be unpopular and wrong, and as a Member of Parliament representing a constituency with a large ethnic population, I am sensitive to people's concerns. However, the Bill is targeted specifically at foreign nationals against whom there is fairly strong evidence and who cannot be sent back to their own country. We are not dealing with a catch-all measure, but with something designed very much with al-Qaeda in mind.

I believe that many human rights campaigners take a naive view of the people with whom we are dealing and wrongly charge the Home Secretary with trampling on our civil liberties. Indeed, some hon. Members have accused him of doing that. However, this is a mature, democratic country. These measures will take effect only where there is strong evidence. Law-abiding citizens who are not involved in terrorist activities will have nothing to fear.

Recent evidence has highlighted al-Qaeda's attempts to develop nuclear capabilities, which are well known to the international community. A nuclear or biological strike on this or any other country would represent an attack on our liberties. It is unfortunate that these measures are necessary, but the ruthless actions of bin Laden and his followers have left us with little choice. We have seen that in Afghanistan. A manual entitled "Military studies in the Jihad against tyrants" was found in Manchester in May 2000. It outlined the tactics that al-Qaeda operatives should employ. All the instructions were given to them. The cell structure, as they call it, that they are encouraged to use makes gathering evidence against them difficult. The 180-page manual indicates the thoroughness of the preparations that we have to combat.

In an ideal world, we would not have to take these firmer measures—I can believe that—but 11 September indicated once again that we do not live in an ideal world. It provided yet more evidence—somehow, some people seem to need more evidence—of the impossibility of reasoning with these people. A passage in the manual that I have mentioned states:

> "The confrontation that we are calling for with the apostate regime does not know Socratic debates . . . Platonic ideals . . . nor Aristotelian diplomacy."

If we do not act at this precise moment, there is no doubt that the terrorists will.

8.47 pm

Mr. Richard Shepherd (Aldridge-Brownhills): The Home Secretary has characterised the Bill as emergency legislation that is being introduced in response to a threat that is exceptional and beyond our past recollections. I represent a constituency that is situated very near to Birmingham. An assault on people there occurred 25 years ago. Indeed, an assault was attempted only two weeks ago. It would have been massive, had the explosive gone off, as the detonator did. People who live in London have been under assault for more than 30 years, with the threat of terrorism hanging over them. All through those years, we maintained our attachment to a basic concept of who we are as a people and what distinguishes us as citizens of this island. That includes our attachment to due process and the right to know the charges that are laid against us. At the centre of that are the courts, as well as ourselves.

The Home Secretary has issued a statutory instrument, which will be debated later, on the basis of a claim that there is a public emergency threatening the life of the nation—an issue that has come before the courts before. Lawless *v.* Ireland states that it refers to

> "an exceptional situation of crisis or emergency that affects the whole population and constitutes a threat to the organised life of the community of which the state is composed."

I reflect on that, because no other European state has sought a derogation such as that sought by the Home Secretary. I reflect also that, in the context of the common law countries, among which we are, or rather were, pre-eminent, there is no prospect of removing these matters from the judgment of the courts. Therein lies the freedom of the citizen and even of the stranger to this shore. I do not want to see a deterioration in our regard for ourselves.

I want to speak about process, which my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) discussed so eloquently. Part 3 appears to be lifted from the Criminal Justice and Police Bill. In the case of that measure, the provision was deemed—that sums up the House's regard for such matters—by the Labour majority to have been discussed, although it had not been considered. It fell only because of the intervention of a general election.

Part 5, which covers religious hatred offences, constitutes a great threat to our liberty and sense of self-regard. Whatever my feelings, what are such provisions doing in a measure that is trying to deal with an emergency that threatens the nation? They should not be included; neither part 3 nor part 5 should be in the Bill.

As my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) said, implementing the European Union third pillar is not appropriate. Its inclusion is a major constitutional breach. Provisions that affect home affairs and the criminal law in this country should not be

[Mr. Richard Shepherd]

passed through delegated legislation. Under chapter VI of the treaty on European Union, which also deals with legal and police matters, such changes have to made through primary legislation.

The Home Office exists to protect and ensure due process under our constitution, not to hand over power so that a directive can become part of our law without proper scrutiny by those who are sent here to represent people. There will be difficulties in the upper House about implementing such constitutional provisions. As my right hon. Friend the Member for Suffolk, Coastal said, such incorporation should be done through primary legislation.

I asked my hon. Friend the Member for West Dorset (Mr. Letwin) why the Bill included provisions on bribery and corruption. I am rather ashamed that they are incorporated at the insistence of Conservative Front-Bench Members. I did not know that and I am dismayed by the knowledge. Their inclusion is absolutely nutty.

When we strip down the measure, what is left? What is the irreducible factor that causes anxiety? I am sympathetic towards some provisions, such as those dealing with pathogens, whatever they may be. They sound menacing and frightening and should be incorporated in the Bill.

However, we must revert to the central questions with which I began. Who are we? What are we defending? What constitutes our sense of freedom and justice, which we extend to all members of our communities and those who reach our shores? I understand the Home Secretary's difficulty. I, too, believe that we should be able to reject those whom we do not want here.

However, we all know that the Home Secretary knows no more than me who enters and leaves this country. He knows no more than me whether they are of good character or conducive to the public good. He will rely on something that I have come to dread—secret information given by those who are charged with the most difficult task of all: maintaining the security of the state. They cannot reveal their sources or give evidence in open court. On that basis, we have committed terrible actions.

Northern Ireland has been mentioned, and hon. Members have referred to what happened in Diplock courts and in set-ups. Under such circumstances, the Home Secretary becomes the only king of our law. He determines what is right and wrong. I do not believe that that is right. Generations before us did not believe that one man should determine something so dreadful that, even if wrong, it would characterise an individual for the rest of his life.

The Bill is wholly unacceptable. It is only part of the rather brisk march towards a security state that I have witnessed in the 22 years that I have been a Member of Parliament. Against our traditions, we are the security state non plus ultra in the western democratic world. One has only to look at everything that we now do: we cannot have freedom of information in the way that the former Secretary of State proposed in a White Paper. Why not? Because we have more secrets and sensitive matters than any other common law country.

This is the heart of the matter: the Home Secretary hopes to bounce the House into passing the Bill, with all its 125 clauses and eight schedules. We have approximately six hours for its Second Reading. We will then have 15 hours at the most to deal with all the concerns of the House that I and others have described. All I know is that the Bill will go through with a massive majority, and that we cannot debate these clauses and schedules rationally in 15 hours and then have time for a Third Reading. We are now also told that there will be amendments.

The House is doing yet again what it does constantly under this Government: it is hoping that the House of Lords will assert through careful deliberation the principles that many of us on the Conservative Benches profoundly believe in. The Bill should be voted against.

8.56 pm

Ms Bridget Prentice (Lewisham, East): I will try to be brief, as I know that many of my colleagues want to speak.

I do not want to live in a security state, but I believe that we want to live in a secure one. I think that my hon. Friend the Member for Don Valley (Caroline Flint) and I speak for the vast majority of our colleagues who have been silent throughout the debate, in saying that those who shout the loudest do not necessarily have the best arguments. I should say to the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) that, if he is looking for briefings, I have several here from a number of the different lobby groups, and I would be happy to share them with him.

The majority of provisions in the Bill are uncontroversial. The measures relating to hoaxers, financial powers, data sharing, biological and chemical instruments, the nuclear industry, and strengthening security at airports must be matters on which hon. Members on both sides of the House can agree. I accept the argument that the timing of the Bill is difficult. It is true that its introduction has been speedy, but we have had time, albeit limited, for some scrutiny already. The Home Affairs Committee, of which I am a member, and the Joint Committee on Human Rights have given some scrutiny to the Bill already. We have certainly had more time to scrutinise it than we have had for any previous emergency legislation brought before the House. Clearly, the world has changed since 11 September. Previous legislation could not have taken into account that terrible event, so we must surely accept that this is, indeed, emergency legislation.

I want to address two main points. First, like many hon. Members, I have deep concerns, as did our Select Committee, about the clauses dealing with incitement to religious hatred. That is not because I disagree with the provision in principle. I agree that we should legislate on the matter. It is, however, a complex area that needs to be examined in more detail. Nor do I have any concerns about the hon. Member for North Antrim (Rev. Ian Paisley) condemning the Pope as the anti-Christ and having his right to freedom of speech undermined. In the situations in which that hon. Gentleman makes such remarks, I simply turn the other cheek. The issue is complex, and I would like further debate involving members of all our faith communities and others before that provision becomes law.

Secondly, I want to talk about the clauses relating to the asylum and immigration, and to the question of the Special Immigration Appeals Commission and judicial review. I am convinced that SIAC's role in reviewing the

Home Secretary's decisions is more than adequate. When the Opposition spokesman commented on how ludicrous it was that the Home Secretary would not have the ability to remove people, he made the very case for judicial review not being needed. There is no need for judicial review because SIAC has a High Court judge presiding, and another judge sitting with him or her, as well as someone with special experience in security issues. Furthermore, there will be a right of appeal to the divisional court on a point of law.

I say to those who argue that there should be judicial review that one High Court judge reviewing the decision of another would simply add another layer. On the matter of evidence, the Home Affairs Committee has expressed concerns. The hearing could be held in camera, which would prevent the press from seeing the evidence, but the defendant may cross-examine. That means that the defendant would have information from the security services that may undermine their role and, indeed, threaten people's lives. I do not see why we should endanger the lives of members of our security services in such circumstances.

As so many colleagues want to speak, I draw my comments to a close by saying that I welcome the Bill in so far as any of us can welcome such legislation. I say to the civil liberties lobby that it does not have a monopoly on concerns about people's rights, whether they be civil liberties or human rights. No one, at least on this side of the House, takes such steps lightly, which is why we on the Home Affairs Committee reluctantly accept the need for the legislation in these times.

I believe that the Home Secretary himself is as reluctant as we are to take these measures, but the evil of 11 September, when 10,000 children were left without a parent, and our country's inadequacy in respect of dealing with those suspected of terrorism mean that the Bill is necessary. I hope that the House supports it.

9.1 pm

Mr. David Cameron (Witney): It is a pleasure to follow the hon. Member for Lewisham, East (Ms Prentice). We both sit on the Home Affairs Committee and we did our best to consider the Bill in the little time that we had. Like her, I do not deny the scale of the problem that we face—200 of our fellow countrymen dead in the world's worst terrorist outrage—nor do I deny the great evidence that we are still in danger.

The Home Affairs Committee has twice been briefed by the security services. I even managed to make it to the right building on one occasion, but the first time, instead of going to MI5's, I went to the other one. I could not ask a policeman the way. The security services gave us compelling evidence and I ask them, if they can, to publish as much as possible, because we in the House are being asked to pass remarkable legislation.

I do not deny the need for a Bill and there are good elements to it, such as those on hoaxing, British Transport police and nuclear facilities, but I have four serious objections. The first is the size of the Bill—we do not have to read it, as we can simply weigh it. There are 124 clauses and eight schedules, but we are told that it must be dealt with by Christmas.

Although the House has only three days on which to consider the Bill, it will be law by Christmas, which, as other Members have said, is the operative word. This Christmas tree Bill has been round every Department and pieces have been hung on it. Having listened to the debate, I believe that we shall have to perform serious surgery.

I am new to the House and today I have seen one of the worst sides of being a Member, as we are passing a 124-clause Bill in just three days at the whim of the Executive. We have heard powerful speeches laying bear the objections to parts of the Bill and I beg the Government to listen. They have had little time to prepare the Bill. If they came back to the House to say, "We have thought again and we will remove parts of it," they would be applauded and there would be no loss of face.

Let me touch on some objections. We must be clear on the third pillar and clause 109: effectively, it allows Ministers to pass through the House as a statutory instrument rather than a Bill any measure agreed at the Justice and Home Affairs Council. That is staggering.

The Government are not saying, "Europe has agreed an important terrorist measure and we must rush it through the House and get it into British law." They are not saying, "A package of terrorism measures has been agreed so we must put it into law." They are not even saying that any European Union decision on terrorism must go through this place quickly and become law. They are saying that any, and possibly every, measure agreed under the third pillar by Europe's Justice and Home Affairs Ministers can go into law without primary legislation being passed.

Where was that in any of our manifestos—in anything that we put before people when we are asked to come to this place? And what important decision in Europe produced the need for this legislation? There is the rub: we do not yet know. The terrorism framework directive has not yet been finally agreed, so we do not know what we shall be passing into law and what is quite so urgent.

It is even worse than that. We are not taking this power—not taking this huge constitutional step—in a normal Bill, debated properly in the House; we are rushing it through in a piece of emergency legislation that will be debated in only three days. As other Members have said, clause 109 is not emergency legislation, and it should be struck from the Bill.

Then there is the question of incitement to religious hatred. I utterly condemn those who stir up religious hatred, whether we are talking about Abu Hamza in the Finsbury park mosque or thugs in the National Front, but I want the police to use existing laws to gather intelligence, chase the people concerned, build up the evidence, take it to the Crown Prosecution Service and prosecute through the courts. The question we must ask today is whether we need a new law.

The Prime Minister gave an elegant answer at Question Time. He said "There is a law against racial hatred; we must have a law against religious hatred." But, as many hon. Members have said, the two are not the same. People are born with their race, but they are not born with their religion. Even that is not the strongest argument: a Muslim might feel that his religion is so core to his being that it is part of his identity.

Mr. Dominic Grieve (Beaconsfield): Will my hon. Friend give way?

Mr. Cameron: I am afraid not. We are very short of time.

[Mr. Cameron]

The real argument is this, I think. We all know that no race is greater than another. All races are equal: people are equal, whatever the colour of their skins. Every religion, however, claims that it is the true faith, and denies the veracity of the others. *[Interruption.]* Almost all religions do. If you are a Catholic, if you are a Jew, if you are a Muslim, you claim that yours is the true faith.

Mr. McNamara: Will the hon. Gentleman give way?

Mr. Cameron: I am afraid not. There is not enough time.

There is, however, an even more serious objection to the Bill: it would bring the whole of the law into disrepute. When the Minister appeared before the Select Committee, I asked what definition was being used. She said that it was intended to catch those who produced literature that was

"clearly inciting people to hatred and likely to result in public disorder."

I asked the Minister whether it would catch "The Satanic Verses", a book that did, in many people's eyes, incite religious hatred, and in some instances led to disorder. She replied that she did not believe it would be caught, but she cannot know: she is not the Crown Prosecution Service.

The real point is this, is it not? Many people believe that the book should be caught. The police and the CPS would be inundated with complaints, and when they did not prosecute, how would people feel? They would feel desperately let down, and the law would be brought into disrepute.

I believe—some Labour Members mentioned this—that the real answer is to level the playing field between the religions by abolishing the blasphemy laws. I suggested that to the Minister when she appeared before the Select Committee. However, she said that such action was outside the terms of the Bill. Is that not the reason why none of the stuff on religious hatred should be dealt with in an emergency Bill? Let us do that separately, in a considered way, so that we can examine all the options.

There are parts of the Bill that we need to pass into law rapidly, to help us to deal with the terrorist threat. Powers are needed—powers that the Home Secretary has told us about. Huge parts of the Bill, however, have nothing to do with the emergency and nothing to do with terrorism. That is made clear in the Select Committee's report, and I hope that the Government will heed it when they consider the Bill further.

9.9 pm

Mr. Stephen McCabe (Birmingham, Hall Green): In view of the time, I shall try to be brief.

Like many other Members, I do not welcome the Bill with open arms. In view of the events of 11 September, however, I recognise the existence of a new and immediate threat, and I think that the Bill is designed as an emergency provision to plug some of the gaps in our existing security.

I should like quickly to express three concerns. First, when we are addressing these types of issue, and regardless of the exasperation and frustration felt by some, it is not helpful to dismiss those who express concerns about civil liberties as being "airy-fairy". I do not think that there is any part to play for such criticism, particularly in the Labour movement.

Secondly, although I listened with interest to the points made by my hon. Friend the Member for Lewisham, East (Ms Prentice), I do not think that the case has been made against judicial review. I hope that the Home Secretary will reflect further on that issue.

Thirdly, although I, like many other hon. Members, recognise the intention behind the provisions against religious hatred, I am not at all convinced that the way in which they are presented in the Bill will be helpful.

I was entertained by and listened with interest to the speech by my hon. Friend the Member for Hackney, South and Shoreditch (Mr. Sedgemore). However, regardless of the craftsmanship of his speech and the colourfulness of his prose, I do not think that some of the comments we have heard truly chime with the concerns and fears of the British public. We would be doing them a great disservice if we were to ignore the real threat posed against them. I also do not think that we would ever be forgiven if there was a serious attack on this country and it was later shown to have been preventable if we had taken the action necessary to plug gaps in our law.

If the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) genuinely believes that only one of the Bill's 14 parts deals with terrorism, he clearly needs more time to read and scrutinise the Bill.

We should be arguing for immediate implementation of many of the Bill's provisions, such as those to freeze terrorists' assets. The events in the United States showed us the purposes to which terrorists put their money. I also welcome the provisions on retaining fingerprints and other forms of identification, although I do so with a heavy heart, because we need those provisions now.

Like other hon. Members, I also see the necessity of provisions to secure laboratories and other installations that contain toxic materials and micro-organisms. We should also welcome the seemingly minor provisions to extend the powers of the British Transport police, the atomic energy constabulary and even the Ministry of Defence police, although I recognise that there are some concerns about how those provisions will operate in practice.

As for concerns about the provisions on detention in part 4, I think that the Home Secretary was absolutely genuine today when he pointed out that he is proposing them because he has no option. The Law Lords left him no option when they said that another way of providing safeguards in national security cases would have to be found. Although the shadow Home Secretary presented an alternative, my view is that this is emergency legislation that we need now to cope with the present threat. If there were another way, I would be happy for the House to consider it. I argue strongly, however, that we should not deny ourselves the available protection before an alternative has been presented.

I shall make only one party political point. I listened with great interest to some eloquent and elegant speeches by Opposition Members in defence of freedom. I only wish that they had found that voice when some of them were in government or when others supported Governments who enacted some of the most draconian measures against good, honest and hard-working British trade unionists who posed no threat to security. I do not recall Opposition Members expressing concern about those people's freedom.

9.14 pm

Mr. Neil Gerrard (Walthamstow): I shall try to be brief, Madam Deputy Speaker, but I want to cover two main issues. Let me make it clear straight away that I have serious doubts about some of the Bill's provisions, which I do not support. Although security needs to be reviewed in the light of what happened on 11 September, I do not believe that the contents of the Bill are being properly scrutinised. Nor do I believe, despite the fact that it is intended to be in force for only 15 months in the first place, that it will not be in force long term. The history of all previous legislation introduced in this way suggests that the Bill will last and be in force for a long time to come.

Part 4—clauses 21 to 23 in particular—provides the powers to act on suspicion. Many Members have discussed the problems of certification and of the definition of suspected terrorism leading to indefinite detention, the nature of the evidence and how it can be challenged. I do not want to repeat their remarks, but I shall make one brief point.

Throughout debate on those clauses so far, the assumption seems to have been made that the intelligence with which we shall be dealing will come from British intelligence services. Inevitably, some foreign Governments will want their political opponents who live in this country to be regarded as international terrorists, and will no doubt try to supply evidence and intelligence to that effect. Questions will arise about how that intelligence will be assessed and what the political pressures will be, depending on which country the evidence comes from. I am sure that if we were not introducing the Bill, but were considering the introduction in other countries of indefinite internment without trial, many hon. Members would say that they fundamentally disapproved of what was happening.

Clauses 33 and 34, which have not been discussed much in this debate, deal with the UN convention on refugees, and certification that the convention does not apply. Why are those clauses needed? Terrorists are not covered by the convention, as article 1(f) of it makes clear. People who have committed crimes against peace, war crimes and crimes against humanity are not covered by the convention. The office of the United Nations High Commissioner for Refugees has made it clear that it does not believe that the change is necessary.

The question that should be asked about this part of the Bill is how is it possible to make a proper judgment about whether someone should be excluded from the provisions of the refugee convention without considering their whole story? It is only by full consideration that it is possible to decide whether they should be excluded. The drafting of the clauses means that the Special Immigration Appeals Commission will not be able to do that. It will not be able to question the merits of the decision that the Secretary of State has made. That is specifically excluded.

Clause 34, the title of which is "Construction", appears to be an interpretation of parts of the 1951 convention—and, indeed, a reservation concerning some of those parts. How does that relate to article 42 of the convention—to which we are signatories—which makes it clear that reservations concerning articles were possible only at the time of signature and accession to the convention. Indeed, it is impossible to make reservations concerning some articles, including article 1.

I have significant doubts about the provisions on religious hatred, which I do not have time to detail this evening. The Bill raises serious questions, and I hope that significant changes will be made in Committee, especially to parts 4 and 5. Without such changes, I shall not find it possible to support the Bill's Third Reading.

9.19 pm

Mr. George Osborne (Tatton): I am grateful for the opportunity to speak in this debate. We have heard some powerful speeches from Members on both sides of the House and I single out the hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore), whose speech we all enjoyed, my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) and my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg). I would say that it was one of my right hon. and learned Friend's best speeches except that I used to be his speech writer, and I know that he made better speeches earlier in his career.

It is good that we have heard high quality speeches because we are discussing, once again, the distinction between freedom and security—the distinction between the civil liberties of the individual and the liberty of civil society. Once again, we face a Government—I take the point that other Governments have done the same, including Conservative Governments—who claim the power of the moment, in this case the events of 11 September, to infringe further on our civil liberties. However, that need not stop Members of Parliament scrutinising carefully the legislation that is put before us and giving each clause due consideration. We must test whether the legislation is strictly necessary.

I shall concentrate on part 4 of the Bill, which so many hon. Members have discussed. It will drive a coach and horses through 800 years of legal history, stemming from habeas corpus, and we must be careful about excluding people from legal processes and about ruling out judicial review. I notice that one clause is actually called "Exclusion of legal proceedings". That is not an appropriate approach.

We know who is behind the Bill; anyone who has followed the Home Secretary's remarks in recent weeks will know that he has no time for lawyers. Indeed, he was reported in *The Times* immediately after he spoke at the Labour party conference as saying:

> "Freedom springs not from abstract legal process but from political action. After all, British democracy was not created by lawyers and judges."

I do not know how much history the Home Secretary has read, but he profoundly misunderstands the history of this country. Freedom has come from Acts of Parliament and acts by politicians, but it has also come from hundreds of years of judicial decisions and the growth of our common law. It was in large part the common law and the decisions of lawyers that placed the Government within the rule of law and protected the liberties of the individual. Our founding fathers are not only politicians and those who draft constitutions: they are also jurists and judges who, over the centuries, have taken those decisions. We must be careful.

[Mr. George Osborne]

The Home Secretary tells us that he has to take these powers because, in effect, he is hindered by human rights lawyers. That is not the case. What really restricts his power to act are the various international agreements and conventions that Governments of all parties have entered into on our behalf. We are being asked to erode the historic liberties of our country, including hundreds of years of common law and habeas corpus, so that we can twist our way around international agreements. That does not make for a pretty spectacle. Later this evening, we will go through the legal charade of claiming that this country is in a state of public emergency so that we can get part of the Bill through this House of Commons which is democratically elected by the people of this country. That is not a happy state of affairs.

Clause 23 states the position explicitly:

> "A suspected international terrorist may be detained . . . despite the fact that his removal or departure from the United Kingdom is prevented . . . by . . . a point of law which . . . relates to an international agreement".

That is why we have to go through these contortions. It does us no great credit and we should be honest about why we have got into a mess. It is because we have incorporated one of those conventions—the European convention on human rights—into our law.

I noticed in the recent appeal brought by the Home Secretary against certain asylum seekers who objected to being detained that the court said that

> "we started this judgement by remarking that it was artificial to consider English domestic law and the Human Rights Convention separately. The Human Rights Act has made the Convention part of the Constitution of the United Kingdom."

The Bill will of course become law, despite the valiant efforts of some Opposition and Labour Members to oppose it. I hope that as we pass the Bill we are aware that we are jumping through legal hoops and undermining our domestic tradition of liberty simply because we have got into a mess about the international agreement to which we have signed up. I hope that we are aware that we are undermining the rights of our citizens because we have given so many rights to people, including suspected international terrorists, who come to this country and claim asylum.

9.25 pm

Vernon Coaker (Gedling): The terrible events of 11 September have caused us all to think about how we can try to prevent such an awful thing from happening again on the world stage. It has also made us think about how we protect our citizens and country and ensure, as far as possible, that all can live in peace and safety. How to guarantee such security poses a dilemma for democracies and for democrats. For the essence of democracy is freedom—the freedom to protest and freedom of movement, speech, association and thought. Such freedoms must be protected against those who seek to destroy them. How should we respond to those who threaten those freedoms at home and would undermine our democracy? That is what the Bill is about and what it seeks to defend.

As always, in a liberal democracy, there is tension—even conflict—between the public interest and the civil liberty of the individual. It is, however, understood by all that certain rights have to be restricted for the benefit of all. Individual human rights are important and must be protected, but so must collective human rights. A small minority must not dictate to the majority.

If an individual seeks to bring terror to the lives of countless others through the bomb, the gun or other means, does society not have a right to protect the human rights of those countless threatened people through the denial of that individual's human rights? That is what causes many to deplore those who use the very freedoms treasured by all of us to undermine and threaten our democracy. It is ridiculous that the Government can do nothing while terrorists use our immigration and asylum laws, which offer genuine refugees a safe haven, as a means of staying here and openly pursuing their hostile opinions. Thus, the Home Secretary is taking action to address that anomaly through the Bill.

The Bill will guarantee the individual rights of the majority by restricting the rights of a small number. That change is demanded loudly and clearly across the country in every constituency, and will reverberate through every estate. Ordinary people can see a clear difference between ensuring that a suspected terrorist can face special detention procedures and a threat to everyone's civil liberties. They can see a clear difference between tackling effectively those who would maim and terrorise and those who seek to protest through democratic means.

In my view, if we did not seek to strengthen our laws as the Bill proposes, following the events of 11 September, the majority of our citizens would be staggered by our complacency. For them, this is not an abstract debate; it is about ensuring that the civil liberties that count are those of the majority of our citizens—those who are law abiding and respectful of democracy, who are tolerant and who see our multicultural society as a huge strength. They demand that we should, above all, safeguard their human rights and freedoms. Not enough has been said about their rights and civil liberties.

If the Bill restricts freedoms, it is the freedom to terrorise, and most people believe it is right and proper that it does so. They can see a difference between that and persecuting minorities, banning dissent or unpopular opinions and undermining our traditional rights and freedoms.

In any society, the security of its citizens has to be one of the major tasks of Governments. Strong measures are necessary to tackle the threat of terrorism. We simply cannot and must not put the rights of an individual above those of the majority. For too long, ordinary people have been frustrated; they believe that they have seen the erosion of their right to feel safe. They have felt ignored as they have seen individuals exploit the judicial system, use our democracy and abuse our desire for fairness and freedom under the law: 11 September has given them a voice and the confidence to demand that their rights—the rights of decent, law-abiding people—be respected above those of the terrorist. Parliament—their Parliament—must respond to that demand: not to undermine democracy, but to sustain it.

9.30 pm

Mr. Dominic Grieve (Beaconsfield): We have had a fascinating debate. An illustration of the advantage of starting the main business immediately after questions is that the debate has been much fuller than might otherwise have been possible. Second Reading debates are often curtailed, but today there have been ample opportunities for many Members to make contributions.

As I contemplate the contributions that have been made, I note that the hon. Member for Gedling (Vernon Coaker) is in a small minority. Only the hon. Members for Don Valley (Caroline Flint), for Birmingham, Hall Green (Mr. McCabe), for Ealing, Southall (Mr. Khabra) and the hon. Gentleman tried to justify the entirety of what the Home Secretary came to the House to propose. The vast majority of the contributions made during this fascinating debate expressed grave reservations about sections and components of the legislation.

Those anxieties and fears are shared by Opposition Members. It is abundantly clear that in embarking on emergency legislation, designed to respond to sudden and horrific events, we must be extremely careful not to go beyond the bounds of what is proper, and try to ensure that civil liberties are upheld.

I was especially struck by the speech of the hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore). He highlighted the behaviour of the United Kingdom Government during the period of the French revolution. My right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) noted that similar excesses occurred in France at the same time. It must be a characteristic that one action sets off another. The greater the tendency of this Parliament to legislate and to raise the temperature, the greater the knock-on effect, which can go far beyond this country, in creating a climate where people want to suppress activities that they think may be prejudicial to the safety of the state.

We have heard powerful contributions from several of my right hon. and hon. Friends. I apologise if I am unable to go through all of them in detail. My hon. and learned Friend the Member for Harborough (Mr. Garnier) expressed his concerns about the religious hatred clauses. My hon. Friend the Member for Christchurch (Mr. Chope) spoke on the same theme.

I have already mentioned the speech made by my right hon. Friend the Member for Suffolk, Coastal. He made telling points about what happens when religious tolerance and religious hatred come into conflict. We also heard the views of my hon. Friend the Member for South-West Devon (Mr. Streeter).

My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) made what I can only describe as a fizzing speech. He was moving around behind me throughout his speech and I was never quite sure where he was going to pop up next.

My hon. Friends the Members for Aldridge-Brownhills (Mr. Shepherd), for Witney (Mr. Cameron), for Tatton (Mr. Osborne) and for Basingstoke (Mr. Hunter) all made speeches on the same theme. Although they accepted the need for emergency legislation, they expressed disquiet about its scope.

I turn to the way in which the Opposition would have wanted to approach such a Bill in the circumstances that have arisen. First, I point out to my right hon. and hon. Friends who have expressed disquiet and, indeed, opposition that I completely understand their position and have great sympathy with it, but the problem is that it is difficult to escape the fact that the events of 11 September were extremely unusual. They amounted to terrorism on a scale that the world has not seen before. It is all very well for Opposition Members to feel in our hearts that perhaps the threat may not be as great as it has been depicted, but we must, to an extent, accept the information given to us by the Home Secretary that the threat is real and serious.

I was struck by the contribution made by the hon. Member for Stoke-on-Trent, Central (Mr. Fisher). He made one of his characteristic speeches on civil liberties, with which I have so much sympathy. However, he began by saying that, when those events took place his mind turned to places such as Sellafield or nuclear power installations, where a catastrophe could occur if unscrupulous terrorists were involved. The House would do well to ponder the fact that, if such an event were to occur, under the European convention on human rights it would fall within the category of an event threatening the life of the nation. The Home Secretary grimaces slightly, but let us consider the issue sensibly.

I used to be involved in legal work on nuclear safety, and I remember a case involving a power station on Anglesey. Although terrorist bombs may kill people, events involving nuclear power stations could lead to widespread nuclear contamination, with catastrophic consequences not only because they would kill a large number of people, but because they would jeopardise ordinary life. At the time of the Lockerbie air disaster, fears were expressed about the fact that the plane could have crashed into the Chapel Cross nuclear power station, whereas the plane passed over it on its way down. The House would do well to ponder such events.

We accept that some of the Home Secretary's proposals seem to constitute a measured and sensible response to the emergency that has arisen. Indeed, I have listened to some of the points made by hon. Members, and few have reservations about part 6 on weapons of mass destruction or part 7 on the security of pathogens, or about the extra protection for the nuclear industry in part 8.

Most tellingly, I heard no hon. Member criticise part 9 on aviation security. We expected such measures to appear in the Bill. Indeed, provisions such as those on communications data and police powers may well be targeted specifically on terrorism. It is for that reason that we on the official Opposition Front Bench support the Government on the Bill, but it is for that reason only. I am bound to tell the Home Secretary that an awful lot in the Bill does not seem to be about the emergency that has arisen at all. [HON. MEMBERS: "You are going soft."] One can never go soft on issues involving civil liberties—a point that I made in Committee to the Under-Secretary, the hon. Member for Coventry, North-East (Mr. Ainsworth), in debates on the Proceeds of Crime Bill, to which, I am afraid, he seems remarkably oblivious. We will not go soft on those issues; we want them to be considered carefully, and I shall simply tell the House what we will seek to do.

First and foremost, in relation to some of the issues, such as police powers, we will seek to amend the Bill to make it absolutely clear that, where extra powers are provided, they are for the purpose of fighting terrorism and that they do not represent a general enhancement of ordinary powers to deal with criminals, which should be given close scrutiny and not passed as emergency legislation at all. It appears that there is absolutely no reason why the provision on the communication of data should not be confined to offences that relate to terrorism. I do not understand why it should be so difficult to isolate

[Mr. Dominic Grieve]

what is a terrorist offence. Those investigating such offences will know exactly what they are, so it should be possible to frame the Bill to ensure that it is confined to those offences and not to general criminal conduct.

With the assistance of the Liberal Democrats, we intend to give the provisions for internment in part 4 the closest possible scrutiny. First and foremost, one need only examine the detailed wording to realise that the provision on the grounds under which proceedings may be brought can be substantially tightened up. The question of mere belief should give way to the question of substantial ground to believe, and we shall seek to amend the Bill accordingly.

On the internment provisions, we shall seek in Committee to ensure that there is judicial review of the Home Secretary's decision-making powers so that those who see the provisions in operation consider that they are manifestly fair and that they do not have the taint—an unintended taint, I know—of being a purely administrative procedure that has been taken out of the hands of the judiciary. I do not share the Home Secretary's phobias about the judiciary in this country; they have served us extremely well. Therefore, it is perhaps unfortunate that he should have introduced the Bill having prefaced his remarks so frequently with disparaging comments that are bound in the circumstances to make Members question the basis of his approach.

We shall also examine carefully whether there are alternatives to internment. It may be justified but, as my hon. Friend the Member for West Dorset pointed out, there are substantial problems involving the duration of the internment, the public resistance that may arise when someone is incarcerated and deprived of their liberty and the relationship between internment and the Home Secretary's undoubted powers to deport.

It is fascinating that the two reports produced by the Select Committee on Home Affairs and the Joint Committee on Human Rights—neither of which is exactly dominated by Opposition Members—make absolutely clear the oddity of the situation by which the interpretation of article 3, as developed by jurisprudence in the European Court of Human Rights, seems to fly in the face of common sense. It beggars belief that the Home Secretary should not be able to choose to deport someone to countries to which people could properly be deported. I refer to those countries that any right-thinking person would believe provide a reasonable standard of justice and that do not torture people or arbitrarily put them to death. If, after the due process of justice, it is decided that someone should suffer the death penalty after he had committed serious terrorist offences in another country, most people in this country would consider that to be a matter for the person who decided to commit a terrorist act in that country in the first place.

In those circumstances, we shall probe the possibility of introducing before the House measures that will enable the Home Secretary to deport people to the countries that I have mentioned. As he has the powers under domestic law, he should have the courage of his convictions or at least the courage of the convictions of the Home Affairs Committee or the Human Rights Committee, which have suggested that he should grasp the nettle and introduce such powers for himself and exercise them in a way that no one in the House could possibly fault. That would mean that we could be fairly certain that the European court would have to change its approach after what I strongly suspect was its wrong decision.

I merely point out that hardly anyone who has spoken in the debate has had a good word about the Bill's provisions on religious hatred. Although they may be well intended, I suspect that they are unworkable and capable of bringing about great injustice, A wide range of people may be caught by them. The protections will not apply simply to people in established religions, but to those who wish to carry out practices that most people would regard as abhorrent. They will enjoy a protection from criticism that the Home Secretary will come to regret.

I very much hope that my hon. Friends and hon. Members in general, while supporting the principles that the Government are trying to achieve, will give the Bill close scrutiny. We will support the Government only on that condition. We will want the Bill to be amended to ensure that when it leaves Parliament it is in a state of which we can be proud and not, as it stands at present, in a state that causes great disquiet for our civil liberties.

9.45 pm

The Parliamentary Under-Secretary of State for the Home Department (Beverley Hughes): I want to thank hon. Members on both sides of the House for the spirit in which they have made it their business to get to grips with the Bill's detail so quickly after publication to enable us to have a good debate. I recognise that many hon. Members wanted to take part. I hope that those who were not able to will stick with it and make their contributions in Committee. I also want to thank my hon. Friends the Members for Sunderland, South (Mr. Mullin) and for Bristol, East (Jean Corston) and the members of their respective Committees for their work in analysing the Bill and producing their reports so expeditiously.

Before I comment on the contributions on the Bill's detail, I want to refer to the three over-arching issues that were raised. Some hon. Members expressed concern about the timetable and the procedure for considering the Bill, including my hon. Friends the Members for Hackney, South and Shoreditch (Mr. Sedgemore) and for Stoke-on-Trent, Central (Mr. Fisher) and the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) and the hon. Member for Aldridge-Brownhills (Mr. Shepherd). We have taken 10 weeks to consider what is necessary. During that time there has been considerable debate and consultation, especially after the Home Secretary's statement on 15 October, when the Government's intentions were set out in detail.

On the timetable in the House, I remind hon. Members that we still face an emergency. The Bill's powers are necessary to increase the protection and security of people here. Members have to consider whether the public will expect all of us to ensure that the issues are considered not only as thoroughly as possible but as quickly as possible in accordance with a timetable that reflects the urgency of the situation.

The second general point was that the Bill's content is not restricted to terrorism. I fail to understand that concern. All the measures are designed to enhance intelligence and information gathering, to restrict people suspected of involvement in terrorism, to prevent abuse of asylum and to give law enforcement and security agencies powers to tackle the problems that we face. We cannot draw a firm line between terrorism and crime. Crime funds and fuels terrorism, and the links between serious crime and terrorism are clear.

Mr. Hogg: The Minister is saying that the entirety of the Bill is connected with terrorism. What connection with terrorism has the provision designed to make it an offence to say religiously offensive things? What connection with terrorism exists in the part that deals with bribery and corruption abroad?

Beverley Hughes: I was getting to that, but I can tell the right hon. and learned Member now that we need to prevent people from exploiting the events of 11 September and inciting disorder on the grounds of religious hatred precisely because of those events.

The Bill will ensure that enforcement agencies, security services and Government Departments are able to detect and prevent terrorist attacks, and improve the security of industries that may be vulnerable. Terrorism's connection with crime means that the Bill covers a wide range of Government measures. It is not only one part out of 14 that deals with terrorism, as the right hon. and learned Member for Sleaford and North Hykeham maintained; all 14 are relevant to the tasks facing us.

Mr. Andrew Turner: If those connections are so clear, why does the Bill not apply to terrorist acts involving parts of the United Kingdom?

Beverley Hughes: We already have powers under the Terrorism Act 2000 that apply to UK nationals and people who are resident here. This Bill is about international terrorism, and I should have thought that the hon. Gentleman appreciated that by now.

Some hon. Members, including my hon. Friend the Member for Sunderland, South, also raised the perceived need for more sunset or review clauses. We believe that only the measures that need regular review—those concerning detention and the possible mandatory requirement on communication service providers—require an expiry or review date. I can say to my hon. Friend that the derogation provision, which is linked to the detention measures, will fall after five years unless it is reviewed, and a sunset clause would mean that the Bill would have to be reintroduced. However, as my right hon. Friend the Home Secretary has said, there will be a three-hour debate on the Floor of the House every year. That has been agreed by the Leader of the House.

Simon Hughes: Will the hon. Lady give way?

Beverley Hughes: No, I am sorry, but I will not give way again.

The Bill is a proportionate and balanced package that relates clearly to the situation that we face. There has not been a great deal of debate about some of the measures, including the provisions on terrorist finances, measures on weapons of mass destruction, pathogens and toxins, police powers and measures on communications data. I say to the hon. Member for Beaconsfield (Mr. Grieve) that it is particularly in relation to those issues that the links between terrorism and crime are most evident, and that is the reason for their inclusion. The same is true of the measures on bribery and corruption, and I am surprised that the hon. Member for South-West Devon (Mr. Streeter) did not seem to know that his Front-Bench colleagues had proposed that those measures be included.

I turn now to the three issues of most contention. The first is the proposal that Justice and Home Affairs Council provisions be incorporated in this country's laws through the affirmative resolution procedure. It seems to us right that, when European Union Heads of Government agree on measures to tackle terrorism and serious crime, we should be ready to meet our commitments as quickly as we can. The Bill will enable third pillar measures to be made law through the route already used for environmental and other measures.

In addition to scrutiny in the European Scrutiny Committee, where proposals are being developed, the measures will be subject to the affirmative resolution procedure in both Houses. Some Conservative Members, including the hon. Member for Witney (Mr. Cameron), claim that this would be a major constitutional change. They do not seem to have read the detail of the Bill or to have realised that the provision will be circumscribed.

Let me now deal with the measures on religious hatred. It is important that we tackle those who would exploit the tensions which inevitably, because of the nature of the events and their perpetrators, arise from 11 September. The Home Secretary has made it clear that the measures on incitement to religious hatred will not undermine free speech and the normal activities that we take for granted, but the Bill will cover those who indulge in threatening, abusive or insulting words or behaviour with the intention, or the likelihood, of stirring up hatred of others because of their religious beliefs. I am grateful to my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson)—*[Interruption.]*

Mr. Speaker: Order. Hon. Members will not shout at the Minister.

Beverley Hughes: Thank you, Mr. Speaker. I am grateful to my right hon. Friend for pointing to the injustice experienced by members of the Muslim community, who are excluded from current provisions on racial hatred, unlike other groups such as Jews and Sikhs. I noted the reservations of some of my hon. Friends; however, we need to prevent people from exploiting those events.

Mr. Grieve *rose—*

Beverley Hughes: I will not give way.

Turning to the measures on detention, there is clearly misunderstanding of the Special Immigration Appeals Commission and the way in which it works under legislation passed unopposed in the House in 1997. Many features criticised by some Members tonight were not criticised then. Under the Bill's provisions, SIAC fulfils the purpose that it already fulfils. The difference is that, under the powers proposed in the Bill, the Home Secretary will take the power to detain somebody when that person is adjudged, not only by the Home Secretary but by SIAC, to be a threat to national security. I must tell the hon. Member for Beaconsfield that that is not internment but something completely different; those people can leave whenever they choose.

[Beverley Hughes]

The proposal to detain people who are a threat to our national security is not one that we make lightly. Members have rightly pointed out that it is a serious power. Under the Immigration Act 1971, we already have the power to deport such people, but if they refuse to leave or if we cannot deport them to a safe country that would respect their right to reasonable treatment, we face a real and difficult dilemma. I am grateful to my hon. and learned Friend the Member for Dudley, North (Ross Cranston) and the hon. Member for Basingstoke (Mr. Hunter) for pointing out and acknowledging that dilemma.

The events of 11 September marked a step change in the kind of threat posed by international terrorists; there was a deliberate intention to claim the lives of thousands of innocent people with a highly organised, no-warning suicide operation. The lengths to which those terrorists will go, including their own certain death, makes new demands on our ability to anticipate their plans and therefore protect our people. I agree with my hon. Friends the Member for Gedling (Vernon Coaker), for Birmingham, Hall Green (Mr. McCabe), for Lewisham, East (Ms Prentice), for Don Valley (Caroline Flint) and for Ealing, Southall (Mr. Khabra) who pointed out that, as Members of Parliament, we should be asking ourselves a critical question: what do members of the public—our constituents—expect us to do? That is the critical test, but it was not advanced by a single Opposition Member in our debate.

In the aftermath of 11 September, while we do not need a wholesale revision of existing laws, we do need new levels of security and intelligence as well as exceptional temporary measures. The package of measures introduced in the Bill is balanced; it is a proportionate approach to the extraordinary circumstances that we now face. We are all striving to strike the best possible balance between the right of all our citizens to protect their safety, freedoms and liberties and the right of individuals whom we suspect of wrongdoing to due process and fair treatment. I believe that the Bill strikes that balance, and I believe the vast majority of ordinary people in this country think so too. I ask all Members to support the Bill tonight, and I commend it to the House.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 458, Noes 5.

Division No. 65] **[9.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Amess, David
Anderson, Rt Hon Donald
(Swansea E)
Anderson, Janet *(Rossendale)*
Arbuthnot, Rt Hon James
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baird, Vera
Baldry, Tony
Banks, Tony
Barker, Gregory
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Begg, Miss Anne
Bell, Stuart
Bellingham, Henry
Benn, Hilary
Benton, Joe
Bercow, John
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Blunt, Crispin
Boateng, Rt Hon Paul
Borrow, David
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brady, Graham
Brazier, Julian
Brennan, Kevin
Brown, Rt Hon Nicholas
(Newcastle E & Wallsend)
Brown, Russell *(Dumfries)*
Browne, Desmond
Browning, Mrs Angela
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Burns, Simon
Burt, Alistair
Butterfill, John
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Cairns, David
Cameron, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Cash, William
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chapman, Sir Sydney
(Chipping Barnet)
Chope, Christopher
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Kenneth
(Rushcliffe)
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clifton-Brown, Geoffrey
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Collins, Tim
Colman, Tony
Connarty, Michael
Conway, Derek
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cran, James
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack
(Copeland)
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Djanogly, Jonathan
Dobbin, Jim
Dobson, Rt Hon Frank
Dodds, Nigel
Donaldson, Jeffrey M
Donohoe, Brian H
Dorrell, Rt Hon Stephen
Dowd, Jim
Drown, Ms Julia
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Duncan Smith, Rt Hon Iain
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fabricant, Michael
Fallon, Michael
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Field, Mark *(Cities of London)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flight, Howard
Flint, Caroline
Flynn, Paul
Forth, Rt Hon Eric
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fox, Dr Liam
Francis, Dr Hywel
Francois, Mark
Gale, Roger
Gapes, Mike
Gardiner, Barry
Gibb, Nick
Gillan, Mrs Cheryl
Gilroy, Linda
Goggins, Paul
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hague, Rt Hon William
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hammond, Philip
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai
Hawkins, Nick
Hayes, John
Heald, Oliver
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hendry, Charles
Hepburn, Stephen

Heppell, John
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Hill, Keith
Hoban, Mark
Hodge, Margaret
Hoey, Kate
Hope, Phil
Horam, John
Howard, Rt Hon Michael
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howarth, Gerald *(Aldershot)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hunter, Andrew
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jack, Rt Hon Michael
Jackson, Glenda *(Hampstead)*
Jackson, Robert *(Wantage)*
Jamieson, David
Jenkin, Bernard
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Boris *(Henley)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kemp, Fraser
Key, Robert
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Leigh, Edward
Lepper, David
Letwin, Oliver
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Dr Julian *(New Forest E)*
Liddell, Rt Hon Mrs Helen
Liddell-Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Linton, Martin
Lloyd, Tony
Loughton, Tim
Love, Andrew
Lucas, Ian
Luff, Peter
Luke, Iain
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIntosh, Miss Anne
McIsaac, Shona
MacKay, Rt Hon Andrew
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNulty, Tony
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Malins, Humfrey
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Maples, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Meacher, Rt Hon Michael
Meale, Alan
Mercer, Patrick
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, Rt Hon Estelle
Moss, Malcolm
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Murrison, Dr Andrew
Naysmith, Dr Doug
Norman, Archie
O'Brien, Mike *(N Warks)*
O'Brien, Stephen *(Eddisbury)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Osborne, George *(Tatton)*
Osborne, Sandra *(Ayr)*
Owen, Albert
Page, Richard
Paice, James
Palmer, Dr Nick
Paterson, Owen
Pearson, Ian
Perham, Linda
Picking, Anne
Pickles, Eric
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Randall, John
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robathan, Andrew
Robertson, Hugh *(Faversham)*
Robertson, John *(Glasgow Anniesland)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Roe, Mrs Marion
Rooney, Terry
Rosindell, Andrew
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruffley, David
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Shephard, Rt Hon Mrs Gillian
Simmonds, Mark
Simon, Siôn
Simpson, Keith *(Mid-Norfolk)*
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soames, Nicholas
Soley, Clive
Southworth, Helen
Spellar, Rt Hon John
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Squire, Rachel
Stanley, Rt Hon Sir John
Starkey, Dr Phyllis
Steen, Anthony
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Streeter, Gary
Stringer, Graham
Sutcliffe, Gerry
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Tredinnick, David
Trend, Michael
Trickett, Jon
Truswell, Paul
Turner, Andrew *(Isle of Wight)*
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyrie, Andrew
Vaz, Keith
Vis, Dr Rudi
Ward, Ms Claire
Waterson, Nigel
Watkinson, Angela
Watson, Tom
Watts, David
Whitehead, Dr Alan
Whittingdale, John
Wicks, Malcolm
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilshire, David
Wilson, Brian
Winnick, David
Winterton, Nicholas *(Macclesfield)*
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Ivor Caplin and
Mr. Nick Ainger.

NOES

Corbyn, Jeremy
Galloway, George
Gummer, Rt Hon John
Marsden, Paul *(Shrewsbury)*
Sedgemore, Brian

Tellers for the Noes:
Mr. Richard Shepherd and
Mr. Douglas Hogg.

Question accordingly agreed to.

Bill read a Second time.

ANTI-TERRORISM, CRIME AND SECURITY BILL (PROGRAMME)

Motion made, and Question put forthwith, pursuant to Order [28 June],

That the following provisions shall apply to the Anti-terrorism, Crime and Security Bill:

Committal

1. The Bill shall be committed to a Committee of the whole House.

Programming of proceedings

2. Proceedings in Committee of the whole House and all remaining proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further message from the Lords) shall be programmed.

Proceedings in Committee, on consideration and on Third Reading

3. (1) Proceedings in Committee of the whole House, any proceedings on consideration and proceedings on Third Reading shall be completed in two allotted days and (so far as not previously concluded) shall be brought to a conclusion at midnight on the second day.

(2) An allotted day is one on which the Bill is put down as first Government Order of the day.

Programming Committee

4. Sessional Order B (Programming Committees) made on 28th June 2001 shall not apply to proceedings on consideration and Third Reading.—[*Mr. Pearson.*]

The House divided: Ayes 319, Noes 74.

Division No. 66] **[10.14 pm**

AYES

Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Baird, Vera
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Begg, Miss Anne
Bell, Stuart
Benn, Hilary
Benton, Joe
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Dowd, Jim
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Heyes, David
Hill, Keith
Hodge, Margaret
Hoey, Kate
Hope, Phil
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kemp, Fraser
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, Rt Hon Estelle
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug

O'Hara, Edward
Olner, Bill
O'Neill, Martin
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, John
(Glasgow Anniesland)
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Simon, Siôn
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, Rt Hon John

Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Sutcliffe, Gerry
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, John *(Solihull)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Ward, Ms Claire
Watson, Tom
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Ivor Caplin and
Mr. Nick Ainger.

NOES

Allan, Richard
Baker, Norman
Barrett, John
Beith, Rt Hon A J
Bennett, Andrew
Brake, Tom
Breed, Colin
Brooke, Annette
Bruce, Malcolm
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Calton, Mrs Patsy
Campbell, Rt Hon Menzies
(NE Fife)
Chapman, Sir Sydney
(Chipping Barnet)
Chidgey, David
Clarke, Rt Hon Kenneth
(Rushcliffe)
Corbyn, Jeremy
Cotter, Brian

Davey, Edward *(Kingston)*
Davies, Rt Hon Denzil *(Llanelli)*
Dodds, Nigel
Donaldson, Jeffrey M
Doughty, Sue
Fisher, Mark
Foster, Don *(Bath)*
Galloway, George
Garnier, Edward
George, Andrew *(St Ives)*
Gerrard, Neil
Gidley, Sandra
Green, Matthew *(Ludlow)*
Gummer, Rt Hon John
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Heath, David
Holmes, Paul
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*

Keetch, Paul
Kirkbride, Miss Julie
Lamb, Norman
Llwyd, Elfyn
MacKay, Rt Hon Andrew
McNamara, Kevin
McWalter, Tony
Marshall-Andrews, Robert
Moore, Michael
Öpik, Lembit
Pugh, Dr John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Russell, Bob *(Colchester)*

Sanders, Adrian
Shepherd, Richard
Smith, Sir Robert *(W Ab'd'ns)*
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve
Weir, Michael
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wishart, Pete
Younger-Ross, Richard

Tellers for the Noes:
Mr. Douglas Hogg and
Mr. Andrew Stunell.

Question accordingly agreed to.

ANTI-TERRORISM, CRIME AND SECURITY BILL [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the Anti-terrorism, Crime and Security Bill, it is expedient to authorise—

(1) the payment out of money provided by Parliament of—

(a) any expenditure incurred by a Minister of the Crown by virtue of the Act, and

(b) any increase attributable to the Act in the sums payable out of money so provided under any other enactment;

(2) the payment of sums into the Consolidated Fund.—*[Beverley Hughes.]*

Question agreed to.

Mr. Speaker: We now come to motion No 4.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): On a point of order, Mr. Speaker. I wonder whether you would be good enough to confirm first that the vote on this motion will be a deferred vote, and secondly that, when the deferred voting procedure was debated on the Floor of the House, it was made very clear that no deferred votes would apply to anything that could be regarded as controversial legislation.

You will be aware, Mr. Speaker, that irrespective of the arguments advanced on this particular measure—which many will regard as extremely controversial—if the procedure applies, the measure will be voted on not tonight, once the debate has taken place, but later. I understand that various members of the Government have said that it would be unfortunate if the procedure did not apply, because that would be seen as ascribing unnecessary importance to the order. I hope, Mr. Speaker, that you will indicate whether you think the deferred voting procedure suitable for what is plainly an important decision.

Mr. Speaker: I am grateful to the hon. Lady for giving me notice of her point of order. That has enabled me to check what the Modernisation Committee said about deferred Divisions when it recommended them. It listed various types of business in the case of which it would be

[Mr. Speaker]

possible and sensible to defer Divisions after 10 pm. They included motions to approve statutory instruments, and this is a motion to approve a statutory instrument.

Simon Hughes (Southwark, North and Bermondsey): On a point of order, Mr. Speaker. We have now voted on Second Reading of the Anti-terrorism, Crime and Security Bill. Last week, unusually, the House agreed that amendments to that legislation could be tabled before Second Reading, for debate in Committee on Wednesday. Hon. Members tabled amendments yesterday, and they—including some Liberal Democrat Members—have tabled more today. So that the maximum number of hon. Members on both sides of the House can contribute to that debate, would you and the Chairman of Ways and Means consider not excluding from debate on Wednesday amendments that are tabled tomorrow?

Finally, and linked to the above point, until hon. Members have heard the next debate, on the order, they obviously cannot table amendments to the legislation on the basis of the issues that arise in that debate. It may not be possible or practical for hon. Members to table those amendments until tomorrow, and I hope that they will be given the opportunity to do so.

Mr. Speaker: Those matters are the responsibility of the Chairman of Ways and Means. However, the hon. Gentleman has put the matter on the record, and I have no doubt that the Chairman of Ways and Means will take note of his comments.

Mr. Oliver Letwin (West Dorset): Further to that point of order, Mr. Speaker. May I put it on record that Conservative Members, too, hope that the Chairman of Ways and Means will attend to the comments of the hon. Member for Southwark, North and Bermondsey (Simon Hughes)?

Mr. Speaker: Yes.

Human Rights

10.31 pm

The Parliamentary Under-Secretary of State for the Home Department (Beverley Hughes): I beg to move,

That the Human Rights Act 1998 (Designated Derogation) Order 2001 (S.I., 2001, No. 3644), dated 11th November 2001, which was laid before this House on 12th November, be approved.

We are about to debate a very significant order which concerns the derogation that the United Kingdom proposes to make from article 5 of the European convention on human rights—the right to liberty and security. It is not a step to be taken lightly, and I make it clear now that the Government have given very careful consideration to the matter before embarking down this road. I shall address three issues: the technicalities of what the order does; the domestic powers that we are proposing to take, which require the order to be made; and the conditions that have to be satisfied for a state to derogate from an article of the European convention, and why we believe that those conditions are met.

The Human Rights Act 1998 (Designated Derogation) Order 2001 was made on 11 November, laid before Parliament on 12 November and came into force on 13 November. The power to make such an order comes from section 14 of the Human Rights Act 1998. Section 1(1) of the 1998 Act sets out the articles of the convention that constitute "the Convention rights" for the purposes of that Act. Section 1(2) provides that those articles are to have effect subject to any designated derogation. Section 14(1) of the Act provides that a "designated derogation" includes any derogation by the United Kingdom from an article of the convention that is designated in an order made by the Secretary of State. The order that we are debating today is such an order.

The consequence of making this order is that the meaning of the convention rights as they have effect in our domestic law is amended in the manner set out in the order. The Human Rights Act 1998 (Designated Derogation) Order 2001 has attached as a schedule the proposed derogation which the UK intends to make from article 5.1 of the convention. It is considered that, as we have discussed earlier today, a derogation from that article is required to the extent that some of the measures in part 4 of the Anti-terrorism, Crime and Security Bill are inconsistent with article 5.1.

Mr. Douglas Hogg (Sleaford and North Hykeham): Will the hon. Lady explain something that is causing me some difficulty? If we have to derogate—as I am sure we do—how could the Home Secretary put on the face of the Anti-terrorism, Crime and Security Bill the statement that its provisions are compatible with the European convention on human rights? We know that they are not, because we are having to derogate.

Beverley Hughes: Because article 15 provides for that, and the sequence in which we are taking the various stages means that it is perfectly in order for the Home Secretary to put that on the face of the Bill. That is why we are debating the order tonight.

Simon Hughes (Southwark, North and Bermondsey): Will the hon. Lady explain to the House why, rather than laying the order that brings derogation into force for

40 days last week, the Government did not wait? They could have waited; first, until the Select Committee on Home Affairs had reported; secondly, until the Joint Committee on Human Rights—which is of central importance to this deliberation—had reported; and thirdly, until the House had had an opportunity to debate this motion. There was no need for an order to be laid last week; it could have been laid at the end of the debate. Why did the Government not proceed by taking account of Parliament first, rather than legislating first and coming to Parliament later?

Beverley Hughes: Although this is a very important order, I think that the hon. Gentleman knows that it is technical in the sense that—*[Interruption.]* He is aware of this; I know he is.

Mr. Andrew Turner (Isle of Wight): We are not.

Beverley Hughes: If we do not pass the measures in the Bill, the order will fall. The debate on the Bill that we have had today and will continue to have, and the debate in another place, will be about the principles that underpin the reasons for the order. In that sense, the hon. Member for Southwark, North and Bermondsey (Simon Hughes) is making an irrelevant point, because the order, and the need for it, is dependent on the existence of the powers in the Bill. If the provisions establishing those powers are not passed, the order will fall.

Lembit Öpik (Montgomeryshire): Will the hon. Lady give way?

Beverley Hughes: No, I shall make some progress. I shall give way later.

I now turn to the domestic powers that we are taking. Clauses 21 to 23 of the Anti-terrorism, Crime and Security Bill provide for the detention, subject to judicial oversight, of certain individuals in circumstances that are likely to conflict with article 5.1 as interpreted by the European Court of Human Rights in the case of Chahal. They extend existing detention provisions in the Immigration Act 1971 to cover a circumstance in which the following three conditions are met.

First, the Secretary of State must certify an individual as being a "suspected international terrorist"; that is, he must believe that a person's presence in the UK is a risk to national security, and suspect that the person is an international terrorist. Secondly, action must have been taken with a view to removing that person from the UK. Thirdly, removal must have been temporarily or indefinitely prevented by a point of law relating to an international agreement or by a practical consideration.

Although it is possible to detain people and be consistent with article 5 of the ECHR where we are seeking to remove someone on national security grounds, that detention would cease to be permissible if the duration of such proceedings extended beyond the time that would reasonably be required to secure the deportation. In the cases of some of the individuals who might be detained under those powers, it is possible that delays in removal would exceed a period acceptable in convention terms. That is why we need the order, which modifies our domestic obligations under the Human Rights Act to match the modifications that the UK will make to its international obligations under the ECHR when the proposed derogation is formally notified to the Council of Europe.

Lembit Öpik: Is the hon. Lady aware that according to that principle, in the 1940s and early 1950s, members of my family who were not British citizens could have been arrested and detained without trial, simply because they supported the liberation of a country to which they could not possibly have been repatriated—Estonia? What response, and what comfort, could she give such people concerning the principle from which she seeks a derogation?

Beverley Hughes: I just laid out three conditions that would have to be met, and the first was that the Home Secretary would have to certify that such individuals were suspected of being international terrorists. I am sure that that was not the case with the hon. Gentleman's parents. If an individual were to be suspected of being an international terrorist and removal was temporarily or indefinitely prevented—and the three conditions were met—that individual would fall within the province of the powers that we seek and the need for this order.

Mr. Oliver Letwin (West Dorset): I am sorry to make a nit-picking point, but I think that the Minister inadvertently misled the House, and I hope that she will take this opportunity to correct the point—unless I am mistaken. She said that the order would fall unless both Houses approved part 4 of the Bill, but if both Houses approve the order and the derogation, as an act of prerogative power, is made, whether the House and the other place approve part 4 of the Bill is an irrelevance. The order would stand.

Beverley Hughes: There would be no point in continuing with a derogation if we were not to get the powers in the Bill. *[Interruption.]* Okay, the hon. Gentleman is technically correct—*[Interruption.]* He is technically correct in the sense that we would have to remove the order. There would be no need for the order and we do not want to take this course of action unless we need to.

I turn now to the issue of derogation. Hon. Members will be aware that there are restrictions on the scope for derogating from an article of the convention. For some articles—such as article 3, which provides that no one shall be subject to torture or to inhuman or degrading treatment or punishment—there is no scope to derogate. For other articles, such as article 5, derogations may be made when a public emergency threatens the life of the nation, provided that the measures taken are strictly required by that emergency.

Mr. George Osborne (Tatton): Can the Minister tell me the difference between a state of public emergency, as defined by the European convention on human rights, and a state of national emergency, defined by the Emergency Powers Act 1920? Apparently, they are different.

Beverley Hughes: They are different. I shall come to the definition of a state of public emergency under article 15, but the state of national emergency as determined by the 1920 Act is one that mobilises special powers. We do not need those special powers in this case. Indeed,

[Beverley Hughes]

the last time that the Act was used was by the Conservative Government during the miners' strike, and we shall not go down that road.

Mr. John Gummer (Suffolk, Coastal): Will the Minister give way?

Beverley Hughes: No, I wish to—[HON. MEMBERS: "Give way."] I shall give way in a moment, but I wish to deal with the point raised by the hon. Member for Tatton (Mr. Osborne) on the first test, which is whether such a public emergency exists in the UK.

We have taken the view that the UK is currently facing a public emergency within the meaning of the convention. The attacks in the USA represent a further escalation in the scale and scope of the international terrorist threat to western interests. I am grateful that that was recognised by Opposition Front Benchers earlier this evening. Although to date no attacks have been mounted against the UK, there have been a number of public threats made by bin Laden and his supporters against western interests. The British role in the US-led coalition against international terrorism also raises the overall risk of attack. It would be wrong to conclude that the threat has been diminished by recent events in Afghanistan. In addition, there is evidence to show that international terrorist organisations have links with the UK and therefore constitute a threat.

Mr. Gummer: During the debate about the European convention on human rights, Ministers pooh-poohed any suggestion from Opposition Members that there would be any circumstances in which these derogations would be necessary for the United Kingdom. Can the hon. Lady explain why they have changed their mind and why no other European Union country thinks that the derogations are necessary?

Beverley Hughes: That was dealt with extensively in the previous debate by my right hon. Friend the Home Secretary, as he points out from a sedentary position. I do not know whether the right hon. Gentleman heard it.

Different sets of legislation in other European countries mean that the contexts are different. Each country must evaluate the risk that it perceives and make a judgment about the measures that are necessary, which is what we are doing here.

Mr. Gummer *rose—*

Mr. Mark Fisher (Stoke-on-Trent, Central) *rose—*

Beverley Hughes: I shall give way to my hon. Friend.

Mr. Fisher: I am grateful to the Minister. Is she saying that the risk that undoubtedly arises for all European countries following 11 September is the same thing as a test of proof of a threat to the life of this country? A risk is one thing, but I cannot imagine that the Minister really means that it threatens the life of this country. The test is a great deal more severe than the recognition of a risk.

Beverley Hughes: I think that the risk we face does, or could, threaten the life of the country. If we sustained an attack of the kind sustained by the American people, that would clearly threaten the life of the nation. Acts of terrorism outside this country can also threaten the life of the nation in threatening our economy and well-being. I believe that my hon. Friend must look more broadly at the question of defining whether the risk threatens the life of the nation. We have taken the view that it does; a public emergency threatens the life of the nation and the first test of article 15 has been met.

Mr. Simon Thomas (Ceredigion): It is proposed that we review the clauses in 15 months. How many people does the Minister expect to be affected by this derogation? Knowing that will help us when we come to examine the level of risk and threat, and how matters have been dealt with, in 15 months' time.

Beverley Hughes: I will not give a figure, because I think that that would be wrong. In giving evidence to the Joint Committee on Human Rights and the Select Committee on Home Affairs, the Home Secretary and I both said—and my right hon. Friend has also said it consistently elsewhere—that we expect the powers to be used sparingly and that a relatively small number of people will have to be detained under the powers for which the order is required. However, I shall not put a figure on it tonight.

Mr. Kevin McNamara (Hull, North): I am most grateful to my hon. Friend for giving way—the moment had, in fact, almost passed. In her reply to the Liberal Democrat Northern Ireland spokesman, the hon. Member for Montgomeryshire (Lembit Öpik), she seemed to make a distinction between good and bad terrorists. She said that people who supported the liberation of Estonia, as it then was, would not be regarded as terrorists but that others would be. A distinction between good and bad terrorists would be very subjective. Many of us believe that good people engaged in legitimate aspirations to attain their freedom may well be regarded as terrorists by the Government of their country.

Beverley Hughes: I made no such distinction between good and bad terrorists, as my hon. Friend suggests. I simply pointed again to the criteria that would have to be met, including certification and action, to enable people to be brought under the powers that it is proposed to take.

In its report last week, the Joint Committee on Human Rights expressed some concerns about the lack of specifics as regards the threat that we face. As the Committee acknowledged, the specific information on which these judgments have to be based necessarily cannot be shared. However, what the public will readily be able to see, following the terrible events in the USA, is that the devastation that international terrorists can wreak is large, and that our active support of the USA's response means that we must be fully on our guard.

The second test in article 15 is whether the detention powers we propose are a necessary and proportionate response to this emergency. We believe that they are. The powers are necessary because we must do something to protect the public against individuals who contribute to the terrorist threat. If it is not possible to present sufficient admissible evidence to bring a successful criminal charge, and if legal or practical considerations prevent removal from the UK, another option needs to be found.

The extended but clearly circumscribed detention powers fill that gap. The only alternative, which has had to be used in previous cases, is to release such people back into the community. Members of the public would find that unacceptable.

Vera Baird (Redcar): Is it not the case that article 5.1(f) of the European convention on human rights authorises the detention of a person so long as

"action is being taken with a view to deportation or extradition"?

As long as that process is in place—for instance, as long as due process is being followed, appeals are being heard and the authorities are seeking a third country, if it is not possible to deport straight away—detention is in fact lawful throughout that time. If that is the case, will the hon. Lady explain why, if these dangerous people are about, they have not already been detained and why they are not undergoing that process?

Beverley Hughes: I have already explained the fact that we believe that the powers available already under article 5.1 to detain somebody, pending effecting their removal, would not be sufficient for the periods that may be involved when there is no third country to which we can deport that person. That is why we propose derogation, so that we do not risk falling foul of article 5.1 in those circumstances.

Vera Baird: Will my hon. Friend give way?

Beverley Hughes: No, I shall carry on a bit longer—*[Interruption.]* I have explained that point fully. We believe—[Hon. Members: "Give way."] I am going to carry on a little longer. I shall certainly give way to my hon. Friend if I have not addressed her point.

We believe that the measures are also proportionate. The powers will be targeted on a small group of individuals who nevertheless constitute a major threat to national security: suspected international terrorists. Furthermore, with all due respect to the Joint Committee on Human Rights, whose work always greatly aids discussions in the House, we do not share its conclusion that there is a lack of safeguards in the Bill.

As the Select Committee on Home Affairs accepted, albeit reluctantly, there may be a small category of persons who are suspected international terrorists but who cannot be prosecuted, extradited or deported and therefore will have to be detained. A number of important safeguards will apply to the use of these powers, as they relate to that small target group.

First, a detainee will be able to end his or her detention at any time if they find a country to take them. They can leave; they can take their freedom. Secondly, the powers exercised by the Secretary of State will be subject to full judicial scrutiny.

Mr. Hogg: Not proper review.

Beverley Hughes: I disagree with the right hon. and learned Gentleman who shouts from a sedentary position. The Special Immigration Appeals Commission is already well suited for considering such matters, having both judicial and security expertise.

Mr. Fisher: How does the Minister think we will be assisted by deporting such people to Holland, Germany or elsewhere, where they can plot exactly the sort of actions that we are frightened they will carry out here? She seems to think that deportation will be good, but it would be frightening to let those people loose on the wider world.

Beverley Hughes: It would be equally bad to let them loose in this country, which is the only alternative. If my hon. Friend wants to pursue that line of argument—

Mr. Hogg: Charge those people.

Beverley Hughes: Let me make it clear, as my right hon. Friend the Home Secretary has done already, that where we can prosecute, we will prosecute. That will always be the route of choice, but where the threshold of evidence or the nature of the evidence makes that difficult, that course of action may not be open to us.

Mr. McNamara: On the first point that my hon. Friend makes, she says that such people are free to go to a country that will take them. I understand that, but has she any indication of which countries are ready to take such people in those circumstances, given that the United States Government have already said that they will pursue such people wherever they go? Which country will risk being carpet bombed?

Beverley Hughes: That depends on the circumstances of the case, on the nationality of those involved, on what they are suspected of doing and on which country might offer them a haven. I cannot possibly answer that question in that general way this evening.

Secondly, as I have said, the powers exercised by the Secretary of State will be subject to full judicial scrutiny.

Simon Hughes: Will the Minister give way?

Beverley Hughes: No, I shall pursue this point because the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) interrupted me on it earlier, and I need to ensure that it is well made. The Special Immigration Appeals Commission is already well suited to consider such matters, as it has judicial and security expertise. As my right hon. Friend the Home Secretary has already made clear, the commission's decisions will be capable of appeal to the Court of Appeal and the House of Lords on a point of law.

Furthermore, the oversight of the detention powers will be on-going. There will be an immediate right of appeal against the issuing of a certificate, with six-monthly reviews thereafter and the additional safeguard of an earlier review where a change of circumstances warrants it. Finally, the continuance of the powers will be subject to renewal by Parliament, initially after 15 months and annually from then on. The order will expire after five years, unless Parliament agrees to its extension.

Simon Hughes: I obviously do not disagree with the Minister's description of the process, which is a fact, but will she explain how she can tell the House that the right to judicial review will not be removed, given that clause 29 of the Anti-terrorism, Crime and Security Bill is headed "Exclusion of legal proceedings" and states:

"No court or tribunal may . . . entertain proceedings for questioning . . . a decision . . . of the Secretary of State"?

[Simon Hughes]

How will the facts or the reasonableness of the decision be reviewed? If clause 29 were deleted from that Bill, would the Government still need to seek such a derogation from the European convention on human rights?

Beverley Hughes: As we made clear in the earlier debate, we regard the process under SIAC as the equivalent of the judicial review of an executive decision by the Home Secretary. The hon. Gentleman may disagree with that. As we have also said, no judicial review was sought in the three cases that have already gone to SIAC. It seems to us preferable to make the position absolutely clear that SIAC is that process of judicial scrutiny and that it will be the only option for judicial scrutiny of the Home Secretary's decision.

As I said in my opening remarks, this is a serious measure that addresses a very serious situation. Clearly, in the sense that we see a need for the powers that we have outlined in the Bill, there is a need for the order. The proposed derogation is necessary in view of the measures in relation to detention that we propose to take. The order is necessary, but I believe that it is a proportionate response to the situation. I hope that Members on both sides of the House will support it tonight.

Mr. Deputy Speaker (Sir Michael Lord): Before I call the next speaker, may I remind the House that the debate must finish at two minutes past midnight? An awful lot of Members are seeking to catch my eye and, unless contributions are reasonably brief, many of them will be disappointed.

Mr. Eric Forth (Bromley and Chislehurst): On a point of order, Mr. Deputy Speaker. You heard the Minister say a moment ago that she hoped that the House would support the order tonight. Can you confirm that we will be unable either to support or oppose it tonight because it is subject to the ghastly deferred Division procedure? That means that we shall not have an opportunity to give a view on it until Wednesday. Can you confirm that?

Mr. Deputy Speaker: Yes, the Question will still be put this evening but, if there are dissenting voices, a deferred vote will take place on Wednesday.

11.1 pm

Mr. James Paice (South-East Cambridgeshire): I thank the Minister for her attempts to explain and justify an order that has created such a furore both inside and outside the House. Some of my remarks will, I hope, be seen at least by the Minister as supportive of her, but I would not want her to get too carried away by that.

Perhaps the best place to start is with a quotation from the order and an issue on which the Minister has just touched. The Home Secretary has signed the order, which states that

> "there are foreign nationals present in the United Kingdom who are suspected of being concerned in the commission, preparation or instigation of acts of international terrorism . . . and who are a threat to the national security of the United Kingdom."

Therefore, it is clear that we are not just discussing future arrivals in this country, but an unknown number of existing residents.

The majority of Members on both sides of the House are debating the order, rightly, in ignorance of the security and intelligence information that has given rise to that statement in the order. Therefore, it behoves us all to accept that there must be some such information and to ensure that safeguards are properly in place.

The Opposition believe absolutely firmly that, when there is sufficient evidence that a criminal offence under British law has been or is being committed, prosecution should take place in preference to any other possibility. However, we accept that there are cases in which the evidence is strong but may not be strong enough for a conviction or in which no offence under current British law has been committed. The question therefore is how we deal with such cases. Can any responsible politician say that, despite strong evidence, the liberty of an individual is more important than the security of the vast majority of the people? That is the invidious balance that we have to strike, but it is one that a Home Secretary in any Government always has to strike in a number of ways.

In this context, the Home Secretary is proposing one weapon, namely, internment without trial subject only to appeal to SIAC and to the six-monthly reviews and the annual renewal of the provisions. The Minister referred to public opinion and, of course, all of us in the House must pay heed to that. However, almost always the public are in favour of curtailing other people's civil liberties. The problem arises when, for whatever reason, it is their own that the House proposes to curtail. That puts an onus on us all to give careful consideration to such curtailment because we know not whom it may affect.

The Government's proposal will have a draconian impact on civil liberty. Whatever one's perspective, we must agree on that. However, it is occasionally necessary to have such measures for public safety and protection. As I implied earlier, we will propose further safeguards, including an element of judicial review and a tightening of the criteria under which the Home Secretary can issue a certificate. The official Opposition reluctantly accept part 4 and, in that context, the order is necessary.

As deportation is not possible in many cases, arrest and detention with the intent of subsequent deportation does not stand as a viable option, much as we might like it to. As my hon. Friend the Member for West Dorset (Mr. Letwin) said in the Second Reading debate on the Anti-terrorism Bill, deportation should also be available and, indeed, would be preferable in many cases. Although clause 22 covers deportation, there is no provision under the convention to derogate from article 3, as we all know. First and foremost, a crime may have been committed in a friendly country with a sound legal system, such as the United States, but article 3, as interpreted by the judges in the Soering and Chahal cases, would prevent deportation because of the existence of capital punishment there.

The Home Secretary—I am sorry that he has left the Chamber—said that we have a good extradition treaty with America which could be used were bin Laden to arrive here. Is the Government's legal advice such that the treaty could continue to be used despite article 3 even if, as seems highly likely, the US refuses to set aside the death penalty for that case? Our advice is clear: article 3 overrides the extradition treaty.

The Home Secretary also interjected into the speech by my hon. Friend the Member for West Dorset that the judges have interpreted article 3 in a way that was not intended. We agree. In fact, the Home Secretary has for months been making speeches and writing articles bemoaning the power of judges, rather than Parliament, to make law. Although I do not in any way accept all his strictures, we will nevertheless offer him the opportunity to reassert the will of Parliament over the judges' interpretation of article 3.

Mr. Gummer: Does not my hon. Friend remember the debates on this very accession to the European treaty, in which the Labour party told us that none of these things would occur? They said that everything was all right because no judge would reach such a decision. We now have a ludicrous situation in which we are busy trying to kill bin Laden directly, but if he were to arrive in this country we would not be able to send him to the US in case he was killed after the due process of law. I am opposed to capital punishment, but that is ludicrous.

Mr. Paice: My right hon. Friend makes the point more effectively than I could. The situation is anomalous. I hope that the Minister will tell the House whether the Government's advice is that the extradition treaty supersedes article 3 or whether, as we believe, article 3 takes precedence.

We are going to offer the Home Secretary the opportunity to reassert the will of Parliament on article 3. The Government should give notice that we will denunciate the convention and rejoin immediately after entering a reservation on article 3. It is beyond doubt that that is legally possible. Our legal opinion says so, as does paragraph 19 in today's report of the Joint Committee on Human Rights, which states:

> "The Government cannot therefore derogate from Article 3 without 'denouncing' the Convention as a whole and then re-entering with a reservation relating to Article 3."

That is precisely what we propose, and the power to do so is clear under article 57.

Mr. McNamara: The hon. Gentleman makes an interesting point. Have the other 42 members of the Council of Europe agreed to accept such a procedure? Is he certain that he would get a majority in the Parliamentary Assembly to accept it?

Mr. Paice: I was just coming to that precise point. I believe that it was raised this afternoon by the hon. Gentleman, speaking sotto voce, from a sedentary position, and by the Home Secretary. It seems from the right hon. Gentleman's comments that he too knows that denunciation can be done, but has decided that it should not be done. He resorted to the argument that the hon. Gentleman has just repeated. Our legal advice, such as it is, is that, under article 59, as long as the United Kingdom remains a member of the Council of Europe, we would be able to re-accede after denunciation.

We can go beyond that. Today's report from the Home Affairs Committee also refers to the issue, and paragraph 20 clearly says:

> "It would be desirable for the Home Secretary, who is accountable to Parliament, to be able to exercise his discretion within the framework of Article 3."

Again, we agree. However, the Committee states that after having said that it thinks

> "that the Government should engage in a review with our European partners, with a view to finding some acceptable solution that might avoid the need to exercise a power of indefinite detention."

That would indeed achieve the same ends. If, by following that proposal, we could avoid denunciation, which I accept is a fairly dramatic option, that would be more acceptable. However, unless the Minister can convince us otherwise, there is no evidence that the Government have embarked on any such discussions with fellow members of the Council of Europe.

Mr. McNamara: I apologise to colleagues for persisting with this point, but paragraph 3 of article 58 says:

> "Any High Contracting Party which shall cease to be a member of the Council of Europe shall cease to be a Party to this Convention under the same conditions."

If we cease to be a member, how can we, under article 59, resurrect rights that we no longer have?

Mr. Paice: Our advice is that we could do so if, on denunciation, we announced that we intended to re-accede, having entered a reservation. Article 59 says:

> "This Convention shall be open to the signature of the members of the Council of Europe. It shall be ratified."

Mr. A. J. Beith (Berwick-upon-Tweed): Even if that were legally possible, what example does the hon. Gentleman think it sets to countries who have joined the Council of Europe in recent years and others who now wish to join if we advocate denunciation whenever we are faced with a conflict, instead of seeking a specific derogation and having to satisfy certain conditions for that?

Hon. Members: What about France?

Mr. Paice: As my hon. Friends suggest, I refer the right hon. Gentleman to the French situation. What we are proposing is certainly no worse and no different. We are considering a very serious security situation, and sometimes in response to such situations we have to take unpalatable measures. In the normal course of events, nobody would advocate this proposal or indeed, I suspect, the order that we are debating, but serious situations may require extraordinary actions.

Mr. Stephen O'Brien (Eddisbury): Will my hon. Friend give way?

Mr. Paice: No, if my hon. Friend will forgive me, I want to conclude because I know that many hon. Members want to contribute.

The effect of the order, taken with part 4 of the Bill, is that only internment will be available. As hon. Members said this afternoon, every internee would become a cause celebre in their group. They would become a target for future atrocities and hostage taking to secure their release.

Wherever possible, that risk should not have to be faced by the British people. If at all possible, those individuals should be deported to countries with sound legal systems, where we can be assured that they will be reasonably treated, according to law. Because it will take six months

[Mr. Paice]

for our proposed denunciation and re-accession to take place, because there are urgent cases now, and because there will be cases where there is no suitable country to which to deport the individual, internment is, regrettably, necessary. Reluctantly, we support the order, but believe it to be wholly inadequate in addressing the wider issue.

11.15 pm

Mr. Graham Allen (Nottingham, North): I shall vote for the Government, and urge everyone in the House to do likewise, but I hope that colleagues will vote for the order with a heavy heart and little joy. We know why we must do so but, equally, we all know that it is a small victory for the terrorists.

Tonight, we are suspending the right to trial. Bizarrely, we are doing so through an Executive order, which cannot be amended and came into force last week. The order is being debated after 10.30 pm; there will, perhaps, be 40 to 45 minutes of Back Benchers' speeches in a mere hour and a half's debate, at the end of which there will be no immediate vote. There has been scant, if heroic, pre-legislative scrutiny of the order by the Joint Committee on Human Rights and the Select Committee on Home Affairs. That would be insulting for some obscure weights and measures order but, as the order before us compromises one of our basic freedoms, it is wholly unacceptable. It reveals all too accurately the contempt in which Parliament is held by the Executive; it could only happen in Britain. I hope that the Joint Committee on Human Rights, chaired by my hon. Friend the Member for Bristol, East (Jean Corston), will, as a matter of urgency, propose better safeguards in future, as the next attempt at abrogating part of the European convention on human rights may come from quarters more sinister than my right hon. Friend the Home Secretary. In future, tougher obstacles will be needed, when the threat to our liberties may be more genuine and widespread.

The United States, which has a separate legislature and Executive, has done things slightly differently. I was informed by the House of Commons Library that the Americans spent six weeks deliberating on the issue, and that that involved intense bipartisan negotiations and bicameral negotiations. Many of the provisions first introduced by Attorney-General John Ashcroft have been dropped or diluted, including a request for the authority to detain indefinitely non-USA citizens suspected of posing a terrorist threat. In the final version of the Americans' bill, detention is limited to seven days. Senator Patrick Leahy, the senior member of the Senate judiciary committee, said,

> "The bill that we have brought back to the House and Senate is a far better bill than proposed to us by the administration and a better bill than either body passed initially. We have done the White House a great favor by taking the time to actually read and improve this bill before passing it."

Mr. Paul Tyler (North Cornwall): Will the hon. Gentleman give way?

Mr. Allen: If the hon. Gentleman will forgive me, I will continue, as I know that many colleagues wish to express their opinion.

In the USA, there has been a partnership. The country was afflicted by the tragedy to an even greater extent than the United Kingdom, yet it has found the ability to resolve the matter, with the legislature and the Executive working together. It took the House more than 50 years to incorporate the ECHR in English law—I say "English" advisedly—but now it is to be compromised after just one year. One of John Smith's ambitions was to incorporate the ECHR to give domestically enforceable rights to British citizens for the first time. It was intended that incorporation would be followed by a home-grown British Bill of Rights. I had the privilege of working on that policy when I was a Front-Bench member of the shadow home affairs team led by my right hon. Friend the Prime Minister. Where I had hoped for further progress, the events of 11 September have forced a step backwards.

The House should not mince its words. The Executive are in effect suspending habeas corpus and ending trial by jury, a right that can be traced back more than 700 years to the Magna Carta. We are bringing in indefinite internment and introducing to the English mainland something that we never did even at the height of the IRA offensive. As with internment, the normal burden of proof will be reversed: people will be treated as guilty unless they can prove their innocence. Those who are detained will not be able to see the evidence gathered against them, and will therefore not be able to challenge its accuracy.

None the less, the Home Secretary and the Prime Minister say that they believe the measure is necessary to combat terrorism, and I will trust their judgment. I am certain that they have no other motive. Indeed, it would be unlawful for them to have any other motive. However, the Prime Minister intriguingly said last Wednesday, at column 878 of *Hansard*, that when he meets other world leaders, they pressure him to do something about those in the UK who plot against them. When the Minister winds up, could she be a little more specific about who such people are and whether those world leaders have given Her Majesty's Government their list of plotters who seem so to embarrass them in conversation with the Prime Minister?

Many questions have been answered during the debate earlier today, so I can move on fairly quickly. I still fail to understand why none of the other 40 European countries that are party to the European convention has found it necessary to suspend the right to trial. What are the special factors that have led the UK alone to require such protection? Even in the USA, as I said, the constitution has not been abrogated or suspended, and detention has been limited to a relatively short period. The person must then be charged or released. Despite their pain, the Americans have adopted a balanced approach.

The Home Secretary's new powers can be applied only to people whom he knows to be in the country and whom he can correctly identify. The powers will provide no protection whatever against terrorists who are in the country illegally, or under false identities, or who simply have not made themselves known. Perhaps the Minister can tell the House whether she already knows the people whom she would wish to detain. Can she confirm reports that have appeared in the press that there is a maximum of 16 or 20 individuals against whom the power is to be used?

The new powers to detain are to be applied to people who have not so far given cause for arrest or committed any offences of incitement, attempt or conspiracy. In other words, the intelligence information against them is not substantial enough to sustain any of those charges, even at the conspiracy level. We will rely on information from the security services.

I must tell my hon. Friend the Minister that the security services had a rather patchy record leading up to 11 September and on the activities of the al-Qaeda network. Is she fully reassured from her contacts with the security services that the quality of the information that they will provide to her will form a firm basis for holding people in detention? Could some of those people be held on the say-so not of security service operatives working for the UK, but of operatives working for other security agencies? I hope that my hon. Friend will find time to answer that question.

I am keen to let others speak, so I shall end with these remarks: the Government are using their muscle today to force the House to extinguish for certain people a fundamental liberty. The House should have been enabled to do everything it could to satisfy itself that the measure is necessary for the prevention of greater evil. Although the penalties are to be applied to foreign nationals, we owe them the same duty to scrutinise and question the measure as we owe our own citizens and constituents.

As I trust the Prime Minister, and because of the need to show no flinching in the face of terrorism, I shall vote for the order, which has a life of 15 months. However, I urge the Government not to bring it back for renewal unless there is compelling evidence to show that the security gains have massively outweighed the appalling precedent of suspending one of our key human rights. For the future, I ask the Prime Minister to accept that an empowered and vigilant House of Commons should not be feared, but should be his strongest ally against terrorism. I look forward to this House being treated more seriously in future on these questions of fundamental human rights.

11.25 pm

Norman Baker (Lewes): May I begin by congratulating the hon. Member for Nottingham, North (Mr. Allen) on his contribution? If he is truly one of the Government's supporters, I suggest that they are in some considerable difficulty with the order.

I find it deeply depressing that, so soon after the enactment of the Human Rights Act 1998, we are already being asked to approve a derogation from it. Furthermore, we were asked to give our approval when an order had already been introduced and before this debate. We must consider the order in only an hour and a half, late on a Monday evening, and before Royal Assent is given to the Anti-terrorism, Crime and Security Bill. The Minister confirmed in response to an intervention that derogation will still stand even if the Bill is refused Royal Assent.

The Government rightly won credit for introducing the Human Rights Act 1998. In those heady days, we were even assured that the Act was not a ceiling, but a floor. Tonight, it is not even a floor. The Home Secretary is proposing that the state should have the power to lock up individuals, in theory for up to five years, without charge, trial or even the right to see or hear the evidence, such as it is, against them. We are told by him that the law will be used only against a handful of people—maybe about 20 of them—as if that somehow makes it all right.

The liberty and rights of one are the liberty and rights of us all. If we are to protect our historic rights, we must when we consider legislation have regard to its impact not on the majority, but on the minority and the irksome, unpopular and different, even if they are not British.

Hon. Members throughout the House are uncomfortable with the idea of effectively reintroducing internment. As the hon. Members for Hull, North (Mr. McNamara) and for South-West Devon (Mr. Streeter) mentioned earlier, it might have unforeseen and unwelcome consequences. Indeed, it might provide a recruiting ground for the very people whom the Home Secretary wishes to contain and neutralise. There must, therefore, be a very good reason to introduce the order. In law, the Home Secretary needs to demonstrate that we are in a time of war or that another public emergency is threatening the life of the nation. Where is this emergency? I do not see it. That point was made very well by the hon. Member for Stoke-on-Trent, Central (Mr. Fisher), whom I forgive if he means by normal life the fact that Stoke knocked Lewes out of the FA cup yesterday. Surely, an emergency is an invasion, a barrage of bombing, a mass poisoning of the water supply or something rather more tangible than what Ministers have so far described. Where is this emergency? Is not it the truth that the Home Secretary wanted to introduce the new power and had to argue that there was a public emergency as is defined in law, as that was the only way of introducing it in anything approaching a legal manner?

Now we are told that the Home Secretary cannot share with us the information that justifies his position. I accept that some information from our security services must remain secret. However, if he wants to convince the House that this drastic step is the only way forward, he will have to do better than simply to say, "Trust me." I will trust him if he asks to borrow a tenner from me. In fact, I will trust him a good deal, as he is a rather trustworthy fellow and a decent human being, but I will not trust him when he tells me that he has to lock up people without charge or trial, potentially for years, and that we in this House cannot be told why.

The Home Secretary has consistently failed to explain why this drastic legislation is needed in this country, when no other European country has announced an intention to introduce such measures. Many hon. Members have made that point today and no answer has been given by him or any Minister. The best that he could do was suggest to the Joint Committee on Human Rights that some other European countries might be thinking about introducing the measures—which countries, we are not sure. Again, we are asked to trust him.

I find it slightly surprising—I put it no higher than that—that after all the powers that successive Governments have taken unto themselves in recent years to deal with terrorism, we still apparently need yet more emergency legislation and yet more draconian legislation. Surely if an individual has committed or is plotting a terrorist offence, there are existing laws under which he can be charged through our normal legal procedures. I presume that as we are considering only a handful of individuals, they are subject to continuous surveillance by our security services. Cannot they find evidence that will stick in a court of law, with proceedings held in camera if necessary?

[Norman Baker]

If the inadmissibility of wire taps is a problem, as the hon. Member for Lagan Valley (Mr. Donaldson) suggested earlier, let us reconsider them if the alternative is to lock someone up without trial. We are being asked to lock up the people against whom there is insufficient evidence to secure a conviction in the courts. Do not the Home Secretary and the Minister find that worrying?

The Home Secretary seems keen to eliminate the courts—clause 29 of the Bill is entitled "Exclusion of legal proceedings". My hon. Friend the Member for Southwark, North and Bermondsey (Simon Hughes) referred to that earlier. Are we here to defend or attack civil liberties? Why is the Home Secretary so afraid of judicial review? Is it because he anticipates that the evidence against those whom he wishes to incarcerate for up to five years might be so flimsy that no judicial process would uphold it? To emphasise my hon. Friend's point, if clause 29 were omitted, would derogation be required? The Minister should deal with that point later if not today.

The Home Secretary's case for justifying his internment proposals is far from sufficient. He also falls short on the safeguards. The alleged terrorists—who remain "alleged" until we have proof that they have committed an offence—will not have the right to know the details of the evidence that has caused them to be accused, to choose their legal representation or to appeal, apart from on a point of law.

Furthermore, the vehicle that the Home Secretary chose to handle the cases was never meant for the specific road that we are considering. The Special Immigration Appeals Commission was set up to deal with appeals against deportation, not extended incarceration. Even the United States, the country directly attacked on 11 September, has limited itself to a much shorter detention period, as the hon. Member for Nottingham, North said.

Like other hon. Members, I refer the Home Secretary and the Minister to paragraph 30 of the report by the Joint Committee on Human Rights, on which I am proud to serve. It states:

> "The tests against which a derogation must be judged to be valid are very stringent. They require that there is an emergency which threatens the life of the nation. The test for the extent of measures taken under a derogation is equally stringent—that the measures are strictly required by the exigencies of the situation. In this context we also note that the United Kingdom's armoury of anti-terrorism measures is already widely regarded as among the most rigorous in Europe, and yet no other Member State of the Council of Europe has so far felt it to be necessary to derogate from Article 5 in order to maintain their security against terrorist threats."

Why is the Home Secretary prepared to ignore that? The Minister has said nothing to convince me that the measure is anything other than flawed.

The Home Secretary proposes a step too far and a dangerous erosion of fundamental liberties, which he and others say that they are trying to defend from terrorists. We may be at risk from terrorists, but the civil liberties of this country are more at risk from the Home Secretary. Liberal Democrat Members will vote against the order, and I urge other hon. Members to do the same.

11.33 pm

Vera Baird (Redcar): I want to raise at greater length a point that I made to my hon. Friend the Minister earlier to ascertain whether I can be helped out of my current state of confusion. As I understand it, the specific problem is that article 5.1(f) authorises the detention of a person against whom

> "action is being taken with a view to deportation"

or extradition. That is fine. The Home Secretary says that he will unlawfully detain somebody if, after taking him in and going through due process to deport him, he is unable to send him to his country for fear of torture and cannot find a third country. Surely the detention will only then become unlawful. That is common sense, and I know of no English or Strasbourg case against that.

While the Home Secretary is going through due process and searching for a third country, he is taking action

> "with a view to deportation"

during which detention is permitted under article 5. When the Home Secretary is stumped, boxed in, has nowhere to go and can do no more, he cannot be described as "taking action" and the detention becomes unlawful.

Mr. Chahal, a Khalistani separatist, had been detained for six and a half years by the time the European Court of Human Rights said that if deportation proceedings were not prosecuted diligently, the courts could say that the detention may have been for too long.

That judgment seems to make it clear that, at the outset, the detention of a person such as Mr. Chahal—a suspected terrorist who could never have been sent to the Punjab, but who was none the less detained with a view to his ultimate deportation to somewhere—was lawful. It was lawful all the time that the problem of finding him somewhere to go was being worked on, and it remained lawful right up to the time when nowhere could be found. Does not that make it clear that foreign nationals suspected of terrorism can already be arrested and lawfully detained? That lawfulness will continue as long as real efforts are being maintained to go through due process, or to find such people a place to go.

Furthermore, that lawfulness may simply never run out. Times change; people might be able to go to countries in six months' time that they cannot go to now. A third country that is not available now might be available in six months' time. The political climate in the suspect's homeland might change, enabling him to return there. The lawfulness of the detention will not, in any event, run out on its own, at a particular point in time. It will run out only when a suspect brings an action to a court and asks for his detention to be declared unlawful. The Home Secretary could then be given more time to find a place for him to go, as happened in the Chahal case. It was six and a half years before that detention became unlawful.

On that basis, I wonder whether we need to derogate at all. The Bill's sunset clause will apply only to the next 18 months. There is certainly no need for dangerous foreign nationals to be on the streets, as I was shocked to discover that the man at the top of the Home Secretary's hit list is—if a report in *The Observer* is right—when he could be subject to detention now if he is so dangerous. I do not understand why that is not happening. It seems entirely consistent with what the courts have decided, and I seek assistance from the Minister and an answer to the question: if people are dangerous, why are they not being detained now?

11.37 pm

Mr. John Gummer (Suffolk, Coastal): I would like to respond to the hon. Member for Redcar (Vera Baird), who made an important point that shows that this is not a necessary or urgent matter to be agreed now. She also made the point that it might become one at some time in the future. However, if those people are on the streets now, the Home Secretary has all the necessary powers to detain them for what may be as long as the hon. Lady suggested.

I also want to respond to the hon. Member for Nottingham, North (Mr. Allen), who listed the problems that we face. We are debating this measure for an hour and a half, late at night. We shall vote on it later and—a point that the hon. Gentleman did not make—the Minister has failed to answer any of the questions that have been raised. *[Interruption.]* The Minister can say, "Ooh!" from a sedentary position as much as she likes, but the questions have been asked and they are very clear.

Why has no other member state of the European Union or the Council of Europe found it necessary to make this decision? The Minister said that her right hon. Friend the Home Secretary had answered that question. I remind her that her right hon. Friend said that he had not had time to go through all the laws of those countries to show that they did not need to make this change, or to show why they had not done so. Frankly, if he has not had time to do that, it shows that he cannot answer the question. If he cannot show that there is something unique in this country that makes it necessary for us to do this in a way that is not necessary for any other country, he is failing in his duty to the House. We cannot take him on trust if he cannot give us that information.

It is peculiar for the Home Secretary not to be able to give us that information, because we have been going round the world making the point that our laws are better in this area. Hon. Members on both sides of the House have been making rather unattractive comments about the willingness of our neighbours in the European Union and beyond to take the same measures on terrorism that we have been taking. That has been the permanent and continuous refrain of Governments of both parties. It is not acceptable to say to the House, "We do not know why nobody else has done this and we do not know what their laws are on the subject." Why on earth say that their laws are inadequate? It does not make sense.

We must consider that in context. A year ago, the Government told the House that there was no conceivable circumstance in which our adhesion to the European convention on human rights would put us in such a position. I must tell the Minister that although I was one of those who thought it advantageous to be able to adhere to the convention, I had considerable concerns about the way in which judges were extending the operation of such conventions. It is a perfectly good convention, but all the experience is that judges appear, in an odd way, to extend such documents in a fashion that may give us considerable cause for concern.

Mr. Stephen O'Brien *rose—*

Mr. Gummer: I shall give way in a moment. The difficulty was that Labour Members told us absolutely assuredly—there was no scintilla of doubt—that we were being xenophobic and that we should be ashamed of ourselves, although they found it difficult to say that I was being anti-European. Yet within a year, we face this issue. Before I give way to my hon. Friend, I shall explain why that is serious.

If a country does not adhere to a convention because, for one reason or another, it is worried that the provisions extend beyond what it can reasonably support, that is understandable. However, if a country signs up to a convention and tries to get out of it the moment difficulties arise, what example does that set for the rest of the world? After all, the only genuine reason for joining the convention in the first place was not that we needed it or that we thought there was something nasty about Britain, but that we wanted to help those countries where there was something nasty or which had a nasty history.

We wanted to give those countries the opportunity to join. We did not want to give the opponents of joining in those countries the advantage of saying, "If Britain is not a member, why should we join?" However, within a year we have created the opposite effect by giving succour to those who are least attractive in the countries that have most difficulty in defending human rights.

Mr. O'Brien: I am most grateful to my right hon. Friend for giving way. In support of that point, he will have heard, as I did, my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice) contest from the Front Bench the legal advice about the primacy of article 3. What is worrying is that the legal advice obviously exists. It would be helpful to have it placed in the Library at the very least. We are being forced to end the debate and are unable to vote on it for two days, so we cannot reach a conclusion on valid points such as those my right hon. Friend has made about context. Surely that is another example of why the deferred voting procedure is inadequate for such extremely important issues.

Mr. Gummer: I very much agree, and I want to make three other points briefly.

Mr. McNamara: Will the right hon. Gentleman give way?

Mr. Gummer: No. Given the time, and if the hon. Gentleman will forgive me, I ought to continue.

Every time we asked the Minister to answer a question, she used the phrase, "We have taken the view", which is most unusual and most unparliamentary. Of course the Government have "taken the view". It is their order, but saying, "Actually, we have taken this view" does not help to answer a question. It may be so, but it is not proof. The words "We have taken the view" are merely her opinion, so it is not surprising that she attracted many attacks from both sides of the House. She clearly cannot answer the questions, which is serious on such a matter.

I also remind the Minister that it is not good enough to say that there will be full judicial scrutiny. Those are her words, but that is not true. She told us that when she said that the Government have decided to assume that this wholly different procedure is equivalent to full judicial review, but that cannot be so if the person seeking the review does not know what he is accused of. What kind of review is that? What sort of legal system is that? She must apologise to the House for referring to full judicial

[Mr. Gummer]

scrutiny. That is not true and in her next sentence she showed that she knows it to be untrue. That is why Opposition Members found her answers so hard to accept.

Lastly, we must return to a simple question. Had a Government of a different kind proposed to the House, when the Minister was on this side of it, that—despite the advice of the Joint Committee on Human Rights, despite the advice of the Home Affairs Committee and despite the view of every other country in the European Community and the wider Europe beyond—we should proceed with what appeared to be a gross curtailment of human rights, what would Labour Members have said? They would have talked of the most dreadful infringement that we had seen since Magna Carta.

The truth is that the Government should not have produced the Bill. They know, and their members and supporters know, that they should not have produced it, and they would not have allowed any other party to produce it without the most outrageous attack possible. That is why the Minister is letting her side down by not answering the serious questions asked by the Opposition: as we know perfectly well, she would never have let anyone else get away with it.

11.46 pm

Ms Oona King (Bethnal Green and Bow): Having sat in the Chamber for more than nine hours, I am grateful for the opportunity to speak for five minutes or less.

I wanted to speak because of my concern about the precedents set by derogation from article 5 of the European convention, and the permitting—even in only a minuscule number of cases—of detention without trial. Several respected QCs, including one employed by the Government to review SIAC cases, argue that there may be a way around derogation. I shall return to that later, but first let me specify where I think the Government are right. They are right to act against the tiny minority—perhaps fewer than 50 of our island's 60 million inhabitants—who plot violent terrorist acts and cannot be prosecuted or deported.

I think that the Government are mistaken in concluding that the only way in which they can act against a handful of fanatics is by derogating from article 5 of the convention and curtailing judicial review—enshrined in our law, as we have heard, since the Habeas Corpus Act 1679. If this most reasonable Government can invoke an emergency when—again, as we have heard—people are rushing out to see the Harry Potter film and virtually no one has altered their daily routine, imagine what a less charitable Government might do in much less pressing circumstances.

Having said that, I do not want to be mistaken for someone who does not want to bang up suspected terrorists, or for someone who does not understand the difficulty of undertaking a successful prosecution of someone engaged in terrorist activity. Sometimes the obstacles faced by the police in securing a prosecution are insurmountable, and that should worry all of us—especially those of us who work in places such as this, a prime terrorist target. I feel, however, that we should revisit our options.

The Home Secretary said today that, when dealing with people suspected of terrorist activity who could not be prosecuted or deported, we faced a number of options. We could release them into the community and allow them to go on organising their terrorist networks, we could deport them to possible torture or death, or we could detain them. That was the Government's choice.

I hope the Minister is pleased—certainly my Whip will be—to learn that I fully support the Home Secretary's and the Government's choice. I do not want such people to be released into the community, and I do not want them to be deported and then tortured to death; I do want them to be detained. The million-dollar question is whether it is possible to detain someone without suspending habeas corpus when the state has clear but sensitive evidence that cannot be disclosed, and the person therefore cannot be brought to trial. We have heard that we can detain people—that we have detained people. In my view, and in that of several very distinguished QCs who know far more than me, the answer to the question is yes. I believe that we must explore that possibility, and avoid derogation.

Let us take an example. The authorities arrest an al-Qaeda suspect whom they wish to deport. The Home Secretary says that owing to the nature of the threat the suspect must be detained. He argues that the detention is not arbitrary in the sense implied by article 5, because it is connected to the deportation. The suspect then takes his case to Strasbourg. It is highly unlikely that Strasbourg would rule that he had to be released, as the British Government's only alternative would be derogation from the European convention on human rights. Either way, however, it would be a better outcome than the suspension in this country of the rule of law.

In theory, therefore, the order reduces civil liberties. In practice, however, in the short term, it will do no such thing. If it is approved we shall still live in one of the most democratic countries in the world, with one of the most progressive Governments in the world. However, my concern is not the short term but the long term, when the precedent that we set today comes home to roost. For that reason, I do not think that we should set the precedent.

11.50 pm

Mr. David Cameron (Witney): The Select Committee on Home Affairs grudgingly accepted the need for this derogation, stating that

> "We reluctantly accept that there may be a small category of persons who are suspected international terrorists who cannot be prosecuted, extradited or deported and therefore will have to be detained".

I accept that the Government's answer deals with that problem. As the hon. Member for Bethnal Green and Bow (Ms King) has just pointed out, the Home Secretary will be able to lock up those who pose a risk. That is why the Government are opting out of article 5 and why we are debating this order. In the few minutes that I have to speak, however, I should like to consider whether that is the right answer.

Surely we have to ask why we are in this mess in the first place. The answer is that, in very many cases, because of article 3 and the jurisprudence under article 3, the Home Secretary cannot deport those who are potentially a danger to this country. The limitation, however, is not caused by article 3 itself—which is the shortest article in the European convention on human rights and simply states:

> "No one shall be subjected to torture or to inhuman or degrading treatment or punishment."

Nowhere does article 3 mention deportation. What has happened is that, over many years, jurisprudence has been developed that has prevented deportation. The problem, therefore, is jurisprudence under article 3, whereas the solution that we are being offered is derogation under article 5. It is a bit like having mumps but taking a treatment for measles. We are not treating the long-term problem. I profoundly believe that the long-term problem will get worse.

In the Chahal case, the Home Secretary stated that he should be able to balance the risk of deporting someone to a third country and the risk that that individual poses to this country. The Strasbourg court found that

> "the activities of the individual in question, however undesirable or dangerous, cannot be a material consideration."

The Home Secretary cannot simply think of the individual in such a case. Consequently, the Home Affairs Committee has said that the Home Secretary should be given greater discretion.

The problem will become much worse in two respects. First, after the Soering case, article 3 applies to every country regardless of whether that country has signed the convention. The Soering case involved a German who was wanted for murder in the United States but could not be deported. Secondly, our courts discriminate against other signatories to the ECHR in relation to article 3. In the Adan case, for example, which involved two asylum seekers whom we were trying to return to Germany, the British courts feared that the Germans would more narrowly interpret the ECHR. The problem will therefore become far worse unless we consider the ingenious solution proposed by my hon. Friend the Member for West Dorset (Mr. Letwin).

D *v*. United Kingdom is the last case that I shall cite in the remaining time that I have allotted myself. That case involved not a terrorist but a drug dealer whom we were trying to deport back to the West Indies. The court thought that deportation would infringe his article 3 rights because he was HIV positive and would not receive the right treatment in the West Indies. Such treatment is nothing to do with article 3. It is not inhuman or degrading treatment or punishment, or torture. That was a very wide interpretation.

My conclusion is that the Government's answer will not work in the long term. They have to deal with the problem, which is that the Home Secretary cannot deport those whom he believes are a danger to this country. The option of opting out and suspending habeas corpus is the wrong answer to the question. In many ways, the Government had a choice between this country's ancient rights of habeas corpus and the right not to be detained without charge or trial: between Magna Carta and the ECHR. They have taken wholly the wrong decision. They should very carefully reconsider the suggestion of my hon. Friend the Member for West Dorset.

11.54 pm

Beverley Hughes: With the leave of the House, I shall try to address some of the more substantive points that have been made by hon. Members tonight. My hon. Friend the Member for Nottingham, North (Mr. Allen) raised several points, and asked how many people we expected the powers that we seek to be applied to. A number of people have already been arrested since 11 September under the Terrorism Act 2000. As I said earlier, I do not want to cite an actual number of people against whom the powers would be used immediately, but I can say that we expect the number to be small.

In response to my hon. Friend's points about other Governments and the Prime Minister, I can say that we are in frequent contact with other Governments who share information, and share our abhorrence of terrorist activities. Where we receive information alleging the presence of terrorists in the UK, we investigate those allegations. We believe that there are people here who are involved in international terrorism. Indeed, we have set that out in the schedule to the order. That is part of the basis for the evidence which, taken in the round, we feel meets the first test of article 15—that there must be a public emergency.

The hon. Member for Lewes (Norman Baker) asked, "Where is the public emergency?" In current circumstances, I find that an extraordinary question. Again, the evidence that we cite for the existence of a public emergency is set out in the schedule—but to reiterate what has already been said, the answer is: the events of 11 September; the two UN Security Council resolutions that pointed to the threat to international security and gave permission, as it were, for states to take measures to protect themselves; engagement in conflict in Afghanistan as a close ally of the United States; the presence of suspected terrorists here; further threats by Osama bin Laden and his supporters; and their preparedness to use nuclear, chemical and biological weapons; and the material found during the conflict in Kabul. I think that in view of all those circumstances, any reasonable person would conclude that there was a state of public emergency threatening the life of the nation.

Norman Baker: Does the Minister recall that on 15 October, over a month after the terrible attack on New York, the Home Secretary said that there was no immediate threat to this country's security? Can she say what has changed since then to justify the claim that the very essence of this nation is now under threat?

Beverley Hughes: The fact that there is no specific and immediate threat to this country of which we are aware does not mean that there is not a state of public emergency in the sense outlined by the UN Security Council resolutions and endorsed a few weeks ago by the House of Lords, which clarified both the threshold of evidence and the nature of the assessment that the Home Secretary was entitled to make, in the round, of the threat to national security and the extent to which that constituted a public emergency—

Several hon. Members *rose*—

Beverley Hughes: I have only a short time left, and I want to deal with what my hon. Friend the Member for Redcar (Vera Baird) said. While accepting the need for detention in the circumstances that we have outlined, she and several other Members questioned the need for derogation.

[Beverley Hughes]

I have two further points to make to my hon. Friend, in addition to those that I made earlier in the debate. First, current arrangements as they stand, and article 5.1, have inhibited the use of removal. Secondly, and more substantively, case law subsequent to the Chahal case, concerning two other people who have been through the Special Immigration Appeals Commission process, has made it clear that article 3 is an absolute bar to removal if a person is likely to face torture, or inhuman or degrading treatment. Currently, if a person is detained pending removal and article 3 is relevant to the case, that person would be able to challenge detention immediately and be released, because there would be no realistic prospect of removal at that time. Therefore, to ensure that we are not inconsistent with article 5 in the detention powers we seek, we have to make sure that our position is regularised. That means that we have to derogate from article 5.1.

The official Opposition have argued that a better course of action—what they would have done were they in government—would have been to renounce the ECHR in its entirety and then rejoin immediately. We take the view that that is a much more extreme measure than we propose—even if rejoining the convention with reservations would be allowed—both in terms of our international obligations and in terms of the subsequent ability to send people back to torture or death. Derogation from article 5.1 is a more measured and proportionate approach and it preserves unequivocally—this is an important point—our international obligations under the ECHR, while enabling us to implement the detention measures that we feel are necessary in the event that we cannot deport a person consistent with the provisions of article 3. It is precisely because the Government—

It being one and a half hours after the commencement of proceedings on the motion, MR. DEPUTY SPEAKER *put the Question, pursuant to Standing Order No. 16 (Proceedings under an Act or on European Union documents).*

Mr. Deputy Speaker: I think the Ayes have it.

Hon. Members: No.

Division deferred till Wednesday 21 November, pursuant to Order [28 June].

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Michael Lord): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

DANGEROUS DRUGS

That the draft Criminal Justice (International Co-operation) Act 1990 (Modification) Order 2001, which was laid before this House on 24th October, be approved.

DANGEROUS DRUGS

That the draft Misuse of Drugs Act 1971 (Modification) Order 2001, which was laid before this House on 24th October, be approved.

DENTISTS

That the draft Dentists Act 1984 (Amendment) Order 2001, which was laid before this House on 30th October, be approved.—*[Mrs. McGuire.]*

Question agreed to.

COMMITTEES

FINANCE AND SERVICES

Ordered,

That Mrs. Irene Adams, Mr. Stuart Bell, Mr. Derek Conway, Mr. Michael Fabricant, Mr. Keith Hill, Mr. David Lepper, Mr. Thomas McAvoy, Mr. Patrick McLoughlin, Mrs. Marion Roe, Mr. Andrew Stunell and Mr. Dennis Turner be members of the Finance and Services Committee.—*[Mrs. McGuire.]*

INFORMATION

Ordered,

That Mr. Michael Connarty and Julia Drown be discharged from the Information Committee and John Mann and Jim Sheridan be added to the Committee.—*[Mr. John McWilliam, on behalf of the Committee of Selection.]*

PETITION

Dibden Bay Port

12.1 am

Dr. Julian Lewis (New Forest, East): In just over a fortnight, more than 2,000 signatories have been added to the petition of Residents against Dibden Bay Port, including representatives of Fawley, Hythe and Dibden and Marchwood parish councils and Totton and Eling town council.

The petition declares

'that the Public Inquiry into Associated British Ports' application to build a Container Terminal at Dibden Bay should not take place in premises owned by the applicant nor at a location which will preclude the attendance of the local population, owing to the time and cost of travel.

The Petitioners therefore request that the House of Commons urge the Secretary of State for Transport, Local Government and the Regions to delay the start of the Inquiry until the New Forest District Council can find a suitable venue close to the communities which are affected by the proposed development.

To lie upon the Table.

Chester Street Insurance Holdings

Motion made, and Question proposed, That this House do now adjourn.—*[Mrs. McGuire.]*

12.4 am

Mr. Barry Gardiner (Brent, North): I begin by reassuring my hon. Friend the Economic Secretary to the Treasury that I would quite understand if she began her response to our debate with the protest that we must stop meeting like this. During the past few weeks, I have detained the House, and my hon. Friend, in Adjournment debates with observations on the collapse of the Independent Insurance Company, the debacle of Equitable Life and now the collapse of Chester Street Insurance Holdings. Those are three bombshells that have hit the financial services industry particularly hard. They have prompted independent inquiries, appeals to the House of Lords, special industry compensation schemes and regulatory reviews. Above all, they have led to a severe undermining of confidence in the insurance industry, whose only tangible product, after all, is confidence itself.

Insurance gives us the confidence to engage in the commercial world without becoming paralysed by the potential liabilities that such engagement might bring—the confidence to employ staff whose work is intrinsically dangerous and the confidence to manufacture products, whose unforeseen failure would trigger crippling liabilities. In life assurance, it means the confidence to plan for a future that is financially secure beyond a lifetime of work.

The failure of these companies to furnish their policyholders with the benefits they undertook to provide has caused enormous distress and suffering. However, their failure goes further in so far as it has undermined confidence in the industry. By undermining that confidence, they have weakened the system of protection for everyone else.

I turn now to the failure of Chester Street Insurance Holdings. I have no intention of restating in detail the company's history. It is already known to the Minister and the House, and was the subject of an Adjournment debate in March. Stated simply, Chester Street Insurance Holdings Inc., after selling its interest in the subsidiary insurance company that was its main asset, concluded that it still was unlikely to be able to meet all its future liabilities. The company therefore proposed a scheme of arrangement under section 425 of the Companies Act 1985, and on 5 February this year creditors approved the scheme by the necessary 75 per cent. vote in favour. The declared percentage pay-out to creditors under the scheme was 5 per cent.

Chester Street's book of business was employers' liability which, since the Employers Liability (Compulsory Insurance) Act 1969 came into force in 1972, has been a compulsory insurance. Under the Policyholders Protection Act 1975, policyholders are protected by statute when an insurance company is unable to meet its liabilities. The Policyholders Protection Board pays 90 per cent. against valid claims for non-compulsory insurances through a fund raised by levy on the insurance industry. However, it pays compulsory insurances in full.

The combined effect of those two Acts of Parliament is to ensure that although virtually all Chester Street's valid claims arising after 1 January 1972 are met by the PPB in full, claims arising before that date can only be paid out at the 5 per cent. rate under Chester Street's scheme of voluntary liquidation. Of course, the injured employee still has a valid claim against the employer concerned, and that caused enormous concern among those large engineering firms such as Corus, British Shipbuilders and Harland and Wolff that were some of Chester Street's major policyholders. It gave rise to even greater distress among individuals who had suffered industrial injury through such long tail liabilities as vibration white finger, noise-induced hearing loss or asbestosis.

Where the employees' former employer was still in business, there was a prospect of hugely delayed and compromised payments. Where the former employer had subsequently gone into liquidation, the chance of recovery was virtually nil.

I commend the Government and the Association of British Insurers for the way in which they worked to put together a compensation scheme to benefit those individuals who fell between the stools of the PPB and Chester Street because they had contracted their illness prior to 1972 and found that they had no one to claim from because not just their insurer but their former employer had gone into liquidation.

The financial services compensation scheme announced by the ABI on 8 August this year is funded by a levy on insurance companies and will ensure that victims receive 90 per cent. of the value of their award in such cases. It is not quite the 100 per cent. provided for under the PPB, but for those who, less than a year ago, thought that they faced a maximum of 5 per cent. of their rightful claim, it is a tremendous and welcome improvement.

Although I do not want to minimise what has been achieved, the House must express its concern that the collapse of Chester Street is yet another major insurance failure, and that our financial regulation system failed so manifestly not only to anticipate it but to provide for it. The Government and the Financial Services Authority must look again at the regime of solvency and capital requirements placed on insurance companies. Later in my remarks, I shall direct the Minister's attention to those aspects.

First, I want to examine the paradox that is the Policyholders Protection Board itself. The PPB penalises good insurers and rewards bad o[illegible] The insurance market is one of extreme competition where consumers have increasingly made the mistake of regarding insurance cover as a product—a commodity that may as well be purchased from any provider—and where the sole consideration is to achieve the lowest price. There will always be companies, such as Independent Insurance and Chester Street, that are desperate to win market share by slashing premiums to unsustainable levels or by paying unsustainable commissions to intermediaries.

Regulators need to address the fact that responsible insurance companies suffer a double jeopardy: not only do they lose business when those companies are trading, because they are not prepared to pursue business at any price, but they have to bail out the self-same companies by contributing to the PPB levy when they go under. The cost of that for major insurance companies runs into millions of pounds.

[Mr. Barry Gardiner]

It has even been suggested that some brokers cited the PPB as a reason for not advising their clients to switch from Chester Street long ago. They said that even if the company failed, the PPB would still provide full cover, so it did not matter.

I grant that the current PPB framework makes the insurance industry self-funding and thus accountable, in aggregate, for its financial soundness. However, the operation of the PPB is ad hoc and inconsistent. Levies are raised only on an as-needs basis. Indeed, between 1993 and 2000 there were no levies. That means that levies are entirely unrelated to the risk that each insurance company is running. They are entirely unrelated to the expected economic cost that each company imposes on the rest of the industry by its own risk of failure.

The first result of that is freeloading: bad companies make a short-term profit, go bankrupt and contribute nothing to the industry levies that are required from the good companies to bail out the victims of bad companies. Secondly, there is a lack of regulatory incentives to improve risk management. As long as the industry is prepared to bail out the victims, the regulator fails to address the fundamental problems that produce the victims in the first place.

The Minister must focus on two aspects of regulatory failure. There is a lack of clear accountability for the funding of insurance failures. The ad hoc nature of the PPB levies combined with the potential for catastrophic losses that could result from several insurance company failures suggest that there is no clear accountability as to how such catastrophic losses might be funded. This year, the Government negotiated with the ABI. The FSA should be given that clear responsibility.

There is a lack of any analytical framework for assessing the aggregate financial condition of the insurance industry. At present, it is not possible to assess the likelihood of the failure of an individual insurance company in the UK. It is certainly not possible to assess the likelihood of multiple failures, hence it is not possible to assess the adequacy of the PPB fund, or to link its capitalisation to an explicitly defined level of confidence in the market. The FSA should be given that clear responsibility.

In order to fulfil that role the FSA will have to focus on key issues relating to the solvency regime and capital requirements. On 1 December, we will have a new single regulator with more extensive powers of intervention, a single ombudsman and compensation scheme, group solvency monitoring, earlier deadlines for the completion of annual returns and an approved persons regime. The recent consultation has indicated the FSA's intention to move towards a risk-based approach to regulation and to introduce an integrated prudential source plan. Those are formidable advances in the regulatory armoury, but they must be brought to bear on the following problems.

First, reserving is inconsistent. The FSA's failure to require any benchmarking of reserve levels to industry standards or loss ratios is a major problem. It is compounded by the freedom given to the actuaries and underwriters to manipulate their own reserve levels. In particular, external actuaries have only one very crude weapon in their armoury when they validate the reserves—to refuse to sign off. As with most nuclear weapons, it is practically useless and hardly ever used.

Secondly, reinsurance standards are inadequate. The Minister is well aware of the ineffectiveness of regulation on such issues, and we have discussed before the way in which the Independent Insurance Company was legally able to reinsure its portfolio in an ultimately circular deal that ended up with a wholly owned subsidiary company of Independent itself. Indeed, 70 per cent. of Independent's outstandings were reinsured, for all the good that it did that company or its victims.

Thirdly, minimum regulatory solvency levels are inadequate. There are few better examples of gross regulatory failure than the fact that an insurer that held the minimum solvency margin would have approximately a one in 40 chance of insolvency every year. The failure to set formal target and intervention trigger levels for insurers means that the regulatory solvency margins do not have any material impact on the way that the insurance industry manages risk. I have had occasion before to disparage the European solvency margins in front of the Minister. It is clear to me from my discussions with the German insurance regulator that even the author of the infamous Muller report has difficulty in maintaining any longer that those solvency requirements are sound in principle and in practice.

Fourthly, there is a lack of differentiation. Solvency margins do not significantly differentiate the different risks run by different insurance companies. Required margins should vary according to premium income, by line of business.

Fifthly, there is a one-size-fits-all framework. At present, the regulator takes no account of any sophisticated internal risk measurement framework implemented by various market-leading companies.

I have presented the Minister with several detailed complaints and observations about how I consider that the insurance industry is failing the public and how the FSA, as regulator, is failing the industry. It is perhaps not incumbent on me to offer solutions to those problems, but, equally, it is only fair to those about whom my remarks are critical that I at least present a marker that can be shot at.

I believe that the FSA should establish ratings for individual insurance companies. Those ratings should be published and should take account of an insurer's risk profile and financial strength. Private sector rating agencies, such as Standard and Poor's, already measure each insurer's financial strength, but the main problem with most of those commercial rating agencies is that they are based on primarily public information and do not reflect internal information about the controls and processes to which a regulator should have access. Moreover, rating agencies do not have the same resources as regulators. S and P has only a handful of people covering the entire United Kingdom insurance sector. There is no reason why regulatory financial strength ratings would not be possible, and I believe that they would represent a significant improvement on the current regulatory minima and private sector ratings.

I believe that the FSA should ensure that there is accountability in the industry for solvency. In particular, the industry as a whole should finance all the costs associated with insurance failures with no subsidy, explicit or implicit, from the taxpayer. The fund for that should be reviewed annually on the basis of the FSA's assessment of the aggregate financial conditions of the industry.

Cross-subsidisation between industry participants should be minimised so far as possible, so that those insurers that are most at risk of failure should pay proportionately more for the additional benefits that they derive from schemes such as the PPB.

To enable it to do that, the FSA needs to have its performance measured in a way that is aligned with its accountability for the stability and soundness of the insurance industry. That will give it an incentive to take a more robust and sophisticated approach. An effective regulatory framework should not just incorporate a rules-based system, as is currently the case, but should balance that against a bottom-up supervision of reserving and internal risk models and controls.

The current regulatory framework allows cases such as Chester Street to go unanticipated and poorly provided for. Companies such as Chester Street and the Independent Insurance Company are able consistently to under-capitalise themselves and get away with poor or minimal risk management techniques. When they realise their losses and collapse, they leave the better companies in the industry, the Government and the public to pick up the bill. The current situation is bad for the public, bad for the industry and does not provide the country with the systemic stability and financial security that it needs.

At the beginning of my remarks, I suggested that it would be understandable if, in my hon. Friend's response, she were to express the hope that we might stop meeting like this. I would certainly share that hope, not because I do not enjoy spending time with her but because we all want an end to the spate of disasters that has struck the insurance industry and resulted in our recent debates. I hope that she will also indicate that she considers that the remedies I have proposed may be of some help in preventing future failures. What is far more important, though, is that she should suggest that she shares my analysis of the problem and that she should commit our Government to tackling it.

12.21 am

The Economic Secretary to the Treasury (Ruth Kelly): I congratulate my hon. Friend the Member for Brent, North (Mr. Gardiner) on securing this important debate. He is clearly an expert on these matters, and I am sure that we shall continue to meet from time to time, whether in this forum or outside.

First, I wish to restate the Government's great sympathy for victims of asbestos-related diseases, which are particularly unpleasant and distressing for both sufferers and their families. This suffering is made even worse when compounded by financial uncertainty. That was the case for a group of people whose no longer existent, or now insolvent, employers insured with Chester Street. That group faced the possibility of being ineligible for the compensation due to them following Chester Street's insolvency on 9 January.

The consequences of Chester Street's insolvency were particularly worrying for victims of asbestosis and their families whose former private sector employers had insured with Chester Street, but no longer existed or were insolvent. In particular, there were fears that those whose injuries had been sustained during employment in the private sector before 1972—or 1975 in Northern Ireland—would not receive the compensation for which their employers would have been liable.

As my hon. Friend is aware, the Government worked extremely hard in partnership with the insurance industry in the spring of this year to end the uncertainty. The arrangements were set out on 10 May by my right hon. Friend the Chief Secretary to the Treasury. Under these arrangements, the Government are meeting their liabilities to former public sector employees, and the insurance industry is covering claims from former private sector employees.

The insurance industry will fund claims as follows. First, the PPB is making payments in accordance with its statutory powers if the compensation award or settlement was made prior to Chester Street's insolvency. Secondly, if the award or settlement was made on the day of, or after, Chester Street's insolvency, the insurance industry is funding equivalent payments pending the implementation of the new financial services compensation scheme—FSCS—at midnight on 30 November. The FSCS will supersede the PPB. Thirdly, the rules of the FSCS will ensure continuity of cover in respect of awards and settlements made after 30 November. I welcome my hon. Friend's remarks that this is a tremendously welcome improvement on the situation that existed before the spring of this year when the deal was negotiated.

My hon. Friend raised several points relating to the PPB and, in particular, to the way in which it is funded. Of course, the PPB will be superseded by the new financial services compensation scheme at midnight on 30 November. As I explained earlier, the particular problem that Chester Street raised in relation to compensation arrangements under the PPB has already been addressed by the Association of British Insurers and will be resolved by the new rules. I understand my hon. Friend's concern that sound insurers pick up the bill for those that become insolvent—companies which, as he points out, may have been in fierce competition with each other prior to the insolvency.

The FSA has long been familiar with the arguments that contributions to compensation schemes should be risk based. I understand that it considered a range of alternatives for the new compensation scheme, including a system of individually risk-weighted premiums, but concluded that at the present time funding arrangements similar to current arrangements were the most suitable and cost effective, relative to the available alternatives. Individually risk-weighted premiums were particularly expensive due to the prohibitive cost to the FSA and the FSCS of implementing an appropriate and objective risk assessment system on the basis of current information.

Risk-based premiums may turn out to be inappropriately weighted, cause competitive distortions and increase financial pressures on already weaker firms, particularly in a pay-as-you-go funded scheme in which contributions are collected only following an insolvency. Conversely, a scheme in which a fund is built up in advance may see a loss of capital from the industry, representing a deadweight cost, especially, as we would hope, if failures are low. I should also point out that the existence of a compensation scheme benefits the whole industry by boosting policyholders' confidence that, come what may, most if not all of their claims will be met.

None the less, the FSA has committed itself to reviewing that matter again as part of a wider review of compensation arrangements. It will consider their effectiveness three years after the scheme comes into effect. At that point, it will consider further international

[Ruth Kelly]

and domestic experience, the activity of the FSCS and levies in practice and ongoing academic analysis in this area.

My hon. Friend also set out a number of concerns about the regulatory framework and the FSA. I note his observations on the issues on which he believes the FSA's integrated prudential sourcebook should be brought to bear. I shall cover as many of those as I can in the time available.

First, my hon. Friend is concerned about the FSA's requirements for reserving. I understand that it recognises the importance of benchmarking and already takes it into account in its supervision of individual firms. It will, however, be further enhancing its expertise in that area and will be considering the role played by the actuaries and auditors of insurance firms.

Secondly, on reinsurance requirements, my hon. Friend made an interesting point on independence insurance. The FSA plans to review the use of financial reinsurance within the insurance market and the extent of the industry's reliance on it. That issue has also arisen in the context of other parts of the insurance market and I am sure that the FSA will comment on its prevalent use. Particular attention will be paid to arrangements that do not result in a material transfer of risk to the reinsurer and those that are, in effect, regulatory arbitrage.

Thirdly, my hon. Friend mentioned solvency standards. The FSA agrees that the current European solvency margin requirements for insurance firms are inadequate. It expects almost all firms to hold buffers in excess of the European minimum levels to meet its adequate financial resources requirement. The European solvency margins are also under review and there may be further improvements on that score. However, change at an international level will clearly take time. In the meantime, the FSA is making a number of enhancements to its capital adequacy requirements for insurance firms.

As my hon. Friend noted, the FSA issued a consultation paper on an integrated prudential sourcebook in June 2001. It sets out proposals for integrated prudential standards that will apply to all types of firm. It is proposed that, for insurance firms, these proposals will take effect from early 2004.

My hon. Friend expressed concern that solvency margins do not significantly differentiate between the different risks run by different insurance companies. The FSA's view is that determining required margins according to premium income by line of business would perpetuate inappropriate rigidity in the determination of solvency requirements. A better approach is to take account of all the risks in the business, including, for example, the adequacy of systems and controls and firms' own measurement of risk.

The FSA's risk-based approach to regulation is designed to take account of the full range of risks within each firm, and it is strengthening its expertise to carry out such assessments. It is also working to develop and consolidate the current approaches used in different sectors for setting individual capital requirements for firms, with the intention of extending that to insurance firms.

On the "one size fits all" framework, which my hon. Friend mentioned, it is not correct to say that the FSA currently takes no account of any sophisticated internal risk measurement frameworks implemented by insurance companies. It frequently discusses with the larger companies the outputs of their internal risk models, and the new regulatory regime for Lloyd's, for example, explicitly recognises the value of its risk-based capital model.

The FSA plans to take more account in future of firms' internal measurement of risk. As I have already explained, the draft integrated prudential sourcebook proposes placing a requirement on all firms to take a view of the overall level of financial resources required to enable them to meet their liabilities. The FSA also plans to add insurance risk expertise to its risk review department, thus further equipping it critically to assess risk models used by the industry.

My hon. Friend made a number of suggestions that he believes would address his concerns. The FSA accepts that insurance firms' risk profiles and financial positions should be more transparent and easier to interpret, especially for life business. However, it believes that this would be best achieved by improving information in the public domain, for example in the regulatory returns and in the accounting treatment of insurance business in accounts under the Companies Acts. Some improvements in the regulatory returns have already been made or are being consulted on; others will be proposed as part of a fundamental review of regulatory reporting, starting next year.

It would be inappropriate for the FSA to publish confidential regulatory information. However, it is considering the need to improve its environmental analysis of the insurance sector, and it will also consider whether to publish that type of analysis for the benefit of consumers and the market.

It is not possible in the time available to address all my hon. Friend's points. However, these are important issues and I undertake to pass on his comments to the chairman of the FSA, who I am sure will be delighted to respond more fully than I can. I thank my hon. Friend for securing this debate. I am sure that he agrees that there are great strides to be made in the regulation of insurance companies and the move to a more risk-based regime. I recognise the points that he made about the regulatory and compensation regimes that affected Chester Street, and I hope that I have addressed the most important of them.

Question put and agreed to.

Adjourned accordingly at twenty-seven minutes to One o'clock.

House of Commons

Tuesday 20 November 2001

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

NATIONAL AUSTRALIA GROUP EUROPE BILL *[LORDS]*
Read the Third time, and passed.

Oral Answers to Questions

TRANSPORT, LOCAL GOVERNMENT AND THE REGIONS

The Secretary of State was asked—

Women in Public Life

1. **Dr. Phyllis Starkey** (Milton Keynes, South-West): What steps his Department is taking to encourage more women to stand for election to office. [13551]

The Minister for Local Government (Mr. Nick Raynsford): We have introduced the Sex Discrimination (Election Candidates) Bill to enable political parties to use positive measures to reduce inequality in the numbers of men and women elected. We are also reforming government to make it a more attractive option to able people of all backgrounds, including women, through improving the hours and working environments at all levels. However, political parties have a vital role to play in encouraging women to come forward as candidates, and I hope that the Government's work in that area acts as a spur to parties wishing to achieve a better gender balance in their representatives.

Dr. Starkey: The Minister will be aware that the level women's representation on local councils varies widely, from 51 per cent. on Cotswold council to 5 per cent. on the Isle of Anglesey council. Is he aware of any research on why the variation is so great and on what barriers exist to increasing women's participation on local councils? If there is no such research, will his Department commission it and then act upon it?

Mr. Raynsford: My hon. Friend has rightly highlighted the problem of inadequate representation of women on many local authorities. Some 27 per cent. of all councillors are women, which is a better figure than this House, but it is still far below the proportion one would expect, given that women constitute about 50 per cent. of the population. Research has been undertaken by several bodies, including the Equal Opportunities Commission, the Fawcett Society, the Improvement and Development Agency, the Local Government Association and the constitution unit at University college, London, on reasons why women are under-represented at different levels in government. Several conclusions flow from that research, one of which is the selection processes to which I have already referred. The Government are committed to carrying forward positive measures, as set out in the legislation I have already mentioned, to make it possible for more women to be elected and play an effective role in government at all levels.

Rail Services (East Midlands)

2. **David Taylor** (North-West Leicestershire): What investment is planned in new east midlands local rail services in the next 10 years. [13552]

The Minister for Transport (Mr. John Spellar): The extension of the Midland Mainline franchise to 2008 provides for a £240 million investment package that will benefit passengers in the east midlands. The Strategic Rail Authority's forthcoming strategic plan will set out its plans for enhancing the network to deliver key rail targets in the 10-year plan.

David Taylor: Given the early success of the rail passenger partnership scheme in adding routes, services and stations on to the rail network, does the Minister believe that the recently revised criteria will allow more effective revenue and capital support to be given to schemes such as the national forest line through north-west Leicestershire? Will he visit our area so that he can have a look at the road congestion and community inaccessibility that projects such as that could start to tackle?

Mr. Spellar: My hon. Friend is right to say that the rail passenger partnership scheme has been successful, and some £45 million has already been approved for 31 schemes. However, he is also correct to say that the SRA has reconsidered the criteria and recently announced some improvements. I can confirm that from the end of the year, both capital and revenue support will be available. The limit for fast-track applications will also be increased from £100,000 to £250,000. Revised guidance reflecting those changes will be issued shortly.

With regard to my hon. Friend's invitation to visit his constituency, I receive several such invitations and I will be more than pleased for my office to liaise with him to see whether we can arrange a visit so that he can show me the problems that he wants us to address and, I hope, reach a successful conclusion.

Mr. Nick Hawkins (Surrey Heath): Does not the Minister recognise that, while many of us on both sides of the House who take an interest in rail issues have worked with rail development groups to encourage investment in the east midlands and throughout the country, the Secretary of State's decision to pull the plug on Railtrack has severely damaged the prospects for rail investment? Does the Minister accept that what the House and the country now need are the civil servants' minutes—especially those of Treasury civil servants—of the meetings with the Secretary of State so that we can assess what the Secretary of State has said?

Mr. Spellar: That contribution, from an hon. Member who represents a Surrey constituency, indicates the level of trivia to which the Opposition have descended, instead of being interested in the real issues of travel that my hon. Friend the Member for North-West Leicestershire (David Taylor) was rightly addressing.

Vernon Coaker (Gedling): Will my right hon. Friend talk to Railtrack about improving the western approach to Nottingham station? That improvement is essential if the local rail services are to be developed by making use of the old colliery lines in constituencies such as mine in Gedling.

Mr. Spellar: I am pleased that my hon. Friend, unlike the Opposition, is addressing rail issues in the east midlands. I was able to see what was happening in Nottingham during a recent visit, when I had discussions with the local council. I know that the matter is being progressed.

London Underground

3. **Harry Cohen** (Leyton and Wanstead): What discussions he has had with the Mayor of London and his transport commissioner about arrangements for monitoring investment in the London Underground; and if he will make a statement. [13554]

The Minister for Transport (Mr. John Spellar): We regularly meet the Mayor of London and his transport commissioner to discuss a range of matters to do with transport in London.

Harry Cohen: Have the Government lost control of the public-private partnership contracts for the tube? In a letter to me, the transport commissioner said that they were immensely lengthy and involved a web of complex formulas. He described it as a dangerous game, and said that, as happened with Railtrack, the formulas would have to be renegotiated and restructured completely. He added that that process would cost a great deal—more than would be the case if they were right at the outset. Surely, given such dire warnings, the Government will not go ahead with those contracts?

Mr. Spellar: The contracts will deliver considerable investment in the tube, and considerable improvements for the travelling public. In addition, the Government and London Underground are engaged in robust negotiations with the bidders. It is an interesting reversal to see that the Opposition seem to be against the private infrastructure companies, which have considerable expertise. My hon. Friend should look at the considerable success achieved as a result of private sector involvement on the Northern line. That has delivered real benefits for passengers in terms of both comfort and reliability.

Mr. John Wilkinson (Ruislip-Northwood): Will the Minister explain how the performance formula will work? How will the infrastructure companies be rewarded or penalised according to performance? The formula baffles the hon. Member for Leyton and Wanstead (Harry Cohen) and the transport commissioner, and it most surely baffles me. I hope that the Minister is wiser.

Mr. Spellar: Discussions are taking place between London Underground and the infrastructure companies. They are working together to achieve a formula that will ensure that proper performance is rewarded. There will be penalties for failure, and rewards for delivery. I should have thought that the hon. Gentleman would have welcomed such incentivisation. The parties involved must get the negotiations right to ensure that the companies deliver for the travelling public. At the end of the process, the schemes will be evaluated to ensure that they deliver value for money. If they do, they will go ahead. That is good news for the travelling public—and for taxpayers, who will get value for money.

Tom Brake (Carshalton and Wallington): May I draw the Minister's attention to a few facts? Since the Government came to power, the number of cancelled peak-time trains has reached record levels. There have been 23 million customer hours lost in the past 12 months. Absenteeism among London Underground staff is at its highest level for five years. In addition, the annual service charges that London Underground will have to pay to the private—

Mr. Speaker: Order. That is far too long.

Mr. Spellar: I do not accept all the figures set out by the hon. Gentleman but, given all the problems that he has described, I am surprised that he wants to leave the system as it is.

Mr. Eric Pickles (Brentwood and Ongar): On 8 December 1999, the Deputy Prime Minister said that the PPP on London Underground would

> "save £4.5 billion, which could be spent on education, health and other priority needs."—[*Official Report*, 8 December 1999; Vol. 340, c. 847.]

Things seem to have changed a little since then. The PPP contract is complex and no one understands it, and London Underground is having to meet interest rate costs of an extra £10 million a year. The Minister has just praised the contracts that have been drawn up, but they involve bonuses worth £90 million to the contractors, regardless of whether there is an improvement in the tube. What has gone wrong since 1999—besides the dead hand of the Secretary of State?

Mr. Spellar: The hon. Gentleman will have to wait for the final outcome of the negotiations and the package that will be put together. We will evaluate whether that represents value for money. I should have thought that the hon. Gentleman would welcome the extra £13 billion investment, which will ensure that we have a tube for this century. It will also ensure London's position as a world financial centre and capital. That is what we are doing, and I am surprised that the hon. Gentleman continues to carp about it.

Planning Reform

4. **Mr. Mark Prisk** (Hertford and Stortford): What progress his Department is making in reforming the planning system; and if he will make a statement. [13555]

The Secretary of State for Transport, Local Government and the Regions (Mr. Stephen Byers): I shall shortly publish a Green Paper and a number of other consultation documents which, taken together, propose a comprehensive and radical overhaul of the planning system.

Mr. Prisk: Can the Secretary of State assure the House that when large-scale planning developments, such as those at airports, are dealt with in the Green Paper, it is not his intention, nor that of the Government, to restrict the voice of local communities that may wish to challenge such developments?

Mr. Byers: During my statement on terminal 5 at Heathrow, I will speak at greater length about our approach to major infrastructure projects. However, I assure the hon. Gentleman that we seek a balance between the understandable concerns of local residents who might be affected by a major planning application and the national need to make progress on some of these major projects. I think that most hon. Members agree that our present system is not working effectively. Local people often feel denied the opportunity to express their views and delay is built into the system. We will be publishing a consultation document, and I look forward to the hon. Gentleman's views on it.

Mr. Eric Illsley (Barnsley, Central): I welcome my right hon. Friend's comments on the planning system. A public inquiry was held into a planning application in my constituency 12 months ago, yet we are still waiting for a decision. Will my right hon. Friend ensure that the new process is speeded up?

Mr. Byers: My hon. Friend raises the important issue of the speed of dealing with planning applications at a public inquiry. I share his concern about delays, which are often built into the system as a result of that process. The Green Paper, which should be published before Christmas, will deal specifically with that issue.

Mr. Jonathan Sayeed (Mid-Bedfordshire): The Government plan to build 40 towns the size of Slough in England over the next few years. If they intend to build so many houses on greenfield sites, what will happen when we have the sort of rainfall that we saw last year? Will that not mean that even more houses and businesses will be flooded?

Mr. Byers: The Government have put in place measures to encourage the development of brownfield sites to overcome some of the concerns expressed by the hon. Gentleman. However, it is interesting that the Conservative party is arguing against the building of new homes for people. It is a reversal of roles: Labour is seen to be the party of the home owner, whereas the Conservatives are denying people the opportunity of purchasing their own homes and will not allow them to be built. That is the Conservative party's position.

Our policies will ensure that the increased demand for people to buy their homes is met. We have got interest rates down and mortgages are more affordable than they were under the Conservative Government. Ten years ago, interest rates were at 15 per cent.—people could not afford mortgages then, but they can now. We will ensure that we meet the increased demand for houses. People should be able to buy their own home and, under this Government, more are able to do so.

Andrew Mackinlay (Thurrock): Will the Minister reflect on the fact that one of the enduring legacies of the 1945 Labour Government was not just the national health service, but the town and country planning legislation that ensured a balance between the national interest and the interests of ordinary people? As I listened to him at the Dispatch Box it seemed to be Lobbyspeak for BAA, BA and all the big battalions that are able to pour money into the Labour party and the Conservative party at party conferences, through exhibitions and by purchasing tables at fund-raising dinners. We look to the Secretary of State to protect the interests of the ordinary individual against the big battalions whose maxim is profit rather than the interests of the environment.

Mr. Byers: My hon. Friend, in his normal way, has highlighted a particular issue, but I say to him with all respect that, at present, major public planning inquiries have become a banquet for barristers—a lawyers' free lunch. They are the ones who are making money, not the local—*[Interruption.]* That may well offend the Opposition—*[Interruption.]*—but not people—

Mr. Speaker: Order. Hon. Members must allow the Minister to answer.

Mr. Byers: The point is that the Attlee Government—as my hon. Friend rightly said—showed how planning could be used as a key lever to achieve social renewal and economic regeneration. However, he must be aware that since then it has become highly technical; those political objectives are no longer achievable in the planning regime. What public inquiries have become is not an opportunity for local communities to have their say, but a place where barristers and lawyers represent the interests of parties to those proceedings. We need to change that, and the consultation document that we shall publish will provide new opportunities for the people about whom my hon. Friend is concerned to have their say, without the need to engage expensive barristers to argue their cause.

Mrs. Theresa May (Maidenhead): Not being a lawyer, unlike the Secretary of State, may I say that what people want is a planning system in which they can have confidence? What is wanted by campaigners such as those opposing motorway service areas in Meriden and Maidenhead, or those fighting to save our country spaces in Ipswich, is a Government who listen. People want homes in a decent environment with a good quality of life, not with green belt and green fields concreted over. Will the Secretary of State acknowledge that the concerns expressed by my hon. Friend the Member for Hertford and Stortford (Mr. Prisk) were confirmed by Lord Falconer recently, when he admitted that the Government are going to remove a tier of local decision making in planning and that as a result local communities will no longer have a voice in major planning decisions?

Mr. Byers: I do not know who won the sweepstake for the first mention of Ipswich—2.52—in this Question Time. People in Ipswich, like people elsewhere in the country, will value the new planning regime that we intend to put in place. It will provide an opportunity to strip out some of the bureaucracy that currently exists and will make the whole planning process far more open and transparent for local people. If one talks to local people, who have been through the experience of a planning appeal and a planning inquiry, they say that the system is not friendly to individuals. We need to put in place a planning mechanism that strips out the bureaucracy and takes it out of the remit of people who are technically expert but who actually deny local people the opportunity to have their say. When the hon. Lady reads the Green Paper, I think that she will feel able to support many of its proposals, because they are straightforward common sense. They will balance the interests of development with the needs of local people and local communities.

Housing (Brownfield Sites)

5. **Mr. Jim Cunningham** (Coventry, South): What proportion of new housing is being constructed on brownfield sites; and what plans there are to increase this amount. [13556]

The Parliamentary Under-Secretary of State for Transport, Local Government and the Regions (Ms Sally Keeble): Last year, 57 per cent. of new housing was provided on previously developed land, including conversions. Our target is to raise that to 60 per cent. by 2008 through our "brownfields first" planning policy.

Mr. Cunningham: I thank my hon. Friend for that answer. Will she tell us what progress has been made in the development of brownfield sites in Coventry, the west midlands and, obviously, nationally? I am sure that the good people of Ipswich will be interested to know the answer, too.

Ms Keeble: I am not so sure about Ipswich, but I can tell my hon. Friend that in Coventry, the returns to the Audit Commission show that, for 2000–01, the city has achieved a total of 66 per cent. of new housing built on brownfield sites, which outstrips the Government's target. For 2001–02, the target is 68 per cent.

Mr. John Taylor (Solihull): Would not it be a good idea to build the national football stadium on a brownfield site in Coventry, and spare Solihull's green belt?

Ms Keeble: The decision about the national stadium will, of course, be taken by colleagues in the Department for Culture, Media and Sport. I am sure that they will put at the forefront the interests of sport, and the planning decisions will follow.

Mr. David Miliband (South Shields): Does my hon. Friend recognise the concern in the north-east that we are suffering from a planning mindset framed in the south-east? Will she take careful note of the many representations from my constituents and others to free up the land north of the Nissan plant for industrial use?

Ms Keeble: I am very aware of the need for a strategic site for new industries in my hon. Friend's region. We shall consider the details shortly and take a decision.

Mr. Crispin Blunt (Reigate): What steps are being taken to replace gap funding in the development of brownfield sites?

Ms Keeble: We are obviously considering the issue to which the hon. Gentleman refers to ensure that we achieve the maximum possible development on brownfield sites.

Local Communities (Partnerships)

6. **Jim Knight** (South Dorset): What steps his Department is taking to encourage partnerships in local communities. [13557]

The Parliamentary Under-Secretary of State for Transport, Local Government and the Regions (Dr. Alan Whitehead): The Government expect county, district and parish councils to work in partnership with one another, with local communities and other public, private and voluntary sector organisations, to provide the best quality services for local people. We are taking a number of steps to foster that work, including the promotion of local strategic partnerships to bring those groups together.

Under the duty of best value, we also expect local councils to explore new ways to deliver public services. That is why we have just launched a new taskforce on strategic service delivery further to encourage partnership working with the private sector.

I understand that there is effective joint working between the public, private, community and voluntary sectors in Dorset. My hon. Friend has been active in promoting those partnerships, and I commend him for that.

Jim Knight: I am grateful to the Minister for that reply. Is he aware that, in my constituency, Dorset county council is keen to pilot new strategic partnering arrangements with the private sector, as an alternative to using the private finance initiative to deliver important transport infrastructure improvements—in particular, the Weymouth relief road? Will he comment on how such strategic partnering arrangements might work and give me an update on them?

Dr. Whitehead: My hon. Friend will be aware that the Weymouth relief road scheme has been provisionally accepted, subject to the successful completion of the planning and statutory processes, and that the Government have asked Dorset county council to explore the opportunities for a private finance initiative, possibly to provide an increase in the scheme's value for money. However, if Dorset wishes to engage in a longer-term statutory service delivery partnership, which might include schemes such as the Weymouth relief road, we have, as I have said, recently established a strategic partnering taskforce. That taskforce will, in particular, provide expert advice and support to authorities wishing to enter into such long-term partnerships. Earlier this month, we invited authorities to apply for partnership pathfinder status, and my hon. Friend might care to discuss whether Dorset wants to take that route when he next talks to representatives of the county council.

Mr. David Heathcoat-Amory (Wells): Before we have a partnership in local communities, could we have a partnership between Departments? Is the Minister aware of a daft anomaly whereby, when a care home upgrades its facilities in line with Government guidelines for higher standards, the local authority valuation office assesses each resident for full council tax? That has happened in the home run by the Royal National Institute for the Blind at Burnham-on-Sea in my constituency. It is a clear example of his Department not talking to other Departments and the Treasury, and it is causing great distress for elderly and blind residents. Will he sort it out?

Dr. Whitehead: The right hon. Gentleman will understand that I cannot reply to an individual case at the moment, but if he cares to write to me, I will look into it. He should be aware, however, that the Government's forthcoming White Paper on local government will, among other things, emphasise how important partnership between central Government and local government is to ensuring that local government works well.

Rail Investment

7. **Lawrie Quinn** (Scarborough and Whitby): If he will make a statement on investment in the railway system in the next 10 years. [13558]

The Secretary of State for Transport, Local Government and the Regions (Mr. Stephen Byers): The Government, through their 10-year plan, remain committed to delivering a better, safer and more reliable railway network that is fit for the 21st century. We plan to spend £30 billion over the next 10 years to achieve substantial improvements and are confident that some £34 billion will come from the private sector.

Lawrie Quinn: I thank my right hon. Friend for that reply. He will recognise that the future of the east coast main line and of the trans-Pennine route is absolutely crucial to the regeneration and future economic prosperity of the key areas of the north-east and Yorkshire. Will he put his mind to the fact that there is a potential skills shortage in the railway industry? That might prevent the investment profile coming forward, thereby stymieing that investment and doing lots of damage to the future economy of those areas?

Mr. Byers: My hon. Friend is right to point out the current skills deficiency in the railway network. That is partly a result of decades of under-investment in the railway system. We now need to move away from a short-term approach to the industry, which leads to a lack of investment in skills, to a situation where through long-term investment, the 10-year plan and the investment of £30 billion of public money, we can, once again, begin to invest in the people at the heart of the railway system. The people who operate the signals, drive the trains and maintain the track must be the real priority for the future and, under measures that we are introducing with the Strategic Rail Authority and other sectors of the industry, we intend to make them exactly that.

Mr. Alex Salmond (Banff and Buchan): Can the Secretary of State confirm that, when he told me in the Chamber on 3 July that structural change would simply introduce paralysis into the system, he was just kidding? Will he remind the House of the date that he decided that structural change was necessary to avoid, as opposed to produce, paralysis and of the date that he informed his close friend and colleague, the Chancellor of the Exchequer, of that desirable objective?

Mr. Byers: I am pleased to see the hon. Gentleman in the Chamber. Had he been here slightly more often, he would have been aware of the fact that the dates have been debated on several occasions. He will know that it was not until 25 July that the chairman of Railtrack came to me and said that it had problems in terms of the company's financial future. That obviously changed the whole nature of our response. As I have said to the House on more than one occasion, the decision about not providing additional funds for Railtrack was taken by me on behalf of the Government on 5 October.

Jim Dobbin (Heywood and Middleton): Is it the Government's intention to increase investment in more strategic rail terminals and to make greater use of rail freight?

Mr. Byers: The fact that the Rail Regulator has, in the past two or three weeks, announced a 50 per cent. reduction in the charges for freight on the railway network will lead to increased demand for freight to be carried by rail. That will make a significant contribution not just towards helping the freight industry use the railways but towards achieving our objective in the 10-year plan of seeing up to an 80 per cent. increase in freight on the railway system. That is one of a number of measures that we shall introduce over the next few months. It will send the clear message that we believe the railway system is a very good way of transporting freight in the United Kingdom.

Mrs. Theresa May (Maidenhead): The Secretary of State referred to the Strategic Rail Authority, but its chairman has said that the right hon. Gentleman's action on Railtrack has caused tremendous damage. Will he now confirm that it could take up to a year to put the replacement company in place and more than a year to get the first special purpose vehicle for investment up and running; that public investment is guaranteed for only two years, not 10; that there is no guarantee of private sector investment; and that his changes to the franchising regime could deter investment in the long term by the train operating companies? Will he confirm that all passengers can look forward to is more delays caused by Byers on the line?

Mr. Byers: That fell a bit flat. [HON. MEMBERS: "Answer."] I will answer the question. It is clear that the Conservatives' approach to Railtrack is to muddle through and do nothing. That is the implication of everything they say.

Mr. Speaker: Order. It is not the approach of the Conservatives that should concern the Secretary of State; it is that of the Government.

Mr. Byers: I take the view, on the Government's behalf, that decisions have to be made if we are to create a railway system fit for the 21st century that reflects the fact that we are the fourth biggest economy in the world. Conservative Members may be prepared to accept the present situation, but we in government are not.

In terms of special purpose vehicles, we are confident that they will succeed, and not in the time scale identified by the hon. Member for Maidenhead (Mrs. May). Public investment will come through. We are confident of that. In terms of franchises, the hon. Lady has to recognise that the present franchise system was failing to deliver. We are changing it because we want to deliver on behalf of passengers, and that is what we will do.

I have met train operating companies two or three times in the past few weeks and they tell me that our decision on Railtrack provides a golden opportunity to create a railway system for the future. That is what the industry says. I do not know how often the hon. Lady speaks to it, but next time she comes to the Dispatch Box let us get the figures and the names of people who are saying such things because it would be informative for the House to find out what the situation is.

Conservative Members may not like it, but the reality is that we will take the necessary difficult decisions, which they will oppose, to ensure that we improve the railway system. Muddle is not good enough. That is what the Tories want. We are taking decisive action in the interests of the travelling public.

Mrs. Betty Williams (Conwy): My right hon. Friend will be aware of the deplorable service provided by Virgin Trains between London and north Wales. Is he also aware of the suggestion that Virgin West Coast will be transferred to Virgin CrossCountry, which might mean that routes are diverted, so causing great inconvenience to passengers, and that it might be sold to another company?

Mr. Byers: These are matters that can be dealt with by the Strategic Rail Authority as part of the franchising regime. The important point is that train operating companies have responsibilities to deliver on the franchise they have entered into. I will ensure that my hon. Friend's concerns are drawn to the attention not just of Virgin, as the train operating company, but of the SRA, the body with responsibility for ensuring that the conditions and terms attached to a franchise are delivered by the relevant operating company.

Local Government (Consultation)

8. **Mr. Elfyn Llwyd** (Meirionnydd Nant Conwy): What consultation process is being utilised to decide on the form of executive local councils adopt; and if he will make a statement. [13559]

The Parliamentary Under-Secretary of State for Transport, Local Government and the Regions (Dr. Alan Whitehead): Our approach is that it is for people to choose how they are to be governed locally, and that councils thus need to listen to the views of their local communities.

To help English councils we, together with the Local Government Association, have produced consultation guidelines to support our statutory direction that councils should use both quantitative and qualitative methods in consulting on proposals for new constitutional arrangements. The introduction of new council constitutions in Wales is a devolved matter, and I understand that the National Assembly for Wales has issued similar material to assist Welsh local authorities.

Mr. Llwyd: I thank the Minister for that reply. For obvious reasons, I will not mention Ipswich.

I have a non-political point to make. Councillors from across the political spectrum tell me that back-bench councillors feel excluded from the decision-making process on the four options. Are there proposals to increase the role of back-bench councillors in that process?

Dr. Whitehead: The new council constitutions, which are being adopted throughout the country as councils consult on their preferred options, include a substantial role for back-bench councillors in, among other things, the local authority scrutiny process. It is up to authorities to ensure that their scrutiny processes operate well and accord with the guidelines on constitutions. Back benchers have, in a variety of ways, a central role in ensuring that local authorities work well.

Mr. David Chaytor (Bury, North): Does the Minister agree that, whatever the structure of local councils, their funding is central to the delivery of high quality services? Urban districts in the north of England continue to be at a huge disadvantage in the existing funding system. We welcome the Government's decision to change the system of standard spending assessments on 1 April 2003, but can my hon. Friend say how the system will change, and how quickly?

Dr. Whitehead: The Government's settlements have been systematically favourable to local authorities in general, but I accept that the SSA system has meant that they have not always been perceived as transparent or equally applied throughout the country. Consequently, the Government have pledged fundamentally to reform the SSA system in the financial year 2003–04. We will simplify the system and ensure greater transparency, so that people who are concerned about funding can see how settlements have been worked out.

Mr. Malcolm Moss (North-East Cambridgeshire): Does not the Minister realise that there is considerable public concern that the executive structures are far more secretive than the old committee system, a fact confirmed by his predecessor last December, when she said:

> "Let's have no fantasies about this being an open regime"?

Does not that, combined with a delay until 2005 of the Freedom of Information Act 2000 coming into force, mean that Labour's control-freakery has made local government less open in order to hide Labour-run councils' failures?

Dr. Whitehead: I am not sure that the hon. Gentleman can make a very good case by comparing new constitutional arrangements with previous systems of local government. The new arrangements ensure that executives can make decisions crisply and in the interests of local electors. They also ensure transparency: decisions will be properly reported and, above all, properly scrutinised in public. That is how the new constitutions are working throughout the country.

Seaside and Coastal Towns

9. **Mr. Gordon Marsden** (Blackpool, South): What assessment he has made of the impact of transience and population mobility on the ranking of seaside and coastal towns within the index of local deprivation. [13560]

The Parliamentary Under-Secretary of State for Transport, Local Government and the Regions (Ms Sally Keeble): There is no assessment of transience or population mobility in the Indices of Deprivation 2000, although it was considered. We are confident that the index picks up deprivation in seaside and coastal towns, as 18 of the 81 most deprived districts in England are coastal local authorities.

Mr. Marsden: Bearing it in mind that Blackpool is currently the 51st most deprived in that index, does the Minister agree that many of the people coming to seaside towns, particularly for employment, present with multiple deprivation problems? Will she therefore give an undertaking to work closely with her colleagues in other Departments on cross-cutting measures that will improve the analysis of the standard spending assessment for education and social services, on which coastal and seaside towns are currently at a disadvantage?

Ms Keeble: I pay tribute to the work that has been done by my hon. Friend and other hon. Members who represent seaside towns in looking at the difficulties in their areas. One reason why we did not accept the argument about transience and population mobility is that it is not necessarily a sign of success if a population remains in an area for a long time, and indeed it might be a sign of disadvantage. In recognition of the difficulties in coastal and seaside towns, the Government are spending over £297 million in those areas through neighbourhood renewal funds and the single regeneration budget. The groups studying local authority funding are also considering some of the issues that my hon. Friend identifies.

Mr. Henry Bellingham (North-West Norfolk): Is the Minister aware that many members of the transient population visiting towns like Hunstanton in west Norfolk often like to play machines in amusement arcades? Is she aware that the future of those arcades is threatened by the Budd report, which may possibly lead to a significant loss of jobs and a rise in local deprivation indices? What is her view of the report and the damage that it may well do?

Ms Keeble: Quite a few of us have been lobbied on the report, but it is not for my Department to consider; the decision is being taken by the Department for Culture, Media and Sport.

Dr. John Pugh (Southport): Would the Minister support, or at any rate consider, a cross-departmental regionally based regeneration unit as advocated by the hon. Member for Morecambe and Lunesdale (Geraldine Smith) in a debate in the Chamber last week?

Ms Keeble: I have already set out the amount of money that is going into seaside areas. If the kind of scheme for the coalfields were available to seaside towns, it would have two elements. One allows for discretionary spending of about £80 million, which is much less than seaside towns currently receive. The larger element of the coalfields funding is for land decontamination, which is a completely different issue. I appreciate the difficulties that seaside towns have; the Government recognise them and are providing funding. The Department for Culture, Media and Sport is looking at some of the problems faced by those areas; in total, there is a very good package to deal with their problems.

Fire and Civil Defence Authorities

10. **Mr. Paul Truswell** (Pudsey): What representations he has received regarding reform of the fire call element of the standard spending assessment for fire and civil defence authorities; and if he will make a statement. [13561]

The Parliamentary Under-Secretary of State for Transport, Local Government and the Regions (Dr. Alan Whitehead): A number of representations have been received from hon. Members and fire service interests supporting removal of the calls indicator from the fire SSA funding distribution formula. We recognise those concerns and are committed to removing the calls indicator. As part of the overall review of local government finance, we are working up proposals, in partnership with local government, on a way of funding the fire service from 2003–04 by a means of distribution that is fair and free from perverse incentives.

Mr. Truswell: I thank my hon. Friend for his answer. Does he accept that, until the formula is revised, West Yorkshire fire authority will continue to be heavily penalised for its success in reducing the number of fire calls? Does he acknowledge that that authority is one of the most efficient in the country? Will he take steps, as in the past, to mitigate the effects on its income so that it is not forced either to make unacceptable cuts in services or to introduce a huge hike in the council tax precept?

Dr. Whitehead: I accept that overall the fire service is succeeding and is efficient; generally, it gives excellent value for the money paid by local council tax payers. We are engaged with local authority representatives in considering changes to the SSA formula. I accept that an indicator that appears to penalise local fire authorities if they are successful in ensuring that fires are prevented, in addition to putting out fires, is not the best way of ensuring that they carry out their duties as efficiently and effectively as possible.

My hon. Friend will be aware that in this year's settlement floors and ceilings will be applied to the grants settlement for fire and police authorities. I hope that that will provide comfort by ensuring that settlements are appropriate to the costs incurred by fire authorities.

Miss Julie Kirkbride (Bromsgrove): The Minister will be aware that if the Hereford and Worcester combined fire authority were to operate at the level funded by the Government, it would be operating an illegal service. In his forthcoming review, will he promise the people of Hereford and Worcestershire that they will not have to top up that service from a central Government grant that could be used for other services? Will his review ensure that he funds the service at a level at which it will be legally viable?

Dr. Whitehead: The hon. Lady will be aware that reviews are based on attempting to ensure that funding for fire authorities and local authorities in general is fair and properly distributed. On the suggestion that I should promise today particular funding for one authority, which would be unique as far as the review is concerned, I do not think that she seriously expects me to come out with such a statement. However, the review that is currently being undertaken of fire call indicators, and especially the proposals that are being put in place to replace them, will ensure that fire service funding is more fair and transparent, and that fire services overall can do for the future the job that they are succeeding in doing at the moment.

Rural Bus Services

11. **Mr. Chris Pond** (Gravesham): What measures he is taking to improve rural bus services. [13562]

The Parliamentary Under-Secretary of State for Transport, Local Government and the Regions (Mr. David Jamieson): Traditionally, rural areas have been poorly served by bus services, especially since deregulation in the 1980s. That is one of the reasons why we introduced new powers in the Transport Act 2000 that will improve bus services throughout the country by raising standards and improving access to services. Furthermore, a 50 per cent. increase over the current three-year period in funding for rural bus grants will provide for further improvements to rural bus services. My hon. Friend will be aware that Kent has received a generous allowance this year of £1.6 million in the form of rural bus subsidy grant.

Mr. Pond: I thank my hon. Friend for that reply. Is he aware that Gravesham has an award-winning town centre, a brand new hospital on its doorstep and two fine leisure centres, but that these facilities are not easily accessible to many of my rural constituents who do not have a car? Indeed, neither can many of those who live in urban areas enjoy the fine countryside nearby. Will he give my constituents some optimism that, in the not-too-distant future, they will have something other than the rather sparse and expensive bus services that are now available, but which are often not available at all on Sundays?

Mr. Jamieson: I know that my hon. Friend is a tireless campaigner on behalf of his rural constituents. I can appreciate why he wants them to reap the benefits of the excellent new facilities provided by Gravesham borough council, which is, I believe, a Labour council. Not only has Kent had a generous settlement for rural bus subsidy, but it has had several bids accepted under the rural bus challenge scheme of more than £1 million in the past three years. If he wants to find an example of a good scheme that is currently operating, there is one outside his area that was last year awarded £275,000. The scheme, which is called the Bike and Bus Butty, uses minibuses for towing trailers to bring cycles to their riders place of work or destination. If he is considering making a journey out of London in the next few days, he should know that he will find that scheme in Ipswich.

Mr. Geoffrey Clifton-Brown (Cotswold): The Minister will be aware that his Department has just turned down a grant for Ipswich borough council in a rural part of that constituency. If the people of Ipswich cannot get a decent bus service during a by-election, when can the people of this country ever expect this Government to support rural buses again?

Mr. Jamieson: I am sorry that I pre-empted the hon. Gentleman by announcing a scheme that has been undertaken in Ipswich. I am sure that, in the by-election, the people of Ipswich will be reflecting on just how much money they would have received for their rural bus services in the unfortunate event of his party having won the election in June.

Mr. Andy Reed (Loughborough): I am sure that my hon. Friend is aware that rural bus services have doubled in some areas in my constituency. Unfortunately, however, the buses still travel at the wrong time to get people into the town centre of Loughborough, which makes it almost impossible to increase bus usage. Will he ensure that this money, which is very welcome, is targeted at the sort of people whom we need, including bus commuters and people who travel during the day? We need much more flexible use, so that people can not only use bus routes from villages straight into town, but visit large numbers of villages in the surrounding area, perhaps by using minibuses or other innovative schemes.

Mr. Jamieson: I thank my hon. Friend for that contribution. He may not be aware of the number of innovative schemes that have been introduced throughout the country under the rural bus challenge. Some of them involve car taxis, one of which I visited recently in Lincoln. The scheme is very successfully bringing people who dial-a-ride into centres where they can either catch a bus or get on to the rail services. We are committed to looking at innovative ways of improving bus transport for people not only in rural areas, but in urban areas.

Mr. Patrick McLoughlin (West Derbyshire): Commercial buses already get a fuel duty rebate. Some 18 months ago, the Government promised to give community transport such a rebate. When will they fulfil that promise?

Mr. Jamieson: I assure the hon. Gentleman that the matter is under urgent consideration.

Railtrack

12. **Mrs. Gwyneth Dunwoody** (Crewe and Nantwich): If he will outline the structure of the company replacing Railtrack; and what has been the cost to date of the administrators. [13563]

The Secretary of State for Transport, Local Government and the Regions (Mr. Stephen Byers): It will be for the administrator to bring forward a transfer proposal. Proposals will be put before the administrator for a company limited by guarantee. The Government welcome the interest shown by third parties in taking over the railway network to date, and have recently published guidelines to assist the formulation of such proposals. The cost of the administrators to 2 November 2001 was just under £2 million.

Mrs. Dunwoody: The Secretary of State knows that unless the new Railtrack is more engineering based than its predecessor, all the problems of incompetent management could arise again. Will he give us an undertaking today that the new Railtrack will genuinely tackle problems such as maintenance, modernisation and development and put responsibility to the passenger at the top of its agenda?

Mr. Byers: My hon. Friend makes an important point. The Select Committee on Transport, Local Government and the Regions, which she chairs, was unanimous about the litany of failure that constituted Railtrack's stewardship of the railway network. It recommended the use of engineering skills to the full if we are to get the network into a suitable condition.

That is one reason for the Government's belief that any successor to Railtrack should focus on operations, renewals and maintenance—the day-to-day job of running an effective railway network. We want to do that, and the administrator is aware of the guidelines that I have set out and that we published in the House three weeks ago.

I am confident that we have an opportunity to recast the railway network out of what happened to Railtrack and its insolvency. Some major decisions remain to be made. They will be taken in the next few weeks to ensure that we can provide the structure that will enable this country to have the railway network it deserves.

Mr. David Heath (Somerton and Frome): Will the new company be obliged to take on Railtrack's capital programme? In Somerset, we shall believe that we live in the world's fourth largest economy when trains occasionally stop in my constituency. We had persuaded Railtrack to do a feasibility study on reopening stations on the main line. Does that commitment have any substance? Does the capital programme continue to exist?

Mr. Byers: Yes. I am pleased to inform the hon. Gentleman that the capital programme remains; it has not gone with Railtrack. Improvements are needed, but I believe that decisions are being made more quickly because of the current position. We need to ensure that major decisions, such as those that affect the hon. Gentleman's constituency and the west coast main line, are not delayed because of administration but concluded. We can thus look to a positive future for the railway network when we move out of administration.

Mr. Nicholas Winterton (Macclesfield): Does the Secretary of State accept that the structure of the company that replaces Railtrack is important to my constituency? That is true not only because of the importance of the continued investment in the west coast main line that he mentioned, but because Railtrack, Virgin and Macclesfield borough council had agreed a partnership scheme to upgrade the station. Macclesfield is a major profit centre for Virgin Trains. If we are to use rail to its maximum extent, which the Secretary of State requires, the improvements must go ahead urgently under the new company.

Mr. Byers: The hon. Gentleman makes an important point. I know through the questions that he has asked in the House that he is dissatisfied on behalf of his constituents with the quality of the railway service that they experience in Macclesfield. I believe that the changes will mean genuine improvements.

On the specific point about Macclesfield station, I assure the hon. Gentleman that I will investigate exactly where it is—*[Interruption.]* I know that it is in Macclesfield and, indeed, in Cheshire. However, I shall investigate where it is in the planning process, and write to the hon. Gentleman.

Public Service Agreements

13. **Mr. Ken Purchase** (Wolverhampton, North-East): What progress has been made with negotiating local public service agreements with English local authorities. [13564]

The Minister for Local Government (Mr. Nick Raynsford): Negotiations were completed and agreements concluded with 20 local authorities during the pilot stage of the scheme. We are currently concluding negotiations with the first four authorities involved in the roll-out of the scheme to all top-tier local authorities. Negotiations have started with the next 12 authorities involved in the roll-out, and negotiating slots have been timetabled with a further 103 authorities, including Wolverhampton, over the next 18 months.

Mr. Purchase: I welcome my right hon. Friend's reply, but I draw his attention to the fact that despite the many more millions of pounds that have been ploughed into local authorities over recent years, many local authorities feel that much of the cash has been targeted and ring-fenced, with the effect that it has impeded rather than improved the good and efficient management of those authorities. Can my right hon. Friend tell us that the targets that he intends to set will assist the good management of local authorities, rather than constrain them unnecessarily with targeting and ring-fencing?

Mr. Raynsford: My hon. Friend makes a fair point. He will not have to wait too long for the publication of our local government White Paper, which will set out an ambitious and, I believe, welcome programme to reduce the number of constraints and controls on local government, to reduce the extent of ring-fencing, and to extend opportunities for freedom and flexibility for authorities to succeed. It is precisely that freedom and flexibility that has been so welcome among local authorities as part of the LPSA programme, which is why we are rolling it out throughout the country.

Heathrow (Terminal 5)

3.31 pm

The Secretary of State for Transport, Local Government and the Regions (Mr. Stephen Byers): With permission, Mr. Speaker, I should like to make a statement concerning the proposal to build a fifth terminal at Heathrow airport, and to outline our intention to streamline the handling of major infrastructure projects in the planning system.

I am today publishing the inspector's report into Heathrow terminal 5, as well as my decision letter. Copies of both have been placed in the Library of the House. My decision and the reasons for it have been set out in the decision letter itself.

The inquiry into terminal 5 was the longest in British planning history. It opened in May 1995 and closed in March 1999. The inspector, Mr. Roy Vandermeer QC, reported to my Department on 20 December last year. I thank the inspector for his report, and I am grateful to him for the great diligence that he has shown.

The delay in reaching a decision since the report was received in December arises because, since the inspector reported, the applicants—BAA, which owns and operates Heathrow airport—warned in May that they wished to revise the twin rivers scheme, which was a part of the original application. It was August before they put forward any details. That then required consultation, which was completed by the middle of October.

After considering the inspector's report and taking into account all the relevant considerations, I have today given my approval to the development of terminal 5 at Heathrow airport. Such a development is in the national interest. It will enable Heathrow to remain a world-class airport, and it will bring benefits to the British economy. At the same time as giving my approval to the development, I have imposed conditions in order to protect the interests of those living in the vicinity of Heathrow airport.

In his report, the inspector stresses that the issue is essentially one of striking a balance. He identifies clearly the benefits of terminal 5, which are considerable. He sees Heathrow as essential for keeping the United Kingdom air transport industry strong and competitive. However, the inspector sees wider benefits, beyond the aviation industry. He points to benefits for London and for the UK as a whole. He says that Heathrow has done much to attract investment to the UK, and that London's success as a world city and financial centre could be threatened unless Heathrow stays competitive.

The inspector states that by ensuring Heathrow's continued success, terminal 5 would make a major contribution to the national economy. He also says that it would be good for passengers, providing a terminal equal to the best in the world and relieving the pressure on the other four terminals.

I also agree with the inspector that the real beneficiaries if terminal 5 is not given the go-ahead will be Charles de Gaulle in Paris, Schipol in Amsterdam and Frankfurt airports.

The inspector, though, rightly draws attention to the disadvantages of giving the go-ahead. Those, too, are important. There is noise, and the inspector addresses the issue at length. He considers matters such as extra road traffic, air quality, intrusion into the green belt and the effects of construction.

The inspector weighs all the benefits and costs very carefully. He says, and I use his words, that he has come to the clear conclusion that the benefits of terminal 5 would substantially outweigh the environmental impact, as long as its effects are properly controlled. I agree with him that terminal 5 should go ahead, but subject to conditions. I shall outline the key conditions to the House.

First, a limit on the number of flights each year has been set at 480,000. The limit has been imposed on a precautionary basis, and because of the inspector's concerns about noise. It was recommended by the inspector himself. Last year, Heathrow handled some 460,000 flights and just under 65 million passengers. Even with a limit of 480,000 flights, the inspector adopted a figure of 90 million passengers each year as the capacity of Heathrow if terminal 5 is built—an extra 25 million passengers at Heathrow each year.

Secondly, the noise effects of terminal 5 will also be limited by a condition restricting the area enclosed by the 57-decibel noise contour to 145 sq km as from 2016. Again, this follows the inspector's recommendation.

The inspector recommends stricter controls on night flights. I recognise that there is considerable concern about night noise, but I am not legally entitled to change the night noise regime without consultation. I shall consult on extending the night quota period when I next make proposals for the night noise regime for the BAA London airports. I have decided that the consultation will take place by 2003 at the latest.

The House should also be aware that we have already announced a change to the system of so-called westerly preference at Heathrow to reduce the number of night flights over built-up west London. That is in line with one of the inspector's recommendations. We have also announced a major research study to reassess attitudes to aircraft noise. That will permit a fresh look at the present LEQ noise index on which the inspector commented.

I have agreed with the inspector on the need to promote the use of public transport, so I have imposed conditions, as he recommended, requiring the extension to terminal 5 of both the Heathrow express and the Piccadilly line before the new terminal is opened.

I have also agreed with the inspector to cut the provision of car parking spaces for the airport as a whole below that in the original proposals. I am imposing a condition limiting total spaces to 42,000 rather than the 46,000 proposed by BAA. Of those, only 17,500, rather than the 21,700 originally proposed, will be available for employees.

The terminal proposals also included widening the M4 between junctions 3 and 4b, but I agree with the inspector that that widening is inappropriate. I have therefore refused approval for it.

As to the timing, I have imposed conditions requiring that work to implement any of the planning approvals should not start until a separate approval has been given to the essential scheme for diverting the twin rivers that flow across the terminal 5 site. That will ensure a proper opportunity for full examination of that scheme.

I should touch on three further points. The first relates to the tragic events of 11 September, and the effects of those terrorist attacks on air travel. In reaching my

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decision I noted that the inspector had based his conclusions on forecasts as far ahead as 2016, and terminal 5 is clearly expected to be in operation for much longer than that. Planning decisions such as this require a lengthy time horizon, and I believe that my decision is well justified on that basis.

Secondly, Members will know of the judgment of the European Court of Human Rights, delivered on 2 October this year, in the case of Hatton and others against the United Kingdom. The case concerned night noise at Heathrow, and the court held by a majority that there had been an infringement of the European convention on human rights. I am considering that judgment, which will not become final until at least three months after its delivery. Quite apart from my decision on terminal 5, I will of course wish to ensure that the night noise regime at Heathrow complies with the convention.

Thirdly, I am well aware of the time that was taken by the process of the public inquiry into terminal 5. In saying that I mean no criticism of the inspector, but whether such lengthy inquiries are appropriate must be an issue. I announced on 20 July that we were considering a package of measures to streamline the handling of major infrastructure projects in the planning system. That included a commitment to publish up-to-date statements of Government policy before major infrastructure projects were considered in the planning system to help reduce inquiry time spent on debating the policy, the introduction of new arrangements to give Parliament an opportunity to approve projects in principle, and improved public inquiry procedures. We shall publish further details for consultation in the next two months.

Together with the other steps that we shall propose to improve the operation of the planning and compulsory purchase systems, those measures will both safeguard the rights of people to have their say and reduce the time taken in future to reach decisions on major infrastructure projects.

My decision and the reasons for it are set out in full in the decision letter that I issued today. Nothing that I say here today should be seen as in any way a substitute for what is in that lengthy letter. I have decided that giving the go-ahead for a fifth terminal is essential if we are to maintain Heathrow as one of the world's leading airports and bring benefits to the British economy. I have no doubt that the national interest requires the project to proceed, as long as we establish measures to safeguard local people and their communities. I believe my decision achieves that, and I commend it to the House.

Mr. Eric Pickles (Brentwood and Ongar): I thank the Secretary of State for giving me a copy of his statement in advance. As he will recall, the last statement arrived somewhat late. I am delighted that this one arrived in plenty of time, and I thank the right hon. Gentleman for his courtesy. Let me also associate the Opposition with what he said about the inspector, who must have spent a considerable part of his professional life preparing for and deliberating on the fifth terminal.

The statement has indeed been a long time coming. It has been eight years in the making, and the cost has been £84 million. Moreover—the Secretary of State explained why this was necessary—the report gathered dust on his desk for a year after its completion. It will, of course, be welcomed by the aviation industry as a vital boost in these difficult times, while being received by some residents with a degree of regret.

During the right hon. Gentleman's statement I had sight of the decision letter, which is indeed complex. It is right for conditions to be set: it would be entirely wrong to establish a fifth terminal without setting conditions relating to night flights, to the number of flights, or to noise. However, there is a deep tragedy about parts of the announcement. Instead of its being a triumph for the aviation industry and for addressing the environmental concerns of local people, T5, at least the planning side, will be remembered as the last hurrah of a cumbersome planning system.

Much has happened in the past eight years. Seven terminals have been built in Europe and eight runways have been planned and built while terminal 5 was deliberated on. Heathrow's position as the main gateway to Europe cannot be guaranteed, despite terminal 5, until beyond the end of the decade, but there is a danger—I would be grateful for the Secretary of State's views on this—that we might be reading the wrong message on terminal 5. The points made by the hon. Member for Thurrock (Andrew Mackinlay) have some merit. We need to draw a balance between competitive decision making and the rights of local people. Communities have a right to a say on regional issues because they have to bear the consequences of those decisions.

It must be said that much of the time was taken up by pointless verbal repetition of written statements on terminal 5. Does the Secretary of State agree that it is important that we see a streamlining, but not a stifling, of debate? We need to ensure that key issues are addressed. Local voices do matter.

Does the Secretary of State agree that this is a vote of confidence in the future, but any contraction in the airline industry will make it more rather than less likely that Heathrow will be used, as airlines start to fall back on Heathrow rather than other airports, and that the terminal will bring nothing more than a catch-up on capacity?

With regard to the conditions, I have a number of points to raise. In his consultation, does the Secretary of State envisage looking towards a reduction of the 16 night flights? On noise, will he ensure that the studies on the effect of sleep deprivation, which I understand have been carried out only in Manchester, will take place in Heathrow and the wider area? Will he in particular ensure that the flight lines are vigorously monitored and that those who fail to follow them are prosecuted? Does the Secretary of State recognise that limiting the number of flights will further squeeze the number of slots available to regional airports? What are his views on that?

On the Secretary of State's conditions on public transport, does he understand that, until that public transport is readily available, the squeezing of car parking places will just make congestion worse? With regard to the Heathrow Express and the Piccadilly line, do his conditions ensure a degree of flexibility, particularly with regard to links in the west, to relieve pressure? I notice that paragraph 55 of his conditions seeks to limit the number of passengers on the Heathrow Express. How does that relate to the squeezing of the car parking spaces? Does he support Mayor Livingstone's suggestion that congestion charging may be introduced at Heathrow?

The Minister of State, Lord Falconer, has promised a clear statement on national policies on infrastructure. Can the Secretary of State give some indication whether airports will be the subject of the first such statement?

The Secretary of State promises a paper on aviation in the spring. Will that paper give a clear indication whether the Government see the need for an additional runway in the south-east and whether it should be at Heathrow, Gatwick, Stansted or on the Thames estuary? Is that how he now envisages planning should take place?

We recognise that a lot of hard work has gone into the deliberations, and that this is just the beginning of a very long process before terminal 5 is concluded. We would be grateful for a response from the Secretary of State on those specific issues.

Mr. Byers: The hon. Gentleman has asked a number of questions, and I shall try to answer them in the order in which they were asked. He mentioned the very good work of the inspector, Mr. Roy Vandermeer QC, who I think has done a very thorough and effective job. I am pleased that the hon. Gentleman is able to associate the Opposition with my opening remarks on the work that he has done. The report has taken a long time, but I should say that it has not been gathering dust on my desk. I should have liked to take a decision on the matter soon after I entered office, but we had to wait for BAA to come up with the changes that it wanted to the twin rivers scheme. That has delayed today's announcement.

I think that the hon. Gentleman was right about contraction in air travel. There may certainly be contraction in the next two years, in the light of events on 11 September, but the experience of the Gulf war was that, after no more than six months or so, air traffic took off again and numbers began to increase. Although I had to consider that issue in relation to the inspector's report and the forecast to 2016, it was not an issue that affected the inspector's report. The important point for Heathrow is that it goes to quality and is considered around the world to be a first-rate airport. It is a quality airport that we can provide in the United Kingdom.

No decisions have been taken yet on the detail of the consultation document in relation to the issue of night flights; they will have to wait until we embark on that particular process. I am perfectly willing to accept the hon. Gentleman's proposal that we should extend the number of factors such as noise that are taken into account, to include sleep disturbance, for example, which is clearly a very important issue. When flight paths are agreed they should be followed and we shall ensure that that is done stringently.

The inspector's view was that 480,000 flight movements annually was striking the right balance. It is worth reflecting on the fact that he strongly believed that with 480,000 flight movements annually and other changes, such as the move to larger aircraft which are still quieter than current aircraft, 90 million passengers annually at Heathrow is the potential that could be achieved.

On public transport, the hon. Gentleman was right to point out the importance of the Piccadilly line and the Heathrow Express, which we will want to see extended to terminal 5. As the decision letter makes very clear, the number of people using the Heathrow express is a particular issue in relation to possible problems at Paddington. That issue will have to be addressed.

We do not expect the 480,000 flight movements to be in any way detrimental to regional services. Indeed, one would have thought that the increase of 20,000 flight movements annually offers potential from which regional airports can benefit. An aviation White Paper will be published in 2002 that will address some of the wider issues, over and above the planning application, affecting Heathrow airport and the terminal 5 application.

I have not seen any proposals from the Mayor on congestion charging at Heathrow. I have seen newspaper comment on such proposals but no detail from the Mayor. It is not an issue that he has raised in the regular meetings that we have with him.

On the wider issue of infrastructure projects and a streamlined planning process, I am very clear that, when it comes to planning, our responsibility is to take people with us in the process. I do not want people to feel that they have to resist change totally. The real challenge facing us is to put in place a planning process that enables people to feel that they are partners in change, not victims of change. What that means in practice is allowing people to articulate their own concerns, either through their Member of Parliament or without having to do so through very expensive lawyers. I do not believe that the current system allows individuals to do that.

I may be overly optimistic, but I believe that we can propose a better process that allows Parliament as a democratic body to have a say on the principle of policies and also allows local people to express their concerns about the local impact and detail of any particular planning application. It is streamlining, not stifling, and I agree with the hon. Gentleman that that has to be the objective of any reformed and changed system. However, I am also clear that change must be made. Terminal 5 is a lesson in how not to plan major infrastructure projects that are in the national interest. The current system does not help our competitive position in a global economy.

Alan Keen (Feltham and Heston): I have lived within six miles of Heathrow airport for nearly 40 years, and for the 13 years before I was elected in 1992, I worked only half a mile from the touch-down point. Therefore, I know and have experienced the problems that Heathrow causes, but we are very proud of the air transport industry. I wish to raise what will seem a small problem to other people but is a large problem for those of my constituents who face the worst of the noise and who live close to the touch-down point in Cranford ward.

At the poorly designed junction between the A4 and the A312, the local people who face the worst noise sometimes have to queue for 20 minutes to join the traffic jam. The Mayor says that he cannot find the money to help, but if anybody deserves assistance it is those people who live so close to Heathrow. I could make an hour-long speech about many other issues, but if the Secretary of State would consider the point I have raised, my constituents and I would be most grateful.

Mr. Byers: On the question of noise, when my hon. Friend has had a chance to read the decision letter, he will see that that issue is addressed, and the inspector gave proper consideration to it. If he can provide me with the details of the issue that he raises—it is separate, in a sense, from the planning decision that has been taken today—we will be happy to consider it as part of our local transport

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initiatives. We are committing significant extra finance to support local transport schemes and the example that he has given may qualify for the new consideration that we are giving to such projects.

Tom Brake (Carshalton and Wallington): I also wish to thank the Secretary of State for providing the statement in advance, and to commend the planning inspector on the work that he has done. We have waited a long time for the decision, but unfortunately it is the wrong one from our point of view. The Secretary of State has imposed some welcome conditions, but several areas of uncertainty remain. I have a few simple questions that I hope the Secretary of State will be able to answer.

Can the Secretary of State rule out a third runway, in a way that would be legally enforceable? Can he confirm that the figure of 480,000 flights a year is a permanent and legally enforceable limit? Can he guarantee that as a result of the construction of terminal 5 no additional road widening—for example, of the M25—will be necessary? Can he confirm that no erosion of safety standards will be allowed? One of the concerns is that more flights will equal shortened distances between planes, with the consequent risk to safety. Finally, can he confirm that the changes he proposes to the planning process will ensure that it is more streamlined and that communities will be able to have their say, with an independent appeal process available to them?

Mr. Byers: I welcome the hon. Gentleman's support for the inspector's work. This is a difficult issue, especially for people who live nearby, and we are trying to strike a balance between the national interest and the need to safeguard the quality of life of people living nearby. The decision letter and the inspector's recommendations strike that balance, which is why I agreed with the majority of the recommendations made. We will address the issue of a third runway in studies being carried out on the needs of the south-east of England and in the aviation White Paper.

With regard to the limit of 480,000 flight movements, I was very aware of the concern expressed about terminal 4. Planning conditions were not laid down with regard to the number of flights. The view was expressed that there should be a limit on the number of flights, but that was not part of the planning decision. Importantly for people living nearby, we are making it a planning condition that there will be a limit of 480,000 flight movements a year. That means that the limit cannot be changed, even by my successor, unless a fresh planning application is made and new consideration given to the matter.

The decision letter makes clear our approach to the question of road widening. As for safety standards, safety cannot and must not be compromised, as that would be no way to run a project that will have the support of the public. As I said earlier in regard to the changes to be introduced to infrastructure projects, a consultation document will be published in the next six to eight weeks on the role of Parliament in such matters. Most important, we must not deny local communities the opportunity of having their say

A planning system can work in a democracy only if people feel that their voices have been heard and their views taken into account. The present system is not successful when it comes to major projects such as terminal 5, as it does not allow people to feel that their voices have been heard. A better procedure would involve local Members of Parliament, and therefore Parliament, and would find a new way to involve local people in the planning process. I hope that our proposals will command support across all sections of the House.

John McDonnell (Hayes and Harlington): Will my hon. Friend accept that many people in my constituency—myself included—consider that allowing terminal 5 to go ahead is an error of judgment? They will bitterly regret that my right hon. Friend did not include the condition that there should be no third runway. Will my right hon. Friend make a commitment to meet me and local community representatives to consider a package of environmental and financial measures to protect my local community against the worst effects of terminal 5? My constituents have sacrificed their environment for the future of the aviation industry and the strengthening of the British economy. I think that they deserve to be protected and compensated.

Mr. Byers: I am fully aware of the strong views held by many people and, in representing his constituents, my hon. Friend has expressed his. As I said in my opening statement, we must strike a balance in this matter: the development of terminal 5 is in the national interest, but we must also safeguard the interests of the local community. When my hon. Friend is able to consider the decision letter in detail, I think that he might agree that the right balance has been struck. However, we are always willing to listen to Members of Parliament expressing and representing the views of their constituents. That will apply in this case, as it does in others.

Mr. David Wilshire (Spelthorne): As you probably know, Mr. Speaker, the terminal 5 site is a few yards from my constituency boundary. Is the Secretary of State aware that I and a big majority of the people whom I represent welcome his decision announced this afternoon? As he said, it will help protect the future of Heathrow and the United Kingdom economy. Above all, it will help protect the interests of my constituents.

Will the Secretary of State confirm that we will never again subject a planning application of this sort to an eight-year delay and a four-year public inquiry. That was utter madness, and must never happen again. Now that the decision is behind us, will the Secretary of State try to ignore the howls of protest that are sure to follow from the self-appointed and self-opinionated few who seem hellbent on putting tens of thousands of my constituents out of work? Those people must not be allowed to succeed. Heathrow must flourish, and I thank the right hon. Gentleman for his decision.

Mr. Byers: I welcome the hon. Gentleman's words in response to my decision, and I am pleased that his constituents will also welcome it. I take the point that it is unacceptable for a decision on a major project such as this to be delayed for eight years. I hope that the hon. Gentleman, when he sees our proposals for change in respect of major infrastructure projects, will see that we are serious about changing the planning process.

There will be people who will, quite legitimately, disagree with the decision that we have taken today. I simply ask them to look at the decision letter and consider the balance that we have struck between the national interest and the interests of the local community. I hope that they will agree that the inspector and I have done a reasonable job in the circumstances. Even if they do not agree with the decision, I hope that they recognise that it has been made in an open and transparent way.

Mr. Piara S. Khabra (Ealing, Southall): I have been a long-standing supporter of T5 for many years, since I was elected in 1992. I know that the environmental lobby has expressed concerns, but I believe that the Government have taken those issues into consideration and addressed them.

My constituency is very close to the airport and thousands of my constituents work in its terminals. The decision will bring business and employment benefits to my constituency. Will the Department for Transport, Local Government and the Regions provide a good transport service for people who have reason to go to the airport? I am sure that my right hon. Friend is aware of the problems that workers and businesses have regarding access to the airport, so I hope that he will deal with that when it is raised with him individually.

Mr. Byers: My hon. Friend is right. He has been a strong supporter of terminal 5 and a powerful advocate for the interests of his constituents in terms of the benefits for business and employment. Many people in his constituency work at Heathrow, and I am sure that they will welcome the decision that we have taken today.

The issues to do with public transport which are relevant to the planning application are addressed in the decision letter. If there are other issues to do with public transport links and new demands placed on the system, they will be considered in the same way as we would normally consider new demands for public transport. We will certainly take my hon. Friend's point into account.

Mr. John Randall (Uxbridge): Although I agree that the decision should be seen as being made in the national interest, does the Secretary of State recognise the increased financial and environmental burdens that will be placed on my constituents and the council tax payers of the London borough of Hillingdon? Will he agree to a meeting with the local authority as soon as possible to discuss those implications?

Mr. Byers: I congratulate the hon. Gentleman on being so quick off the mark in representing Hillingdon's interests. I am not sure whether we can do anything for the local government settlement to be announced in a week or two. However, on a more serious note, the hon. Gentleman is right that any major development is bound to have implications for a local authority which are separate from the planning process. We will consider those implications as we would do concerning those for any local authority. If the hon. Gentleman writes to me, we will facilitate a meeting between the relevant Minister and representatives of Hillingdon to discuss the detail of any issues of concern.

Mr. Chris Mullin (Sunderland, South): May I put it to the Secretary of State that the terminal 5 decision was a golden opportunity to phase out the 16 night flights at Heathrow? Did he consider making his decision conditional on the phasing out of those flights? I am not in the least reassured to hear that he will commission a lot more research on the subject. In my 18 months as Minister with responsibility for aviation, it seemed that we had research coming out of our ears. Most of it led nowhere, and I am sure that this new lot will lead nowhere too.

Mr. Byers: My hon Friend has raised two issues. With his inside knowledge of the way in which the Department works, he has given the House an insight into the operations of government.

I know that my hon. Friend has looked closely into night flights, and the inspector makes clear comments about them. As I said in my statement, I cannot change the night flight regime unilaterally. I have to consult, within the statutory provisions and consonant with aviation law. The consultation will begin, and we will complete it by the end of 2003. That is the decision that I have taken within the powers that I have. I hope that people will understand that it would have been unlawful for me to have taken a decision without consultation. When the consultation document is published, we will consider what we can do about night flights.

Dr. Jenny Tonge (Richmond Park): Does the Secretary of State realise that, although he has talked about striking a balance several times this afternoon, what he has actually done has weighted the scales very, very heavily against the environment and against the quality of life of the people of south-west London? Could he perhaps offer a crumb of comfort to those people who regularly have their air polluted and experience the deafening noise that comes from the skies all day long, and most of the night on some occasions, by saying that, if there is a third runway in the south-east of England, at least it will not be at Heathrow? Can he also say that the alternation of runways will continue? Will he give a categoric assurance that it will continue? That at least gives peace at some time during the day. Will he also give us an assurance that the ultimate attention will be paid to safety in the skies over a densely populated part of London?

Mr. Byers: I understand the concerns expressed by the hon. Lady on behalf of her constituents. When I considered the inspector's report, it was not an easy decision. It was not merely a question of signing up to the inspector's recommendations, but of giving detailed consideration to the balance between the needs of local people—safeguarding local communities—and the wider national interest. I felt that on balance the development of terminal 5 was in the national interest.

The third runway will be considered in the context of both the south-east of England study and the aviation White Paper, which we shall publish next year. I am aware of no proposals to change the alternation of runways that gives some respite to the hon. Lady's constituents. I understand why that is important.

I should like to think that the westerly preference decision that we have already introduced is bringing real benefits and is making an improvement to the quality of life of people living in the west of London. We shall certainly want to ensure that those benefits are retained.

[Mr. Byers]

I appreciate that there will be strong feelings. This was one of those occasions when whatever decision the Secretary of State had taken—whether to give approval or disapproval—there would have been disagreements from one side or the other.

Jane Griffiths (Reading, East): I am a long-standing opponent of terminal 5, not for the reasons given by some environmental groups, although they have validity, but because the whole process of planning for terminal 5 has never looked holistically at the need for proper transport links in the surrounding area. Will my right hon. Friend give me an assurance that those transport links will be considered? I am indebted to the hon. Members for Ruislip-Northwood (Mr. Wilkinson) and for Spelthorne (Mr. Wilshire) for their comments, in which they have referred to the need for transport links and, especially, for a western rail link to Heathrow that would terminate at Reading. That is vital for the future of transport in the Thames Valley and for proper air and other transport links. Will my right hon. Friend assure me that that will be looked at? Will he also assure me that the crossrail project will also be considered? That, too, needs to have its western end at Reading.

Mr. Byers: The details of public transport in relation to the planning application for terminal 5 are dealt with in the context of the decision letter. When my hon. Friend has had an opportunity to read that detailed letter, she will see how those points are addressed in it.

In a sense, crossrail is a separate issue. Both my right hon. Friend the Minister for Transport and I have been acutely aware of the arguments deployed by my hon. Friend on behalf of the people of Reading. One of the options under active consideration is to extend crossrail right through to Reading. Obviously, no decisions have yet been taken as to the precise route that crossrail will take, but a powerful case can be used for that westerly link from Reading. I believe that, as a result of the decision that we have taken today on terminal 5, the arguments in favour of crossrail being extended to Reading may well have been enhanced.

Mr. Michael Trend (Windsor): Does the Secretary of State appreciate that my constituents in and around Windsor will be disappointed by one aspect of his important announcement today? Of course, there should be a balance between the vital national interest of the country and the rights of local people, but there is no such balance in his statement. Indeed, he talks about the changes in westerly preferences, but I understand that although they benefit some hon. Members' constituents, they work against the interests of others, including mine.

The European Court of Human Rights judgment is outstanding. The Secretary of State has talked about putting the issue out for consultation, which he is probably obliged to do any way in the next couple of years. That is a long time scale for people who have already suffered for a long time. I do not believe that he cannot indicate clearly what the Government's preference on night flights is now and, therefore, provide a real balance, instead of leaving us suspended.

Mr. Byers: I am still giving detailed consideration to the European Court decision on the Hatton case. We have three months before a decision has to be taken, and I want to use that time to give proper consideration to the details in that judgment.

The hon. Gentleman talks about the time scale, and it is worth reflecting on the fact that, even on the most optimistic forecast, terminal 5 will not be in operation for six or seven years or so, so the changes that we are considering will not be made until then.

On consultation, I have to tell the hon. Gentleman that it would be inappropriate for me to say today what the consultation on the night noise regime will involve; it must be proper, open consultation, and it will be. People would think it rigged if I were to say, "This is the Government's preference." We need to have an open consultation because, as I have said several times this afternoon, the point is that, if the planning process is to command public support, it must be seen to be open and transparent and there must be an attempt to involve people in the process.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): My right hon. Friend will be aware that aviation is just one of the industries that has suffered horrendously since 11 September. His decision today is so vital that it will have an immediate effect. Is he now prepared to accept that some very rapid decisions need to be taken on where a third runway will be built in the south-east, how the air traffic space over the south-east will be organised and, above all, how we shall develop our aviation industry? If this decision had not been taken, not only would many jobs have been lost, but the United Kingdom industry would have been rapidly overtaken. Most people will accept that today's decision is a cost worth paying.

Mr. Byers: My hon. Friend is absolutely right; we cannot over-estimate the importance of Heathrow to our national economy. If we had not given terminal 5 the go-ahead today, there was a real danger that Charles de Gaulle, Schipol and Frankfurt would have overtaken Heathrow as the premier destination airport in Europe, and we simply could not allow that to happen. The decision strikes the balance between meeting those aviation needs and those of the local communities as well.

The aviation industry is important to the United Kingdom. It is one of those industries that has developed through innovation and by taking responsible decisions, giving good customer satisfaction and service, and providing proper investment over the years. We need to consider the aviation industry in the round, particularly in the aviation White Paper, which we intend to publish next year. It offers a good opportunity to consider the future aviation industry comprehensively.

We need to consider the detailed options for an additional runway in the south-east. A south-east study is being undertaken at present, in which that issue will be considered, and it will also be looked at in the context of the White Paper. Both those pieces of work should be viewed as almost complementing the decision that we have taken today in relation to terminal 5, because they will build on the strengths of the aviation industry, not just in the south-east of England, but throughout the whole of the United Kingdom.

Mr. John Wilkinson (Ruislip-Northwood): The Secretary of State's decision will keep London in the forefront as one of the world cities for business and tourism. Is it not true that, over the past 10 years, Heathrow—which was the premier hub airport in Europe, serving more destinations than any on the continent—has slipped to No. 4 in the league? This decision could help to reverse that trend.

May I also point out that aviation is not incompatible with protecting the environment? The measures the Secretary of State has announced for surface transport links will help and the industry is also helping with quieter engines that produce a much smaller noise footprint than those of 10, 15 or 20 years ago.

Mr. Byers: The hon. Gentleman has many years of expertise in this subject and he makes important points. In particular, he referred to the way in which technology has helped to develop quieter aircraft. Aircraft are also significantly larger than they were. Therefore, although the number of flights will increase to only 480,000, there will be an increase of 25 million passengers a year at Heathrow as a result of the development of terminal 5.

For reasons that the hon. Gentleman touched on, a balance can be struck between the needs of the aviation industry, the travelling public and business and those of the environment. Heathrow is crucial to business, tourism and the competitive position of Britain in the world economy. We should not forget that Heathrow and other national airports play a role, as those of us who have travelled have seen, because they often provide the first impression that a visitor gets of a country, so we must ensure that visitors to this country get the best possible impression. I happen to believe that terminal 5 will be able to show Britain at its best.

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush): Does my right hon. Friend accept that, subject to the important constraints on transport and noise, he has made the right decision not just for the country but for west London? Although I receive complaints from my constituents about noise, more of them recognise that, if Heathrow were to go down the world league of airports, west London would suffer the same fate that east London suffered when the docks closed. It is vital to recognise that there is the equivalent of a high-tech city in west London and that it is keeping the economy of the whole area buoyant. We should maintain it in every possible way.

Mr. Byers: My hon. Friend's description of the high-tech city that is Heathrow accurately depicts airports at the beginning of the 21st century. I would like to think that the decision that we have taken has struck the right balance. It will bring benefits to his constituents and will ensure that we do not ignore the environmental concerns expressed by those who live near Heathrow airport.

Mr. Andrew MacKay (Bracknell): As a Member for a constituency near Heathrow, I fully accept that it has been a difficult decision for the Secretary of State to take. On balance, I think that it is the right decision in the national interest. However, if he is to allay the fears of my constituents who live under the flight path, will he accept that we need real action quickly on night flights and on reducing the noise levels of modern aircraft?

Mr. Byers: The right hon. Gentleman has touched on two important points—noise and night flights—that the inspector addressed in his report and that I consider in the decision letter. Once the right hon. Gentleman has had the chance to examine the decision letter, which is of necessity rather lengthy, I would like to think that he will feel that we have addressed those issues. I assure him that the consultation on night flights will proceed with appropriate haste to make sure that we can take decisions in 2003 so that the concerns of his constituents can be addressed within a reasonable time frame.

Mr. Tony Colman (Putney): My right hon. Friend will not be surprised to learn that my constituents will not welcome the statement. Certainly, they will not think that their views have been taken account of.

My right hon. Friend has referred two or three times to the westerly preference. It was introduced by my hon. Friend the Member for Sunderland, South (Mr. Mullin) when he was the Minister responsible for aviation, and it applies to only 16 night flights. As part of the decision that my right hon. Friend has taken, is he considering introducing a westerly preference for daytime flights, because that would alleviate a huge amount of the noise that affects west London?

Mr. Byers: The reasoning behind the decisions that I have taken on the specific planning application for terminal 5 is contained in the decision letter. We will continue to consider particular issues that my hon. Friend believes will benefit his constituents in Putney if he wants to raise them with us. We want to be helpful wherever possible to those people who are affected not just by today's decision, but by Heathrow being a major airport. The reasons for my decision and the way in which we intend to carry it forward are contained in the decision letter, which should now be available to hon. Members.

Dr. Vincent Cable (Twickenham): As another Member who represents thousands of people under the take-off and landing paths, I know that there will be considerable concern about whether the Secretary of State's limited concessions will be enforced. How will the 480,000 planned limit be enforced? As local authority planning enforcement procedures are weak, will he take direct responsibility for it and describe the sanctions that will be employed if the limit is breached?

Mr. Byers: As I said to the hon. Member for Richmond Park (Dr. Tonge), the important thing about the restriction on the number of flights is that it is a planning condition which is attached to the decision. That was not the case with terminal 4. A similar approach was not part of its planning condition, so it could be ignored. The planning authority is responsible for ensuring that planning conditions are met, but if any hon. Member, including the hon. Gentleman, believes that a relevant planning authority is not discharging its responsibilities, they should inform me or my ministerial team and we will ensure that that happens. Statutory duties fall on planning authorities, and we will ensure that when such conditions are imposed they will be enforced by the relevant planning authority.

Andrew Mackinlay (Thurrock): The Secretary of State did not answer the question about the M25. Conservative and Labour Ministers, the Highways Agency and the applicants made it clear that widening the M25 in the west is indivisible from the application. What is his response to that?

[Andrew Mackinlay]

The same arguments on inter-lining, which form the crux of his argument that we must maintain our competitive position in relation to Charles de Gaulle and Schipol airports, will be advanced, as sure as night turns into day, in the case for a third runway at Heathrow. The stage has to come when we say, "Thus far, no further." The rapacious appetite of the industry is such that it goes for the terminal and then argues for the runway, and once it has done that, it argues for another terminal and another runway. The Secretary of State has accepted arguments that could also be accepted for terminals 6, 7, 8, 9, 10 and so on for ever. That is the profound mistake.

Mr. Byers: If there are to be terminals 6, 7, 8 or 9, they will have to go through the planning process and no doubt someone else will consider them.

On the specifics, in the time available to me I was not able to go through all the conditions that are reflected in the decision letter. I apologise for referring continually to it, but it is, of necessity, a lengthy document. It contains the reasoning behind my response to the inspector's report. My hon. Friend will see in the decision letter that we are supporting improvements to the M25. I have accepted the inspector's recommendations on it, although I have not agreed to his recommendation on widening the M4, which I think I mentioned in my statement.

Mr. Philip Hammond (Runnymede and Weybridge): The Secretary of State talked about the benefits to the wider community of terminal 5, and I concur with that view. He also talked about the need to balance the wider benefits against the costs imposed on the local community. Does he accept that many people locally will be disappointed that he has not been able to announce today a clear trade-off between the decision to go ahead with terminal 5 and the end of night flights?

The benefits that accrue to people who use night flights are tiny compared with the huge costs that are imposed on what is a wide community. Will he assure the House that when he reviews night flights it will be on the basis that night flying will be allowed only if the benefits can be shown, in aggregate, substantially to outweigh the costs? Will he also assure us that he understands that a mere reduction in the number of night flights will not deliver a significant benefit to the people of west London, Surrey and surrounding areas, who need a complete blackout on flights if they are to get some sleep?

Mr. Byers: The important point will be the nature of the consultation. The inspector makes strong statements about night flights in his report, and I shall ensure that the consultation document reflects his concerns. I assure the hon. Gentleman that the consultation that I have to conduct on any changes to the night noise regime will be completed, and decisions made, before terminal 5 is in operation.

Mr. Brian H. Donohoe (Cunninghame, South): In making his decision, my right hon. Friend will realise its likely effect on line-to-line traffic between mainland Europe and regional airports. What assessment has he made of that effect? Has he placed any restrictions on the building programme for terminal 5 concerning the space available for retail opportunities?

Mr. Byers: Yes, the decision letter makes it clear that the planning inspector has introduced restrictions on the number of air traffic movements, but not in any particular direction or to a particular destination. I know that a number of Members are concerned about retail floor space. When they have the opportunity to read the decision letter, they will see that I have placed a restriction on the amount of retail floor space that can form part of the terminal 5 development.

Pete Wishart (North Tayside): I do not think that the Secretary of State fully answered the first point made by the hon. Member for Cunninghame, South (Mr. Donohoe). Surely further concentration of air facilities at Heathrow will have a detrimental effect on international air services from Scotland, Wales and even the English regions. Surely the Secretary of State should now turn his attention to other areas of the UK which badly need the massive improvements in infrastructure and tourism that enhanced air services can provide, and the jobs that go with them.

Mr. Byers: We are dealing today with a specific planning application on terminal 5 at Heathrow, and we have to address that. It would be improper for me to take into account a range of external factors in arriving at a decision on a specific planning application. However, the hon. Gentleman is right to draw my attention to wider issues in aviation. That industry is important for the whole of the United Kingdom, and particularly for regions such as the north-east, where my constituency is, and for Scotland, Wales, Northern Ireland—

Caroline Flint (Don Valley): Yorkshire.

Mr. Byers: And Yorkshire. Many parts of the country will benefit from a vibrant, strong aviation sector. That is why the aviation White Paper, which we will publish next autumn, will be a significant document. I want it to map out the future for the industry in the UK. It will be published at an important time, because, one hopes, we will be over the worst effects of 11 September and there will probably have been changes in the industry. The Government need to respond to those changes and to the needs of countries such as Scotland, and the White Paper will be significant in helping us to achieve some of the objectives outlined by the hon. Gentleman.

Mr. Tam Dalyell (Linlithgow): Declaring an interest as one who, like Scottish colleagues, has become familiar with every cubic metre of the upper atmosphere above Watford, may I ask whether this decision will do anything about the stacking problem? What is the technical advice from air traffic controllers? Anecdotally, we are told that there are problems in the sheer control of the hugely increased capacity at Heathrow.

Mr. Byers: The development of air traffic control and the projected expansion will accommodate the projected increase in flights; there are no worries about that. I understand people's concern, however, as I occasionally travel down from Newcastle by plane, sometimes travelling over Windsor; the view is lovely, but I am sure that that is not good news for the residents of Windsor. My hon. Friend is right; stacking is a sign of Heathrow not being able to cope with the existing capacity. Terminal 5 shall help Heathrow to accommodate the increase in flights in a way that ensures that the stacking that occurs at the moment can be alleviated for airlines and passengers.

Points of Order

4.35 pm

Mrs. Angela Browning (Tiverton and Honiton): On a point of order, Mr. Speaker. From media reports in the past 48 hours, the House will be aware that tomorrow night "The Money Programme" on the BBC will show footage of interviews with people who were present during the captivity and decapitation of the four hostages, one of whom was a constituent of mine, who were taken and murdered in December 1998. Given that Ministers have assured the House that both the Foreign and Commonwealth Office and the Metropolitan police would carry out a full investigation into how those men came to murdered, and given that we now have new information after the coroner's inquest, have you, Mr. Speaker, received any indication that a Minister from the FCO will come to the House this week to explain why officials failed to identify those key witnesses and how they intend to take the matter forward?

Mr. Speaker: I have had no indication, but now that the hon. Lady has mentioned the matter, it is on the record and the appropriate Minister will take note of what she has said.

Mr. Ian Taylor (Esher and Walton): Further to that point of order, Mr. Speaker. I, too, had a constituent decapitated in December 1998 in the same incident. Can you ask the Foreign Office whether it can clarify rumours of a link with al-Qaeda? I fully understand that it is up to the relevant Minister to come to the House, but this is an important matter of great delicacy and, indeed, urgency.

Mr. Speaker: I understand the hon. Gentleman's concern. My advice is that it would be better if he, rather than I, approached Foreign Office Ministers.

Mr. Tony Lloyd (Manchester, Central): On a point of order, Mr. Speaker. I am sorry to raise the matter in this way, but when a statement has national impact, is consideration given to balancing the Members called to ensure that the interests of all areas of the country are reflected in exchanges with the Secretary of State?

Mr. Speaker: I note the hon. Gentleman's disappointment. The Chair gives no reason why some hon. Members are called and others are not. All that I can tell him is that next time round, he will be high on my list of priorities.

Mr. Gerald Howarth (Aldershot): Further to that point of order, Mr. Speaker. By extension, could that declaration of preference be extended to other Members who could not catch your eye?

Mr. Speaker: The hon. Gentleman knows that some days he wins and others he loses. Today, he lost.

Extradition (Amendment)

4.38 pm

Mr. John Maples (Stratford-on-Avon): I beg to move,

That leave be given to bring in a Bill to amend the law on extradition.

It is interesting that two of the points of order that have just been raised concerned terrorism. There is a well-known alleged link between Chechnyan so-called freedom fighters and al-Qaeda. One example that I intend to use concerns three people whose extradition from this country is being sought and who are members, or alleged members, of al-Qaeda.

On 7 August 1998, terrorists blew up the American embassies in Kenya and Tanzania; 224 people were killed and more than 4,500 injured. The United States sought the extradition of Khalid al Fawwaz in September 1998 and Abdel Abdelbary and Ibrahim Eiderous in July 1999 in connection with the bombings. All three are still in custody in the United Kingdom, fighting extradition on legal aid paid for by our taxpayers. All are alleged to be part of Osama bin Laden's organisations. Their cases have only just been heard in the House of Lords, more than two years later.

However, that is not the worst case. In November 1995, some three years earlier, Rachid Ramda was arrested at the request of France in connection with terrorist bombings in Paris that summer. The bombings, which took place on the metro and elsewhere, killed 26 people and injured more than 200. The House of Lords took until 1998 to decide that Ramda should be extradited, but it has taken the Home Secretary until October this year—no doubt, the process was speeded by the events of 11 September—to order his extradition, six years later. That decision of the Home Secretary is, of course, subject to judicial review, and the decision of that review is subject to appeal.

At the present rate, it appears that it will be another couple of years before Mr. Ramda has to face a French court. He has succeeded in gaining that delay by alleging—preposterously—that the French judicial system is inherently racist and that he cannot get a fair trial in France. There has been uproar in the French press. Allegations of hypocrisy have been made against the Prime Minister about being at the forefront of the fight against international terrorism while allowing such an extradition system to persist. My Bill would allow him a way out of his dilemma and I hope that the Government will see the sense of it.

Those cases have all been fought on legal aid. In answer to a parliamentary question, we have been told that that has so far cost more than £450,000. We do not know what the Government's legal costs are, and I have been unable to find out. The suspects have all been in prison at a cost of about £30,000 a year each, so it seems that the total prison costs are more than £400,000.

If we are serious about fighting terrorism—I believe that the Government are absolutely right to take the matter so seriously—we cannot allow this situation to continue. Before 11 September, five other suspects were fighting extradition requests from France, Italy, Spain and the United States, which issued two of them. Of course, they had not been held for as long as the suspects whom I have mentioned. More suspects are now being sought by the United States in connection with the events of 11 September. It is unlikely that any will be extradited for some time.

I raised these matters with the Prime Minister in September. He blamed the complexity of extradition law. To some extent, that explanation is correct, but it is not the whole story. The courts proceed at a snail's pace. Frankly, the process is scandalously slow. The Home Office has been responsible for a considerable amount of the delay in Mr. Ramda's case, which took two years from the first hearing in June 1996 until the House of Lords appeal was heard in 1998. That is leisurely even by the courts' standards. The Fawwaz case took more than three years to get to the House of Lords.

I suggest that the courts not only can but should do much better in cases of national importance. The Pinochet case was dealt with in 15 months. That included three appeals to the House of Lords. Hon. Members may remember what a mess was made of the first one. The first appeal to the House of Lords was made two months after Pinochet's arrest. It appears that our courts—especially the senior ones—simply do not understand the vital national interest that is at stake, but surely there can be no excuses after 11 September.

The courts are not the only problem. In the Ramda case, it took the Home Secretary more than two years after the House of Lords decision to order deportation. He did so after 11 September. The law gives him two months in which to make that decision, but the Home Office took more than two years. I suggest that the Home Office has even fewer excuses than the House of Lords. In future, it simply must act very much faster.

The Government recognised the problems in our extradition system some time ago. In March, they published a consultation paper that covered many of the difficulties. The last day for the submission of responses was 8 June, which is almost six months ago, but they still have not made firm proposals. On 3 October, the Home Secretary was reported in *The Times* as saying that he could not wait for a new extradition Act to deal with terrorist cases. Of course, after 11 September, the United States would want to interview more suspects. However, he has waited a considerable time longer than one would have thought necessary.

The consequences of the delays are incalculable. We will never know whether faster extradition of the three bin Laden suspects to the United States could have provided some intelligence or information before the 11 September attacks that might have helped its security services to foil them or at least take some measures against them.

One argument used in many such cases is that we cannot extradite people to countries where the death penalty might be imposed. I would not want to extradite someone to face execution. However, the courts have decided that that is not a matter for them but for the Home Secretary when he considers whether to order extradition after the court processes are over. There are examples of people who have been extradited to the United States on condition that it undertakes not to apply the death penalty. That seems a reasonable compromise.

The consultation paper considers in detail the proposal for a European arrest warrant, which is being discussed under the home affairs pillar of the European Union. That proposes the automatic enforcement in one country of warrants that another country has issued. I find that an unacceptable solution. When it comes before the House, I hope that I shall have an opportunity to explain my reasons.

There are long delays in many countries. Perhaps hon. Members have constituents who have been in jail, in, for example, Spain for more than a year before their cases come to trial. The judicial systems of some applicant countries are perhaps not as fair and timely as ours and those of France and Germany.

The general law reform that the consultation paper proposes will take a long time. The problem of terrorist suspects cannot wait until then. France and the United States, which are currently affected, are among our closest allies. We must help each other more constructively to fight terrorism; that means faster extradition. The law should be changed immediately to allow the Home Secretary to designate countries that are allies in the fight against terrorism and whose judicial systems we respect. Extradition requests from those countries would be tackled on a new, fast-track basis with limited exceptions and rights of appeal. The Anti-terrorism, Crime and Security Bill, which we discussed yesterday, provides for that in the case of deportation.

Suspects who are in the United Kingdom illegally should be deported immediately. It is interesting to note that the Home Secretary deported Kamel Daoudi back to France a few weeks ago almost before his feet had touched the ground. The right hon. Gentleman seems willing to act when the law allows him to do that. He needs to change the law quickly to allow him to act in the circumstances that I outlined.

International terrorism is one of the greatest threats to our security and that of our allies. It is right that the Government are prepared to use military force and introduce new security measures to fight that threat. However, we must also be prepared to co-operate better with our allies on extraditing suspects. The United Kingdom has acquired an unfortunate reputation in some countries for being a haven for terrorists. That is understandable, but it must not be allowed to continue.

We must convey a message to our courts that lengthy delays are intolerable, to the Home Office that it cannot take two years to deal with cases that have been through the courts, and to the Government that new legislation cannot await a general reform of extradition law.

Question put and agreed to.

Bill ordered to be brought in by Mr. John Maples, Sir George Young, Mr. Stephen Dorrell, Mr. Francis Maude, Richard Ottaway and Mr. Andrew Tyrie.

EXTRADITION (AMENDMENT)

Mr. John Maples accordingly presented a Bill to amend the law on extradition: And the same was read the First time; and ordered to be read a Second time on Friday 30 November, and to be printed [Bill 52].

Orders of the Day

National Health Service Reform and Health Care Professions Bill

Order for Second Reading read.

Mr. Deputy Speaker (Sir Alan Haselhurst): Mr. Speaker has selected the amendment in the name of the Leader of the Opposition. I also remind the House that there is a 10-minute limit on speeches by Back-Bench Members.

4.48 pm

The Secretary of State for Health (Mr. Alan Milburn): I beg to move, That the Bill be now read a Second time.

The Bill implements commitments in the national health service plan that was published in our manifesto for the general election. That election presented people with a fundamental choice. For many, it came down to a choice between short-term tax cuts and investment in public services. I am thankful that the British public chose the latter. It was the right choice for Britain, and a choice that the Labour party made.

Some claim that getting patients to pay privately for health care is the only answer to the problems in the national health service. However, Labour Members believe unequivocally that the NHS is the fairest and most efficient way of providing health care for our people. It is based on the right principles of care according to people's need, not the size of their wallets.

Those were the right principles when the NHS was created and they remain the right principles now. It is not NHS principles that need to change but NHS practices. That is what the Bill seeks to address. People today grow up in a consumer society. Services, whether public or private, succeed or fail according to their ability to match modern expectations of service delivery. People exercise more choices in their lives than at any point in history. Many can afford to walk away from public services that do not command their confidence.

Our task as a nation surely must be to make the NHS a service of first choice, not last resort. We in the Government recognise that we cannot build a one-nation Britain on two-tier health care. There is, as we know, a long way to go to give patients the flexible, convenient, high-quality services that they expect. Patients wait too long for treatment. There are staff shortages, dilapidated buildings and outdated equipment.

In their amendment, the Conservative Opposition crow about failings in the NHS. They know a lot about failings in the NHS because they were responsible for many of the present failings. They complain about doctor shortages, but they cut the number of doctors in training. They complain about nursing shortages, but they cut the number of nurses in training. They complain about bed shortages in hospitals, but they cut the number of beds by 40,000. They complain about the state of NHS hospitals, but they were spending less capital at the end of their last Parliament than at the beginning.

Only a fool—and the hon. Member for Oxford, West and Abingdon (Dr. Harris)—would believe that decades of neglect in the NHS can be reversed in a few years of investment. *[Interruption.]* The hon. Gentleman is good on those figures, and he will get better over time.

[Mr. Alan Milburn]

The NHS plan that we published last year is not for one year or for two years, but for 10 years. We need a decade of investment to follow decades of decline. The years of health care on the cheap are at an end. The NHS is growing at twice the rate that it grew at under the Conservatives. Under the Labour Government, it is the fastest growing health care system of any major country in Europe.

Mr. Andrew Hunter (Basingstoke): The Secretary of State refers to increasing expenditure. Does he recall that when he visited Basingstoke during the general election, according to the local media, he reported additional funding for cardiac treatment? The local media have tried to get news on that extra funding from his private office, but have not received a reply.

Mr. Milburn: I will try to be responsive to the local media in Basingstoke. I hope that they are as responsible as the national media on matters relating to the health service. If the hon. Gentleman has specific questions about investment in Basingstoke, in cardiac care or otherwise, I am happy to look into them. If he writes to me, I will gladly write back to him.

Staff, who do such a brilliant job in the NHS, are increasing in number at record rates. There are 6,000 more nurses and 1,300 more doctors in just one year, and there are 20,000 more nurses and 10,000 more doctors to come. The cuts in nurse training and general practitioner training that took place in the 1990s have been reversed. Applications for medical schools, and the number of medical schools, are up for the first time in years. Applications for nursing degrees are up by more than 80 per cent. I can report to the House that the latest figures show that the number of nurses returning to the NHS is well in excess of 9,000.

This year, 1,000 GP surgeries are being improved. Thousands of new intermediate care beds and places have been established. The biggest hospital building programme in NHS history is under way. This year, for the first time in 30 years, the number of beds in NHS hospitals is rising rather than falling.

Dr. Evan Harris (Oxford, West and Abingdon): I am grateful to the Secretary of State for interrupting his flow of statistics. The news about nurses coming back to the health service is welcome. Has he any data on how many nurses are still leaving? Was his figure a net figure or a flow one way?

Mr. Milburn: I reported the number of nurses who left the health service and have now returned. In terms of the number of nurses overall—the number recruited minus the number who have left—I am happy to report that there are 17,000 more working in the NHS than when the Government came to office.

The number of people waiting more than 12 months for a hospital operation is down 13 per cent. in just a year. That is still too long, but we are moving in the right direction. Cancer patients are being seen by a hospital specialist within two weeks when they used to have to wait months. There are 3,000 more heart operations, over 150 more chest pain clinics and 17 per cent. more cardiologists. Prescription of cholesterol-lowering drugs is up by over a third in just a year. We are spending more than £250 million in this financial year alone on new drugs for conditions such as cancer, heart disease, dementia and arthritis. None of that progress would have been possible without the investment made by this Labour Government.

No one should fall for the fallacy that, unless every problem in the NHS is solved by yesterday, no problems are being solved today. The programme that we outlined in the NHS plan is well on course to be delivered, but, as we recognise, investment alone will not do the trick. Delivering improvements in care to patients depends on fundamental reform of how that care is organised and provided. Here, too, there is progress.

For the first time, there is a sensible relationship between the public and private sectors to expand the care available to NHS patients. For the first time, there are clear national standards and the ability to implement them. For the first time, there are real incentives to reward good performance and to deal with poor performance. For the first time, I am pleased to say, we are finally getting health and social care working together rather than against one another.

Those reforms are based on one fundamental insight: although the values of the NHS are right for this century, its structures owe too much to the last. Services are too slow. Staff are run off their feet. The NHS is too bureaucratic and too monolithic. In my view, public confidence demands a fundamental change not just in the level of investment, but in the culture of the whole health service, to put patients' needs first in the hospitals and surgeries just as we seek to put parents and pupils' needs first in the schools.

Throughout the past two decades of organisational change in the NHS—there has been a lot of change during those years—the essential post-war structure of top-down control remained largely intact. The result was that, too often, Governments of all political persuasions defended the interests of the NHS as a service provider when they should have focused on the interests of patients as service users.

It is right, of course, that there should be national accountability for the workings of our country's health care system. For the sake of fairness, clear national standards should be applied not just in parts of the country, but across the whole country. It is right, too, that the Government should allocate resources to ensure that NHS cash genuinely meets the greatest health care needs. Beyond that, the old top-down model of the 1940s can no longer be expected to deliver health care in the 21st century.

Vesting control at the centre has diminished control where it counts—in local communities where local health services interact with local people. Our aim must be a more pluralist, decentralised health service that is capable of overcoming bureaucratic inertia and encouraging genuine innovation.

That is what the Bill will help to achieve. It has its origins in the White Paper that we published in December 1997, and the resulting Health Act 1999 abolished the Conservatives internal market, which was fragmented, bureaucratic, divisive and disruptive. While it promised that the money would follow the patient, the patient followed the contract. That market damaged equity and failed to promote patient choice.

It was right to end that failed internal market. In its place, there are primary care groups and trusts, which put front-line staff in charge of front-line services. The NHS plan, which we published last year, set out our proposals for further devolution. Since then, the important Kennedy inquiry has reported on the tragedies at Bristol royal infirmary. The Kennedy report called for further reforms to move the centre of gravity in favour of a more responsive, patient-centred NHS.

The three big measures in the Bill aim to achieve just that: first, by devolving more resources to front-line services; secondly, by giving local patients more power in their local health service; and thirdly, by strengthening independent regulation of those services. It might help if I deal with each measure in turn.

Mr. Steve Webb (Northavon): A frequently expressed truism is that we should focus less on the national health service and more on public health itself and the prevention of illness. Would the Secretary of State consider establishing a people's health survey, rather like the labour force survey, which would be conducted continuously? Every month or every quarter, we would be given information not about how many operations were being performed, but about how healthy people were. That might focus our attention on whether we could keep people healthier, rather than on whether we could ensure that more operations were carried out.

Mr. Milburn: I do not know about the specifics, but the hon. Gentleman's general point is important. For too long the debate, in this country at least, has been more about health inputs and structures than about health outcomes.

When we produced the coronary heart disease blueprint a year or so ago, one of the most striking figures that emerged—which, as the blueprint was drawn up by clinicians, had some force—related to the time which people wait for heart operations. Reducing the maximum wait to three months would save approximately 600 lives a year. We need desperately to do that because too many people are waiting for too long. Moreover, taking some simple steps in primary care—prescribing statins, aspirin and so forth, and doing so more effectively—could save 1,800 lives a year.

We need to strike a balance between prevention and treatment. Sometimes the debate, certainly in the NHS itself, suggests that one must be chosen above the other. It is rather like the debate about primary and secondary care. If it came to choosing between the two, we might as well all give up and go home now. We need good primary care services, and good secondary care services. Even more, we need good preventive services.

The hon. Gentleman's point about reporting is interesting. As he knows, we have set ambitious targets to try to ensure that the number of deaths from, in particular, coronary heart disease and cancer is reduced, and we shall want to report to both the public and the House on a pretty regular basis.

Mr. David Heath (Somerton and Frome): I thank the Secretary of State for his thoughtful reply to my hon. Friend the Member for Northavon (Mr. Webb). May I test him further on primary care? As he knows, the ability to recruit and retain general practitioners is now a real issue. He has told us that more people are entering GP training, but is he as concerned as I am about the number who are leaving general practice in their 50s, never to return? We are losing experienced practitioners.

Is there anything in the Bill—or can the Secretary of State do anything—to keep GPs aged 50 and over in practice? That is needed in Somerset, but also, I suspect, throughout the country.

Mr. Milburn: I cannot promise the hon. Gentleman an equally thoughtful reply, but I shall try.

I am less pessimistic than the hon. Gentleman about the number of retiring GPs. Data from the NHS pensions agency suggest that early retirements are and will remain more or less static in terms of the age at which people are retiring. I think that the average retirement age is about 62; if I am wrong, I will write to the hon. Gentleman.

As the hon. Gentleman probably knows, we have been working on the issue, partly because of concerns that have been expressed. We submitted some evidence to the Doctors and Dentists Remuneration Review Body as part of our evidence on pay this year. I am relatively satisfied that the number of entrants and the number of retirements are not out of sync; what we must do, however—as I think I have said in the House before—is achieve a better balance in a doctor's career.

Rather bizarrely in my view, we are getting doctors into practice and working them hard throughout their lives, but working them harder as they approach retirement than at the beginning of their careers. In most walks of life that does not happen. As we expand the capacity of the NHS, we need to view doctors' careers—and, indeed, other careers—in what could be described in a much more fragmented way. We should get them to work hard and give a big service commitment during the early part of their careers, but towards the end of their careers we should harness their commitment and expertise for the benefit of the next generation of doctors. Those issues will need to be dealt with during the discussions and negotiations that are taking place now on the GP contract.

On the first main measure—devolution—when we came to office GP fundholders controlled about 15 per cent. of the NHS budget. Today, primary care groups and primary care trusts control over 50 per cent. The Bill will give doctors and nurses in PCTs the power that they need to match local services to the needs of the local communities that they serve. The Bill paves the way for PCTs to control up to 75 per cent. of the total health service budget. As Ian Bogle of the British Medical Association has rightly said, this is

> "a dramatic move away from centralised health authority control"

which

> "should bring decision making closer to the patient."

Far from increasing bureaucracy, it will cut it. By the end of March next year, the changes we have already made by ending the internal market will have taken £1 billion from NHS administration and invested it in patient care.

With this Bill we can go further still. It will abolish health authorities as they currently exist. The NHS regional offices will go, too. As our manifesto promised, to reinforce the actions that we need to take to improve recruitment and retention, not just of doctors and nurses but of other staff, we will use the £100 million that we save to improve child care for working parents in the

[Mr. Milburn]

NHS. Improving services relies on staff having greater involvement and a greater say. In the way it is organised, the NHS needs to give control to front-line services where patients and professionals interact.

That brings me to the second major measure in the Bill. A health service designed around the needs of patients must give more power to patients. The present structures for giving patients a voice in the NHS lack teeth and are out of date. Community health councils were a bold innovation more than quarter of a century ago. Many have done a good job, but who in this House, still less in the service itself, believes that public expectations, either as citizens or consumers, remain unchanged from the 1970s?

Mr. David Hinchliffe (Wakefield): Does my right hon. Friend accept that on the Labour Benches and, I think, elsewhere, there is a feeling that the Government have yet to present a coherent case for the abolition of the CHCs? It is as though they have been found guilty and sentenced to death, and we have yet to hear the case for the prosecution. Can he give us some concrete arguments as to why the CHCs need to be abolished and why the system proposed in the Bill will be better?

Mr. Milburn: If my hon. Friend insists, I will try to do precisely that.

Just as reform is needed elsewhere in the NHS, reform of the CHCs is needed too. As the Kennedy report, which I am sure my hon. Friend and others have read, made clear:

> "the public should be on the inside rather than represented by some body on the outside."

The Bill seeks to deal with the failings identified in the Kennedy report. Independent patients forums will be established in every trust and every primary care trust. A new commission for patient and public involvement in health will co-ordinate the work of patients forums, promote the involvement of the public in NHS decision making and represent patients and the public nationally.

Helen Jones (Warrington, North): Will my right hon. Friend give way?

Mr. Milburn: May I go just one stage further?

I know that in this House and in the other place there have been concerns about the replacement of community health councils. As hon. Members are aware, there is much interest outside the House, too, evidenced by the more than 1,000 responses we received to our recent consultations on the proposals.

Mr. Oliver Heald (North-East Hertfordshire): It says here.

Mr. Milburn: It does say it here because it is a speech that I wrote earlier, believe it or not. I thought that that is what I was here to do. The hon. Gentleman sits there and makes benign and stupid comments.

The Bill strengthens the patients' voice inside the NHS. The CHCs had no role in primary care; patients forums will have that role. The CHCs were refused the right to inspect GPs' premises; patients forums will have that right. The CHCs were partly appointed by the Secretary of State for Health; patients forums will all be appointed independently of both the Secretary of State and indeed the NHS. The CHCs had no formal rights of representation within NHS organisations; patients forums will elect, as of right, one of their members to sit on every trust board. This is about not diminishing patients' rights in the health service, but increasing patients' rights in the health service.

Helen Jones: Does my right hon. Friend accept that if we are to strengthen the voice of communities and patients in the health service, we have actively to seek to involve people from communities that are currently under-represented in the NHS's decision-making process? Will he give us an assurance that the commission will actively seek the involvement of people from deprived communities not only on advisory bodies, but in the NHS's decision-making process?

Mr. Milburn: I very much agree with my hon. Friend. One of the functions that we shall be locating with the new commission is to ensure that, so far as is possible, we have better representation in the national health service of the patient and the public voice. I think that we are all aware that wherever appointments are made in the NHS or in other public services, in some senses, although there is an independent appointments system, those who come up for appointment tend to be self-selecting. We need to get a better balance, to ensure that precisely the type of people whom the national health service serves are themselves serving in decision-making capacities in the health service.

Unless we improve the NHS's governance and make it more representative of the local communities that it serves, we shall never reach the position at which local services are responding to the needs of local communities. By giving the commission the tangible function of broadening the scope of representation in former NHS structures, it will be able to perform a very important function in democratising the NHS and the way in which it is run locally.

Dr. Liam Fox (Woodspring): Perhaps the Secretary of State can answer a question that was not satisfactorily answered in Committee. When the CHCs are abolished, what will happen to all the information, including confidential patient information, that they hold? Who owns that information and where will it go?

Mr. Milburn: I am sure that those issues will be discussed again in Committee—

Dr. Fox: What is the answer?

Mr. Milburn: The hon. Gentleman is chuntering away—*[Interruption.]* I am glad that he has apologised.

We shall have to get right the transition from the old structure to the new one in relation to staff who are currently employed in the CHCs. Many of them will have a new function and a new job within the new structures. The hon. Gentleman has made an important point on the available information. It would be tragic if we lost the wealth of information that is available on individual patient problems and on more general problems in the local health service. We have to find a way of transporting that information into the new structures. There will be a formal transition process to do precisely that.

Clive Efford (Eltham): Does my right hon. Friend accept that community health councils have said all along that they recognise the need to change and become more responsive and more representative locally of the broader health service? As for the point on local accountability and local representation, the concern is precisely that patient health forums are self-selecting. We can choose to appoint to a forum the last person to get off the bus outside the local hospital, but unless that person has some expertise he or she cannot effectively represent the local community. We need that expertise. As I understand it, the CHCs will be abolished when the Bill is enacted, assuming that it is. Can my right hon. Friend say whether, before the Bill receives Royal Assent, the transitional advisory committee will reach some conclusions on the CHCs and their expertise?

Mr. Milburn: The transitional advisory committee is currently working on precisely the issues that the hon. Member for Woodspring (Dr. Fox) and my hon. Friend have raised. I pay tribute to the work of the very many CHC staff and to local community representatives who have served on local CHCs and done a very good job of work. It is important not to lose that body of expertise and knowledge.

The first point that my hon. Friend the Member for Eltham (Clive Efford) made is very important. We need to ensure that the patients forums are not only representative of the local community but can express expertise on behalf of that local community. Consequently, as a result of consultation that we have been conducting in recent weeks, the Bill's proposals are different from those that we put out to consultation. We have now lodged with the national Commission for Patient and Public Involvement in Health the duty of appointing patient forum representatives, precisely to ensure that the commission, as an independent patient organisation, can feel satisfied that the people being appointed locally are up to doing the job on behalf of the local communities that they serve. I hope that my hon. Friend will take some comfort from that change.

The third main measure in the Bill is the strengthening of independent regulation. As the Kennedy report highlights all too clearly, for almost 50 years there was confusion at the heart of the NHS about where regulatory responsibilities began and ended. Indeed, it is only in the past few years that national standards have been put in place in the NHS alongside the means to implement them. The system of professional self-regulation has been changing too, and I pay tribute in particular to the leadership of the medical profession for responding to public concerns about a perceived lack of accountability and transparency in the old arrangements. The Bill builds on those changes.

The Bill takes its cue from the Kennedy report in introducing a new Council for the Regulation of Health Care Professionals to which all of the individual professional regulators will become accountable. It will have a majority of lay people and people appointed from the NHS. The council will be independent of the Government and it will, instead, report to Parliament.

The Bill will also strengthen the role of the Commission for Health Improvement. It will give the commission a new function of carrying out inspections of the quality of local health services. Where it identifies significant failings in the way services are being run, the commission will report and recommend any special measures that might need to be taken. Its independence will be strengthened too, not least by being required to make an annual report to Parliament on the quality of NHS services. From next year it will be the CHI, through the new Office for Information on Health Care Performance—called for in the Kennedy report—rather than the Department of Health that will be responsible for assessing the clinical and organisational performance of each part of the NHS.

Together, those changes will provide a powerful incentive for local health services to raise standards. What motivates people working in the NHS is the desire to improve the care they provide to patients. Just as we are tackling the postcode lottery in prescribing, so the Bill addresses the postcode lottery in performance. Just as we have made appointments to NHS boards independent, so we are now making independent the assessment of NHS performance. A strengthened NHS independent regulator will leave the Department of Health to concentrate on what it should properly do in an accountable public service—provide resources, set standards and hold the overall system to account.

The Bill marks a decisive shift in the centre of gravity in the NHS. It moves towards regulation that is the hands of independent regulators rather than Ministers or the health service. It moves towards resources that are in the hands of front-line staff and towards power that is in the hands of patients. It is opposed, as I see from the amendments tabled by the Conservatives and the Liberal Democrats, every step of the way by the two main Opposition parties. They are two sides of the same coin. The Tories have their hostility to investment; the Liberal Democrats have their hostility to reform.

The Conservatives, who for two decades did so much to damage the NHS then, have the nerve to talk of an NHS crisis now. They scaled up bureaucracy and scaled down investment. They had the wrong policies then, but they have no policies now. Just as the Conservatives would starve the NHS of investment, the Liberal Democrats would starve it of reform. The hon. Member for Oxford, West and Abingdon makes policy by ducking every difficult issue, avoiding every harsh decision and appeasing every lobby group. Theirs is a policy of oppositionalism and opportunism.

Only the Labour party and this Government have the will to make the necessary investment and the necessary reforms to improve the health service. The Bill is about decentralisation and decreasing bureaucracy. It is about increasing the power of the patient and decreasing the power of Whitehall. It represents the biggest devolution of power in the history of the NHS. It will provide the basis for a health service rebuilt and renewed; a health service with its principles strengthened and its performance improved; and a health service capable of meeting the expectations of the people that it serves. I commend the Bill to the House.

5.19 pm

Dr. Liam Fox (Woodspring): I beg to move, To leave out from 'That' to the end of the Question, and to add instead thereof:

'this House declines to give a Second Reading to the National Health Service Reform and Health Care Professions Bill because it is irrelevant in the face of a worsening health care crisis; will lead to increased bureaucracy; increases political interference by augmenting the role of the Secretary of State; fails to deal with the downward spiral of morale afflicting health professionals; imposes unnecessary structural change which will further detract from patient care; and abolishes the community health councils, which have served the interests of patients and communities.'

I shall begin by apologising to the House through you, Mr. Deputy Speaker, as I have apologised already to Mr. Speaker and to the Secretary of State, for the fact that I am unable to present for the winding-up speeches later this evening.

Many charges can be made against the Bill, the most serious being that it is irrelevant to the crisis currently facing the NHS. It is a centralising Bill that pretends to be decentralising. It is highly bureaucratic, it is being rushed in far too quickly and it diverts activity and money away from patient care. Its provisions are unclear and confusing and it does nothing to increase patient choice.

To understand how irrelevant the Bill is, we need only take a quick look at what is happening in the NHS. Despite all the promises made by the Prime Minister and his Ministers at two general elections, patients in Labour's NHS are waiting longer in accident and emergency departments and to see their GPs. They are also waiting longer for their hospital operations.

Only last week, a poll commissioned by the BBC showed that six out of 10 people questioned thought that Labour had made no difference to the NHS, while 62 per cent. were not confident that the Government would improve the service in the next four years. Moreover, 27 per cent. of those questioned believed that the standard of care was getting worse.

It is little wonder that people should respond in that way: the recent Audit Commission report showed that, although investment had increased and the number of doctors had risen faster than the rise in patient numbers, patients were still waiting longer to be seen, or to be admitted to hospital from casualty. Fortunately, Ministers' blushes were spared, because the Audit Commission did not delve into the murkier aspects of modern casualty management. For example, it did not investigate the way in which targets for trolley waits are being reached by keeping some patients waiting in ambulances rather than in casualty departments. That tactic allows hospitals to pick up one of the Secretary of State's precious stars.

In the NHS today, patients wait longer for treatment. After a bit of a mix-up as they tried to work out whether the figures had risen or fallen, Ministers had to admit a couple of weeks ago that the number of patients waiting more than 12 months for in-patient treatment in English health authorities has risen by 63 per cent. since March 1997. That is the proud boast of the Government's record.

Much of the difficulty arises from the number of beds in our hospitals that are blocked because patients cannot be discharged somewhere else. In Buckinghamshire, 17 per cent. of beds are officially blocked. The figures for Hillingdon and Birmingham are 18 per cent and 15 per cent., respectively. Goodness knows what the real figures are, given that what we have are subjected to the mathematical ethnic cleansing of the spin doctors in the Department of Health.

Why has the problem arisen? In September, Laing and Buisson published the 2001 market survey "Care of Elderly People". It revealed that, by April 2001, there were an estimated 525,900 places in residential settings for the long-stay care of elderly and physically disabled people across all sectors.

That should be of interest to the Minister of State, the hon. Member for Redditch (Jacqui Smith), who the other day said that the Opposition's figures were wrong. The estimate in the survey represents a fall of 49,700 places since the peak level. That is why so many beds are blocked. There is no point in Ministers talking about the record of the previous Government. This is a disaster entirely of their making: during the passage through the House of the Bill that became the Care Standards Act 2000, they were warned about what would happen, given the Government's approach to local government funding. They would not listen, but every Opposition prediction has come about—the blocked beds, the increased waits for operations, and the delays in accident and emergency departments.

The list of failure goes on. Today's *Daily Express* talks about huge NHS waste and, in the latest chapter of Labour's internal war, even the Chancellor of the Exchequer's men have described the Secretary of State as useless.

What is the Government's response? It is the one thing that nobody working in the profession suggested—wholesale reorganisation yet again. The respected health academics Kieran Walshe and Judith Smith have voiced concerns, saying that the NHS does not need fundamental reform. They point out that the opening paragraph of the Secretary of State's White Paper "Shifting the Balance" states that

"everything possible should be done to minimise disruption if the NHS is to remain focused on the delivery of the NHS Plan."

The document goes on to outline a reorganisation that will affect virtually every NHS organisation. Walshe and Smith believe—and they are not alone—that the reorganisation will lead to the NHS plan being delayed for at least 18 months as tens of thousands of people change their jobs, their job titles, their organisations—or all three.

The Government have changed their tune. I wonder who said:

"The last thing the NHS needs is a programme of wholesale reform . . . The imposition of further change and upheaval could not be justified in terms of cost alone and more importantly, it would be confusing for the public and grossly unfair on doctors, nurses and other NHS staff."

The Secretary of State need not worry—it was not him. It was his predecessor, the right hon. Member for Holborn and St. Pancras (Mr. Dobson), who will no doubt be trekking into the Lobby to support the very thing he said should never happen.

In the true Orwellian double-think so beloved by new Labour, the Bill is described as decentralising. It is nothing of the sort. It contains 58 powers for the Secretary of State for Health, either gained, retained or enhanced. I wonder whether Labour Back Benchers actually understand what is involved when the Secretary of State determines the level of allocation for every primary care trust in the country. I ask them to consider the trouble that arises over the local government financial allocation. Multiplying that by as big a number as they can gives an idea of what their postbags will look like. Very decentralising.

This supposedly decentralising Bill will set up the strategic health authorities, each one of which will have its own chief executive. Let us guess who will be appointing the chief executives—the head of the civil service at the Department of Health, who also happens to be the head of the NHS executive. So the personal appointments will lie, very neatly, in the Secretary of State's office. How very decentralising.

The Bill will appoint a council to oversee the regulatory bodies. However, there will always be a majority of one, appointed by—guess who?—the Secretary of State. Calling this a decentralising Bill is a fantasy.

Mr. Patrick Hall (Bedford): Will the hon. Gentleman explain how the considerable shift of devolution of resources to primary care trusts is a centralising move?

Dr. Fox: The measure is decentralising only if people have the freedom to do what they like with the money. If the Secretary of State sets the budget and the criteria to be used for performance targets and can withdraw money if people do things that he does not like, that is not decentralising. That may be how new Labour's lexicon defines decentralising, but the rest of us think it a dangerously centralising move.

Not only is the Bill dangerously centralising, but it breaks specific promises to both Houses about the pace and nature of the development of health care. On 25 February 1999, Baroness Hayman told the House of Lords:

> "It is important to say at the start that it is no part of the Government's agenda to impose primary care trusts on the service . . . We want measured change, progression to trust status, driven locally, based on local views. That is why the Secretary of State will be able to establish a trust only after local consultation."—[*Official Report, House of Lords*, 25 February 1999; Vol. 597, c. 1268.]

Even more explicitly, the former Minister of State for Health, the right hon. Member for Southampton, Itchen (Mr. Denham), told the Standing Committee considering the Health Bill on 27 April 1999:

> "it is not part of our agenda to impose PCTs on the national health service . . . Full and proper consultation must therefore always occur before a PCT is established, and due consideration should be given to the views of a full range of local stakeholders."—[*Official Report, Standing Committee A*, 27 April 1999; c. 228-29.]

Nothing could be further from what is proposed. Given the breathtaking effrontery with which Ministers have broken their specific promises on the subject in the past, how can we believe anything they say now?

The Bill will do nothing to stop the flow of centralised direction and instructions. It will strengthen the hand of the Secretary of State to interfere at local level. The Secretary of State will allocate the money to the PCTs so that he can determine what they will do. He can withhold money; he can set resource limits as well as cash limits; he sets performance rewards. It is micromanagement of policy, and it is folly.

Is the current system ready for this deluge of change? The remaining 130-odd PCGs will be rushed into becoming PCTs whether they want to or not—so much for the GP freedom that was promised. Some existing PCTs and PCGs are being rushed into mergers, whether they want to or not, and all the PCTs will be given extra responsibilities, notably commissioning, whether or not they want it or are prepared for it.

The Government have financially supported the tracking survey carried out by the National Primary Care Research and Development Centre in collaboration with the King's Fund. The survey suggests that there are many doubts as to the ability to absorb the pace of reform. Professor David Wilkin, the project director, said that the pace of change was being dictated by Government timetables rather than by a

> "process of learning and building on experience".

He also pointed out that

> "it is not merely a question of resources to sort out this issue . . . what is needed are managers with the right skills and experience coming through the system. Managers from trusts and health authorities can be taken on, but we are dealing with primary care and they don't necessarily have the skills needed".

The survey pointed out that the average number of managerial, financial and administrative staff employed by PCGs was 6.8, compared with an average for PCTs of 15.8. That is a serious discrepancy. Equally worrying is the fact that one in seven PCGs or PCTs still has no financial director.

According to the report, the situation relating to information management and technology was perhaps of more concern. It stated:

> "Information to support core functions of PCG/Ts is inadequate and shows little sign of improving. PCG/Ts have made some progress in formulating development plans . . . and increasing"

what the report calls

> "connectivity, but shortages of skilled staff and resources make it doubtful whether they will achieve key national targets."

Of greater worry to the authors of the report, to the BMA and many others is whether the changes in the Bill will divert activity and resources away from front-line patient care. Three quarters of the chief executives questioned believed that the reorganisation would delay the delivery of the national plan and a quarter thought that the delay would be severe.

Will the measure save money or cost money? The Secretary of State claims that £100 million will be saved by the reorganisation. We have all heard that before in the House—from one side or the other. Hands up all those who think that any reorganisation of the NHS has ever saved money! No one who has ever been involved in running the NHS would think that. No one in the NHS thinks that there will be a net saving; indeed, there may be increased costs.

For clarification, I turned to the Government's estimate of public sector financial effects. Line 1, paragraph 184 states:

> "None of the provisions in this Bill will entail significantly increased public spending".

Then I noticed that the arrangements for patient and public involvement will necessitate "some" increase in expenditure, that the new functions of the Commission for Health Improvement, or CHI, will result in "some" increase in expenditure and manpower, and that the creation of the Council for the Regulation of Health Care Professionals will have "a small financial cost". So costs are up by "some" amounts, although the Secretary of State

[Dr. Fox]

does not know—or will not say—by how much. Perhaps it is no wonder that the Chancellor is having doubts about him.

How are those costs to be offset? There will be unspecified "reductions in bureaucracy" and "significant savings in management", but no "decreases in manpower" and, best of all, a

> "significant increase in volunteer input . . . is forecast to bring about a reduction in costs".

The secret of the plan is unveiled: the WRVS to the rescue. Will the Secretary of State make a commitment now that not a penny will be diverted from front-line patient care while these changes are being implemented? That is what people on the front line want to know.

There is also concern, not least in the BMA comments, that PCTs will inherit health authority deficits and the revenue consequences of capital schemes. As that is of extreme importance, will the Secretary of State now say clearly to the House that PCTs will be given a fair chance by starting with a clean slate? In other words, will he say that they will inherit no health authority deficits or revenue consequences of capital schemes?

It is clear that we are not being given that assurance, so the worry of the BMA and others is very real. Will the Secretary of State give an undertaking that the criteria he uses to allocate budgets to individual PCTs will be published, so that the process is as transparent as possible? We look forward to the winding-up speech. Perhaps when some of the pieces of paper arrive from the civil servants, we shall receive answers to those questions.

Everything will be more confusing in Wales, where the plans are even less clear than those for England. Will 22 commissioning bodies mirroring the local authority be set up or not? How much bureaucracy will be entailed and will the result be territorial disputes on the border—all to the detriment of patient care?

Other aspects will cause concern, not least—as has already been mentioned—the Government's continued malevolence towards the community health councils, whose only crime seems to have been having the audacity to criticise the Government's handling of the NHS. Far too many questions remain unanswered about the new structures and the transition phases.

The Secretary of State was unable to answer one of the most basic questions: who owns the information? CHCs throughout the country keep large amounts of confidential patient information. It would be quite wrong for that information, which contains many patients' complaints about trusts, to go to the trusts, so who owns the information? Someone in the Government must know where the ownership of that information lies, yet neither during the passage of the Health and Social Care Act 2001, nor apparently during that of this Bill can the Government answer a simple technical, but fundamental question.

We find the same lack of detail in the relationship between the new inspection bodies. Given the time required to prepare for any inspection, the BMA asks how such activities will be co-ordinated to ensure that even more time is not diverted from patient care. Indeed, why have the Government not taken the opportunity provided by the Bill to streamline regulation, by creating a single regulatory body covering the private sector as well as the public sector?

Given the Secretary of State's enthusiasm for his concordat and having NHS patients treated in private hospitals, I should have thought it made great sense to create a single regulatory body to ensure that patients are looked after in exactly the same way, irrespective of where the state pays for their treatment. Perhaps the Government will want to rethink that; or perhaps tomorrow's Unison cinema advertising campaign might have something to do with the Secretary of State's new bashfulness.

Perhaps the most depressing thing about this Bill is that it will do absolutely nothing to increase choice for patients. Only this week, data have been published that show an unacceptable level of variation in the quality of care delivered by the NHS. With Labour's abolition of GP fundholding and extra-contractual referrals, which allowed doctors far greater freedom and choice as to where their patients could be treated and by whom, the net effect has been to inform patients that they may live in health ghettos, but that the Government are depriving them of the means to escape to where cure and survival rates are better. It is Labour's role, as the anti-choice party, that damns it most in the health debate.

This Bill is irrelevant to the current NHS crisis. It is hugely centralising, bureaucratic, rushed and wasteful. It will divert time and resources from patient care, and it will offer no choice to patients who have already seen their choice restricted under this Government. It is best summed up in the comments of some of the chief executives quoted in the Government's own report. The first said:

> "This is the most ill-conceived, poorly thought through set of changes in decades. Is the plan to torpedo the implementation of the NHS plan?"

Another said:

> "These reforms are a gamble. They may or may not work. Either way, they will inevitably result in more structural changes within the next five years. The government should not implement such risky and costly changes without much clearer analysis and assessment."

But perhaps the greatest insight came from one who said:

> "This is my sixth reorganisation in a 30-year career in the NHS. I have always responded positively to change previously. However, these proposals are a recipe for disaster, a blend of lack of insight, ineptitude and disregard for staff at all levels."

That is the story of the Secretary of State, his Bill and this Government.

5.38 pm

Mr. David Hinchliffe (Wakefield): I hope that my approach to the Bill will be a little more balanced than that shown in the previous contribution. I try to offer constructive criticism, and I hope that what I say today will be taken as constructive criticism. The Bill has many positive aspects, but the fact that I have only 10 minutes in which to speak does not leave me a great deal of time to expand on them, so I shall concentrate on the issues about which I have some concern. I hope that some of those issues will be addressed during the Bill's consideration.

The Secretary of State has talked about the way in which the Government are finally, as he put it, getting health and social care to work together. I wish I were as optimistic as he is. Frankly, looking at my own backyard, which he knows reasonably well, things are as bad as ever. Two weeks ago, I saw the figures on delayed discharges, which are very worrying. Although my right hon. Friend disagrees with my solution, he knows what it is. Perhaps we could engage in a dialogue during the Bill's passage through Parliament.

One of my concerns about the Bill is that it is too narrowly focused on health. Some of the structures proposed fail to take account of the crucial relationship with social care. I shall come to that in more detail shortly.

The Bill also accepts uncritically one of the central historical weaknesses of the NHS—its lack of democracy and lack of engagement and involvement with the people whom it serves. The Bill says that it seeks to involve the patients and the public in the NHS, but it will not let them run it. We should consider how we can ensure that we have a democratically elected health service that means that those who use the service are in the driving seat in a way that they have not been since the service was created in 1946. Another key problem relating to that is the lack of personal ownership of the health service by its users. That is why some people do not take care of the service that they use or regularly fail to turn up for appointments.

We hear much about joined-up government and I believe that the Government are, in some respects, genuinely trying to join up thinking. However, the Bill fails to relate to the growing debate in areas such as mine on the need for regional government. The new strategic health authorities provide an opportunity to draw together important policy strands in radical new ways and I genuinely welcome their introduction. As the Secretary of State is well aware, clear problems have arisen as a result of the lack of a strategic overview at a regional level. Local reconfigurations have suited one area but affected another, and no one has considered the big picture.

When the Secretary of State attended the Select Committee on Health the other week, I raised my concern about public health strategies. We need to ensure that the new regional bodies have a clear role in addressing health inequalities. I worry that the public health agenda is sliding slightly as a result of the changes that are taking place. I hope that I will be reassured on that point as the Bill goes through Parliament.

I welcome the new bodies, but they miss an opportunity in that they will not draw together strategic planning on health and social care. They will not be linked to democratic regional structures that could combine regeneration with public health and social care.

I welcome the proposal for joint working with the Prison Service, because there are two prisons in my area. I also welcome the proposal for the Council for the Regulation of Health Care Professionals but, as I have said before, why does it not regulate health and social care professionals? We have recently legislated on social care and, as we consider joint working and moving people closer together, it might be appropriate to include social care professionals in that umbrella organisation. I broadly support the proposals for strengthening the Commission for Health Improvement because it has made an important contribution to addressing quality issues.

On patient involvement, the Government have failed completely to produce a coherent argument to convince me and others of the need for the abolition of the community health councils. I am not a great fan of the CHCs; they leave a great deal to be desired. However, the Government have not convinced me that the proposals on offer in this or the previous Bill will be any better.

I pay tribute to the Under-Secretary, my hon. Friend the Member for Salford (Ms Blears). Over the past few weeks and months, she has worked extremely hard to try to come up with a coherent alternative. I praise the fact that she has been prepared to listen to people and to talk to them, but she has been landed with an impossible brief. I feel sorry because she has had to try to come up with a solution that will lead to the abolition of the CHCs.

I have considered the proposals in the Bill and I find them baffling. I honestly do not understand them. One of the key points is that the system should be easily understood, but the complexity of the proposals needs to be reconsidered so that the patient—the man or woman in the street—knows where to go and who does what. I have looked at the proposals and, frankly, do not understand who is going to do what. I look forward to hearing the Minister's response because that might explain to me—perhaps I am on the simple side—what the Government are getting at. I have tried desperately hard to understand what they are doing but, so far, they have not come up with any solutions.

I understand the role of the Commission for Patient and Public Involvement in Health and that local networks will support and co-ordinate patients forums, commission independent complaints advocacy and help community groups. We will also have outreach teams working from local premises and standing lay reference panels to guide the local work programme. The local networks will be the glue to bind other elements together. Frankly, if the system was not fractured we would not need glue. I am concerned, as I was about the previous proposals, that we should not have dislocated structures; we should, instead, have united structures.

What is missing is a function similar to that of the patients council to draw local separate elements together in a coherent way. The proposals are too narrowly focused. They fail to enable a collective organisation of members of a patients forum to develop an overall picture of the local health economy. Only last week, the Health Committee took evidence from Central Manchester CHC on the overall impact on its health economy of the local private finance initiative scheme. I do not understand how that bigger picture can be reflected in the new structures because they are not glued together as the CHCs are. I accept that the CHCs do not deal with primary care issues, but they could do, as the Secretary of State is aware. It would be easy for them to deal with those sectors that they have not been allowed to address. We need to modernise the CHC structure. I have no problem with getting rid of the CHCs, but I want a coherent alternative, which does not seem to be available at present.

I am also worried that the approach to the independent complaints advocacy service will be inconsistent. I am not aware where that important service will be located. I see that it will be related to the new body, but it might be situated in different parts of the local health structure across the country. We need consistency. I recall talking to the Secretary of State about my belief that the advocacy role should be placed within patients councils if we get rid of the CHCs. There should be one common place for advocacy so that people, wherever they are, know which body will offer them that advice, but that is not the case

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at the moment. From my experience of dealing with complaints and difficulties in the health service, I realise that that is a major problem with the Bill.

Overall, the Bill has many positive aspects and the correct steps have been taken. I hope that some of the points that I have raised will be considered in Committee so that I will understand fully on Report that the Government are offering something that is better than the present system.

5.48 pm

Dr. Evan Harris (Oxford, West and Abingdon): There is an old joke about a man who goes to see his doctor complaining that his brother thinks that he is a chicken. The doctor says, "Why don't you turn him in? He is clearly crazy", and the man says, "I would, but I need the eggs." The Secretary of State is that man and the Bill is his chicken. I suspect that he genuinely believes that he will deliver the NHS plan with a Bill that distracts the attention of people who work in the service while failing to give a sensible allocation of the resources—not just in funding terms, but in staffing and time terms—to deliver the plan. The fact that he has already left the Chamber suggests that he does not want to hear the diagnosis. He is all too willing to make claims about other people's unwillingness to accept reform, but unwilling himself to hear the diagnosis of his own failure.

The Bill is the emperor's new clothes. It reflects a desire to be seen to be active in making changes to the structure while the NHS continues to fail to deliver what patients deserve. That has been the story of this Labour Administration and the preceding one. There has been a lot of talk about radical reform and the abolition of the internal market. Indeed, the Secretary of State boasted about that in his opening remarks. The internal market separated commissioning from provision. That separation still exists, and it is right that it has not been abolished.

The market was described as the money following the patient, but as the Secretary of State said, that never happened—the patient simply followed the contract. In their previous reforms, the Government simply renamed contracts as service agreements, and now the patient follows the service agreement. The only instance in which money followed the patient was in extra-contractual referrals, and those were abolished in favour of out-of-area treatments, in which money does follow the patient, but two years late and too late to make life easy for those who plan specialised treatments.

We have a Government who are proud of claiming to reform when they are failing to reform at all. They talked about ending the two-tier system, claiming that there was a terrible gap between provision for patients of GP non-fundholders and provision for patients of GP fundholders, when in fact the major inequity is now between people who can afford to go private for treatment that is not available on the NHS or is available only after a long wait, and those who cannot. The effects of that two-tier system have got worse under this Government.

The Government seem to want to inflict on the health service reform for its own sake. Liberal Democrat Members are very keen to see reform when a case is made for it, but reform for its own sake is simply sabotage, and that we will not support. If there were evidence that these reforms were based on a master plan, which had widespread support, they would have more credence. We have yet to see the Government's response to the Kennedy report, so we do not know whether the reforms that it suggests, which have the full support of Liberal Democrats, will be implemented in full. That would be a sensible place to start with NHS reform.

The Government fail to take responsibility for their own mistakes. They have been very keen on blaming the last Government, although they now realise that they themselves were the last Government, so they talk about the Government before last. However, it was a Labour Government who raised expectations by claiming that they would save the NHS in 14 days, or at least within four years.

Mr. Simon Burns (West Chelmsford): More like 24 hours.

Dr. Harris: Indeed, perhaps the stakes are being raised all the time.

The Government could not meet those expectations, and they should not have claimed to be able to do so. There is significant support among Liberal Democrats for the Government's view that the failures in manpower planning by Conservative Governments between 10 and 15 years ago led to the current shortage of specialists and other medical manpower. The cuts in the number of nursing school places was also a major mistake by the Conservatives from which we are still recovering.

The Government would have more credibility on that score if, on coming into power, when the problem was obvious, they had acted to increase medical school numbers. Instead, they waited until 1999 to start a seven-year rolling programme of increase. Similarly, they were slow to increase nursing school numbers. That is because, while rejecting Tory policy, they accepted, at least for the first two or three years, Tory spending plans. The two decisions are inconsistent, and the Government are now living with the results of their failure. They have raised expectations without delivering funding. Now the funding is being made available. We believe that it is inadequate, but compared with previous years the amounts are significant. However, that money is being wasted on the funding of agency nurses. My hon. Friend the Member for Sutton and Cheam (Mr. Burstow) has showed that in London the expenditure on agency nurses has shot up.

The Government are paying the price of their failure to deliver joined-up health and social services care, as we can see in the effects of delayed discharges, which deny resources to people trying to get health service treatment while putting people who seek to leave acute hospitals at risk of infection and of a failure to get the rehabilitation that they need. We now have a crazy system in which elderly people have to queue up to get into hospital and then are not allowed out when they have been treated. As the hon. Member for Wakefield (Mr. Hinchliffe) said, the Bill is notable for the absence of any measure to provide extra joint working between health and social services. There is no recognition that year-on-year increases in social services funding have fallen way behind increases in health funding despite the fact that social services face the same demographic pressures and staffing cost pressures.

Liberal Democrats have explained, in our reasoned amendment, why we cannot support the Bill on Second Reading. It fails to address the major issues in the health service, and it causes problems in the provision of public health services instead of solving them. As the hon. Member for Woodspring (Dr. Fox) said, it is a centralising measure but it pretends to be otherwise. As the hon. Member for Wakefield said, the Bill fails to deliver the patient and public involvement that is desired by stakeholders in the health service, by the country and by Members in this House and the House of Lords.

Mr. Jon Owen Jones (Cardiff, Central): The hon. Gentleman has just told the House that Liberal Democrat Members intend to vote against the Bill on Second Reading. What will that do to the partnership agreement in the Welsh Assembly, because the clauses that deal with Wales are promoted by his party in Wales and will fall if the Bill falls?

Dr. Harris: We hope to be able to amend those parts of the Bill that we do not support. I will go on to explain which parts we support. The prevalent idea among Labour Members that one can hitch a measure that is supported to a measure to slaughter the first born, and expect Opposition Members to support it as blindly as Labour Back Benchers do, shows their lack of a grip on reality. Our opposition is constructive.

Mr. Jones *rose—*

Dr. Harris: It would not be fair to him to allow the hon. Gentleman to intervene again, but I can tell him that my hon. Friend the Member for Brecon and Radnorshire (Mr. Williams) is hoping to catch the Speaker's eye so that he can talk about the proposals that relate to Wales.

I want to concentrate on the Bill's impact on the delivery of public health. The hon. Member for Wakefield expressed his regret, which I share, that public health has fallen so far down the Government's agenda. The Secretary of State, who sadly is no longer in the Chamber, tantalisingly pointed out that the prescription and provision of statins, cholesterol-lowering drugs, can save even more lives per year than the faster delivery of heart operations in the acute sector. However, he did not say that even more lives would be saved by NHS provision of smoking cessation advice to far more people than now receive it under the Government's scheme. That shows how public health has slipped down the Government's agenda.

The United Kingdom Public Health Association expressed concerns about how the abolition of health authorities would affect public health practitioners and about the clarity of the proposed structure. The hon. Member for Woodspring read extensively from the excellent House of Commons Library briefing, so I shall do the same. The UKPHA said:

> "Above all, we regret most profoundly the effect of the 'planning blight' now affecting public health specialists and practitioners at all levels, but particularly at senior level. While welcoming the strong presence of public health at all levels in the new structure, we remain concerned that the respective roles and contributions of public health leaders at primary care trust, strategic health authority and regional levels need to be clarified as a matter of urgency. The risk otherwise is that scarce public resources will not be utilised effectively and confusion will arise between the various levels and their core responsibilities."

The function of public health is critical to effective and cost-effective commissioning. There is a fear that good, experienced people will have had enough of continual change and will leave the front-line services. Sadly, some have left those services in my county of Oxfordshire, and I know that the story is repeated elsewhere.

The Government must answer the charge of control freakery. The desire to control all commissioning decisions in the health service is a serious problem for a Government who claim that they are decentralising. We have already heard concerns about the provisions of clause 8, especially the proposed new subsection 3 of the National Health Service Act 1977, which will reward certain primary care trusts for what can only be described as political obedience. The last thing that patients need is commissioning based on political obedience rather than their interests, including the better delivery of health care.

Mr. Kevan Jones (North Durham): The hon. Gentleman has now spoken for 12 minutes. He said that his party would vote against the Bill; can he tell us what the alternatives are?

Dr. Harris: I am certainly going to come on to that. It is for the Government to come up with sensible reforms, but I shall certainly explain to the hon. Gentleman which aspects of the Bill I support and what we would like to see in it. As I said, the idea of reform for its own sake is effectively sabotage; the health service does not need something that cannot be supported by those working at the coal face. No constituent, who has sent me a letter expressing concern about the failure of the health service to deliver, has begged me to reform NHS structures still more. We need an amnesty on health service reform. Sometimes undertaking no reform is better than reform for its own sake, which is equivalent to sabotage. It diverts people from trying to deliver outcomes that we all want, including the Government, by asking those individuals to reapply for their jobs in some other structure.

The Government have talked about their wish for decentralisation, but it is clear that they are not decentralising power which, in the health service, is founded on the ability to take decisions about which services to commission, the shape of service provision and which new treatments to provide. That implies that there is sufficient growth funding to allow local discretion, where the power is allegedly devolved, to make funded changes. Health authorities throughout the country have made it clear that that growth money is already spoken for in must-dos and diktats that have been issued centrally. The Government cannot claim to decentralise power when, in fact, they are centralising it. They are centralising praise by making announcements of new money centrally, but are seeking to decentralise blame, because they know that otherwise they will be held to account for failing to deliver.

The Secretary of State said that he wants to be judged on tipping the balance from central interference, as he called it, to a more patient-centred approach, and specified three measures to achieve that: improved regulation, measures to change—or, he would argue, improve—public involvement, and the devolution of power locally. We award the Government only one out of three; we support the greater independence of the Commission for Health Improvement and, in principle, the setting up of a council to regulate health professions. However,

[Dr. Harris]

they cannot have our support for two of the three proposals because of their failure to deliver a more patient-centred approach involving the public and patients, and their refusal to decentralise genuine power. That is why we shall oppose the Bill tonight.

The Government have said that their changes will deliver £100 million-worth of savings in the context of £1 billion-worth of savings from management changes. Will the Minister allow the Audit Commission to check whether those savings have been, or will ever be, delivered? The creation of more commissioning groups, following the abolition of health authorities and the creation of strategic health authorities and more primary care trusts will lead to more bureaucracy and tiers of management in the health service.

We have some concerns about the new Council for the Regulation of Health Care Professionals. However, it is clear that best practice in each profession ought to be spread to the other professions. There is no reason why the regulation of doctors' practices should be wholly different from the regulation of the practices of nurses and professions allied to medicine. There is no doubt that practices in some areas are better than in others. If the new council has a co-ordinating role in inviting other councils to modernise and update their procedures, as has begun to take place under the order-making powers in the Health Act 1999, we welcome that.

The Government must be clear about whether there will be extensive powers to direct councils to do the bidding of the new body, given that its make-up does not amount to professional self-regulation to which, in Standing Committee recently, the Minister said the Government were committed. If we do not have professional self-regulation by dint of not having a professional majority on the new council which can issue directions to the uni-professional councils and the Council for Professions Allied to Medicine to do certain things, that may be a retrograde step. The Government must clarify the extent of those powers. It is welcome that a majority of members on the new council are not professionals. However, the Secretary of State finessed the fact that most of that majority will probably be appointed by him, so will not be independently appointed. The Government need to explain why that is not indirect political regulation of the health professions.

Finally, we have an open mind about which structures will deliver public and patient involvement. We have set tests for that involvement and want to make sure that the structures that the Government are imposing in the Bill will deliver the capabilities that they specify.

Andy Burnham (Leigh): A moment ago, the hon. Gentleman told my hon. Friend the Member for North Durham (Mr. Jones) that he would deal with his party's alternative proposals for the NHS. Will he now enlighten the House on what they are and how he proposes to pay for them?

Dr. Harris: I should be delighted to do so, but I am keen to stick mainly to the Bill. However, I direct the hon. Gentleman to the manifesto that we produced at the last election, which made it clear that we would provide significant extra money, funded by fair taxation, which is the only taxation—the hon. Gentleman is probably proud of this—that the Labour party has committed itself not to raise. There will be stealth taxes, regressive taxes and rises in council tax to try to repair the damage to social services, but there will be no resources, funded through fair taxation, which are required, for example, to abolish charges for personal care and nursing care for elderly people.

Such proposals have gained widespread support, not only from the electorate, but from people who are interested in a health service that is free at the point of delivery and stands for equity, quality and access. I will send the hon. Gentleman details of our proposals if he is desperate, but I suggest that he takes the time to read our manifesto. I suggest that he takes the time properly to scrutinise his own Government, as their proposals on public and patient involvement are worse than those that they previously introduced in the House.

We have an open mind about the exact structures needed for such involvement. We have the same questions as the hon. Member for Wakefield about why community health councils cannot be reformed, as the councils themselves wish. They do not have the power to reform themselves, so the Government should not sweep away parts of the CHCs that are working well, but should give them the power to get involved in primary care, to provide the relevant structures so that their members are independently appointed and to enable them to enjoy formal representation on the boards of local bodies. At some point, the hon. Member for Leigh (Andy Burnham) should scrutinise his own Front-Benchers.

Having said that, I welcome the fact that the Government are prepared to change the position that they set out in their consultation paper. It is wrong for political parties to oppose something, then criticise Governments who appear to listen for making a U-turn. I do not wish to criticise the Minister or the Secretary of State for moving back from the position in their consultation paper, but the Bill's proposals still do not pass the tests of accessibility, accountability, effectiveness, independence and integration. There is no accessibility, as the hon. Member for Wakefield said, because it is not clear to which body members of the public and patients can turn, whether for independent advocacy or for scrutiny of what is going on in the health service.

That is why we believe that there is a role for a body such as a co-ordinated patients council, whether it is called a patients council or a reformed community health council, in providing the cohesiveness and integration that are required. It is not clear how patients forums will be accountable to those who appoint them. We need a wider body at a local or sub-regional level to provide that accountability to the representative groups, including local government, that have stakes in the delivery of health care. It is not clear that the Government's proposals will be effective, as it is not clear whether they will involve a professional secretariat and the experience that it would bring to bear.

On all those tests, the current proposals fail. We look forward to the Government making suggestions, preferably in Committee here, but perhaps in later stages of the Bill's passage in this place or the House of Lords, that meet the tests of effectiveness, accountability, accessibility, independence and integration. We will consider such proposals with an open mind.

In conclusion, it is clear that the Government do not have a coherent plan. They are desperate to avoid getting the blame for their failure to deliver in this Parliament because of their failure to allow the health service space to choose its priorities within the all too limited funds that they have so far allocated. We can see a willingness to decentralise only blame and to centralise praise, and to shift not the balance of power, but the blame.

6.11 pm

Mr. Win Griffiths (Bridgend): I rise to praise virtually unreservedly the proposals for improving health in Wales and the structural changes that go with that which are contained in the Bill.

The proposals have their root in the thinking that was initiated immediately after the Labour party's victory in 1997 and that has been developed consistently since then. Our purpose in Wales was to create an NHS in which all parts and all people worked together to provide quality care and effective services for patients. Apart from co-operation across the NHS in Wales, we also took the decision to develop at NHS trust level an integrated service combining, in the main, acute, community and mental health services. The Velindre trust, specialising in cancer care, and the Wales Ambulance trust were the only two of the 16 trusts not to contain at least two of those sectors, and 11 of the other 14 contained all three.

In considering the development of a positive agenda for health in Wales that went beyond treatment issues, we established a framework to develop partnerships between the NHS and local government. Hence, 22 local health groups were created to establish the principle of co-terminosity: matching NHS trusts and local councils to facilitate partnership and joint working, especially between the health service and social services.

Those principles and foundations for action were laid in the first 14 months of the Labour Government and they have been built on consistently since by successive Secretaries of State—my right hon. Friends the Members for Cardiff, South and Penarth (Alun Michael) and for Torfaen (Mr. Murphy)—and Welsh Office Health Ministers—my hon. Friends the Members for Cardiff, Central (Mr. Jones) and for Delyn (Mr. Hanson). The mantle in the National Assembly for Wales was taken up by Jane Hutt, Assembly Member for Vale of Glamorgan and Minister for Health and Social Services in Wales.

Accordingly, I welcome virtually all that has come out of the consultation on structural change in the NHS in Wales. I submitted a contribution to the Assembly and many, although not all, of my concerns have been tackled. The Welsh clauses in the Bill give the Assembly very substantial and wide-ranging powers to abolish health authorities, create local health boards and strengthen strategic guidance and oversight of the NHS in Wales. That will enable the development of a strong and creative partnership between the NHS and local government, which, in addition to tackling treatment problems at local and trust level, will develop a programme for health improvement. I share Jane Hutt's belief that it is essential to maintain the principle of co-terminosity of health and local government structures to deliver a better health service for people in Wales. I differ, however, on the absolute need for that co-terminosity to be determined by the number of county and county borough councils in Wales, an issue to which I shall return in my concluding remarks.

I welcome the strengthening of the NHS Wales directorate with the creation of a primary care directorate and lead directors for mental health and children's health. The importance of the latter initiative cannot be over-emphasised. I look forward to the establishment of new medical committees based on the old district medical committees, but now including secondary as well as primary care staff, to develop policy and tackle health problems in Wales. The creation of a clearly delineated public health service in the Wales centre for health that is accountable to the chief medical officer and operates at local health board level will provide a new focus for high standards in public health services for personal health and well-being, which are of fundamental importance. The hon. Member for Oxford, West and Abingdon (Dr. Harris) might just have mentioned that in his diatribe on that particular subject.

I look forward to the strengthening of the role of the Specialised Health Services Commission for Wales in commissioning tertiary and highly specialised acute services that could not easily be developed in any one trust or by one local health board acting alone, and in providing guidance and oversight in those sectors. I am pleased that, as a result of the consultation, the proposals to create three so-called health economies containing local health board consortiums and disintegrate compulsorily the recently integrated trusts by removing community health and intermediate care services have been dropped. I am pleased that the latter proposal will proceed only if trusts volunteer for it.

Before concluding on the linchpin issue of the role and number of local health boards, I want to pay tribute to the way in which the role of nurses has been recognised, albeit belatedly, on the local health boards and at other levels of the NHS in Wales. The Royal College of Nursing in Wales has responded very positively to consultation on structural change, although, like me, it has one remaining significant concern about the appropriate number of local health boards.

As a general rule, the best way to achieve co-terminosity and maintain the match of national health service trusts and local councils is to base local health boards on trust areas. The boards will be stronger for that, as well as better able to employ high-quality staff and get able board members who are fully capable of working with the trusts to provide improved health care and develop positive health strategies.

Given that the Bill does not specify the number of local health boards or state that each local health authority must have one, and as the National Assembly for Wales is still developing its plans for the final nature of local health boards with the demise of the five health authorities, I shall not rehearse in detail all my arguments about why I think that the arrangement should, as a general rule, relate to the trusts rather than to the local authorities. However, I look forward to continuing dialogue with the Assembly on the most appropriate number of local health boards to maintain the principle of matching trusts with local councils and develop a health service that will serve the people of Wales well.

6.19 pm

Mrs. Marion Roe (Broxbourne): Like most community health councils, the four CHCs in Hertfordshire recognised that certain changes were necessary to improve public and

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patient involvement in health care. They have been working closely with local NHS organisations to try to put into practice some of the proposals to put patients at the centre of the national health service. To that end, they are engaged in setting up shadow patients forums in each local NHS trust, bringing together complaints staff from each CHC to create an embryonic independent complaints advocacy service, and working closely with the county council and other local authorities on the overview and scrutiny functions.

None the less, although the East Herts community health council, which covers my constituency, views the Bill's public and patient involvement proposals as an improvement on previous health measures, it has several serious anxieties, which I shall outline.

The proposal for a Commission for Patient and Public Involvement in Health, with local offices to support and integrate the work of patients forums, commission the independent complaints advocacy service and encourage the transmission of patient and public views to local authority overview and security committees, goes some way to answering the criticism that the proposed system will fragment the current arrangement whereby the CHCs act as a one-stop shop for all those functions. However, it means that the number of members, accountability and staffing of the commission are of the utmost importance.

The Bill makes none of those matters clear. The criteria for appointment to the commission, its size and to whom members are accountable are unclear.

Angela Watkinson (Upminster): What confidence does my hon. Friend have that anyone who is not a Labour supporter will be appointed to the new bodies?

Mrs. Roe: That is why such serious anxieties exist in my constituency. Nothing states from where members will be drawn. In view of the composition of other health authorities and bodies, people are worried about the balance of membership.

I received a copy of the latest document, "Involving Patients and the Public in Healthcare: Response to the Listening Exercise" this morning. Although it gives some idea of the proposed make-up of the commission by suggesting a system of nominations from the lay panels of the commission's local networks—a new proposal that is not in the Bill—and national patients organisations, the criteria for appointment, number of members and accountability remain unstated. The amount and source of the commission's funding is also unknown.

The composition, appointment and accountability of members of patients forums, which are proposed to take over the CHCs' role of reviewing and monitoring NHS services, arouse similar anxiety. Although the functions and responsibilities of patients forums are given in detail, including an extension of inspection rights to cover primary care—the CHCs have requested such rights for many years—the Bill is largely silent about their accountability, size, make-up and membership criteria.

It is suggested that the independent NHS Appointments Commission will make the appointments. However, that is a national body, whereas patients forums are essentially local organisations that need to reflect local interests.

The explanatory notes state that membership will be drawn from patients, carers and organisations in the voluntary sector that represent patients. Although the response to the listening exercise suggests that the criteria for membership

"will need to be open and clear",

and clarifies to some extent how the commission will operate locally, specific proposals on accountability, numbers and the required staff do not appear in the Bill. To make forums truly representative, the concerns of ordinary taxpayers, who have a right as citizens to express their views about health services, need a place.

The way in which the proposed procedure in the response to the listening exercise will ensure fair and balanced representation, including that of disadvantaged members of society, deserves greater clarification. Given that there are likely to be 600 or 700 forums, attracting enough people to serve on them remains a challenge.

The Bill is silent about staffing, including the level of professional advice as well as administrative provision, its adequacy for the tasks assigned to the forums and funding details.

A further anxiety is that the public's right to have contentious matters, such as the closure or reconfiguration of NHS facilities and services, referred to the Secretary of State—the CHCs currently exercise that right on behalf of the public—will be obscured by its transfer to overview and scrutiny committees.

The proposed abolition of the CHCs means that the current position will be superseded. Although the response to the listening exercise states:

"powers of referral will be no less than the current powers held by CHCs",

that was not stated clearly in the Health and Social Care Act 2001 and is too important not to be enshrined in legislation. I seek an assurance from the Minister that the rights of the public will be expanded rather than simply maintained or even diminished.

Another anxiety is the form that any transition will take, if the Bill is approved. The CHC members and staff have been in limbo for almost 18 months. Demoralisation and uncertainty has meant that many CHCs throughout the country have lost valuable members and staff. Replacement has become extremely difficult.

My local CHC has been fortunate in maintaining its momentum by trying to deal with patient and public involvement positively, with the encouragement of the local NHS trust and health authority. That encouragement should be undertaken nationally by the Government, especially the Department of Health, and regionally. The CHCs need formal and practical encouragement, including adequate resourcing, to move to any new system.

The proposals in the response to the listening exercise try to deal with that and should be welcomed as far as they go, but they are too late for many staff and members. The Government must ensure that the valuable experience, knowledge and expertise of CHC members and staff do not continue to haemorrhage to the detriment of the NHS, but are retained for its benefit and, more important, for that of all those who use its services.

As my hon. Friend the Member for Woodspring (Dr. Fox) said, the Bill does nothing to solve the genuine problems of the NHS. Replacing the CHCs with a plethora of alternative bodies with far less independence does not constitute progress.

6.28 pm

Mr. Frank Field (Birkenhead): I want to make a general point and a specific point, and I shall be as brief as possible. Today, we are debating the last of our nationalised industries, and many hon. Members wish to catch your eye, Madam Deputy Speaker. During my time in the House, the abolition of our nationalised industries has often been cheered by Members of at least one party. However, it is noticeable that when we debate the national health service, almost no Member criticises it. It is the one part of our post-war settlement that is held in such regard by the public that politicians reform it at huge personal and political risk. The fine picture painted by my right hon. Friend the Secretary of State at the end of his speech will be endorsed by the House and the entire country.

It is noticeable that the hon. Member for Macclesfield (Mr. Winterton) is in his seat for the debate. It is probably fair to say that he was one of the first Members to enter the Lobby when the House denationalised most of the nationalised industries, but there was no stronger champion of the NHS than he during the Tory Governments of the late 1970s and the 1980s and 1990s. In that way, he has accurately reflected the view in the country.

When the Secretary of State painted that broad canvas depicting his vision of the NHS at the end of a 10-year period, and spoke about how he hoped for the support necessary to turn that nationalised industry from a producers co-op into a consumer industry, it was noticeable how limited his first steps were in that direction. We need only think about how we behave as consumers in every other activity of our lives, and contrast that with how we have to behave as consumers in the NHS, to realise the lengths to which we must go to ensure that our last and only respected nationalised industry is successfully reformed. That is my general point.

My specific point relates to part 2 of the Bill. The ideas that I put before the House, and to which I may return in Committee and certainly on Report, relate to the regulation of the medical professions. I make a plea to the House to stand back and look at what we have been doing on regulation for the past 20 years. We have been denationalising ourselves and handing our functions to quangos outside the House, which are hardly responsible to the House. They lay an annual report before the House, but we all know that that is not accountability to the House. We have not recognised that the process of regulation should apply to an equally urgent issue on the Government's agenda—the modernisation of the House of Commons.

One of the problems that we face when we debate modernisation of the House is that some people have a hidden agenda, and view modernisation of the House of Commons as a means of defeating the Government. Of course, the Government must be sensitive to the views in this place, but if we are to hold the Government accountable at election times, Governments must, generally speaking, get their measures through, otherwise they will say, "We would have liked to do all that, but the rebels on the Back Benches prevented us from doing so."

Our role is not to take back the regulatory powers that we have given—the four huge ones to the public utilities now in the private sector, or to the Financial Services Authority or the Food Standards Agency. However, we should at least make those bodies responsible to the House of Commons or to both Houses through a joint Select Committee, which would have the time and some of the expertise not to perform the function of regulation, but to hold the regulators accountable to Parliament and thus to the people.

The Council for the Regulation of Health Care Professionals, which has a co-ordinating function, should have been established by the part of the Bill dealing with quality. If we, as consumers, are concerned about the professional standards of the growing medical profession that will affect us and our constituents, we should see it as part of the regulatory function and also part of our function to support those professions as they try to push up the quality of care and the standards to which they conduct their proceedings in the NHS and, as has been argued, in the private sector.

Those are not simply my ideas—they have been developed with Sir Donald Irvine who, as is well known, is the radical president of the General Medical Council. I hope that we may return to the idea on another occasion and not only debate more fully the effective reform of the NHS, but take the reform of Parliament out of the cul de sac where it has been for so long and give it a new track down which it could go towards success.

The first of my two points, then, is that the views expressed by my right hon. Friend the Secretary of State in his concluding remarks are shared by the entire House. Our job soon will be to improve the Bill so that it will achieve the objectives that he set before us and the country. Secondly, I have made a plea for us to link, in Committee and on Report, the raising of standards of care and professional standards of conduct in the health service to the reform of Parliament.

Perhaps with this measure we will cease to denationalise ourselves and hand our functions to quangos, and welcome the existence of new quangos but make them accountable to us. In that way, the new Council for the Regulation of Health Care Professionals will be able to carry out its functions more effectively, and many more Back Benchers will find a useful role in the House of Commons.

6.36 pm

Mr. Stephen Dorrell (Charnwood): The comments that I shall make follow on neatly from the first of the two points made by the right hon. Member for Birkenhead (Mr. Field). The question that I put to the House is simple: why is the Bill creating so little interest among those who share the broad vision with which the Secretary of State concluded his speech and which the right hon. Member for Birkenhead endorsed?

No Member can doubt that health policy is an issue of concern to the great majority of voters. The Secretary of State's claim for his Bill was certainly not understated. He said that it represented the most fundamental reform of the health service since its foundation more than 50 years ago. If we are dealing with a subject of intense political interest, and the Secretary of State claims that his Bill is the most fundamental reform of the service for more than 50 years, why is there a deafening silence outside the House in the public reaction to the proposals he claims are so radical?

Any dispassionate observer looking at the comments on health politics would recognise that there is the occasional dutiful editorial, usually the second or third editorial in the broadsheets on a quiet news day. Even the

[Mr. Stephen Dorrell]

Health Service Journal has found it impossible to limber itself up to care about the Bill. That is true whether the views expressed are in favour of the Bill or against it. The speeches we have heard so far have not roused passion for or against the Bill. Why is it that a Bill which focuses on an issue of major political import, and which the Secretary of State believes is a major radical reforming Bill, arouses almost no interest in the health service or outside it?

The answer is simple—the voters understand something which they fear the politicians do not, namely, that the problems of health care delivery in a modern society will not be solved by further administrative reform of the NHS. God knows, we tried it over 30 years. Sir Keith Joseph invented district health authorities, area health authorities and regional health authorities; Patrick Jenkin abolished area health authorities; Norman Fowler introduced general managers; my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) introduced trusts and fundholders; my right hon. Friend the Member for South-West Surrey (Virginia Bottomley) reorganised social care; and I played a modest part in the process by abolishing family health services authorities. The Secretary of State is reinventing district and regional health authorities. That is an abridged version of the process of administrative reform to which we have subjected the NHS over the past 30 years.

None of those reforms, whether sponsored by my right hon. Friends or by Labour Members, was as bad as people feared, but none delivered the results claimed for them when they were advocated. The voters do not care about the Bill because they know that reforms, as they are introduced and sponsored by the politicians, will not deliver what is claimed for them. People already understand that simple bureaucratic change will not deliver the social policy objectives that we all have for health care.

The Secretary of State identified in his opening remarks the right staring point for genuine reform of the health service, which is not yet another administrative change. He correctly said that, if we are to deliver our social policy objectives on health, we must understand how to deliver a health system that responds to the needs of consumers who have grown used in the rest of society to a different model for the delivery of services that are important to them. They have grown used to a world in which institutions must be customer, client and consumer responsive, and which faces in a way that the NHS has never yet learned.

The Secretary of State was right to emphasise in his NHS plan the importance of considering service delivery from the patient's perspective, but we cannot really be thinking about health care and social care delivery from the service user's perspective when the anomalous distinction between them still remains at the heart of our delivery system. That was pointed out by the hon. Member for Wakefield (Mr. Hinchliffe), with whom I do not always agree on health service issues.

I understand the bureaucratic distinctions that people draw, but in over four years as a Health Minister I never met a single 80-year-old who understood the difference between health care and social care, except to the extent that people understood jolly well whether those had to be paid for. That is the only difference for the service recipient, and it is the bigger problem of health care delivery caught in microcosm. How to deliver a health care and social care system that responds to patient wishes and grows in response to them, and how to pay for that, lie at the heart of genuine NHS reform. The voters are well aware of that and they think that the political class is in denial.

The Bill is a good example of the political class being in denial and its central message is that the health service will continue as before, although the bureaucracy will change. That has been the NHS message for 30 years. There is a disconnection because the voters know that, sooner rather than later, the model we have sought to deliver must be addressed more fundamentally. They agree with the Secretary of State, as I do, that the social policy objective must be to deliver health care on the basis of clinical need without regard to the patient's ability to pay, but they know, although the right hon. Gentleman is not willing to acknowledge it, that the service is not responsive enough and that it will not become so through such bureaucratic change.

The Secretary of State, like me before him and like all previous Secretaries of State, denies that people go private because they think that their capacity to pay will deliver better health care. All Secretaries of State know, as the World Health Organisation pointed out earlier this year, that other countries have found ways to harness the patient's willingness to pay with the social policy objective of equity of access. They also know that the NHS is underfunded and that the Chancellor or the Prime Minister saying that they can solve that problem through the tax system is the equivalent of the tooth fairy.

We in the House are in danger of being disconnected from our voters because we are in denial about truths that they recognise while we are unwilling to do so. Until we address those issues head on, we shall not earn their trust or respect.

6.46 pm

Siobhain McDonagh (Mitcham and Morden): I shall make a general contribution to the debate. I welcome the Government's continuing commitment to reforming the national health service to make it more efficient and more responsive to the needs of its users. The NHS remains a proud achievement of the 1945 Labour Government—perhaps the Administration with whom this ambitious Labour Government identify most closely.

The very existence of the NHS is one reason for my joining the Labour party 25 years ago. I am proud to be here to witness its reform and renewal as an organisation that is equipped for the challenges of modern health care and modern management and striving for equality of health care across our country. I hope that, in 50 years, our successors in the House will be describing the NHS, with equal enthusiasm and an equally protective instinct, as one of the best public services that this country has to offer.

However, that is not to say that any of us, least of all the Secretary of State, is blind to the problems that the NHS has faced for much of its existence. My constituents in Mitcham and Morden have recently had to bear the worry and stigma of their local hospital trust, Epsom and St. Helier, being criticised by the Commission for Health Improvement over the quality of services it provides.

Those failings are being addressed, but for a long time they were not news to people in St. Helier, Ravensbury or lower Morden, who tried endlessly to explain the problems but who were endlessly ignored. I know that my constituents will welcome the Government's reforms, provided that they have a tangible and visible effect on their hospital and give them a stake in the way it is run.

Members on both sides of the House know NHS hospitals at first hand or through the experience of elderly parents, children or friends. We all know that hospitals need to be improved and that a variety of causes hold that back. I remember when the unions were blamed for the ills of the NHS, but these days the public-private partnership has begun to be used as a catch-all scapegoat for whatever problems it faces.

Both those points of view have more to do with dogma than reality. Dogma never delivered a baby, found a cure for cancer, provided a modern hearing aid or helped people to rebuild their lives after the devastation of a stroke. We must stop considering the NHS through the prism of the past and, as modernisers and pragmatists, must work to a better NHS for everyone—all the people who have a right to decent public health care and who are not concerned about who builds the hospital, as long as someone gets on and builds it.

The people of this country expect us to crack on with building hospitals, operate existing ones to the highest standards possible and, where appropriate, reopen defunct cottage hospitals across the country as intermediate care facilities to provide step-down beds and ease the colossal pressure on larger acute hospitals.

For example, I would like the Wilson, which was once a very fine cottage hospital serving the community in Mitcham, to reopen. For some years, it has been used as offices by Merton, Sutton and Wandsworth health authority, so where there were once beds there are now desks and filing cabinets. Equidistant between St. Helier and St. George's hospitals, the Wilson could ease the pressure on the acute beds in both. People would strongly support opening a large number of such dormant facilities to ease the pressure on acute hospitals and care for the elderly.

In recent decades, the NHS has been hamstrung by a lack of resources and a lack of vision for its future, particularly in the bleak, bleak Tory years when it seemed to many that people were being forced to accept a poor, chaotic health service although, as patients and as taxpayers, they had every right to expect much better. We faced a mountainous task in May 1997, and four and a half years later we are still on the lower slopes.

A right hon. Friend of mine once said that we had 24 hours in which to save the NHS. Sometimes, when I receive letters from constituents who have had an appalling time in hospital, who have waited upwards of 12 months to see a consultant, or who must put up with ill-fitting temporary analogue hearing aids when their lives could be transformed by digital aids, I feel that 25 years might be nearer the mark.

The long struggle that we all face, in government or not, is the struggle to restore the diminished confidence in the health service, modernise its delivery to our people, and reform its structure so that it can offer a much more patient-focused service. We must invest heavily in hospitals throughout the country, so that everyone has access to health care they can trust at the time when they need it.

I was pleased to read the ambitious proposals in the document "Shifting the Balance of Power within the NHS—Securing Delivery". I am glad to note that they have been translated into effective legislation in the Bill. I welcome the creation of a national patients organisation and an overarching professional regulatory body, both of which will ensure greater protection of the rights and dignity of patients. It is entirely right for the people, whether they are patients or not, to have a voice—I hope it will be a loud voice—in decision making in the NHS.

Provided that they are adequately resourced and listened to, I also welcome the proposals for patients forums. I am glad to learn of the role they will play in gathering and reporting on the views of patients and carers about the services of trusts, giving patients and carers advice and information about those services and monitoring their operation. I am also pleased that there has been a far greater acknowledgement than ever before of the selfless role played by carers in delivering health care. That role has been ignored for too long.

In the context of regulation, I welcome the creation of more independence for the Commission for Health Improvement. Strong and effective links with other key bodies, including the Commission for Patient and Public Involvement in Health and the national patient safety agency, will be essential to ensuring a thorough and co-ordinated approach to monitoring and regulation. The case for inspection and regulation is strong. In the 20 months of its existence the CHI has published reviews of more than 50 trusts, and a further 50 reports will come before April. That will mean that more than 70 per cent. of acute hospitals have been reviewed.

The CHI has shown that it will be brutally honest when it identifies unacceptable patient care, as it has at St Helier hospital which serves people in my constituency. It has, however, been full of praise for hospitals that are succeeding—for instance, the North Tees and the Royal Devon and Exeter hospitals.

Patients know that such extremes exist in the health service. Sadly, they are to be found in every public service. It is important that the CHI reflects the reality experienced by patients; it is also important that it can say when an ailing hospital has turned the corner. I very much hope that that will be possible in my constituency. We are talking about a fundamental first stage in the rebuilding of public confidence in the services on offer there.

In the NHS, there are signs of improvement as a result of the CHI's work. The better trusts are putting their houses in order before its visits, and patient care is better as a consequence. But what of trusts that are dragging their heels, or simply have not the capacity to improve? At present, a CHI report is followed by an action plan written by the trust and overseen by the NHS regional office. That is all very well, but the CHI has no role in revisiting the trust for four years. When it finds quality to be unacceptable or there is a failure in management, it must be able to visit again much sooner, and must be able to require the trust concerned to take remedial action before its next visit. Those are the special measures of which the Bill speaks, and I think they are entirely justified if we want a more accountable, patient-focused NHS.

The CHI has shown itself to be equal to the task it has been given. The wider remit conferred by the Bill constitutes a recognition of that, but the Bill also gives the CHI the teeth it needs to deal with the difficult minority of hospitals that are failing patients to such an extent that they need further action and support in order to improve their care.

[Siobhain McDonagh]

Moves towards a patient-focused NHS and the tackling of health inequalities are entirely laudable, and many of my constituents would say it was about time such things happened. It is clear to me, however, that further reform will be needed in terms of patients' dealings with their GPs. I believe we have a duty to provide measures ensuring that patients cannot be removed from their GPs' lists without reasonable cause, and that they have the right to a fair and open explanation of a GP's reasons for taking any such action. I also feel that the current system of health charges should be revised to ensure that no patients are prevented from obtaining essential health care. That must be a fundamental plank in the eradication of health inequality.

I support the Bill's aims, and hope it will enable the Government to make significant progress in their mission of NHS investment and reform. I know that significant progress is what the people of Mitcham and Morden want, whether they are visiting their GPs or their local hospitals.

6.55 pm

Sir George Young (North-West Hampshire): I wish I shared the optimism of the hon. Member for Mitcham and Morden (Siobhain McDonagh).

The Bill's origin lies in last year's White Paper, "The NHS Plan: A plan for investment, A plan for reform". At the time, the Secretary of State said:

> "The NHS can address the need to reform itself—from top to toe—to meet the challenges of rising patient expectations."

Reform from top to toe has been happening ever since, and the Bill is part of that.

I want to follow the line of argument developed by my right hon. Friend the Member for Charnwood (Mr. Dorrell). I want to ask whether the current wave of reform is genuinely meeting those challenges of rising patient expectations, to ask whether the reform is based on a cool analysis of the problems on the ground, and—if I find it is not—to suggest that it may be an unwelcome distraction.

Out there in the real world, the NHS's back is against the wall. Last month, the Basingstoke *Gazette* said:

> "Hospital faces drastic cuts. Worried health chiefs are to write to MPs about a cash crisis which is forcing them to plan closures of 40 hospital beds and make cuts in services amounting to millions of pounds."

As for the new resources that Ministers keep telling us about, the paper commented:

> "The Directors said the new money coming into the health service has been 'badged' for specific services and swallowed up in pay awards and targets"

and went on to say that the trust involved planned to deal with bed blocking and then close the beds.

Much as we all love our local newspaper, we do not necessarily believe every word that it prints. Looking behind it and consulting the NHS's own publications, however, will show us that the paper is right. A week or two ago, my health authority published "Improving Performance in North and Mid-Hampshire", which sits uneasily with what we have heard from the Minister this afternoon. The first page tells us:

> "This means that there is currently an underlying deficit of £7.5 million in the NHS in North and Mid-Hampshire. Consequently, we face a major challenge if we are to secure health services fit for the 21st century within the resources available locally."

We are told that the deficit is unsustainable and that

> "some changes will affect how services are delivered to patients."

I think we can all crack the code, and deduce that that means a reduction in services.

If we dig a little deeper and look at individual trusts, we see the problems that confront them. According to the recently published annual report of Winchester and Eastleigh trust,

> "despite the size of these savings"—

savings already made—

> "the economy is likely to remain in deficit and further savings will be required if the Government's ambitious targets embodied in the NHS plan and the full cost of pay and price rises are to be met."

According to the minutes of the last meeting of North Hampshire Hospitals NHS trust:

> "By August 31st, the Trust was overspent by £1.2 million . . . The Trust would still be unable to break-even at the year-end and was looking at a considerable deficit. Further proposals would be brought back to the Board next month on measures to help decrease the deficit, following discussion with the PCT and the Regional Office".

Against that background, my constituents find it impossible to reconcile the rhetoric of Ministers with what is actually happening in Hampshire. Of course, that is having an impact on the quality of the service they receive. The Secretary of State mentioned cancer services. I have a letter dated 4 September from Mrs. H, who wrote:

> "I have just been told that the lymph node that was removed three weeks ago was malignant."

She needed immediate radiotherapy to deal with that. On 11 October, five weeks later, she received a letter from Southampton general hospital:

> "Your specialist has made arrangements for you to have a course of radiotherapy. At the moment, we have a long wait list . . . please accept our apologies for any anxiety . . . as a result of this situation."

Of course there is anxiety and, after further correspondence, treatment will start this Thursday, 10 weeks after she was told that she needed it. She wrote to me a few days ago:

> "I am still not happy about having to wait so long for treatment on my cancer".

I have asked for the radiotherapy waiting times at Southampton general hospital to see if that was unusual. The maximum acceptable waiting time according to the guidelines for radiotherapy after a mastectomy is 28 days. Not one case at Southampton was dealt with in that time: the average wait is 78 days—three times the maximum.

Like other colleagues, I pursue such matters with the health authority to ensure that it knows what is going on. I am told by the chief executive:

> "I am satisfied that the Trust are making all endeavours to provide a service that attempts to treat patients within good practice guidelines, having regard to the constraints of available equipment and specialist staff."

I want to come back to those constraints because they are at the root of the problems in Hampshire.

Our hospitals have the stars, the beacons and all the trophies that validate competence in today's NHS. What we do not have is the cash, so I ask whether the problems that I have outlined are likely to be put right by a further round of administrative reform, or do the causes of the problem lie elsewhere? Will further reform make life more difficult?

The problems in my constituency—it is not unique—can be simply stated: pay awards and other costs are in excess of the inflation uplift given by the Government;

the formula for allocating resources is wrong, which is why nearly all the authorities around London are in deficit; NHS staff cannot afford to live in Hampshire and other parts of the south-east, so there are recruitment and retention problems and excessive use of agency staff, which leads to budgetary problems; and there are severe problems of "delayed transfers of care", or bed blocking, which means that hospitals have to treat more people than they should.

Against that background, one must ask whether the Bill will help. Clause 1 sets up the new strategic health authorities—major turbulence. I was sent the document relevant to my constituency. It was entitled "Modernising the NHS: Shifting the Balance of Power in the South East", a grandiose title with geopolitical overtones, but it really means that four health authorities in Hampshire and the Isle of Wight are knocked into one. The first paragraph tells us that NHS reform will

> "address the issues that really affect the patients"

but once we have read it, we realise that it does not. It is a thin document with 12 lines on the financial implications on page 21. There are no details of any costs or savings, simply an aspiration that any savings would be earmarked for reinvestment in front-line services. Presumably, the obverse is true: any costs will have to come out of front-line services.

Clauses 2 and 3 propose major reform for PCTs. I am not against that, but it is worth pointing out that those are fragile and untested bodies. On their slender shoulders will pass responsibility for managing large services, employing staff and negotiating with the trusts, and then they will have to do all the stuff in the NHS plan: modernise the service, involve patients and the public, lead on partnership with local authorities and liaise with the independent sector. I am not convinced that they are adequately resourced to take on all those roles. I want an assurance from the Minister that they will not inherit all the deficits from their predecessors.

Clauses 8 and 9 are about money. Every year, there is a huge redistribution of resources in the NHS—it is a larger sum of money than the revenue support grant—but with minimum debate and minimum accountability. On that allocation formula rests the quality of service that our constituents get. It is the so-called York formula.

The local government finance settlement is £36 billion year. There is an open and transparent system of distribution, and a debate about it each year. The spend on the NHS in the UK is £59.1 billion—a far larger sum—but the distribution system is not open, accountable or debated. On those obscure foundations rests the quality of service that our constituents get.

As has been said, under the new regime the money will go direct from the Department to primary care trusts. There will be less room for error. At the moment, it goes to the area and there is viring between the various trusts in order to ensure that there is no problem. There will be no room for manoeuvre under the new regime and a premium on right information.

Mr. Nicholas Winterton (Macclesfield): Will my right hon. Friend give way?

Sir George Young: I am afraid that I am against the clock. My hon. Friend will know that with the rate support grant there is all sorts of controversy, but if the Government do not get that right, the council tax can act as a buffer. There is no such buffer when it comes to that particular formula.

The independent panel set up by the Minister last year made it absolutely clear that the formula was wrong for Hampshire:

> "We heard no evidence to support such a large reduction on the national needs 'norm' . . . Denying the area full funding will not make the population any less . . . health conscious."

I end with a helpful suggestion. How do we take the pressure off the NHS, while adhering to its principles? If we hold the view that money is part of the problem, how can we get the percentage of GDP up without upsetting the Chancellor of the Exchequer? I think that one should introduce what I would call NHS at work—an employment-based health insurance scheme complementary to the NHS—

Madam Deputy Speaker (Sylvia Heal): Order. Time is up.

7.6 pm

Mr. Paul Truswell (Pudsey): I wish to concentrate on the patient representation elements of the Bill. I hate to say it but, unlike my very good and hon. Friend the Member for Wakefield (Mr. Hinchliffe), I more or less understand them.

I have both a dream and a nightmare about the Bill's proposals. In the dream, everything falls into place and it represents a radical extension of patients' voices in the NHS. In the nightmare there is fragmentation and confusion. I sincerely hope that the reality much more closely resembles the dream than the nightmare.

In various guises, I have worked with and in CHCs for almost 24 years; I think that they were established in 1974, so I have been involved with them for most of their lifetime. I personally have a positive view of the role that their members and officers have played over the years. I am not, however, a fully paid up member of the CHC preservation society, although I am keen to conserve the very good things that the CHCs have achieved and the lessons that they have taught us. I believe that a model based on the CHC would have been valid for the Bill, but the Government have taken a different tack, which I hope is ultimately vindicated.

The Association of Community Health Councils for England and Wales has said in a briefing:

> "The Bill replaces a system of proven efficacy that is easily understood and accessed by the public with a highly complex and fragmented structure."

Despite that assertion, in my experience, the CHCs have to some extent remained one of the NHS's best kept secrets. It is a secret that I regularly find myself having to divulge to constituents who contact me for advice about complaints. I believe that ACHCEW is right, however, to voice concerns about a complex and fragmented structure. Without careful introduction and proper resourcing, its fears are plausible.

On Second Reading of the Health and Social Care Bill, I expressed concerns about the overall lack of co-ordination between PALS—the patient advice and liaison service—the independent advocacy service, patients forums and the overview and scrutiny committees. The need for that role has been recognised in

[Mr. Paul Truswell]

the Bill. It will be fulfilled, it is hoped, by the local networks of the Commission for Patient and Public Involvement in Health—quite a mouthful. Those local networks have been described elsewhere by the Under-Secretary of State for Health, my hon. Friend the Member for Salford (Ms Blears), as the glue that will unite the various disparate strands of the new structure.

As my hon. Friend the Member for Wakefield said, whether glue and bureaucracy really go together only time will tell, but what we really need at this juncture is a clearer exposition of how the commission's local networks will be resourced and how they will operate. They should, ideally, provide a servicing role to patients forums not unlike that currently performed by CHC staff in support of CHC members. They should provide independent policy, legal, research and administrative support. It is worrying that the explanatory notes relating to subsection (2)(d) refer only to the local commission providing "administrative support". I hope that that is a shorthand way of describing all the support that I have listed above, but if it is not, that will be a real deficiency in the system. That support will have to come at a cost, and I believe that that cost will be much greater than the current cost of CHCs. If that cost is not met, however, the system will be much the worse off.

In Leeds, the local commission will have to service seven patient forums. Additionally, it will have to discharge its outreach function of increasing public participation and its co-ordination and monitoring role between the various pillars of the new system. If we add to local costs the cost of setting up PALS and the independent advocacy service, we are talking about a significant sum. It would be helpful if Ministers could at some stage quantify and cost the proposals and provide a commitment that the Government will provide the resources to make them work effectively. I believe that, to discharge its function effectively, the commission should be much more localised than it is intended the strategic health authorities will be. I should think that it must have a base within a city the size of Leeds.

I also wonder whether the commission's local network will provide support to patient forum members who are elected to a trust board. Those individuals will have to carry a substantial burden. It is therefore crucial that nominees to trust boards have effective independent support and advice. If they do not, I fear that they will simply be co-opted into the collective corral of the NHS board on which they serve. It is also unclear whether the nominees will perform the function of delegates from the patient forum with all that that might imply. I certainly seek clarification from the Minister on that point.

As has been said, some welcome action is being taken to increase the forums' powers beyond those of the CHC. However, I re-iterate the comment that those powers could quite easily have been added to those of CHCs. The CHCs have, for example, asked for many years for their remit to be extended to primary care, a request on which the Bill obviously delivers. We should also extend visiting rights to private sector facilities, and there should be provision—which has been called for for many years—for unannounced visits so that forum members, on behalf of patients, can see facilities, warts and all.

The hon. Member for Broxbourne (Mrs. Roe) mentioned the power currently vested in CHCs to refer unacceptable proposals to the Secretary of State. I hope that that power will continue regardless of the body in which it is vested; otherwise health bodies will continue to treat consultation as a cynical exercise and the patient's voice with some contempt.

In order to promote wider membership, we should introduce measures for patient forum members that are similar to those enjoyed by local authority members, including a statutory right to time off. An alternative to that would be some form of remuneration, particularly as some forum members will be paid non-executive directors of trusts. We should also consider proposals such as a loss of earnings provision.

Forum members must be appointed for a sufficient period to allow them to learn the ropes and make an effective contribution. Currently, CHC members are appointed for four years and, as I understand it, can serve two terms. Such an arrangement has much to recommend it to ensure continuity.

I certainly welcome the commission's overarching local and national remit, which seems to be an effective way of killing two birds with one stone. I am less enamoured, however, with suggestions that the Secretary of State should appoint the commission chairman and chief executive. Surely, for the sake of independence being seen to be done, other arrangements can be found.

I welcome the recognition in the NHS plan and in the Bill of the importance of advocacy services, which will complement existing services in places such as Leeds where they are provided very effectively by the voluntary sector. It would be interesting to have the Minister's views on how the services envisaged in the Bill will fit in with the advocacy services that are already being provided in places such as Leeds. I am also pleased that the distinction between advocacy and advice has been recognised in the renaming of PALS by use of the word "advice" rather than "advocacy".

A focus on advocacy is long overdue. In the mid-1980s, Leeds city council established an advocacy service. The health service viewed it with great suspicion and found the term advocacy to be adversarial, threatening and intrusive. I believe, however, that if such services had been more widely available, some of the scandals that have occupied the time of this place over the years might have been averted and that the necessary corrective action might have been taken much earlier.

I have grave reservations about the transitional arrangements between abolition of CHCs and the new structure coming into place. As has been said, the transition needs to be achieved in a manner that does not entail patient representation and the patient voice being left in limbo. It is also essential that the many good and effective CHC staff—most of whom we know and respect in this place—are not lost to the system. They have the experience and expertise to make the new structure work.

I genuinely believe that the Bill could represent one of the most ambitious, exciting and radical steps taken by the NHS in its history. Conversely, it could fulfil the fears of ACHCEW. I hope that my right hon. and hon. Friends will succeed in making it the first possibility. However, they will do that only if they combine a genuine commitment to extending patient involvement with the funding that is necessary to make the structure work properly.

7.15 pm

Mr. Roger Gale (North Thanet): I shall concentrate on part 2 of the Bill, which has received almost no attention at all in this debate and I believe is a time-bomb that is ticking away and could explode and blow the health professions to pieces.

On 13 November, the Minister of State, Department of Health, the right hon. Member for Barrow and Furness (Mr. Hutton), wrote a letter to hon. Members headed, "Modernising Regulation in the National Health Service". He started by saying:

> "We shall shortly be laying before Parliament two Orders under section 60 of the Health Act 1999. These will provide for the setting up of new modern regulatory bodies to deal with professional standards and discipline for three quarters of a million key healthcare professionals covering nurses, midwives and allied health professionals."

These bundles of fun that I am holding are the two statutory instruments—on the health professions and on nurses and midwives—that were mentioned in the letter. They will not be debated on the Floor of the House, but will creep through as statutory instruments. They are also the documents referred to in paragraphs (g) and (h) of clause 23(3). In an explanatory note to the documents, the Minister of State said:

> "There has been very strong support, across the board, for this once-in-a-generation opportunity to modernise the current systems that are widely acknowledged to be outdated and inflexible."

I do not know where the widespread support comes from, but I do know that the health visitors in my constituency, who serve my constituents, are desperately worried. Despite assurances from the Minister of State and others in the Department, health visitors simply do not trust the undertakings being given by the Government that standards will be maintained, that their professional prestige will be maintained, and that the demand for high standards and qualifications will be maintained. They cannot for the life of them understand—and neither can I, on their behalf—why the proposed nursing and midwifery council does not include in its title the health visitors whom Ministers say that they so much admire.

This morning, one health visitor told me that she believes that the proposals will sound the death-knell of a part of the health care professions that is already finding it desperately difficult to recruit. I know from my own experience in my own constituency just how short-staffed they are. I should have thought that the Minister of State would want at the very least to promote their cause and help them to recruit to that vital part of the health service, rather than effectively to snub them, remove them from the title of that council which the Government are determined to create, and leave them wondering whether they have a future at all.

The other proposed council is for the health professions, to cover among others chiropodists and podiatrists. Jill Yeo, one of my constituents and a health professional, wrote to me that

> "having read the draft copy of the legislation, I and fellow non-state-registered Chiropodists . . . have . . . concerns for our professions, livelihoods, and for patient choice and standards of care."

She continues:

> "We welcome the proposals for the state sector and public sector Chiropodists/Podiatrists to work more closely together. There is a great demand for qualified Chiropodists to work within the NHS. Any discrimination of either sector will put added pressure on the already overstretched NHS Chiropodists, with detriment to patient care . . . The non-state-registered sector represents more than half of our profession, yet we seem to have been overlooked in the proposed draft legislation. There are more than eight thousand of us currently practising in Great Britain . . . The new legislation if implemented could prevent us from using the title of Chiropodist/Podiatrist meaning the loss of our livelihoods, the majority of us being experienced professionals who are thought very highly of by our patients."

She also points out:

> "It has taken me two years to become a Chiropodist. I funded the course myself and the training included an eight-hour written examination as well as practical hands on experience to enable me to qualify. I am working hard to establish my business, and already have very satisfied patients of all ages who are grateful for the quality care I give them. My colleagues . . . have extensive private practices with at least 20 years combined Chiropody expertise and knowledge behind them. It would be such a waste if all of this were to change, and at a cost to the patient and possibly the NHS."

It is not so long ago—well, it is, but time passes quickly when one is having fun—since the Under-Secretary of State for Health, the hon. Member for Salford (Ms Blears), introduced in Westminster Hall a debate on the failings of the General Osteopathic Council and the weaknesses in the Osteopaths Act 1993. In fact, it was 13 months ago. I do not know whether the hon. Lady has changed her tune since her move to the Front Bench, but at that time she was desperately concerned that the 1993 Act was not working, despite its fine intentions. It had, far from uniting the osteopaths' profession, divided it to the point where we now have a General Osteopathic Council, which is recognised by some, and a pirate democratic osteopaths council alongside it. Almost 50 per cent. of osteopaths were not satisfied with the way in which the GOC was set up.

We have had the debate on osteopaths and another Minister of State has held an inquiry—it was a whitewash—into the workings of the GOC, but we are about to make all the same mistakes again, having learned nothing from that experience. I find that desperately sad. Ministers should consider the two orders properly, recognise the value of those true professionals to the health service and change their minds.

It was said earlier that the Government have succeeded in making the elderly wait to get into hospital beds and wait to get out of those beds. In Kent, that is absolutely true. The right hon. Member for Holborn and St. Pancras (Mr. Dobson), when he was Secretary of State for Health, took a wildly unpopular but courageous decision on the reorganisation of health care in east Kent. I was, and still am, not very popular for backing it either. The right hon. Gentleman recognised that it is necessary, in a modern health service, to determine when and how services will be delivered, and that may mean some unpopular changes. However, that plan is being completely undermined by the Government's attitude to the health service.

When my hon. Friend the Member for Woodspring (Dr. Fox) opened the debate for the Opposition, he said that we had lost tens of thousands of residential and nursing home beds. That is true, and it is especially true in Kent. Thousands of those beds have gone and, as a result, hundreds of patients are blocking the beds in our acute hospitals. The Bill will do nothing to enhance cottage hospital care, to create minor injuries units, to get patients out of the beds that they are blocking or to solve the problems that many of our constituents face in desperation day after day. It has been said that the Bill is

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the equivalent of rearranging the deck chairs on the Titanic. It is more like moving the chairs on the deck of a submarine, with the Secretary of State being hellbent on making it dive.

7.24 pm

Helen Jones (Warrington, North): Unlike some hon. Members who have spoken tonight, I believe that the Bill marks a major step forward for the NHS. It will move us away from an NHS that has been directed from the top down and in which decision making was often remote and bureaucratic, and allow us to create a health service that empowers its front-line staff, responds to patients' needs and enables us to create real partnerships with communities to tackle some of the health problems that face us. While the NHS has transformed the lives of many people, has an excellent staff and delivers miracles every day, it is still largely a service that was designed for the 1940s. If it is to deliver what we need in this century, it has to be a service that uses the expertise of staff who are now much more highly trained than before, and that can deal with patients who know much more about the health choices available to them and who demand, rightly, much more flexible care.

The key provisions in the Bill, which give the lead in providing health services to primary care trusts, will give us a real opportunity to achieve those aims, but Members of Parliament can only set out the framework. Delivery will be achieved only if those people involved in primary care trusts are really keen on listening to staff who are at the sharp end of the health service. I do not mean merely fulfilling the statutory obligations about who serves on trust boards, but really listening not only to GPs, but to district nurses, midwives and health visitors who know far more about the health needs of their communities, and the social needs underlying them, than many of the staff further removed.

I have spent time in my constituency with health visitors and with GPs delivering personal medical services pilots. I have sat in their clinics and gone out with them on their rounds. I know that they have the vision and energy to change the NHS for the good of the people they serve and they have to be allowed to do it, but so too do the communities that our primary care trusts will serve. We need to involve them if we are deliver the key objective of ending inequalities in health. I make no apology for returning to that theme, because it is a key issue in my constituency and in many others like it.

The areas that I represent in the north of Warrington have much greater health care needs than the more affluent areas in the south of the town. They have higher rates of coronary heart disease and long-term illness and much higher mortality rates. But not only do they get fewer resources than their health needs would suggest, they are under-represented at all levels of decision making—sometimes they are not represented at all—in the NHS. The primary care trusts must ensure that that changes, and the Commission for Patient and Public Involvement in Health, which the Bill will set up, will play a key role in bringing that about. It will need to ensure that such communities are represented not only on advisory bodies but in the real decision-making process of the NHS. It will need actively to seek out people to become involved, because the problem is not that those communities do not have people capable of making the decisions.

I know many people in my constituency who run local organisations, manage budgets and know a great deal about the area. It is patronising nonsense to suggest that they are not capable of becoming involved in the NHS. They know far more about strategic partnerships and joined-up working than many people who pronounce on such issues. Those involved in the community can tell us whether there is no point sending patients to a clinic because there is no bus to get them there, or if there is [illegible] point treating them for stress because that stress is caused by poor housing or crime and vandalism in the area. They do not need lectures about social exclusion, because they understand that. They need to be included, and the bodies that the Bill will set up must ensure that that happens.

The Bill is about putting patients at the heart of the NHS and two of its features will be important in achieving that. One is the setting up of the independent advocacy service, because most people—in my experience as a constituency MP and as a solicitor who dealt with clinical negligence cases—want their cases dealt with on the spot. As my hon. Friend the Member for Wakefield (Mr. Hinchliffe) said, it will be crucial to ensure that the service is easily accessible, and that it is seen to be independent. I hope that the Minister of State, Department of Health, my right hon. Friend the Member for Barrow and Furness (Mr. Hutton), will comment on how the service is to be managed outside the trusts in which it works, so that we can see that independence in fact.

I welcome too those parts of the Bill that allow the Commission for Health Improvement to refer cases in which it considers that patients' safety or welfare is at risk and which have not been tackled. Many of the tragedies that have occurred in the NHS would not have occurred if that provision had existed. The truth about many of those cases is not that people did not know what was happening, but that too many did know and did nothing.

In respect of the protection of patients, I turn now to the matter of regulation. The Council for the Regulation of Health Care Professionals, which the Bill will set up, together with the provisions of the Health Act 1999, will allow us to regulate other health professions much more easily than hitherto. When the Bill is enacted, I hope that the civil service will have run out of excuses for not regulating some of the people currently working in the health service who have not been regulated so far. I refer specifically to operating department practitioners and health care assistants. It is a nonsense that people who deal with controlled drugs and perform intimate services for patients do not come under any form of regulation. That nonsense must be ended.

Finally, I welcome the provisions on the prison health service. They have not been mentioned so far in the debate, and we know that there are no votes in providing good health care for prisoners. However, the prison medical services have long been a disgrace to a civilised society. The arrangements established by the Bill for joint working and pooled funding will go a long way to solving that problem.

Prisons have many serious health care problems. They involve the mental health of prisoners, their greater propensity for suicide and the spread of addiction in prisons. However, we have not been able to attract as many good staff as are needed to work in prisons. There are serious shortages of nurses and psychiatrists, and especially of registered mental nurses.

In part, that has happened because there has been no adequate career path for staff working in the prison medical service. The Bill will allow staff to share best practice and update their skills. It will also provide great support for prison medical service staff in the ethical dilemmas and difficult decisions that they have to face every day. In addition, the arrangements in the Bill will facilitate the transfer of patients when that becomes necessary.

In the prison medical service and many other sectors, the Bill offers a real opportunity to transform the health service. It is not about bureaucratic measures: it is about creating a health service fit for the 21st century. I hope that those working in the health service will take the opportunity to build on the foundations that we are laying down tonight. I commend the Bill to the House.

7.33 pm

Dr. Richard Taylor (Wyre Forest): I am grateful for the opportunity to speak in this important debate. I agree with the Secretary of State that NHS practices must change, but I have a problem with the nature and timing of the proposed changes. Some of them are right, but I do not think that now is the right time for such extensive changes.

That is largely because of the crises that exist in the NHS at the moment. The Secretary of State was wise to admit that delays for coronary artery bypass surgery amounted to one specific crisis. Despite the changes that have been made, 216 patients in the west midlands have been waiting more than 12 months for an operation. When one of my constituents was told that he was on the critical list and that he would have to wait six to nine months for his operation, he decided to mortgage his house and get private treatment.

All hon. Members will know from their postbags of the trolley waits that patients still endure. I received a letter only today from the relatives of an 80-year-old woman who waited 11 hours. She was not an unexpected emergency, because the hospital had been warned beforehand about her case.

I quote from a letter written by an orthopaedic surgeon to one of the major national dailies, in which he expressed his concern. He wrote about

> "the widespread despair and disillusionment amongst NHS consultants",

who, he said, were very aware of

> "the increasing pressures and financial constraints"

under which they found themselves

> "trying to provide some sort of civilised service to our patients."

The surgeon added:

> "Sadly, the truth is that the situation at the front line continues to deteriorate."

A time of crisis is not the right time to thrust ahead with major changes that risk disruption. I therefore plead for delay. Of the three primary care groups in my county of Worcestershire, one is already a primary care trust. It is probably about ready to take on the new responsibilities. The other two are still primary care groups, and are not ready.

In south Birmingham, 60 per cent. of GPs have voted against the change because they are not ready for it. A report in the local newspaper states that they

> "fear the shake-up is being pushed through too quickly and will cause administrative chaos".

They believe:

> "the money spent on the reforms would be better spent on health care."

If primary care trusts are not ready, there is no reason to rush through with the strategic health authorities. I strongly agree with the hon. Member for Wakefield (Mr. Hinchliffe) that community health councils have performed a very useful task. I should much prefer to see them strengthened than removed.

The CHCs enjoyed relatively democratic input. A number of their members were elected councillors, and although some were appointed by the Department of Health, others represented local charities. They were therefore true representatives of local people.

What is the real reason for the abolition of the CHCs? The Secretary of State did not answer that question from the hon. Member for Wakefield. I wonder whether the reason is that CHCs had one tooth: they could refer controversial decisions to the Secretary of State.

If, by chance, my plea for some delay were heard, the question of how to resolve the current crisis would remain, and my approach would probably be considered revolutionary. I believe that now is the time, not for devolution, but for instruction about where the extra money is to be spent.

There have been examples of managers and consultants falling out, with consultants saying that the service is badly managed, and managers trying to blame the consultants. I believe that in many parts of country, health service managers do not perform their duty to the best possible degree, as they should. Given that money is so scarce, is not this the time for direction in the way that it is spent?

Money should be targeted. I fully support the £300 million that has been given to social services. It will be a great help, but will we be given a breakdown of how it will be spent? Although £300 million sounds a vast amount, analysis shows that my county's social services will receive £713,000. That will provide less than one extra place in a care home per week.

I have another suggestion for the way in which money should be targeted. NHS surgeons in my constituency are idle at times because there are not enough staff or beds to enable the operations on their lists to be carried out. That is one occasion when the private sector can be used as an expedient where there is spare capacity. More money should be made available for that.

If the reforms were delayed, more money would be available. No one has yet said how much this will cost and how much it will save. A week or two ago, an advertisement for a chief executive post for one of the new bodies in the *Health Service Journal* proclaimed that the salary would be £70,000. Considering how many new bodies with chief executives there will be, I cannot believe that if these measures were delayed for a short time, there would not be some extra money.

I conclude with a quote from an article by the president of the Royal College of Physicians in *Hospital Doctor* a few weeks ago, in which he wrote:

> "We all want to practise medicine for the greatest benefit of the sick and we must indeed be accountable. But let us be sensible about the rate of change and the balance between political correctness and what is actually attainable."

Modernisation needs time.

7.41 pm

Mr. Patrick Hall (Bedford): Given my role as chair of the all-party group on community health councils, I will confine my remarks to those parts of the Bill dealing with patient and public involvement in the national health service and the abolition of community health councils in England.

Much has already been said about this process. It began in July 2000 with the publication of the national health service plan, which was followed by an Adjournment debate on the future of the CHCs one year ago and the incomplete progress, before the election, of the measure that became the Health and Social Care Act 2001. It is widely accepted that the process was burdened from the start by the lack of prior consultation on the future of the CHCs and the emerging picture of a replacement system that was complex and unclear. I believe that we have moved on from that painful experience.

The new proposals, especially as described in the recently published Government response to the listening exercise last September—which I have looked at—reveal that progress has been made. That welcome situation is due, at least in part, to the excellent work done, following the election, on re-engaging with community health councils. It is right to acknowledge the constructive role played by the Under-Secretary, my hon. Friend the Member for Salford (Ms Blears), who has understood that the new and better system we all want will not even begin to function without the involvement and good will of CHC members and staff.

There is evidence in the Government's response that they have been listening to people. For example, there is the sensible acceptance that patient advocacy and liaison services should be called patient advisory and liaison services. Also important is the Government's recognition of concerns about independence, accountability, integration and support, especially at local level. That said, the picture painted by the Bill does not enlighten us enough. The full picture will emerge as a result of some of the provisions of the Health and Social Care Act 2001, yet to be implemented, along with the provisions of this Bill and, in the main part, regulation and guidance that has not yet been prepared.

Legitimate concerns about the detail will not be addressed by the Bill. The Government's response is reassuring because it contains a lot of detail and paints a credible and coherent picture. However, the Bill does no more than provide a framework. I suggest that during the Bill's Committee stage, draft regulations be prepared so that the detail necessary to understand and support the Bill's framework can be considered. Such an approach was successfully adopted during the consideration of the Local Government Act 2000.

I have a few further points to make in the time remaining to me. The Commission for Patient and Public Involvement in Health is, as has been said, a bit of a mouthful. I note from the Government's response document that the title is described as shorter than the one originally proposed. However, I welcome the creation of the commission nationally to co-ordinate, monitor, promote best practice and support local networks. The Government describe it as a statutory and independent body, accountable to a national lay group.

I understand that the Secretary of State wishes to appoint the chair of the commission and approve the appointment of a chief executive. That does not, in my view, sit comfortably with the intention that the commission be fully independent. Therefore, I ask my right hon. Friend to think again about that.

On the commission's local operation, the Government propose local commission networks working in every primary care trust area through local outreach teams based in local premises. Having looked at the Government's response document, I believe that the essential functions of integration, co-ordination, informing and supporting patients forums, PALS and local authority overview and scrutiny committees—which my hon. Friend the Member for Wakefield (Mr. Hinchliffe) proposed the patients council should undertake—are retained. In addition, there is the interesting and radical suggestion that the networks will also promote and support local people in engaging in proposals affecting their health. That is radical, because such activity might not always be welcomed by the NHS management and boards. It is essential to have such a provision if we are to develop a national health service that is patient-centred.

I commend actions that are likely to generate informed and measured responses by the public and their elected representatives to health care proposals and changes in their area. However, to carry out those tasks, the local commission networks will need to be properly resourced. That will not come cheap.

The shop front—the one-stop shop—has not been mentioned in the debate so far. Community health councils in many parts of the country already provide them. Although I am ready to admit that not too many citizens have made use of them, the presence of a shop front is important, especially if we are looking ahead to an improved system. They should be retained. I am not convinced that that will necessarily be part of the future system. I think that the Government will argue that PALS should provide the point of contact, where and when needed, to patients and their families and that it will link to the independent advisory services for those who wish to pursue a formal complaint. However, the public are not supposed to be served by PALS except in so far as they become patients. The way in which PALS operates at primary care and community health level will clearly not be as obvious as a reception facility in an acute hospital.

The patients forum monitoring each trust will not be a shop front. The commission network could operate from a base that does not need to be visible. I wonder where and how the public are to be made aware of the new system so that they can become involved. That is important if it is to work. I acknowledge that the shop front is not a necessary condition for the whole thing to operate, but it seems a sensible ingredient.

One of the concerns that was much aired earlier this year related to the role of the patients forum member on the trust board—not as an observer, but as a full, remunerated non-executive director. The scope for conflicts of interest and loyalty is obvious, and at least that possibility is acknowledged by the Government. It seems that the election of such a person by a patients forum is not now compulsory—it can happen as and when a vacancy on the trust board naturally arises. That will, of course, lead to patchy coverage across the country. That situation needs to be thought through a little more.

More thought is also needed about the acknowledgement in the Government's response document that more work is required on how to support non-executive directors who find themselves in a conflict between their forum and the board. What does such support mean and who will provide it? That is a serious question about which we do not have any detail, because the regulations or guidance have not yet been produced.

Finally, the Government rightly emphasise the importance of the strategic partnerships, drawing together the experience of local networks, joint overview and scrutiny committees, the strategic health authority and joint bodies of patients forums attached to primary care trusts. However, where will the acute trust patients forums figure in that arrangement? Surely they have key information and an important role to perform. Exclusion from the strategic health authority level of integration seems potentially counter-productive. I look forward to those matters being addressed.

7.51 pm

Mr. Roger Williams (Brecon and Radnorshire): Liberal Democrat Members have no problems with distinctiveness and devolutions, so although we have grave reservations about some of the Bill's content, we have no difficulty in supporting the clauses that will give the Welsh Assembly powers to enhance, improve and modernise the NHS in Wales. Of course, the Assembly has not yet finalised those structures; much debate and discussion will take place before it does so.

The formation of local health boards will take the delivery of health out of the hands of distant bureaucrats and will let local doctors, medical professionals, lay people and democratically elected councillors take the lead in delivering appropriate services for the area in which they live and work. Accountability will be re-established.

The local health groups have delivered well and will form the basis for the local health boards. The hon. Member for Cardiff, Central (Mr. Jones) was uncertain about the number of health boards that should be established. We were grateful to him for his work on the last reorganisation of the NHS for the people of Powys. Coterminosity for local health boards and local authorities will help to ensure that the NHS and social services work together better in Wales and that delayed discharge from hospital will be eliminated as far as is possible. Elected councillors on health boards will also make a contribution to that process.

I especially welcome the proposals to set up a unique health board for Powys through the amalgamation of the primary health care trust and the local health group, given the particular requirements of the rural area. All in all, emphasis on primary health care will bode well for the health of the people of the nation of Wales, which has come out in a bad light in almost every survey.

Above all, I welcome the powers to abolish the five health authorities—they have been a dead hand on the NHS and have formed an unwanted layer of bureaucracy in Wales. They will be replaced by a much slimmer body that can take on a full national role in commissioning specialist tertiary care, and can guide and facilitate the commissioning of secondary care from the most appropriate provider. That is why I welcome the provisions granting the Assembly power to create a special health authority that will be able to commission tertiary care, as well as care for the mentally ill and for children.

I am pleased that community health councils will remain in Wales. I am sure that the Assembly will use its powers to ensure that they operate more effectively. It is sometimes said that they have only one tooth—to refer proposed changes back to the Secretary of State or to the Assembly for reconsideration. However, that is an important power and the CHCs exercise it with a degree of discretion.

I welcome the provisions in the Bill that will give the Assembly powers to make the NHS in Wales more effective and more accountable.

7.55 pm

Joan Ryan (Enfield, North): I am pleased to speak on Second Reading of a Bill that I strongly support. The Bill is not an isolated instrument, but a key component of the 10-year programme of reform specified in the NHS plan. It cements the much needed and overdue foundations of reform that have been carefully laid during the past four years.

The Bill is essential if we are to have a modern and responsive national health service. Its underlying principle is to make the needs of the patient and the concerns of the public absolutely central to both policy and practice.

The crux of the reform is the reorientation of the functions and resources of statutory bodies—most crucially, providing primary care trusts with the main revenue allocation. That revenue will anchor PCTs as the cornerstone of the NHS, through their ability to commission health care as well as to provide it. For many, many years—going back to the Black report—it has been received wisdom that unless we do something about shifting resources to primary care, we shall never tackle the fundamental inequalities that exist in health, especially in relation to social deprivation issues that are key drivers of those inequalities.

It is important that we are extending the limited range of health care services that primary care trusts secure at present to include responsibility for all family health services that are currently provided by health authorities. The patient's first point of contact is thereby significantly enhanced, indirectly empowering the patient.

Allocating revenue directly to PCTs enables resources to be more accurately matched to the needs of local people and their communities, and thus facilitates more effective delivery. The purchasing power of PCTs shifts greater decision making to front-line staff—the best rehearsed in patients' needs and the best equipped to deliver health care. They are thus being given the mechanisms to deliver that care. I have direct evidence of that in my constituency and health authority area. Enfield, North is now part of the Enfield primary care trust; it is up and running and has a devolved budget. It is an absolute joy to read some of the documents issued by the trust and to see some of its practice.

[Joan Ryan]

The primary care investment plan and health improvement action plan say many things. One document notes that the proportion of the resident population from black and ethnic minority groups ranges from 4 per cent. in Town ward to 23 per cent. in Ponders End. It gives a range of deprivation scores.

Those documents really take account of the picture in my local area. They are produced by people who not only know the wards, but work in them. They know the people who live in the wards and they know their needs. That is so important when we are considering the allocation of resources to tackle the health inequalities and the health care needs in our local areas.

Furthermore, the documents refer to partnership—working together and not reinventing the wheel. Partnership working is the absolute cornerstone of such reforms, and it will make the reforms work locally.

The one thing that GPs, other health care practitioners, the PCT and local people tell me is that they welcome these reforms. They do think that they will work; they are excited about them. There is local passion for the reforms, contrary to what the right hon. Member for Charnwood (Mr. Dorrell) said, but the cry is, "Please give us the chance to make them work. We need 10 years for them to deliver in the way that they can." Yes, we shall see gains before 10 years are up, but we want to evaluate, monitor and refine them. There is a belief that the reforms are necessary and that they will deliver.

I should like to say a word about my health authority. In the past 18 months, it has already undergone a merger—it was Enfield and Haringey, and it has become Barnet, Enfield and Haringey. In many ways, it is a trailblazer for what is about to happen under the reform of health authorities into strategic health authorities. I pay tribute to all those in my health authority who have seen through one merger and are now embarking on another. They have worked very hard to make that merger work, and some of them have been devolved to the PCTs. They know that the system will work—it is working for them now. However, they very much welcome the document "Shifting the Balance of Power—Human Resources Framework". That has not been mentioned in this debate.

I met those involved in the local Unison branch, which originally represented three health authorities, then two and now one. A lot of people are involved, and they call the document "St. Bop", so they have some fondness for it. They say that it is important because it is all about partnership working and about empowering and valuing staff. There is a recognition that the NHS cannot be changed without having the staff on board. That document has given them a sense of security, and two of the biggest dangers in any merger are the loss of security experienced by staff and, therefore, the loss of morale, which prevents reform from being driven forward and being effective.

The view of those in my Unison branch is that the human resource framework has given them great encouragement, and they very much welcome it, as well as partnership working. Health unions at national level worked on that document, and it has now come down to our local level. Exactly that kind of partnership, in all aspects of the reform, underpins the Bill and the reforms. That partnership will make the reforms work locally.

I want to say a word about the plans for patient and public involvement and to give an example from my own casework. In 1998, Mrs. Eileen Webster—one of my constituents—tragically died of cancer. She would have died whatever had happened in hospital. However, she was the victim of a catalogue of serious errors that made her death more difficult than it might have been, especially for her daughter and her husband to deal with. They launched a campaign, Action for Eileen, but they are still involved in the complaints procedure three years on.

Whatever the outcome of that procedure, it can never change the fact that the closest relative of Lisa MacMurdie and her father, Mr. Webster, whom they loved and cared about, died in what they feel were more painful circumstances than necessary, with a lack of dignity and a lack of information. PALS in the hospital could make a vital difference, when that difference is needed. I am glad that they have carried on with their complaint for three years, because people get the health service that they demand, but it is for us to create the framework in which to ensure that people can make those demands in a meaningful and effective way, so that they get the treatment they need when they need it, not three years on when it is far too late.

It is very important that we give power to people on the inside of the NHS, not on the outside, so that they do not have to go to their Member of Parliament or CHC long after the event. That is no use; it does not help people, and I want to stop such things happening to others. I welcome the reforms; they will make a significant difference to health care delivery, to eradicating health inequalities and to ensuring that the people who use our health service feel that it is their health service, so I commend the Bill to the House.

8.5 pm

Dr. Andrew Murrison (Westbury): This Bill is all about shifting the balance of power. It will be successful—it will, without doubt, shift the balance of power from patients and people towards the Secretary of State for Health. It will do so by the direct accrual of powers to the Secretary of State and by injecting confusion and cross-accountability at working level throughout the service. Confusion and complexity are the hallmarks of this Bill.

An indication of the lack of thought that the Government have given to the Bill in their haste to get it through Parliament was given earlier in the Secretary of State's inability to respond to a simple question on the custody of CHC records.

In a similar vein, I was alarmed to find in response to my recent parliamentary question that the Secretary of State did not know where he intends to put the public health function after the abolition of health authorities. No one seems to know whether it would rest with SHAs or PCTs. Even more startling in these troubled times was the revelation that no one seemed to know where consultants in communicable disease control would sit in the new order. Those are the building blocks of health care delivery, and the fact that they are not yet in place supports the assertions of many independent observers that the Bill is woefully immature.

We learn that the CHI will be given statutory powers to enter all premises that are remotely involved with health, including GPs' surgeries and voluntary organisations.

Several organisations in my constituency will view that as unwarranted centralist busybody interference in their serious business of doing the best for people. They will undoubtedly view it as yet another strand of interference that will prevent them from getting the job done and, frankly, as another reason to throw in the towel.

The British Medical Association has expressed its concerns about the opportunity costs introduced by the burgeoning cult of inspections and audits. There is now a real risk that they will start to detract from patient care, as we spend all our time inspecting one another and disappear in an enormous regulatory paper chase. That concern also featured in the Kennedy report on the deaths following the tragedies at the Bristol royal infirmary.

The NHS is crying out for a period of stability. Perpetual change involves cost not just in monetary terms but in human terms and in the ability of professional and lay people to understand, get to grips with and learn how to use NHS institutions and structures. The CHCs are a classic example. Just as the general public were getting used to them, the Government of the day closed them down and replaced them with a bewildering array of patients forums, the charmingly acronymed PALS and the tongue-twisting Commission for Patient and Public Involvement in Health. There will thus be no building on the undoubted successes of CHCs as independent watchdogs.

Instead of watchdogs, we will have lots of poodles—a fragmented and highly confusing network of poodles. In fact, there will be very many more than at present, and we are having some difficulty in encouraging people to volunteer for the ones that already exist. There will be no independent support from officials, except those described as outreach workers, belonging to the aforementioned tongue-twisting commission. The future does not look bright for patients forums.

Furthermore, we understand that patients forums will be constructed by the NHS Appointments Commission—more cronies, more members of the chattering classes. This worrying cult of complicity will be fuelled by the inclusion of a patients forum member on trust boards. The move is sinister, given the prevailing doctrine of collective responsibility, because it is surely not wise to allow patient advocates to be tarred with the decision making of the trust under scrutiny. Observer status would surely be more appropriate.

The very sensible suggestion of the NHS Alliance that patients forums—if we must have them—should be confined to PCTs surely makes eminent sense. That would be commensurate with the central position of the commissioning bodies and would dispel any confusion that patients might have as they grapple with the multi-tiers of the national health service.

The Bill suggests that community health councils in England will be abolished immediately. In effect, that means that patients will be deprived of an effective watchdog for an indeterminate period unless patients forums emerge from this process fully booted and spurred. However, experience from the early days of the CHCs suggests that that is rather unlikely.

The Government consider that something must be done about health in prisons—too right. However, what we have in the Bill is a soft-focus entreaty for the NHS and the prison medical services to cosy up to one another. It stops well short of the proposals made by Conservative Members before the election that the two services should merge. There is nothing here that is likely to deliver improved health outcomes, and particularly improved mental health outcomes, for the population in this country that arguably has one of the greatest needs—those detained at Her Majesty's pleasure.

However, the Bill is not all bad. I welcome the Government's proposal for an Office for Information on Health Care Performance within the Commission for Health Improvement. Several right hon. and hon. Members attended a presentation yesterday at which the imaginative DrFoster software for identifying health status by constituency was unveiled. Although the potential for manipulation will be clear to party politicians, the transparency that is possible from the responsible presentation of data is to be warmly welcomed.

Like many members of my profession who pay increasingly large sums for the privilege of being regulated, I have no great fondness for the General Medical Council. However, tragedies such as those at Alder Hey and Bristol should not encourage the Government to ride roughshod over a system of regulation that has in general worked well over many years. I am afraid that they appear to be doing just that.

My over-riding concern is the Government's abject failure to understand that the improvements in patient outcomes that we so desperately need derive from networks of health professionals doing the very best that they can day in, day out, unfettered by the dead hand of oppressive over-regulation and overweening bureaucracy.

8.13 pm

Denzil Davies (Llanelli): I will address my brief remarks to the specific parts of the Bill that deal with Wales. Health is a devolved responsibility and the National Assembly for Wales does not have the power to introduce primary legislation, so we have to legislate in the Bill to enable the Assembly to fill in the details by subordinate legislation.

I do not share the enthusiasm of the hon. Member for Brecon and Radnorshire (Mr. Williams) or my hon. Friend the Member for Bridgend (Mr. Griffiths) for the proposals in the Bill. There have been consultation papers and there has been considerable controversy about the proposals in newspapers and on the television in Wales. I recently received a paper from the National Assembly and the NHS directorate headed "Improving Health in Wales—Structural Change in the NHS in Wales" and it sets out the proposals for which authorisation is being asked.

We learn from that paper that the bureaucratic and administrative changes in Wales will start from 1 April 2003. Unfortunately, when I read the paper, it became quite clear that, if the proposals are put into effect, Wales will have from that date the most bureaucratic health service in western Europe.

The Bill provides for the establishment of 22 local health boards. They are to be statutory bodies, with all the bureaucratic paraphernalia and expense that that implies. We have 15 hospital trusts and three regional assemblies—a kind of sub-assembly of the National Assembly—will be established. If my mathematics are correct, that takes us to 40 bodies. Because there will be so many bodies, there must be some co-ordination between them and partnerships will have to do that.

[Denzil Davies]

Therefore, some people believe that there will be a further 12 partnerships engaged in co-ordination. That means that 52 bodies will be involved.

I am describing devolution and not the central system in Wales. My right hon. Friend the Secretary of State talked about the devolution of power, but those 52 bodies will be at the lower level. On top of them, we will have the Assembly with its Committees and the administration and bureaucracy that it inherited from the old Welsh Office. All that in a small country of 3 million people where most of the people do not use the health service more than once or twice in their lifetimes.

I am glad to assure the House that the health boards will be inclusive. Inclusiveness will mean that the membership of the boards at the county level will read like a who's who of the health bureaucracy in an area. Skilled and scarce professionals, such as doctors, nurses, midwives and physiotherapists, will have to give up their valuable time to sit on meeting after meeting and committee after committee.

The committees' working day will end at 4 o'clock and the working week on Friday. None of them will meet in the evening and they will certainly not meet on Saturday morning, because that in the jargon of the new political bureaucracy is known as "quality time". Because so many people will be represented on the committees, decisions will take a long time to reach and, very often, they will be based on the lowest common denominator. In all these structural changes, there will be winners and losers. I have no doubt that, in this case, the winners will be the local health bureaucracies.

For the provisions to come into force by 1 April 2003, there must be implementation. I have a splendid paper that sets out the structure and the steps necessary for implementation. If the House will bear with me, I shall briefly refer to a few of the steps that are mentioned. However, the language of the paper and the structure that it sets up for implementation tell us much about the bureaucratic cast of mind of the new political bureaucratic class that oversees and puts through these bureaucratic changes.

The paper describes the implementation plan, and 12 bodies will be created to carry it out. We start with something called a "national steering group" which

"oversees the process of implementation".

That is fair enough, but we then have an implementation group that

"oversees the management of the implementation".

I am not sure what the difference between management and "the process of implementation" entails; I do not understand the bureaucracy and the jargon well enough.

In addition to the implementation group, there will be nine task and finish groups. Apparently, they will "scope" the implementation. These days, I understand reasonably well the jargon of the new political bureaucratic class. I understand the terms "dynamism", "renewal", "partnership" and even "stakeholders" and "inclusiveness", but the verb "to scope" is not one that I have heard before. Perhaps because I learned English as a second language, it is not part of my vocabulary. However, the nine task and finish groups will scope the implementation.

So we start with a process that is followed by the management and then the scoping of the implementation. At the end of the day, when the 12 groups have sat down and done their work, we have 52 bodies plus the Committees of the National Assembly and its bureaucracy to control and administer the health service for a small nation of 3 million people.

I came into the House a long time ago in 1970. In those days, we had the Welsh Board of Health, which sat in Cardiff, and a few local management committees looked after a collection of local hospitals. The bureaucracy was light, but those were happy days. My constituents did not have to wait up to two weeks to see a general practitioner or a year or more to see a consultant. They certainly did not have operations cancelled five or six times, which has sometimes happened after they have been pushed into the operating theatre. Since then, however, the bureaucracy has increased.

The right hon. Member for Charnwood (Mr. Dorrell) talked about the changes. Indeed, the internal market caused a massive increase in the bureaucracy of the NHS. My right hon. Friend the Secretary of State tried to tell us again that my party has abolished the internal market. I am not convinced of that, but there is no point in arguing about it now because we are changing some of that bureaucracy, although in Wales it might be made considerably worse. The winners will be the bureaucrats and I am afraid that the losers may well be the patients or the customers, or whatever we call them these days.

The House knows that Wales has a democratically elected National Assembly. Its Committees and the Administration, working together with local hospital trusts, should find it fairly easy to administer and control the health service in Wales. Those who drew up the proposals in the paper should tear them up and start again. Frankly, there is little support for them in Wales. I am surprised that two hon. Members from Welsh constituencies spoke so enthusiastically about the proposals. Perhaps they, like the political bureaucratic class, are in denial. My constituents understand the situation well and they do not like it. They do not want the bureaucracy. They see it as creating problems for them.

The proposals will not be changed, though. We will get the 22 statutory local health boards, adding up to a total of 52 bodies. Despite the warm words—I know these, too—of accountability, democracy and consultation, the new political bureaucracy is extremely inflexible, extremely insensitive and often extremely arrogant. The proposals for Wales will do little to improve the delivery—the word that we have to use today—of health and medical services in my constituency. That is why I will not support them.

8.23 pm

Sandra Gidley (Romsey): Tempting though it is to indulge in political football, I will concentrate on aspects of the Bill that deserve the greatest attention in Committee. I should declare an interest: I am a member of the Royal Pharmaceutical Society and the Bill will have an impact on my profession, although I might not have time to get to that.

It has been highlighted that one problem that the NHS has had to face in recent years is the culture of continued reorganisation. The right hon. Member for Charnwood (Mr. Dorrell) put it well. He listed the reorganisations under the previous Government, and it is surprising that the Conservatives have the nerve to criticise another change. Unfortunately, I have yet to see a patient who is better off as a result of the reorganisations.

I find the proposed changes baffling. For example, in recent years we have moved towards regional structures, which Liberal Democrats support, but the Bill moves us sharply into reverse gear. There is no clear justification for the number—28, 30 or whatever—of strategic health authorities. I am puzzled why the Government were not radical by simply basing the strategic health authorities wholly on the regions, thus making it far easier to co-ordinate policy and liaise with other Departments.

I have some queries on primary care trusts. Many of my local GPs are excited about what PCTs might offer. They see them as a chance to think creatively and purchase care imaginatively and believe that they will be able to fine-tune decisions so that their patients benefit on a locality basis. However, that is providing they are left free to act. Initiative after initiative, although well meaning, has meant that there is a huge amount of central direction. I am not convinced that that will go away when we have PCTs. The Government will still set targets. Some local doctors have a shock coming because their hands will be tied in a way that they have not anticipated. They will have the money, but they will not be as free to spend it as they would like.

Hon. Members have commented on the fact that many PCTs are concerned that they will start with a deficit because those deficits currently owed by health authorities will be reallocated rather than written off. I seek some reassurance that PCTs will start with a clean balance sheet.

The British Medical Association also believes that PCTs hold great promise but, like the Secretary of State, I can also quote Ian Bogle, who said that

> "they will require sufficient resources to allow all the local budgets to operate properly".

The right hon. Member for North-West Hampshire (Sir G. Young) mentioned the York formula. If 100 per cent. is the standard allocation, he did not say why it is that Winchester and Eastleigh Healthcare NHS trust, which our constituents share, has an allocation of money equivalent to 83 per cent. I cannot remember what the highest allocation is, but it is around 120 per cent. There is a huge difference between the best and the worst funded health authorities. I want to be reassured that primary care trusts will not be penalised in the same way. Just because an area looks affluent on paper, it does not mean that there are not real health problems. The health problems may be different, and we need to reduce the inequalities.

Primary care trusts will also have to fund a variety of services. They will have to contribute towards child protection services and some did not realise that they will have to contribute towards emergency ambulance and patient transport services. The latter has come as news to some PCTs locally and, I suspect, elsewhere. Concerns have been raised that they will all be locked into an unseemly haggling process at a time when everybody's energy should be directed at delivering a top quality ambulance service. That is a particular concern for Hampshire.

Another problem is the lack of pharmaceutical input in primary care trusts. There is no direct requirement for that, which is short-sighted because problems with ineffective prescribing will not readily be tackled.

Hon. Members have raised public health concerns, and the Minister gave a welcome response to the suggestion by my hon. Friend the Member for Northavon (Mr. Webb) that health should be monitored. Public health doctors would have a vital role to play in that. It is good that every primary care trust will have a director of public health at board level, but that person does not have to be medically qualified, and it would be useful if that important provision were tightened up.

On community health councils, I had to smile when I was sorting through my post because I found a letter from the Under-Secretary of State for Health, the hon. Member for Salford (Ms Blears), which, in reference to a consultation process, says:

> "I am pleased to say that many CHCs were among those who responded."

Perhaps she is so delighted that she will want to keep them—I live in hope. The CHCs have three roles: supporting individual patients and complainants, monitoring local hospital and community services and providing a citizens' perspective on service changes. The Secretary of State gave the House a litany of things that they cannot do and things that will be possible within the new structures. He forgot to mention that much of that is in his power, and it would have been very easy to change the existing structure instead of creating a lot of confusion.

Much attention has been paid, rightly, to making sure that patients have an independent voice. On the face of it, there is a strong patient focus in the Bill. I understand the fears that patient advocacy and liaison services and patients forums seem very in-house, but the NHS culture is changing very slowly, and there is a growing recognition that it is in the interests of both hospital and patient to learn lessons from complaints and treat them constructively. Some trusts have taken that on board.

Less attention has been paid to the CHC function of overseeing service reconfigurations, such as the proposed closure of a small maternity unit. Currently the CHC has a statutory right of referral over such decisions; it can take them away from the local health authority and refer them to the Secretary of State. It is not clear in the Bill whether that responsibility will be fully taken over by the local authority overview and scrutiny committees.

To muddy the waters a little further, the Government are in the process of setting up an "independent review panel". The chair has just been appointed, without interview, by the Secretary of State. That action alone calls into question the panel's independence, and other questions about it remain unanswered. No one seems to know what its remit is, to whom it is ultimately responsible or even how it affects the Secretary of State's responsibility to Parliament. More importantly, what power does the average person in the street have to hold anyone to account on matters of local reconfiguration?

As there appears to be so much fudge and fog, would it not be prudent to delay the abolition of the CHCs until the new structures are fully functioning? Several aspects require clarification. For example, how will the people on patients forums be chosen? Many people have wide-ranging experience of primary care, and it would be relatively easy to provide a balanced overview. With secondary care, things become more problematic, as different departments of a hospital suffer from different problems. How will a balanced representative body be structured? There seems to be little guidance on that, and we run the risk of people coming in with a lot of baggage, for want of a better word.

Patients forums could be compared to the citizens panels operated by many local authorities, which have found it useful to change the membership every few years

[Sandra Gidley]

because the citizens involved generally become very close to the council and perhaps understand it too well. If patients forums are to be at all effective, we need to consider training their members, in much the same way that school governors have been trained in the past. The health service is extremely complex and bureaucratic, and patient representatives need to be helped to be effective.

If effectiveness is the aim, which is not clear, where is the funding for that training? Who will pay for it all? The whole issue of funding has, to a certain extent, been glossed over. There appears to be little acknowledgement that local authority overview and scrutiny committees will require training and funding, and that work is difficult on an already constrained budget—

Mr. Deputy Speaker (Sir Michael Lord): Order. The hon. Lady has had her time.

8.33 pm

Dr. Howard Stoate (Dartford): One of the things that I most enjoy about such debates is the fact that Opposition Members are often candid enough and, in some cases, ill-advised enough to tell us what they really think. We have had a great deal of information from them about all that is wrong with the health service, but we have heard extremely little about how it could be put right and how the Government could be helped to improve matters.

We heard from the right hon. Member for North-West Hampshire (Sir G. Young), who seemed to be calling for a workplace stealth tax to fund the NHS. After many years of being a Minister, the right hon. Member for Charnwood (Mr. Dorrell) seemed to be saying that the NHS was no longer sustainable as a wholly tax-based system. The hon. Member for Wyre Forest (Dr. Taylor) seemed to be calling for a Stalinist approach to spending, as he did not think that managers could make such decisions for themselves and needed to be told how to spend their money.

The hon. Member for Westbury (Dr. Murrison) seemed to be against the idea of increased inspection and accountability in the health service. All I can say is that he should tell that to the relatives of the patients at Alder Hey and Bristol and the patients of Shipman and Ledward. Without more accountability, we cannot expect the public to have sufficient faith in the health service, let alone expect improvements.

I have the privilege of being the only practising doctor in the House, so it is a great honour to speak tonight. As part of my duties, I meet many health professionals from all parts of the health service.

Dr. Murrison *rose—*

Dr. Stoate: I have little time, but shall try to give way later if I can.

I try to meet as many health professionals as possible. Although many people whom I meet are not necessarily Government supporters, they all seem to concede that the Government are committed to improving the NHS, putting more money into the system and want greater accountability and better outcomes. GP lists are getting smaller and practices are better resourced than ever before. There are more practice nurses and support staff. There is even evidence of falling GP consultation rates; certainly they are doing much less out-of-hours work than ever before. Yet the point is made time and again that GPs feel incredibly pressurised. Morale in some parts of the NHS is quite low. People tell me that the money is going in, but it is not improving things as they would wish. Clearly, there are concerns about morale, improving standards and where the money is going.

What is the problem and how has it come about? How can the Government address it and how can the Bill begin to deal with it? Many important issues have been raised tonight. There are deep structural problems in the NHS, and shortages of doctors, nurses and hospital beds. The Secretary of State laid out in great detail the reasons for that and explained what we are trying to do about it. Certainly, obvious factors need to be taken into consideration.

Society is changing and people are demanding more than they did before. We live in a culture in which people expect much quicker access to services. They are much more likely to call services to account if they do not get what they want, and demand greater access to them. Doctors are losing their position in society. They are slightly more popular than politicians but, nevertheless, they seem to be losing some of their status, which causes them stress and difficulty. Patients who were previously grateful to receive almost any service from doctors are now far more critical and likely to call them to account. One problem is that, while doctors are not necessarily working longer hours than they used to or seeing more patients, their decisions are being called into question far more, which obviously puts a great deal of pressure on them. They now have to account for almost everything that they do and sometimes they have to face the consequences of their actions.

Complaints are certainly rising a great deal. That does not have anything to do with poor practice; it is much more to do with the fact that patients are more likely to complain and call services to account, which causes great difficulties. The Government are therefore in a dilemma because they are responsible for spending vast sums of the public's money. A lot of money is going into the NHS; previously, not so much was going in. But the Government, of course, expect to get something out. If they are putting all that money in on behalf of the public, they have the right, on behalf of the public, to expect better outcomes; that is only reasonable.

Doctors, on the other hand, take the view that they are in the driver's seat and have to produce the extra services. Doctors are onside. Naturally, they want to see patients more efficiently and quickly, improvements in health care, access to the best drugs, treatments and referrals, and the shortest waiting times possible. Nevertheless, they are under great pressure to deliver. They must fulfil the Government's aspirations by delivering. We have already heard that they are under pressure and that there is a shortage of them. They are justifiably upset that they are expected to produce yet more.

Patients are always in a hurry; they want changes to happen quickly. They know that the Government have been in office for more than four years and rightly ask, "Where are the big changes you promised?" It is difficult to explain to someone suffering from a painful hip that it is impossible to train nurses and doctors and build hospitals in the time scale that they want. It is natural that people are frustrated and want things to happen more quickly.

There is obviously a conflict and tension between the Government, who want to improve the NHS as quickly as possible and put the resources in; doctors, who would like to deliver more, but are finding it difficult; and patients, who are impatient because they pay taxes and want improved treatments. How are we to make progress? There are three ways forward: to increase supply, to limit demand and to change the way in which the service is provided.

The Government are committed to increasing supply. That will happen, but it will take time. Limiting demand is more interesting; many health systems around the world have found ways of doing that by making patients pay for services through co-payment, part-payments or insurance-based schemes—patients put their hand in their pocket and pay out. Many in the medical profession and outside have said that if they charge patients for services, they will use them more appropriately. I disagree with that view. If we were to make patients pay for services, they would use them less, but that does not necessarily mean that they would use them more appropriately. My big worry is that introducing charges into the health service as a way of limiting demand would have a very negative and detrimental effect. I would be very resistant to such proposals. I know that the idea has been discussed and called for, but I am very much against it. If we were to introduce an insurance-based system—

Mr. Burns: This is not in the Bill.

Dr. Stoate: We are discussing ways of reforming the health service. I am simply exploring ways in which we might provide a health service that is suitable for the 21st century. In a Second Reading debate, it is perfectly reasonable to range around the subject. If you, Mr. Deputy Speaker, do not stop me, I feel happy to continue with my line of reasoning.

I do not think that the type of system to which I have just referred is the answer. However, my third solution—changing the way in which we use the health service—is a much more fruitful way forward. The thrust of my argument is that we should make much more efficient use of other health professionals, especially pharmacists, who have enormous expertise and knowledge and could be used far more effectively than in the past. They can provide shop-front services without an appointment and supply a wide range of other services to patients. They are very good at health promotion and they can liaise with GPs and manage patients' medicines and repeat prescribing. Indeed, they can manage in an extremely effective and efficient manner many of the functions that are currently undertaken by GPs. I would like to see much more use of pharmacists. They are available in every high street and are used very widely by the public. With a bit more co-ordination and careful interchange in the exchange of information, we could make good progress in that area.

We can also do much more in primary care and general practice itself. We are not making the most efficient use of primary care resources. As I said, the number of practice nurses has increased, but there is room for another class of health care assistants. One can call them assistants, workers or whatever else, but there is room for somebody who has a lower level of training, but can nevertheless undertake many of the basic functions carried out in practices, such as taking blood pressures, ensuring that patients are up to date with immunisation, giving general health advice, leaflets, advice on smoking and diet, and so on. A very large number of functions could be carried out by a lower grade of health care professional in practices. That would take much of the pressure away from general practice.

There have been one or two instances around the country in which health care collaboratives have been used in that way. The national primary care development team has led the way in pilot studies throughout the country in which a significant improvement has been shown. A 20 per cent. reduction in face-to-face consultation was achieved by getting GPs to do follow-ups on the phone, and a 50 per cent. reduction by introducing telephone triage for same-day appointments. A number of things can be done in primary care to make the most efficient and effective use of resources.

I want a much more wide-ranging debate about the use of resources in the health service to arise from the Government's proposals. Resources can be used much more efficiently, which would benefit everybody.

8.43 pm

Mr. Nicholas Winterton (Macclesfield): I am very pleased indeed to follow the hon. Member for Dartford (Dr. Stoate), not only because he is a practising general practitioner, but because he speaks a great deal of sense, as he is practically involved at the grass roots of the delivery of health care in this country. I congratulate him on his contribution to the debate.

We have heard some splendid speeches. The right hon. Member for Llanelli (Denzil Davies) spoke with great authority and principle. He is well regarded in this House as a man of independent views and opinions and the House should heed some of what he said. He highlighted the bureaucracy that he believed would result from the Bill. The hon. Member for Romsey (Sandra Gidley) likewise spoke with considerable authority as a pharmacist and I respect very much of what she said. I think that the Secretary of State presented forcefully and transparently the case for the Bill from the Government's viewpoint, and I congratulate him on that. My hon. Friend the Member for Woodspring (Dr. Fox), speaking from the viewpoint of the Conservative and Unionist party, put down markers on what we would seek to do and explained where we believe that faults and problems will result from the Bill.

I fervently believe that all Governments try to do their best for the health service and the health care of the people of this country. There are differences over methods of provision, but I believe that all political parties treat the health service and the health care of our people as a priority.

The contribution of the right hon. Member for Birkenhead (Mr. Field) was impressive not only because his remarks were succinct and brief, but because he speaks from the head as well as the heart. I had the pleasure of serving with him on the Select Committee on Social Services in the 1980s.

My right hon. Friend the Member for Charnwood (Mr. Dorrell) made a stimulating contribution. He apologised for the actions of successive Governments in

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reforming the health service. He mentioned the number of times that reform had been introduced, as if it could produce the health service that the people of this country expected and provide the health care that they wanted.

The Secretary of State suggested that the Bill was ground breaking. I believe that the health service needs reform like it needs a hole in the head. It needs a period of stability and a Government who are dedicated to improving health care. As the Minister knows, when the health service was set up after the last war, with cross-party support, expectations of it were dramatically different from those of today. The cost of what people want and expect from the health service today has dramatically increased.

I am totally committed to the principle of the health service, which the right hon. Member for Birkenhead mentioned, but I have gradually come to believe that the provision and funding of health care must be tackled differently. For example, the right hon. Member for Llanelli mentioned the huge bureaucracy that would result from the Bill. It is a pity that we are putting more resources into those who administer the health service than into providing health care.

When I first became a Member of Parliament, there was a Macclesfield health board under an administrator. He had the minimum number of staff, but I got quicker responses to any matter that I raised on behalf of a constituent then than I have received since. We went from Macclesfield health board to Cheshire health authority. Different configurations of the health authority followed until we reached today's version, which is the South Cheshire health authority.

I am deeply worried about the Bill's effect on the provision of health care. It could lead to conflict between primary care trusts and acute hospital trusts. I hope that the Minister will respond to that point. The primary care trust will try to do a great deal, much of which is already undertaken by the acute hospital trusts—the East Cheshire NHS trust in my constituency. Conflict will ensue.

The Minister knows of my interest in mental health. I have had the privilege and honour of coming to see him about such matters on a number of occasions over the past four-plus years. I am deeply concerned that mental health services will be taken away from East Cheshire NHS trust—which is an all-purpose trust and highly successful, with the minimum of bureaucracy—and put into a separate trust, the Cheshire and Wirral specialist trust. That could be extremely damaging. At present, there is a partnership between community, mental health and acute services in Macclesfield, which provides a high quality of health care for the people whom I represent.

I am also concerned about bed blocking in my area. Co-ordination is needed between social services and the health services. In my constituency, we are losing huge numbers of beds in residential and nursing homes and creating bed blocking in the health service, which causes difficulties for the through-put of patients in my hospital. How can we solve that? I am not sure that the Bill directs any particular proposals at the problem, but it is an important issue.

I am all for partnerships between trusts and centres of excellence. My own hospital trust, the East Cheshire NHS trust, excellent in every way, has splendid partnerships with hospitals in central and southern Manchester. They are centres of excellence and deal with matters that my acute district general hospital cannot deal with. How will that be affected by the Bill?

We live in difficult times. The health service must change. The funding of the health service must change, or people's expectations will not be met. As the Minister knows, I have strongly opposed my own party in the past. I believe that the people of this country are ready for dramatic changes in the way in which the health service is funded. Putting aside party politics, I hope that the Minister and the Labour Government will take the opportunity to explore ways in which the health service can meet the growing expectations so that it will provide medical operations and treatments that were never envisaged when the health service was founded in the years after the war.

I put down a marker. I am concerned that the strategic health authority for my area will not do as good a job as the health authority, which was impartial and allocated funds in accordance with need. I am deeply concerned that mental health services, which have been dealt with so effectively in Macclesfield will be undermined—

Mr. Deputy Speaker: Order.

8.53 pm

Mr. Jon Owen Jones (Cardiff, Central): I should have liked to follow on from the interesting comments of the hon. Member for Macclesfield (Mr. Winterton), but if he will forgive me, time is short and I must make my own points.

We are, in effect, debating two Bills. There are a number of Welsh clauses in the Bill, and this will be the first occasion on which the House will debate matters arising from the Welsh Assembly which are truly matters of some controversy. In the debate so far we have heard just two and a half speeches about the Welsh issues, and no comment on them from the Front Bench.

The debate is an opportunity to test whether the present constitutional settlement for Wales provides a means for adequate scrutiny of new Bills. The Welsh Assembly does not have primary legislation powers, but if Parliament simply acts as a rubber stamp for Welsh matters brought to the House, we should dispense with the charade and move towards giving the Welsh Assembly primary legislation powers.

An example of the problems that arise was provided by the spokesman for the Liberal Democrats today. The Liberal Democrats do not seem to understand the settlement or the relevant parliamentary procedures. The Liberal Democrat spokesperson was criticised by my hon. Friends for not discussing his own policies and merely finding fault with those before the House, but, in effect, some of those are Liberal Democrat policies. At least the Liberal Democrats share ownership, because they are in coalition in the Welsh Assembly, yet their spokesperson said that they intend to vote against Second Reading. He argued that that does not mean that they are against the Welsh clauses, but I have news for him: voting down Second Reading means that the Welsh clauses fall. Perhaps he thinks that it does not matter how Liberal Democrats vote.

Dr. Stoate: That is right.

Mr. Jones: The Liberal Democrats have probably got used to the idea, but theirs is a typically irresponsible attitude. If Members believe clauses to be important, they must vote for Second Reading. They cannot get away from that.

Interestingly, Plaid Cymru Members have made no contribution to the debate today, but they have contributed in the Welsh Assembly. Their leader, Ieuan Wyn Jones, said today that my hon. Friend the Member for Bridgend (Mr. Griffiths) and I would tear the Welsh clauses to shreds. I do not know whether he anticipated what my right hon. Friend the Member for Llanelli (Denzil Davies) had to say, but I have no intention of tearing the proposals to shreds. That is not to say that I have no reservations.

The Welsh clauses aim to set up a primary care-led health care structure that will enable local commissioning of health care, enhance co-operation between local government and the health services and, in particular, help to ensure joined-up strategies between social care and health care. They aim to foster a local environment that is responsive to local needs and responsible in its commissioning of cost-effective care to meet those needs.

Although I have no difficulty with signing up to all those objectives, I have reservations that seem to be shared by many people in health care in Wales. The consultation process achieved results that are mixed to say the least and a research paper in the Library refers to a survey carried out by the NHS Confederation in Wales which found that 69 per cent. of managers believe that 22 new boards will be difficult to sustain, that 87 per cent. think that accountability will be less clear and that 81 per cent. think that the NHS will find it difficult to manage or understand the structure put before it.

No Member of the House has seen details of the consultation document, and the document itself and those details arrived in the Library only this morning—a single copy 500 pages long. There is no summary and no analysis, and I would be interested to hear whether Ministers have read it.

My researcher spent hours undertaking analysis and hon. Members will benefit from hearing some of it, although I apologise for the fact that we were able to take only a 10 per cent. random sample to try to find out what the consultation said. Of the random sample, 21 per cent. expressed concern about how the restructuring will affect recruitment and retention, 42 per cent. expressed concern about how partnerships and consortiums between local health boards will work, 56 per cent. said that local health boards are too small to work effectively and 61 per cent. said that specialist medical practitioners and managers will splinter because of the smallness of local health boards.

My views largely reflect those responses. The boards may well be too small. How will we restrict the bureaucracy that will probably increase as we move from five to 22 commission authorities? However, my main worry—I hope that Front Benchers are listening—is that the list of 353 respondents to the consultation exercise did not include the name of a single Member of Parliament. I thought that odd, as I had been assured by my hon. Friend the Member for Bridgend that he had responded and I knew damn well that I had done so. Somehow, MPs' responses had been airbrushed from the consultation document. I do not know the reason for that. Perhaps we shall hear it in one of the winding-up speeches. Let me say honestly to the Government, however, that if they believe that the present constitutional arrangements involving primary legislation powers resting here should remain, they have a duty to make that system work and to ensure that MPs are consulted about such powers.

My final point is the most important. How do we ensure that, during this period of upheaval, we do not deflect resources and concentration from the important task of improving service delivery? I shall put it simply—my constituents, and those of other hon. Members, will not care too much about the structure; what they will care about is whether the changes will make any difference to the time for which the Mrs. Davieses, the Mrs. Joneses and the Mrs. Williamses—and the Mr. Williamses—must wait for operations. If they will make a difference, will they increase or reduce the waiting time? That is what we need to be told.

9.2 pm

Mr. Paul Burstow (Sutton and Cheam): The hon. Member for Cardiff, Central (Mr. Jones) suggested that piggy-backing Welsh clauses in a predominantly English Bill made it possible to suborn those on these Benches into supporting a measure that we have rejected in every other respect. I do not accept, and I do not believe my colleagues accept, that devolution means that colleagues in Wales can fetter us any more than we fetter them in terms of the exercise of their discretion and responsibilities in the Welsh Assembly. We will vote against Second Reading because we feel that our disagreement with the principle of the Bill justifies our doing so.

The Secretary of State's speech featured an exceedingly long preamble, followed by a relatively short discussion of the Bill. That, I think, underlined the lack of real substance. This is not a major, ground-breaking piece of legislation that will change the NHS fundamentally. The right hon. Member for Charnwood (Mr. Dorrell) conjured up a picture of a merry-go-round of reorganisation in the service from which he had finally dismounted, admitting that it was not doing any good in terms of delivery to our communities. Unfortunately, the current Secretary of State has climbed on to the merry-go-round, and is taking us on a few more circuits. That, more than anything else, is cause for concern.

I have spoken to health care professionals, and they have been struck by a sense of deja vu. The elements within organisations now being created in England can be given various labels—regional health authority, district health authority and so on. Perhaps they will re-emerge in due course, when there is yet another reorganisation.

I want to say something about the CHI and CHC proposals. I am glad that the CHI proposals will involve greater independence for the organisation: that will do much to build confidence in the good work that it is already doing. There is, however, the issue of its reach being extended into the private and voluntary sectors, and a consequent overlap with the work of the National Care Standards Commission. I hope that that will be discussed in detail in Committee, if the Bill reaches that stage, because Ministers should think about how such an overlap can be avoided and, indeed, consider the possibility of establishing a single agency to regulate and inspect care in all settings, not just the health service.

The House debated community health councils at great length during the passage of the Health and Social Care Bill earlier this year. The Secretary of State says that the

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CHCs lack teeth, but as we know it is up to the Secretary of State to exercise his responsibilities to give them teeth. He says that they do not have a responsibility in terms of primary care. Why not? It is because he has not given them that responsibility. He says that they do not have a role in inspecting GPs—that is because the Government have chosen not to give them such a role. It has no formal representation in NHS organisations. Again, the Secretary of State has it within his means—he has the legislation before the House—to deal with those issues.

Therefore, why not go down the reform path? It is a path that Liberal Democrats would have liked the Government to explore. We urged them to do so in the previous Parliament; sadly, they did not. As a consequence, they served up in the previous Parliament a dog's breakfast of legislation. There was no consultation and a lack of clarity. There was not even an organisation chart spelling out how the proposals would work.

What we have before us tonight perhaps goes a little further. We have had some consultation. We even have an organisation chart that gives some idea of how the different elements will hang together. In a way, we now have a dog's breakfast where we are told how to go about eating it. I hope that in responding to the debate the Minister can at least give us some information on how much it will cost, and how many staff will be put into place to facilitate the work of the new bodies. Work to analyse the costs of the plethora of new bodies that will replace community health councils suggests that significant sums of money will be needed. The hon. Member for Pudsey (Mr. Truswell) and my hon. Friend the Member for Romsey (Sandra Gidley) have alluded to that.

Community health councils currently spend about £22 million per annum. Next year, that is likely to rise to about £23 million. The pathfinders for PALS have been given £10 million this year. One analysis suggests that implementation of the proposals in the Health and Social Care Act 2001—PALS, the overview and scrutiny committees, and the independent complaints and advisory services—will put the costs up to about £84 million in 2002–03 and that that will rise to £109 million. This Bill will add still further to the costs: it will result in a bill in 2002–03 of £136 million rising to £227 million.

The explanatory notes to the Bill say that there will be no significant increases in costs, and that there will in fact be a £100 million saving as a result of all the musical chairs that the NHS is to go through. Where will the extra money come from to deliver the extra value that the Government tell us will result from the patient involvement initiatives?

The Liberal Democrats believe that those proposals are not well thought through and that they are incoherent, particularly in respect of patient and community involvement. My hon. Friend the Member for Romsey and, indeed, some Labour Members have identified the lack of independence of the Commission for Patient and Public Involvement in Health. It sits ill that, at the same time that the Government are about to give greater independence to the Commission for Health Improvement, they have not gone as far when it comes to patient involvement. Perhaps during the passage of the Bill the Government will consider that matter further and establish equality between the commissions, so that there is greater confidence that the whole system will deliver greater and genuine patient involvement, with patients having a real say in how taxpayers' money is spent on delivering better health care in their area.

A number of hon. Members have referred to the crisis in our health care system. The Bill goes nowhere near to dealing with that crisis. We have lost capacity in terms of long-term care, we have inadequate investment in prevention and there is inadequate capacity in relation to health care employees and staff. All those issues have been missed completely by the legislation, yet they are absolutely central to our constituents' daily experience and to the health service's problems. Hon. Members have described bed blocking as an issue, but I call it a symptom of the wider problems that I have just described.

I hope that the Government will think further on the comments not only of Opposition Members but of Labour Members, who have been particularly concerned about the patient and public involvement proposals, and that Ministers will come to the Committee with amendments that address those concerns and ensure that we have legislation that truly does empower the patient.

9.10 pm

Andy Burnham (Leigh): If NHS staff had the time to read debates in the House of Commons, as I am sure that they do not, I feel sure that they would share my disbelief at the sheer cheek of the Opposition parties reasoned amendments to the Bill. Anyone who had to work in the NHS when the ridiculous internal market was operating will find talk of "unnecessary structural change" and "increased bureaucracy" a bit rich to say the least. I was a researcher for Labour's Front-Bench health team between 1994 and 1997, and I then worked for the NHS Confederation. When I went to work in the health service, I was surprised to discover that the issues on which we campaigned while in opposition were entirely true.

The Conservative's reasoned amendment describes a "worsening health care crisis". I wonder whether any Opposition Member took the time to read the briefing that was prepared for this debate by the NHS Confederation, which states:

> "The NHS is improving. The new money for the NHS is being spent on increased quality of services, more services, new services . . . redesigning services around patients and making staff's lives more tolerable . . . Years of under-investment in the NHS"—

by which I think they mean the years of the previous, Conservative Government—

> "has meant that the NHS is cheap but it is not the NHS the public want."

The Opposition are entirely wrong to refer to unnecessary structural change. If the Bill were really unnecessary, I feel sure that the British Medical Association would have said so. In fact, the BMA says:

> "The Bill allows doctors in both primary and secondary care to mould services so they are relevant to local patient need."

I shall focus my remarks on the structural changes which, far from being irrelevant, open up historic opportunities to tackle three deep-seated problems that have bedevilled the NHS since its creation. The first and I believe most important of those is the chance to put renewed energy into the drive to tackle the health inequalities that still scar this country and that, for all its virtues, the NHS has hitherto been unable to end.

Although those inequalities are created by factors that are of course outside the health service's control, it is the NHS that has to pick up the pieces.

Primary care trusts offer a more finely tuned mechanism than health authorities to target areas and pockets of health inequality. By changing the flow of funding in the system so that it is from the bottom up, rather than from the top down, there is a real opportunity to reach and tackle the root causes of poor health.

I represent an area with historically high levels of illness and disease which are partly caused by its industrial past. Life expectancy in Leigh and Wigan is 16 per cent. lower than the national average and significantly lower than similarly sized towns such as Woking, Guildford and Winchester. In 2000, twice the proportion of people in Leigh died of trachea, bronchus or lung cancer than died of those diseases in Guildford or Winchester. The proportion of the local population dying from heart attacks was more than double that in Woking.

I know that the Department is reviewing the formula to allocate funding to PCTs, and that it does not need me to say that it is crucial that the formula is got right; I simply plead that the guiding principle for allocating resources is to target it on areas where health need is greatest.

Mr. Nigel Evans (Ribble Valley): The hon. Gentleman and I both represent north-west constituencies, and he will undoubtedly be very interested to know what the CHCs in that area have to say on the issues that he has raised. Has he consulted with anyone in the CHCs in his own area who believe that CHCs should be abolished?

Andy Burnham: I am not talking about abolition of CHCs; at the moment, I am talking about resources for primary care trusts. I have spoken widely to people working in the NHS—

Mr. Evans: Come on, answer the question.

Andy Burnham: I am not talking about the CHCs, and I shall crack on with my speech, if the hon. Gentleman does not mind.

Mr. Evans: Have you spoken to the CHCs?

Mr. Deputy Speaker: Order. The hon. Gentleman must not keep interrupting from a sedentary position. He intervened and he has received a response. He must not continue intervening from a sedentary position.

Andy Burnham: If the hon. Member for Ribble Valley (Mr. Evans) is less well refreshed the next time he comes in the Chamber, perhaps he will allow hon. Members to get on with their speeches.

I hope that Ministers will also take the opportunity to deal with the NHS's long-standing weakness in taking public opinion seriously. There has been a tendency to disregard public opinion, especially in areas that have had a fierce debate about the reconfiguration of local services. It is when people's concerns are borne out by their experience of the service after the reconfiguration that their trust in the NHS is really undermined. We had a classic example in Leigh. The accident and emergency department was closed in the early 1990s. The claim was that it was being closed to improve the delivery of services to local people, but that was fiercely contested by the Leigh community, and today 99 per cent. would say that they have been proved right. While we cannot turn the clock back on that decision, the proposals in the Bill may help the NHS to be better at listening to and understanding public opinion.

The third opportunity is the chance to break the historical hold that acute hospital services have over the health service and the preoccupation with their needs and services. Primary care trusts should focus on the renewal of the physical fabric of the NHS at primary care level at an early opportunity. That, after all, is where most people have their week-to-week contact with the service. For too long, primary care facilities have been organised and developed in a piecemeal fashion, partly because of the status of primary care professionals as independent contractors. That system has not led to the development of high-quality facilities—in Leigh, we know that more than anyone.

Primary care trusts are well placed to tackle that historical problem and provide the catalyst for better primary care facilities. In Leigh, we have the proposals for the Leigh health park. It is envisaged that it will be a PFI scheme, and I know that the Government are still piloting the LIFT scheme—the local improvement finance trust—for primary care. The provision of primary care facilities is a far less complicated exercise than the commissioning of acute hospitals, but the danger is that time and resources are expended on secondary and tertiary PFI schemes, because of their demands, instead of making quick progress in the primary care sector.

I urge the Government to roll out the LIFT scheme to all areas as quickly as possible, so that from the very beginning primary care trusts will have that option in their efforts to improve local facilities. It could also help to solve the problems of GP recruitment by providing attractive surroundings to work in, without individuals having to take a financial stake.

Some critics have attacked the PFI as a waste of taxpayers' money, but they miss a crucial point. However healthy the economy and public finances, there will always have to be a limit placed on the NHS capital budget. Throughout the history of the NHS, building projects and refurbishments have been prioritised and queues formed. Every town could not have a new hospital or clinic at the same time. People had to be patient—in some cases, heroically so. The old capital funding system may have pleased public sector purists, but it did not give the public modern, well maintained NHS facilities and it has bequeathed an NHS estate to this generation that is simply not up to the job. By contrast, the PFI lifts the limit from NHS capital spending and means that more towns and people can have their new hospitals and clinics now. While the cost to the NHS of PFI projects over their lifetime is disputed, there has to be a value in giving the local population access to a modern health care facility that they might not otherwise have had for 10, 15 or 20 years.

The Government are giving local communities a better NHS and the Bill will take forward that process. It will put power where it belongs, at the bottom of the system, and will throw open historic opportunities to create the modern service that we on this side of the House desperately want to see.

9.18 pm

Laura Moffatt (Crawley): On Friday, together with staff from Crawley hospital, I abseiled down the side of the hospital building. We did that to raise cash for Children in Need. However, we had another reason. We wanted to communicate to the people of Crawley that we are not so totally consumed by the health service that we cannot think about anything else. We are able to go and do exciting things, raise cash and enjoy ourselves at the same time. The view that the NHS is on its knees and cannot raise its head above the parapet because it is so bogged down with work is completely untrue, and I want the House to know that.

I shall be brief to ensure that all our colleagues who wish to speak in the debate can do so, and I shall concentrate on the Commission for Health Improvement and its work on quality. That work is crucial, and the Government have ensured that it runs as a thread through all their new legislation. It is essential in the partnership between our communities and the health service, because—let us be under no illusions—the NHS has not been good at talking with people. It has been good at talking at people and telling them what it thinks they need, but the relationship has been lacking. The quality of the relationship should lie in the way the NHS communicates with people as well as in the way it does its job.

I have little doubt that we have a first-class service, but one of my constituents attended an accident and emergency department in my area with an injury that was not major yet he found that he had to wait for four hours. He had been seen by the triage nurse, but no one thought to explain that the people waiting would have to hang on because the department was looking after others who were seriously ill.

We can improve our performance in circumstances such as that. Relationships can be improved by involving local people more, and I have no doubt that the new patient advocacy and liaison service will contribute to that. Its staff will be on site, with the result that matters such as I described can be dealt with in a way that will be of great value.

I turn now to the role of local authorities. My local authority has been invigorated by its new role. It now has a say in what is going on my area, and its role in oversight and scrutiny has made it feel part of the community. The authority believes that it has a mandate that allows it to contribute.

The concern that I share with my local authority is how to ensure that the Commission for Patient and Public Involvement in Health will not usurp local authorities' role. The tremendous health service review that we have just undergone has been a fantastic experience. I could not have said that in the House two years ago. I have no idea what the outcome of the review will be, but the process of getting our community involved is not one that I shall forget. People who marched in the streets and demanded that I be taken from the House and hanged in Whitehall are now saying that the review was good. They felt that they had been asked about what they wanted in their services. I hope that a similar process will be undertaken with the proposals under consideration today.

When we look at our health services, we must talk to our local communities and find the people who are able to contribute and who want to do so. We must go beyond the usual suspects in such matters, who come to the fore and say that they are good at articulating problems. We need to find the people in our communities who want to contribute to the process. They are there, they want to take part and they can have confidence in what we are doing. The review of our hospital services is one of the very good things that the Government have undertaken. They have trusted local people to contribute to the service.

I shall say a brief word about strategic and specialist commissioning, especially in respect of issues that can be difficult. We rightly allow those in the front line in the health service to decide what is to happen, but we must ensure that matters such as HIV remain to the fore. Although they are difficult matters to get to grips with, they must be included in the commissioning strategy. I want to ensure that the Herpes Viruses Association can batter down the door of our PCT just as the Alzheimer's Association can.

The hon. Member for Westbury (Dr. Murrison) is not in his place now, but he talked earlier about the poodles in the community who will say anything to suit the Secretary of State. I have to tell him that in Crawley we do not have poodles; we have Jack Russells.

9.23 pm

Linda Perham (Ilford, North): I want to speak first about the clauses in the Bill that deal with patient and public involvement. I declare an interest as a former member of Redbridge CHC, and as the new secretary of the all-party group on community health councils. Indeed, the Under-Secretary of State for Health, my hon Friend the Member for Salford (Ms Blears), was my predecessor in that post.

I am aware of the continuing interest shown by my hon. Friend the Under-Secretary in the effective involvement of the public in the health service. In the short period of consultation on the Government's proposals, she attended regional events and received many representations. I appreciate her response to the views expressed to her, and believe that the Government have made a genuine attempt to accept changes and modifications to the Bill.

I still have concerns about the Bill. I am struck by the lack of detail in it, compared to what was contained in the consultation proposals. Much will be left to regulation, or will be "fleshed out in guidance", as the response to the listening exercise puts it.

My CHC has problems about the complexity and fragmentation of the arrangements of the new bodies. My area, which covers one London borough, will have five patients forums. My CHC also has concerns about imbalances in the system, with most of the CHCs' powers passing to the overview and scrutiny committees and their duties to the patients forums.

I welcome the Commission for Patient and Public Involvement in Health, particularly its responsibility for the setting and monitoring of standards to ensure consistency across the country. That is an issue of concern for many of us who attended meetings with Ministers during the passage of the Health and Social Care Act 2001.

I wonder about the commission's independence and the powers of the Secretary of State, which other right hon. and hon. Members have mentioned. I also share the concerns expressed by my hon. Friends the Members for Wakefield (Mr. Hinchliffe) and for Bedford (Mr. Hall) about how the commission will operate locally. All in all, there are a lot of good intentions but much is left to regulation and guidance.

I welcome the devolution of health service planning and commissioning from health authorities to primary care trusts. That will bring service delivery closer to the local community. It is entirely appropriate that family health provision should be administered at as local a level as practicable instead of at a more remote level, as at present. In my area, the health authority covers two very different London boroughs, with diverse populations and needs.

I am encouraged by my early contact with the chair and chief executive of Redbridge primary care trust. One example of an appropriate and timely response to local need is the calling of a meeting with parents and carers of children with special educational needs to discuss problems relating to the provision of speech and language therapy.

I also welcome the joint working with the Prison Service mentioned by my hon. Friends the Members for Wakefield and for Warrington, North (Helen Jones). Last year, as part of my secondment on the National Council for Voluntary Organisations scheme, I visited the prison health policy unit and Pentonville prison, and discussed social exclusion, drug abuse and the mental health problems of inmates. I am therefore very pleased with those joint working provisions.

Finally, I welcome the extension of the powers and constitution of the Commission for Health Improvement, and am pleased that it will produce an annual report on the quality of NHS services. The commission's recent report on clinical governance at my local hospital, King George, identified a number of areas for praise and concern and has enabled the trust to come up with an action plan to address its shortcomings.

This is a wide-ranging Bill with a raft of important changes which, taken as a whole, should put in place real improvements for the public in the delivery of a truly modern health service for the 21st century. I hope, however, that Ministers will listen and respond positively to the areas of concern raised in the debate.

9.28 pm

Mr. Simon Burns (West Chelmsford): Those who have been here throughout the debate will have been struck by two exceptional but very different speeches. The right hon. Member for Birkenhead (Mr. Field) spoke with clarity and thoughtfulness about the problems facing the House with regard to quangos and regulators, and the need for greater control and accountability to Parliament. I think that many Members will have agreed with his comments.

My right hon. Friend the Member for Charnwood (Mr. Dorrell) got it absolutely right when he said that the Bill epitomised the political class in denial. I agree with that sentiment; indeed, having listened to his speech, I think that the Secretary of State seems to be in perpetual denial. Frankly, he seemed to be living in a fantasy world, totally divorced from the reality of what everyone else in the House experiences in their dealings with constituents.

Sadly, in typical new Labour spin, the Secretary of State seeks to assure us that everything is rosy in the national health service. In reality, nothing could be further from the truth. In the past week alone, we have seen the latest figures for the treatment of patients fall by 0.1 per cent. That seriously undermines the Government's target that, by next April, no one should be waiting more than 15 months. As Anthony Harrison of the King's Fund said:

> "The Government is in big trouble and they are just not getting activity up."

In addition, the latest figures for the number of people waiting for treatment have risen by 3.5 per cent. It was especially poignant to listen to the speech made by my right hon. Friend the Member for North-West Hampshire (Sir G. Young), who drew to the attention of the House the particular problems with regard to those patients waiting for radiotherapy at Southampton hospital.

To add to those problems, the number of people waiting more than 18 months has risen from two in September of last year to 208 this year. For a Government who have constantly argued that patients should never be on a waiting list for more than 18 months, that massive increase is a disgrace.

The Minister of State, Department of Health (Mr. John Hutton): Will the hon. Gentleman tell the House how many times under the previous Administration that 18-month target was actually met?

Mr. Burns: May I explain to the right hon. Gentleman that the previous Prime Minister, John Major, concentrated from 1992 on targeting specific money on bringing down waiting lists to ensure that patients waited for shorter periods? The Minister really must grasp the point that his party has been in power for four and a half years; it is no longer good enough for Labour Members to get up, like parrots, and constantly repeat the refrain about what happened previously. Under the last Conservative Government, waiting lists were targeted for action to bring down waiting times. We brought down the times from more than 30 months to 24 months, towards the 18-month target.

Dr. Evan Harris: Will the hon. Gentleman give way?

Mr. Burns: No, I shall not give way for the moment.

The waiting list to get on a waiting list has continued to rise, as the latest figures show. However, even the Secretary of State could not manage that news properly. We have *The Mirror* to thank for news of the great e-mail debacle.

When the hospital waiting list figures were being issued, the Department of Health sent out an e-mail that would have tested the nerve of Jo Moore. It trumpeted the apparent fact that waiting lists had fallen by 3,500. Within three hours, embarrassed Department of Health officials had to send out another e-mail, entitled "Statistical Press Release—Corrected Version", to correct the fact that the waiting lists had not fallen at all: they had in fact risen by 3,500.

The Secretary of State is in danger of mistaking activity for action. The nation is crying out for action—action on the problems in health care facing our constituents up and down the country.

[Mr. Burns]

Flying out to Spain to recruit nurses for our NHS is no panacea for real action. As the *Daily Express* stated on 17 November—in view of the intervention made by the Minister of State, he should pay special attention to this point:

> "Labour cannot simply blame Tory Governments . . . It has had four years to address the problems but has only recently woken up to the scale of the crisis . . . If Mr. Milburn really wants to solve the NHS crisis he must understand exactly why working for it has become such a no go area and start doing something about it."

Perhaps more worrying for the Secretary of State is the fact that he is no longer a favourite—if he ever was—of the Chancellor: that brooding colossus at No. 11 who casts his shadow over the Government. We discover that apparently "Gordon thinks that Alan is 'useless' at running the health service", reflecting the Chancellor's view that the extra money that he has given the Secretary of State has not led to better services or results.

Ironically, we do not need the Chancellor to point out what everyone else has known for months; we have only to ask our constituents, who have had to endure endless waiting lists to see a consultant or to be treated, who wait to be seen at accident and emergency departments, who wait on trollies before being admitted to beds, or who have to wait to leave hospital to stop bed blocking. The situation is totally unacceptable. This Government's achievement—no Opposition Member would be proud of achieving it—is that new Labour is putting people on a waiting list to leave hospital, as well as putting them on a waiting list to go into hospital.

The Secretary of State has described the Bill as a great, decentralising initiative. Frankly, only this Secretary of State could reach such a conclusion. There are nine schedules and 40 clauses, 23 of which give the Secretary of State order-making powers—22 of them by the negative procedure. In toto, there are 58 opportunities for the Secretary of State to issue orders—58 ways in which the Secretary of State's powers can be gained, retained or enhanced, as my hon. Friend the Member for Woodspring (Dr. Fox) said.

Sadly, most of the Ministers were not here to listen to the excellent speech made by the right hon. Member for Llanelli (Denzil Davies). I am sorry to do this to the right hon. Gentleman, but his speech was very good, and even this Secretary of State might actually learn something if he reads the report of it tomorrow. The right hon. Gentleman explained in great detail just what a bureaucratic nightmare the Bill will produce in Wales and the shambles that it will cause to health care in the Principality.

As my hon. Friend the Member for Westbury (Dr. Murrison) said, the Bill will concentrate powers on the Secretary of State, and the less rubbish we hear from Ministers about its being a great decentralising measure the better.

A quarter of the Bill deals with probably the most far-reaching reforms to the NHS since 1974, if not before, with the replacement of the health authorities with strategic health authorities and the enhancement of the role of PCTs in the delivery of health care. However, my hon. Friend the Member for Macclesfield (Mr. Winterton) certainly does know what he is talking about, given his experience as a previous Chairman of the Select Committee on Health, and he said that the health service needs reform like it needs a hole in the head.

I am afraid that my hon. Friend is absolutely right, as is the hon. Member for Wyre Forest (Dr. Taylor) who, with his great experience of working in the health service all his life, said that changes are not needed because there is a crisis in the NHS and that the changes that have been made in past years need to bed down and to be made to work.

I cannot understand why the Government are in such a rush to engineer these reforms, and I question whether the structures that will be put in place are ready to work, without the whole edifice collapsing in confusion and disaster. The rush to change that the Government are pursuing reminds me of the old adage, "Reform in haste, repent at leisure". For example, the BMA has cautioned that the PCTs, where they exist, are relatively new organisations and that the demands that will rest on them may well be beyond their existing capabilities.

The BMA highlights the fact that existing PCTs already have difficulties in recruiting clinical staff and that those problems will be exacerbated. It is also concerned that the timetable for PCTs to be up and running is far too ambitious, especially as there are still approximately 100 PCGs, many of which have not even started to prepare for PCT status. Similarly, other contributors to the debate have quoted academics who said that the Bill would be rushed through given the Government's current timetable. Conservative Members share those concerns, because the Government are rushing headlong into the reforms.

In the Committee that considered the Bill that created the PCTs, the former Minister of State at the Department of Health, the right hon. Member for Southampton, Itchen (Mr. Denham), said that

> "it is important to emphasise that we"—

that is the Government—

> "do not intend a headlong rush to be made into PCTs and that it is not part of our agenda to impose PCTs on the national health service."—[*Official Report, Standing Committee A*, 27 April 1999; c. 252-3.]

The Government have performed a complete U-turn and there are severe concerns in the health profession that the Bill is being rushed through. A recent survey in the *Health Service Journal* shows that 46 per cent of chief executives in NHS organisations thought that PCTs would be unable to cope with enlarged responsibilities and that 33 per cent. thought that the time scale and the scale of the changes were unrealistic and dangerous. One chief executive has called the reforms "a recipe for disaster" and another has described them as

> "the most ill conceived, poorly thought out set of changes in decades."

Sadly, at this stage, the Government will not listen to or tolerate any criticism regardless of the potential damage that they inflict on the NHS. I assure the Minister that we shall consider that proposal carefully in Committee.

The Bill reintroduces the measures to abolish the community health councils that the Government were unable to get through in the last Parliament. A host of Members on both sides of the House have spoken out against the measure. The knowledge of health of the hon. Member for Wakefield (Mr. Hinchliffe), the Chairman of the Select Committee on Health, is so great that one does not ignore his advice without being stupid. He is still root and branch against the Government's proposal.

My hon. Friend the Members for Broxbourne (Mrs. Roe) and my hon. the Members for Macclesfield are both former Chairmen of the Health Select Committee. They are totally opposed to the Government's plans as is the hon. Member for Pudsey (Mr. Truswell), a member of the governing party.

Ms Claire Ward (Watford): No, he is not.

Mr. Burns: The hon. Member for Pudsey expressed concerns about the abolition of the CHCs, as did the hon. Member for Wyre Forest.

What I and the people who contribute so much hard work to the success of the CHCs cannot understand is the decision to abolish a tried-and-tested system that people understand. They know that the CHCs are independent bodies that represent them in their complaints against the health service and about the provision of health care. It is foolish to abolish them for the sake of it and to come up with a system that no one understands and that no one believes will be independent.

People think that the Government are simply acting out of spite because CHCs have had the audacity to have had considerable success in highlighting the failures of the Government's delivery of health care. If the Government really thought that there needed to be improvements in patient representation, why did they not reform those aspects of CHCs with which they are not happy to make them even more effective?

The Bill is a fig-leaf of a policy for the problems facing the NHS. It is irrelevant to the problems facing all our constituents, with waiting list delays, postcode lottery provision of health care and a policy run more by spin and by reaction to adverse media coverage than according to a rational and realistic approach to facing up to the challenges caused by the inexorable rise in the need for more patient care.

While the Chancellor expresses anger and exasperation at the Health Secretary's failures, morale among staff plummets and our constituents become more and more disillusioned with the Government's performance. The Health Secretary fiddles around as a lackey to No. 10, tampering at the edges rather than addressing the real problems facing real patients in the real world. It is for that failure that I urge my hon. Friends to join me in the No Lobby to vote against a Bill that is irrelevant to the task of improving the health care of this nation.

9.44 pm

The Minister of State, Department of Health (Mr. John Hutton): We have had a good debate. Some 26 Members contributed to it and we heard some excellent speeches. In that regard, I agree with the hon. Member for West Chelmsford (Mr. Burns). We had the benefit of hearing from a former Secretary of State for Health, the right hon. Member for Charnwood (Mr. Dorrell). We also heard from hon. Members who have worked in, and dedicated their lives to, the NHS, including the hon. Members for Westbury (Dr. Murrison) and for Romsey (Sandra Gidley) and my hon. Friends the Members for Dartford (Dr. Stoate) and for Crawley (Laura Moffatt). We are all the better for hearing what they had to say.

The debate started with the hon. Member for Woodspring (Dr. Fox) speaking for 20 minutes, and none of us was any the wiser about the Tory remedy for the NHS. I will return to that theme when I have had a chance to reflect and comment on what the right hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) has said about the NHS. I am sure that my hon. Friends would like to hear his views on it. The hon. Member for Woodspring, whom I hold in high regard, said that he looked forward to hearing my response to the debate. Unfortunately, he is not here to hear it, so I shall have to send him a copy of the video, which he can enjoy at his leisure.

As always, my hon. Friend the Member for Wakefield (Mr. Hinchliffe) made a good speech on this subject. There are issues on which we disagree, and I am sure that he is aware of them. He was wrong to say that we have ignored social care issues. He will be aware, as will other hon. Members, of the provisions that we introduced in the Health Act 1999 and the Health and Social Care Act 2001. The right hon. Member for North-West Hampshire (Sir G. Young) served on the Committee that considered the latter Act and addressed many of the concerns about the need for health and social care services to work closely together. The emphasis in the Bill on primary care trusts will strengthen the NHS's links to social care. My hon. Friend will know that the Government's arrangements for PCTs make a point of ensuring that there are close connections between them and local authorities, which provide social services.

Some hon. Members, including the hon. Member for Westbury and my hon. Friend the Member for Wakefield, expressed concern about how the public health function will end up as a result of the reforms. The Bill will strengthen it by pushing it closer to the front line in primary care trusts. Each PCT will have a director of public health. There will be a strong overview of that and close links to the chief medical officer.

My hon. Friends the Members for Wakefield, for Pudsey (Mr. Truswell), for Ilford, North (Linda Perham) and for Bedford (Mr. Hall) were worried about patient and public involvement. We look forward to considering sensible proposals that they might have on how we can strengthen that aspect of the Bill. We look forward to dealing with the detail in Committee.

I tried hard to take a note of the speech of the hon. Member for Oxford, West and Abingdon (Dr. Harris), but it was difficult. He said much about the need for more doctors in the NHS, so I made an effort to check what he said in the Liberal Democrat manifesto for the 2001 general election. I was surprised to find that his party promised 4,600 extra doctors. That is not enough. It is not what the Government are committed to securing. He chided us about a number of things and made a lot of noise, but none of it made much sense, and much was simply inaccurate. I remain in the dark about whether he favours abolition or maintenance of community health councils. Perhaps we will hear from him on that in Committee.

I am glad that we have support for the clauses that relate to Wales. I am happy to acknowledge that my hon. Friend the Member for Bridgend (Mr. Griffiths) played an important part in developing those important reforms.

The hon. Member for Broxbourne (Mrs. Roe) spoke well about the work being done by her community health councils and the positive way in which they are looking to the future. We look forward to working with her and

[Mr. John Hutton]

others to see how we can strengthen the role of patients forums and the new Commission for Public and Patient Involvement in Health.

My right hon. Friend the Member for Birkenhead (Mr. Field) expressed his concerns about the proposal to establish the Council for the Regulation of Health Care Professionals. We shall consider any sensible proposals to improve those clauses and, in particular, the accountability arrangements to which he drew attention.

The right hon. Member for Charnwood made a very good speech and, as always, I enjoyed listening to him. He said that he felt that there was no outside interest in the Bill. Obviously, he has not spoken to the British Medical Association, the Royal College of Nursing, the NHS Alliance or the NHS Confederation, which have expressed close interest in the Bill and strong support for many of its important aspects. Like most Labour Members, I am fascinated to hear former Tory Health Secretaries pose a series of questions about how we could successfully reform the NHS. The questions that the right hon. Gentleman asked today were obviously those that he failed to answer during his period of office, and I am sure that he would have the good grace to acknowledge that, but a bit of soul searching never did anyone any harm.

My hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) spoke about her personal support for the NHS, which I know will be echoed in most parts of the House. She accurately described the Bill as effective, and I made a note of that expression because I am sure that it will amply qualify her to serve on the Standing Committee.

Most of the remarks of the right hon. Member for North-West Hampshire, who takes a close interest in these issues, were directed not at the Bill but at the financial problems experienced by his local NHS organisation. He talked particularly about the problem of deficits in his local health service, and I simply say that the accumulated deficit in the NHS is now substantially lower than it was when we came to office in 1997, although I acknowledge that there are local problems that we need to tackle.

The hon. Member for North Thanet (Mr. Gale) spoke about issues related to the regulation of health care professionals rather than those that are directly relevant to the Bill. He made several points about health visitors and chiropodists. The Standing Committee that is to discuss those orders will meet next week, and I am sure that we can thrash out some of the issues then.

My hon. Friend the Member for Warrington, North (Helen Jones) spoke about the important need to identify the interests of front-line staff and to consult them. PCTs will be able to do that, which is why their role in the Bill is so important.

I am sorry that I did not catch the contribution of the hon. Member for Wyre Forest (Dr. Taylor). I understand that he is against decentralisation and very much in favour of central direction, which is a peculiar position for him, of all people, to take on these issues.

My hon. Friend the Member for Bedford identified concerns about patient and public involvement. The Under-Secretary of State for Health, my hon. Friend the Member for Salford (Ms Blears), and I look forward to working with him to discuss those issues.

I was disappointed by the tone of the hon. Member for Westbury and his comments on reform. He seemed to be against effective regulation and inspection, particularly in primary care, and he was largely against any wider role for patients in the NHS. I am sure that he will take the opportunity to explain that to his constituents in due course. My hon. Friend the Member for Dartford talked much common sense, as he always does on these issues.

The hon. Member for Macclesfield (Mr. Winterton) made a typically gracious speech to which I listened with close interest. He expressed his nostalgia for the Macclesfield health board. I am sure that its passing is still mourned in Macclesfield and that the subject comes up regularly in his surgeries, although I am glad that I am not present for any of those conversations. He also talked about the NHS being set up with cross-party support. It is my recollection that the Conservatives voted against the establishment of the NHS, but perhaps he and I can reflect on that in the weeks ahead.

The hon. Gentleman made one important point, saying that he thought that there could be conflict between PCTs, acute trusts and other NHS trusts. I do not believe that such conflict will arise, and the role of the strategic health authorities will be very important in ensuring that it does not. There is a huge commonality of interest in ensuring that local health services are improved and, as the commissioning body, the PCT will play a central role in that.

The hon. Member for Sutton and Cheam (Mr. Burstow) made one of his typical NHS speeches; to my knowledge, he has made the same one at least half a dozen times. He made the case for no change in the NHS and preserving the status quo; that is the Liberals for you. He expressed a novel constitutional principle in that he hoped that the Bill would reach Committee, but wanted it to be rejected on Second Reading. I do not think that there is any way of doing that, but one never knows.

I have spent a long time trying to respond to points that hon. Members made in our debate, and in the few minutes remaining to me I wish to make some comments about the Bill and its importance. First, it will make the NHS less bureaucratic and more flexible. Under our proposals in clauses 1 to 10, the centre of gravity, as my right hon. Friend the Secretary of State said, will shift from Whitehall to local doctors and nurses. Local communities will have more involvement in, and say over, their local services. Most importantly, more resources will go directly to the front line, giving local staff the freedom to innovate and to develop and improve local services. I believe, as I hope that all my hon. Friends do, that those are essential reforms if the service is to meet the challenges that lie ahead.

Secondly, under the proposals that we are asking the House to endorse tonight, the balance of power in the NHS will shift decisively in favour of the patient. If public services are to command public confidence, they have to give greater control and more choice to the people who use them—*[Interruption.]*

Mr. Speaker: Order. There is far too much conversation in the Chamber. The Minister is addressing the House.

Mr. Hutton: I am doing my best, Mr. Speaker.

Those important reforms will take the NHS substantially further forward. We are not only devolving power to the front line, but devolving the assessment of how that power is exercised to an independent body—the Commission for Health Improvement. Those sensible reforms involve trusting doctors and nurses, keeping the public better informed and strengthening quality standards.

A lot of time today has been spent on the Government's record on the NHS. I simply point out to many Opposition Members who have called for more resources for the NHS that we are making unprecedented investment in it. That expenditure has been called into question by the Opposition, but it was never matched by them in their 18 years of power between 1979 and 1997. We are making good the chronic underinvestment of the Tory years, securing twice the rate of growth that the Tories managed during 18 years in office.

I want to return to what the right hon. Member for Charnwood said. He has obviously studied what the Leader of the Opposition has said about the NHS. The Leader of the Opposition recently described his plans to introduce vouchers for operations that can be topped up by wealthy patients who want to use private hospitals.

Mr. Burns: He did not.

Mr. Hutton: He did. I will send the hon. Gentleman quotes from the Leader of the Opposition in *The Sunday Telegraph* to look at.

The Leader of the Opposition said:

> "In the private sector operations will cost more, so the patient will have to top up with their own money or use some insurance scheme."

In September, the right hon. Member for Charnwood was right to describe those proposals as "absurd." He said that they would create a two-tier NHS; he should know, as he presided over one for many years as a Tory Health Secretary. The Tories have learned nothing from their recent encounters with the electorate.

Mr. Dorrell: Does the Minister think that we should have a race to see whether my hon. Friends on the Front Bench can get a health policy more quickly than him?

Mr. Hutton: I would be happy to take part in that race because it would be some time before the Opposition produced any coherent programmes.

So we have the same old Tories, not a new political force in Britain with new ideas for the new century, but the same old collection of Tory prejudice and narrow-mindedness. I urge my hon. Friends to support the Bill in the Lobby tonight.

Question put, That the amendment be made:—

The House divided: Ayes 192, Noes 320.

Division No. 67] **[9.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Bacon, Richard
Baldry, Tony
Barker, Gregory
Barrett, John
Beggs, Roy
Beith, Rt Hon A J
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Breed, Colin
Brooke, Annette
Browning, Mrs Angela
Bruce, Malcolm
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Rt Hon Menzies
(NE Fife)
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chidgey, David
Chope, Christopher
Clarke, Rt Hon Kenneth
(Rushcliffe)
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Djanogly, Jonathan
Dorrell, Rt Hon Stephen
Doughty, Sue
Duncan, Alan *(Rutland & Melton)*
Duncan Smith, Rt Hon Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Hawkins, Nick
Hayes, John
Heath, David
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Hermon, Lady
Hoban, Mark
Hogg, Rt Hon Douglas
Holmes, Paul
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Key, Robert
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Letwin, Oliver
Liddell-Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prisk, Mark
Pugh, Dr John
Randall, John
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew

Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr Richard *(Wyre F)*
Taylor, Sir Teddy
Thurso, John
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mrs. Cheryl Gillan and
Dr. Julian Lewis.

NOES

Abbott, Ms Diane
Alexander, Douglas
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Baird, Vera
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Begg, Miss Anne
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, Andy
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Annabelle
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foulkes, George
Galloway, George
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai
Healey, John
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith
Hinchliffe, David
Hodge, Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Llwyd, Elfyn
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morley, Elliot
Morris, Rt Hon Estelle
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Price, Adam
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salmond, Alex
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan

Sheerman, Barry
Sheridan, Jim
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watson, Tom
Watts, David
Weir, Michael
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Gerry Sutcliffe and
Mr. Nick Ainger.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 62 (Amendment on Second or Third Reading):—

The House divided: Ayes 310, Noes 200.

Division No. 68] **[10.15 pm**

AYES

Abbott, Ms Diane
Alexander, Douglas
Allen, Graham
Anderson, Rt Hon Donald
(Swansea E)
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Baird, Vera
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Begg, Miss Anne
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas
(Newcastle E & Wallsend)
Brown, Russell *(Dumfries)*
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, Andy
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack
(Copeland)
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foulkes, George
Galloway, George
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai
Healey, John
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith
Hinchliffe, David
Hodge, Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morley, Elliot
Morris, Rt Hon Estelle
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug

O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, John
(Glasgow Anniesland)
Roche, Mrs Barbara
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Gerry Sutcliffe and
Mr. Nick Ainger.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Bacon, Richard
Baldry, Tony
Barker, Gregory
Barrett, John
Beggs, Roy
Beith, Rt Hon A J
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Breed, Colin
Brooke, Annette
Browning, Mrs Angela
Bruce, Malcolm
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Rt Hon Menzies
(NE Fife)
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chidgey, David
Chope, Christopher
Clarke, Rt Hon Kenneth
(Rushcliffe)
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Djanogly, Jonathan
Dorrell, Rt Hon Stephen
Doughty, Sue
Duncan, Alan *(Rutland & Melton)*
Duncan Smith, Rt Hon Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Hawkins, Nick
Hayes, John
Heath, David
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Hermon, Lady
Hoban, Mark
Hogg, Rt Hon Douglas
Holmes, Paul
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Key, Robert
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Letwin, Oliver
Liddell-Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mawhinney, Rt Hon Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam
Prisk, Mark
Pugh, Dr John
Randall, John
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Weir, Michael
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John

Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*

Wishart, Pete
Young, Rt Hon Sir George
Younger-Ross, Richard

Tellers for the Noes:
Dr. Julian Lewis and
Mrs. Cheryl Gillan.

Question accordingly agreed to.

Bill read a Second time.

NATIONAL HEALTH SERVICE REFORM AND HEALTH CARE PROFESSIONS BILL (PROGRAMME)

Motion made, and Question put forthwith, pursuant to Order [28 June],

That the following provisions shall apply to the National Health Service Reform and Health Care Professions Bill:

Committal

1. The Bill shall be committed to a Standing Committee.

Programming of proceedings

2. All proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further message from the Lords) shall be programmed.

Proceedings in Standing Committee

3. Proceedings in the Standing Committee shall (so far as not previously concluded) be brought to a conclusion on 18th December 2001.

4. The Standing Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

5. Proceedings on consideration and Third Reading shall (so far as not previously concluded) be brought to a conclusion at Ten o'clock on the day on which those proceedings are commenced or, if that day is a Thursday, at Seven o'clock that day.

6. Sessional Order B (programming committees) made by the House on 28th June 2001 shall not apply to proceedings on consideration and Third Reading.—[*Mr. Pearson.*]

The House divided: Ayes 354, Noes 148.

Division No. 69] **[10.28 pm**

AYES

Abbott, Ms Diane
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Baird, Vera
Banks, Tony
Barrett, John
Barron, Kevin
Battle, John
Bayley, Hugh
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Breed, Colin
Brennan, Kevin
Brooke, Annette
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Bruce, Malcolm
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, Andy
Burstow, Paul
Cable, Dr Vincent
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Carmichael, Alistair
Caton, Martin
Cawsey, Ian
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Doughty, Sue
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foulkes, George
Galloway, George
Gardiner, Barry
George, Andrew *(St Ives)*
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hancock, Mike
Hanson, David
Harris, Dr Evan *(Oxford W)*
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai
Healey, John
Heath, David
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith
Hinchliffe, David
Hodge, Margaret
Holmes, Paul
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lamb, Norman
Lawrence, Mrs Jackie
Laws, David

Laxton, Bob
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Margaret
Morley, Elliot
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Öpik, Lembit
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Pugh, Dr John
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, John
(Glasgow Anniesland)
Roche, Mrs Barbara
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Joan
Sanders, Adrian
Sarwar, Mohammed
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Speller, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stunell, Andrew
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Taylor, Dr Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thurso, John
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watson, Tom
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Williams, Roger *(Brecon)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Younger–Ross, Richard

Tellers for the Ayes:
Mr. Gerry Sutcliffe and
Mr. Nick Ainger.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Bacon, Richard
Baldry, Tony
Barker, Gregory
Beggs, Roy
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Burt, Alistair
Butterfill, John
Cameron, David
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chope, Christopher
Clarke, Rt Hon Kenneth
(Rushcliffe)
Clifton–Brown, Geoffrey
Collins, Tim
Conway, Derek
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Djanogly, Jonathan
Dorrell, Rt Hon Stephen
Duncan, Alan *(Rutland & Melton)*
Duncan Smith, Rt Hon Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Forth, Rt Hon Eric
Francois, Mark
Gale, Roger
Garnier, Edward
Gibb, Nick
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hawkins, Nick
Hayes, John
Hendry, Charles
Hermon, Lady
Hoban, Mark
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Liddell–Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mawhinney, Rt Hon Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Murrison, Dr Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam
Prisk, Mark
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Salmond, Alex
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(Mid–Norfolk)*
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony

Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Weir, Michael
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Wishart, Pete
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Cheryl Gillan and
Dr. Julian Lewis.

Question accordingly agreed to.

NATIONAL HEALTH SERVICE REFORM AND HEALTH CARE PROFESSIONS BILL [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the National Health Service Reform and Health Care Professions Bill, it is expedient to authorise the payment out of money provided by Parliament of—

(a) any expenditure incurred by the Secretary of State under the Act, and

(b) any increase attributable to the Act in the sums payable out of money so provided under any other enactment.—*[Mr. Pearson.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

DRAFT GENERAL BUDGET OF THE EUROPEAN COMMUNITIES 2002

That this House takes note of the draft General Budget of the European Communities for the financial year 2002 (Volumes 1, 3, 4, 5, 6, 7, 8 and 9); and supports the Government's efforts to maintain budget discipline in the Community.—*[Mr. Pearson.]*

PETITION

Canvey Island Telephone Mast

10.43 pm

Bob Spink (Castle Point): Serious research shows that young children absorb up to 50 per cent. more radiation in their brains than adults from mobile telephones. International safety tests used to measure the absorption of radiation may therefore be inadequate—*[Interruption.]*

Mr. Speaker: Order. I ask hon. Members to leave the Chamber quietly. An hon. Member is presenting a petition.

Bob Spink: At best, the evidence that radiation poses a health risk is inconclusive. My constituents, led by Maria Farrell, are therefore right to compile this petition calling for a precautionary approach, especially with regard to children living on Canvey island.

The petition states:

To the honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

The Humble Petition of the concerned residents of Canvey Island sheweth

That the proposed erection of a mobile phone antenna and cabin in Crescent Road, Canvey Island, should be abolished, as residents have considerable fear of the microwave radiation which is still subject to investigation, and the proposed site is central to an area where children are frequently playing, particularly during school holidays, and children currently live, and will in the future live, in close proximity to this proposed antenna, and the long term effects of exposure to microwave radiation are unknown and our children's health should not be jeopardised.

Wherefore your Petitioners pray that your honourable House will urge the Castle Point Borough Council to rescind their decision to allow the erection of a mobile telephone antenna and cabin.

And your Petitioners, as in duty bound, will ever pray.

To lie upon the Table.

Bus Services (Outer London)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Pearson.]*

10.45 pm

Chris Grayling (Epsom and Ewell): I am grateful to the Minister for returning to the Chamber so soon after our last encounter in Westminster Hall. I know that he had a long stint today in Westminster Hall on a different transport matter.

The Minister will remember that when we discussed transport congestion, I mentioned the problems faced by bus operators and passengers in Surrey and, indeed, in other parts of the south-east, because of the wide discrepancies in public funding made available for buses inside and outside London. That is the issue to which I shall return tonight.

At the heart of the problem faced by those in my constituency and so many others in the area is an issue that affects the south-east on a far broader basis than simply in relation to transport. The allocation of financial support to local authorities and the structuring of financial support to a whole range of public services mean that when one reaches the boundaries of London, the money seems to fall off a cliff. That fact manifests itself in a variety of ways. For example, extra London weighting for teaching, the police and the health service means that people in those professions can earn thousands of pounds a year more by travelling three miles up the road.

The problem is particularly acute for our bus services. The decision by London's Mayor to deploy the huge resources available to him in supporting the development of London's bus network and cutting bus fares to a fixed level of £1 or 70p is undoubtedly good news for bus travellers in London. It is also good news for those who have access to routes covered by London-based bus operators. For them, the price of travel will also fall. However, the consequences for bus services in the counties surrounding London are much bleaker. Let me give the Minister an example.

Arriva Southern Counties operates a route from Guildford to Epsom and Kingston, running through my constituency. The stops between Epsom and Kingston are the most popular part of the route and provide the only direct transport link between the two towns. On the route, Arriva competes with one of the London operators. So far, the playing field has been level, but now that is changing. The introduction of the flat rate fares in London has transformed the economics of bus operations for those operating across the London boundaries with routes that head out into counties such as Surrey. Arriva has to match the £1 flat fare on that leg of the route but has no public subsidy enabling it to do so. As a result, the major leg of a long and important bus route through Surrey is potentially no longer viable.

I do not yet know what Arriva will do in response to the change, but I have every reason to fear that the entire route will disappear. The company said to me this morning that it was gravely concerned about the future of the route. Over the busy part of the route, from Epsom to Kingston, other operators can take Arriva's place, benefiting from the London subsidy. However, other options for the rest of the route through Surrey will be much harder to find. The likelihood is that new public money will have to be found to keep those parts of the route open, if only because, among other points on the route, that bus is the only major link that serves Epsom general hospital.

Elsewhere in the south-east, similar problems are being experienced. In Kent, according to the county council, buses operated by London firms benefiting from the subsidy provided by Transport for London are coming out of London, stopping in Dartford and heading on to the Bluewater shopping centre. On that route, the local operator used to charge £1.60—now, in line with the London subsidies, it charges £1, but, of course, without the benefit of any subsidy. That cannot be right. The matter has been compounded still further by the fact that Transport for London operates a weekly travelcard which effectively reduces the fare still further to about 65p. Kent county council has written to Transport for London about the problem, but has yet to receive a proper reply.

There are similar problems in other places in the south-east. Anywhere around London, county councils make similar complaints. For example, Buckinghamshire county council says that the current system is a "barrier and deterrent" to operators who might otherwise set up services.

From the perspective of authorities such as Surrey and Kent, Transport for London appears to have access to almost unlimited funds and, in consequence, is rapidly increasing both the frequency and the quality of its bus services. I had a look at the websites of TFL and of the Department for Transport, Local Government and the Regions to check on spending on buses in London. This year, TFL is able to increase its funding for bus services by £115 million—from less than £100 million to well over £200 million. According to the Department's figures, that represents about 30 per cent. of the entire amount spent throughout the country on supporting bus services.

Meanwhile, outside the areas covered by TFL—where it can deliver service subsidies—unregulated, free market bus services simply cannot afford to compete. They cannot meet TFL's standards unless they receive serious subsidies from county councils, but those councils do not receive the amount of funding that would allow them to compete with the London operators on anything like a level playing field.

The consequence is that London operators continue to cream off the best routes in the area—those that cross the boundaries and those that, as they are closer to the metropolis, will tend to carry a larger number of passengers—supported, as they are, by large amounts of public funding. At the same time, more marginal routes, which are probably kept open by the operators because they know that the more profitable areas will sustain their business, risk being dropped by the operators, who are no longer able to make a return on their services in the area.

I fully expect that the Minister will be tempted to hark back to past events—as he and his colleagues often do. I suspect that he might refer to bus deregulation, so I shall tackle it head on. There is no doubt that the history of bus transportation has been a difficult one for a generation. In many places, people do not use buses as much as we might want them to. As a result, it can be difficult to keep marginal routes open. One of the often forgotten facts about bus deregulation is that after it took place there were more buses on Britain's roads. However, in many places passengers still did not use buses.

In Surrey, we are not talking only about losing fringe routes, we also face the loss of main routes that link major towns in the county. That is happening not due to the pressures of a free market, nor to the consequences of deregulation, but because of a clash between free market economics and a distinctly regulated and subsidised market.

Surrey county council and others like it are trying to stem the tide of closures, but it is not easy. Surrey's investment in socially necessary bus routes—those deemed not commercially viable by the operators, but assessed as socially necessary for the people of the area—has increased during the past 18 months by £2 million a year to about £5 million.

Inevitably, that funding increase has had to be found from the existing county council budget. In Surrey, that has meant taking funding away from the creation of concessionary bus schemes that could provide cheaper travel for pensioners. That money should be available to support those who need it, but it is having to be used to shore up services that we cannot afford to lose.

Worthwhile initiatives, such as the introduction of a 50p flat rate fare for pensioners throughout the country, had to be delayed as the county intervened to defend routes that would otherwise have disappeared. Officers estimate that they would need a fourfold increase in funding support for socially necessary bus services in order to bring local services up to a level similar to that provided by TFL.

The biggest losers are those people who can least afford it. If the Minister can spare a moment to look at the geography of my constituency, and that of many similar constituencies on the boundaries of London, he will see that the dividing line between a London and a Surrey community can be extremely narrow. One town, Worcester Park, is split down the middle between Surrey and the London boroughs of Sutton and Kingston. Of course, that dividing line can lead to huge perceived iniquities in the eyes of many local people. No issue enrages the pensioners of Worcester Park, Stoneleigh and Ewell more than the fact that they have to pay for their public transport, while neighbours a couple of streets away are given free access to public transport through the popular freedom pass.

Surrey only has the finance to offer half-price fares; London boroughs receive the funds to do much more. Ironically, some people with local postal addresses manage to get away with getting freedom passes any way. They have Worcester Park addresses and the systems are not good enough to check up on them, but that is not an acceptable way to deliver free bus travel to the people of the northern part of my constituency.

Let me refer the Minister to an excerpt from a letter that I received on this subject. One of my constituents told me that, for years now, people

> "have been disappointed about the bus pass system",

and that they

> "don't have to travel very far to see public transport full of senior citizens enjoying"

the free bus pass facility. That is true; it happens a few hundred yards up the road at the next stop. I sympathise with their frustration. It seems odd that two people on the same bus, who live in the same community, find themselves paying vastly different amounts for the privilege. Of course, there are administrative reasons why that is the case, but the Minister will recognise that our pensioners do not see it that way; they see it as another injustice.

The problem has attracted broader concern. Help the Aged recently said:

> "There is a real postcode lottery in terms of where pensioners live and what they are offered by way of concessionary travel."

Of course, none of that would happen in that part of the world if public funding did not seem to fall off a cliff the moment that it reaches the border of London. Despite the fact that the south-east is already overcrowded and congested, as we discussed in a recent debate in Westminster Hall, discrepancies exist in the allocation of funding. TFL and those who operate buses and other forms of transport in London receive much more in public money and support for concessionary fare schemes than the counties that surround them. As a consequence, we shall have less, not more, public transport in the areas immediately surrounding London, and that cannot be good for the south-east or the whole country.

The Minister will be aware that TFL is currently carrying out a review of cross-boundary bus services. I have made the points that I have made in my speech tonight to TFL as part of its review, and I urge him to do the same and to consider fully the matters that I have outlined tonight in his submission to that review.

I cannot help but conclude that part of the problem lies in the way that the Government have handled devolution in this country. The creation of the Mayor of London and the devolution of powers to him and to the Assembly have created something of a unnecessary divide between London and the rest of the south-east. In reality, the two are integrally linked, and the decisions taken by central Government about the funding support that London should receive cannot be considered in total isolation from the real interests of the wider region. The idea that we might end up with two rival regional governments—one in London, the other in Guildford—taking decisions with diametrically opposite consequences fills me with horror.

While I have the Minister's attention, I should like to turn briefly to security on buses and other forms of transport. One of the threats to bus routes in and around London comes from antisocial behaviour. In one part of my constituency, a bus route was recently withdrawn temporarily because of the constant threats to drivers. Similar problems are now being experienced on trains in the area. Will the Minister please work with his colleagues in the Home Office to strengthen the ability of transport operators and local police to take action against those whose behaviour disrupts our local transport system and makes the life of other passengers a misery?

Let me finish by making some specific requests to the Minister. When this year's allocation of support grants to local authorities are made, will he press his colleagues in the Department for Transport, Local Government and the Regions to provide councils in the south-east with adequate funding for local public transport to remove some of the differentials that, as I have said, exist between them? Will he make it illegal for a local authority to offer a subsidy to one operator on a route without offering a similar subsidy to all the other operators on that route? Will he and his Department recognise the integral links between London and the rest of the south-east and work with the London Mayor to establish clear protocols for ensuring that London decisions do not destabilise services in the surrounding areas?

[Chris Grayling]

Many bus users in my constituency and their counterparts further south face a bleak few months. I fear that more services will disappear in Surrey and in other parts of the south-east. Although those who can take advantage of the cross-boundary London services will enjoy cheaper fares, the remainder will have their options greatly narrowed.

Not all the factors causing the trend are within the Minister's gift but—rather more than I do—he has the power to do something about the problems. I very much hope that he will do so.

11 pm

The Parliamentary Under-Secretary of State for Transport, Local Government and the Regions (Mr. David Jamieson): I congratulate the hon. Member for Epsom and Ewell (Chris Grayling) on securing this important debate for his constituents. He is becoming a regular contributor to debates on transport matters. We have been seen so often in the same room discussing the subject that I fear that people may begin to talk. He also thanked me for coming here to answer the debate, but there was no need for him to do that. There is no place that I would rather be at 11 o'clock at night than here answering a debate on the matters that he raised.

I have listened with great interest to the hon. Gentleman's points. He has raised concerns about the disparities that exist on the fringes of London in the charging structures for bus services. One concern relates to concessionary travel passes for pensioners and the other relates to the effects of Transport for London's fare policies. I should like to start by saying how important the Government regard bus services in providing essential public transport. We probably agree on that.

It will be helpful to the House if I put the matters raised in the debate in the context of our overall approach to improving bus services. Last year, we produced our 10-year transport plan, which identified the major investment that we need to make to achieve the kind of improvements that we all want. The 10-year transport plan and associated investment will modernise public transport and improve the road network. It will deliver improvements for passengers, motorists and business—to make journeys quicker, easier and safer for everyone. The bus has an absolutely vital role to play in delivering the plan.

In London, responsibility for bus services rests with the Mayor for London and his transport executive, Transport for London. The Mayor's policies on buses are set out in his statutory transport strategy published in July under section 142 of the Greater London Authority Act 1999. Copies of the strategy are available in the Library. It highlights the vital role that buses already play in the capital's transport system and outlines the Mayor's plans to achieve a significant improvement in both the quantity and quality of services.

The transport strategy explains that bus fare initiatives, in parallel with service improvements, have the potential to alleviate rail overcrowding and offer a real alternative to the car because capacity on the bus system can be increased more rapidly.

Buses are the most commonly used form of public transport in this country. So, when formulating our transport policies for outside London, we took a particularly close look at what changes were necessary in the existing arrangements for buses in order to raise the standard of service provision. In doing so, we took on board a very wide range of views from all parts of the bus industry in both the private and public sectors, as well as from a broad range of other interest groups.

Broadly speaking, our proposals for buses are aimed at strengthening the existing arrangements and improving the stability of services while seeking to encourage the investment and good practice that commercial operators have shown they are capable of providing.

We have recently put in place, under the Transport Act 2000, powers to improve the quality and delivery of bus services. These powers—for the introduction of statutory quality partnerships and quality contracts—are designed to address the weaknesses of the deregulated regime that we inherited from our predecessors. The hon. Gentleman was not in the House at the time but, if he had been, 26 October 1986 would have been clear in his mind as the date on which deregulation was introduced by the then Government. The policy did much damage to bus services, particularly in areas such as his.

On concessionary fares, the Transport Act 2000 places a duty on all local authorities to offer their elderly and disabled residents at least half fares or better on local buses, with a free bus pass. It is up to individual authorities to decide whether to offer further concessions over and above the statutory minimum requirement in the light of their judgment of local needs and circumstances and their overall financial priorities.

The basic principle of the concessionary travel passes provided by local authorities is that they are local passes for local people. They are there to enable elderly or disabled residents to go about their essential daily business and enhance their mobility. Parliament has placed a duty on local authorities to provide half-fare concessions, but it is up to individual authorities to decide whether to go beyond the statutory minimum.

Residents of all London boroughs who are entitled to concessionary travel get freedom passes that allow free travel on most transport services within Greater London. Outside London, it is the responsibility of district councils to provide the standard minimum requirement or better. There is nothing to prevent local authorities from working with neighbouring authorities to provide a countywide or an area-wide scheme, or to make special arrangements with transport operators in respect of particular journeys, for example to a hospital or superstore. Indeed, Surrey residents have concessions granted by local authorities acting jointly under the auspices of Surrey county council.

The countywide scheme provides half-fare bus travel within Surrey and on bus services making specified cross-boundary journeys. The hon. Gentleman may well say that that is a less generous scheme than the London scheme. However, it would be wrong for us in Westminster to dictate to local authorities their policies on concessionary fares. We are clear that those matters are best decided locally.

The hon. Gentleman complained about the disparities between concessionary travel in London and some outer London areas. It may help him to know that it was mainly Labour boroughs that came together in London to introduce free bus travel for elderly and disabled people in the first instance. In those parts of the country where, unlike his area, concessionary half fares were not available—some people were receiving no concessions at all—the Government have made them available in our latest transport legislation.

I am intrigued to know whether the hon. Gentleman is suggesting that London pensioners should not have the full concessionary fare. Is he suggesting—perhaps he will include this in his manifesto for the Conservatives in London—that they would remove that concessionary fare? If that were his policy, it would not receive universal approval from those people who benefit from it. I listened carefully to him. Perhaps he should go to his county council and make his points on behalf of the disabled and elderly people within his area. It is in the power of the local authority to grant further concessions to pensioners if he and the local electorate think that that is what is required.

Chris Grayling: The core of the argument is not that we want to remove concessionary schemes from pensioners in London. My point relates to a broad range of services, not simply transport. When one reaches the boundaries of London, the level of support for local authorities falls dramatically. Councils such as Surrey do not have the resources to meet the vast range of demands on its needs. They do not have the cash to do that. Transport is one such demand.

Mr. Jamieson: Virtually every authority outside London may well make the same point. Many other authorities, probably far less well off than his own in Surrey, make concessionary fares available—they are totally free—to all elderly people in the area. They make that decision as politicians. People decide on such things when they go to the ballot box. I suggest that the hon. Gentleman engages in the issue locally and asks the people what they think about the choices that face the local authority. These matters are determined locally, rather than by the Government. However, we have ensured that there is a base below which concessions for pensioners do not go, and that should be at least half fare.

Local authorities outside London, of course, have powers under the Transport Act 1985 to subsidise bus services where a necessary service would not otherwise be provided. They can provide such a service by contracting it from an operator on a competitively tendered basis, but it is for each authority to decide whether to subsidise a service, taking account of its overall priorities and financial resources.

The hon. Gentleman referred to the review of cross-boundary bus services. That was announced in the Mayor's transport strategy, and on 12 October Transport for London issued a press notice inviting contributions. The review is investigating the appropriate level of provision for local bus services across the GLA area boundary. It will take account of passenger requirements, existing service provision and the statutory responsibilities of Transport for London and neighbouring local authorities. It will aim to ensure that there is provision for the needs of bus passengers using cross-boundary services.

The review will also consider the London Transport Users Committee publication "Crossing the Border". I am sure that the hon. Gentleman has seen it, but if he has not I commend it to him as light bedtime reading. It was published in January and concerns the provision of cross-boundary services. The first stage of the study is to obtain the views of interested parties, including adjoining county and unitary councils, London boroughs, bus operators, democratic representatives, the London Transport Users Committee and other users. The aim is to ensure that bus passengers using services that cross the GLA area boundary are treated with equity, taking into account the statutory responsibilities of Transport for London and the neighbouring authorities. I strongly recommend that the hon. Gentleman and other Members with an interest contribute to the review.

I understand that Transport for London has absolutely no policy of providing cross-boundary services to seize business from commercial operators by unfair competition. Indeed, by agreement with Transport for London, under section 156 of the GLA Act, commercial operators can, and do, run services across the London boundary. Those services, such as the Surrey to Kingston service, which the hon. Gentleman mentioned, are considered to be, and are operated, within the London bus network. They are licensed under London local service agreements. They stop at all bus stops and must, therefore, accept Transport for London travel passes and charge the same fares as bus services under contract to Transport for London.

Commercial operators outside the London bus network, such as National Express and Greenline, and those providing a limited-stop commuter service to the Medway towns, can also apply to Transport for London to operate services within Greater London through the grant of a London service permit. That would permit the operation of the London section of a cross-boundary service. As Transport for London is specifically prohibited from determining fare levels on such services, under section 187(3) of the GLA Act, operators are not restricted in what fares they can charge. However, Transport for London does not reimburse operators for the acceptance of its season tickets on those services.

I can see that the present arrangements may lead to certain anomalies of the kind to which the hon. Gentleman referred. Anomalies tend to occur, and not just in the sphere of transport, wherever people living on either side of an administrative boundary use the same facilities. That is the downside of locally responsive services, and it is often accepted as a price worth paying for decentralisation. Transport for London has boundaries not only with Surrey but with Essex, Kent, Hertfordshire and Buckinghamshire.

I sympathise with the hon. Gentleman's constituents, who see pensioners and disabled people living nearby getting what they consider to be a better service. However, these matters are determined not in Westminster or Whitehall but by councillors responding to the needs and wishes of their local electorate. If the hon. Gentleman feels so disposed, he could start a campaign with the old folk and disabled groups in his area to see whether he can get the council to provide better concessionary fares. I thank him for raising the issue, and I look forward to hearing from him on another occasion.

Question put and agreed to.

Adjourned accordingly at fifteen minutes past Eleven o'clock.

House of Commons

Wednesday 21 November 2001

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

INTERNATIONAL DEVELOPMENT

The Secretary of State was asked—

Afghanistan

1. **Mr. Elfyn Llwyd** (Meirionnydd Nant Conwy): When she last met non-governmental organisations to discuss the delivery of humanitarian aid to Afghanistan. [14146]

2. **Mr. Paul Burstow** (Sutton and Cheam): What assessment she has made of the requirements for aid in Afghanistan in readiness for the winter. [14147]

3. **Miss Anne McIntosh** (Vale of York): If she will make a statement on the humanitarian situation in Afghanistan. [14148]

The Secretary of State for International Development (Clare Short): The United Nations estimates that there are 6 million people in need of food aid in Afghanistan. The House will recall that prior to 11 September the World Food Programme was supplying food aid to 5 million Afghans. After 11 September all international workers were withdrawn from Afghanistan and deliveries stopped for 13 days. Thereafter, deliveries steadily improved and were interrupted only briefly when bombing started on 7 October. Targets were met up to 13 November and delivery systems inside the country also held up.

On 13 November, however, deliveries across the border from Pakistan, which is the major delivery route, were suspended because of uncertainty due to the military situation. Deliveries from other routes continued. On Monday, the WFP resumed operations between Peshawar and Kabul, and those continue. There are stocks sufficient for 10 days supply within the country. International workers are returning to parts of Afghanistan, but there are also reports of looting of many UN and NGO offices.

Mr. Llwyd: I thank the right hon. Lady for the nature of that reply and the help that she is giving the House. According to Oxfam, however, three quarters of all trucking routes into Afghanistan remain suspended. Despite her best efforts, targets are not being met. I was interested in what she said to the Select Committee on International Development yesterday about the Americans not taking the humanitarian issue as seriously as this Administration do. If that is true, what can be done urgently to address that problem?

Clare Short: I am grateful to the hon. Gentleman for that question. I am afraid that Oxfam is simply wrong again if it is saying that three quarters of the routes are suspended. The report that I have just given the House is the accurate one.

I am also grateful to the hon. Gentleman for giving me the opportunity to correct the misreporting of what I told the Select Committee. I said, as I had previously said in the House, that we had less good civil/military liaison than we had in the case of Kosovo; that we could improve our performance on the humanitarian effort not if one group tried to do the other's work but if there was better liaison; and that urgent improvement was needed. The second thing that I said was about the general commitment of overseas development aid by the American Administration, which is the lowest in the world, as the hon. Gentleman knows.

Mr. Burstow: Does the Secretary of State accept that, this winter, refugee camps will have a key part to play in distributing food aid? The United Nations High Commissioner for Refugees was meant to have opened 15 camps by now, of which I understand only one has been opened. How many will be opened and how soon, how soon will they reach full capacity, and what is the Department doing to expedite the opening of the remaining camps?

Clare Short: The hon. Gentleman may recall that when the UN issued its appeal shortly after the crisis began, it predicted 1.5 million new refugees in addition to the nearly 4 million long-standing refugees that are in Iran and Pakistan. In fact the volume of movement has not been nearly so great. It is about 100,000, coming over in trickles, so there are some new camps, but the numbers are nothing like those that were predicted as needed. Obviously, the food and support need to follow the people. They have tended to stay inside Afghanistan but have often moved out of the cities. They are internally displaced, rather than crossing borders in big numbers. There are supplies for refugees; our biggest problem remains inside Afghanistan.

Miss McIntosh: The Secretary of State has said that 10 days supplies are all that remain; that clearly is not enough. Will she regret, with me, the delay in sending in the troops, which is indeed very regrettable? Does she agree that they should have a peacekeeping as well as humanitarian role, to ensure that food aid is delivered according to her timetable?

Clare Short: I agree that the figure of 10 days' supply is a bit worrying. Supplies from one of the major Pakistan routes have now resumed but we need to do better. If we continue to have difficulties in crossing that border, we really will get into serious problems. I agree with the hon. Lady that we need agreement on the new transitional Government for Afghanistan and then some international forces to stabilise the situation, so that Afghanistan may receive better humanitarian support and start the job of reconstruction.

Tony Worthington (Clydebank and Milngavie): I am sure that the Secretary of State will welcome with me the appointment of Mark Malloch Brown, head of the United Nations Development Programme and the senior Briton in the UN family of organisations, to head the regeneration of Afghanistan, confirming that, in our view and that of the UN, this is not just about short-term aid but about the rebuilding of a failed state—probably over many years—in Afghanistan.

Clare Short: I do of course welcome the appointment of Mark Malloch Brown. The job of UNDP is co-ordination and he will be doing that. Perhaps even more importantly, yesterday there was a conference in the US, attended by my permanent secretary among others, where Colin Powell and Paul O'Neill strongly committed the US to the reconstruction of Afghanistan and to sticking with Afghanistan until it had the chance of a better future. That we must all do, and learn the lesson of the previous error, when, after the Russian withdrawal, everyone turned their backs on Afghanistan. That was how the tragedy of today came about.

Mr. John Battle (Leeds, West): Will the Secretary of State insist that international organisations work with Afghan aid and development workers? The International Development Committee heard evidence from representatives of the World Food Programme that there is food and medicine in its warehouses and that it has, magnificently, managed to keep the polio immunisation programme going, but as the routes into Afghanistan open up, it is important that international agencies do not swamp the country and neglect the good work done by the locals throughout these difficult times.

Clare Short: My hon. Friend is absolutely right. In East Timor, international organisations brought in too many international workers and did not use enough East Timorese—the people who had to take over and run their own country. Afghans have performed superbly since 11 September, when all international workers were withdrawn, and they very bravely kept the delivery systems going in the face of great attacks. That work needs to be honoured, and as we get back into the country, the Afghans who have done so well need to be kept in senior positions both to continue the humanitarian effort and to start the reconstruction of their country.

John Robertson (Glasgow, Anniesland): My right hon. Friend will be aware of media reports of houses collapsing because humanitarian aid was dropped on them. There are also reports of aid packages being sold in marketplaces rather than being given out. What does she intend to do to prevent that happening?

Clare Short: The only aid dropped by air up to now has been the United States "hearts and minds" parcels, if I can call them that. They contained jam, crackers and peanut butter, and I do not think that they were heavy enough to cause houses to collapse. I am happy to say that the UN World Food Programme has done a splendid job, continuing to supply massive quantities of food—enough to feed 6 million people—to a mountainous country with poor roads. It has done so without using airdrops, although they may be necessary in areas that will become inaccessible because of the winter.

Dr. Jenny Tonge (Richmond Park): The right hon. Lady is rightly concerned that the civil/military liaison in Afghanistan is not working well. We have continually been told that the bombing in Afghanistan will bring a quick end to this campaign and open up humanitarian corridors before the winter. *[Interruption.]* The Secretary of State has not admitted that, despite the apparent collapse of the Taliban in many parts of Afghanistan, the delivery of humanitarian aid remains extremely difficult in many areas. *[Interruption.]* Does she agree that we need a substantial deployment of troops, backed by an explicit UN resolution to secure aid to Afghanistan?

Mr. Speaker: Order. There is far too much noise in the Chamber, particularly from hon. Members at the back. The hon. Member for Cunninghame, South (Mr. Donohoe) is nodding, but he is one of the noisiest. It is extremely unfair to the hon. Member asking the question and the Minister answering for her Department.

Clare Short: Thank you, Mr. Speaker.

I do not accept the hon. Lady's suggestion that I should have admitted anything. I have done my best, as I have promised since the beginning of the crisis, to keep the House fully informed of the facts. I have not made admissions; I have made accurate reports, whereas some of the wild claims made by NGOs, which may be well intentioned, are not accurate.

I agree with the hon. Lady that, with the welcome collapse of the Taliban, our potential enemy now is disorder. We need Ambassador Brahimi to be successful as soon as possible in agreeing a transitional Afghan Government who are fully recognised by the UN, so that it can return to the country. We need troops on the ground to keep order so that the new Government can take over and assemble Afghanistan's own security forces. The humanitarian effort can then go towards opening clinics and health centres, getting schools working again and getting food-for-work programmes going.

Mr. Derek Foster (Bishop Auckland): May I say what an enormous pleasure it is for Labour Members that my right hon. Friend, a doughty fighter for humanitarian aid throughout her career, is in her post at this crucial point in history? She will recall campaigning with me to raise the proportion of GDP that we spend on aid to the 0.7 per cent. that was urged on us for many years. I have not seen a great shortage of money in the Chancellor's pockets of late. Indeed, one of the problems has been underspending of the money that we have agreed. She would have enormous support if she were to make a strong bid to up that percentage of GDP.

Clare Short: I am very grateful to my right hon. Friend for his comments and I shall ensure that they are drawn to the attention of my right hon. Friend the Chancellor. As he probably knows, we have just started the process of the next comprehensive spending review. I should like to tell my hon. Friends that, if any Department is having any trouble spending its budget, mine is certainly not having such trouble and I could help out.

Mrs. Caroline Spelman (Meriden): Does the Secretary of State regret accusing America yesterday of turning its back on the world, when in fact it was the largest donor of aid to Afghanistan even before 11 September? Does she accept that, at this stage, nothing would give the Taliban greater comfort than to hear of a rift between the US and the UK?

Clare Short: I heard the hon. Lady on the radio this morning and I think it laughable to suggest that inaccurate reporting in our media of an accurate report that I gave the Select Committee will help the Taliban to avoid collapse in Afghanistan. That really is a bit silly. In response to the hon. Member for Banbury (Tony Baldry), the Chairman of the Committee and a member of her party, who asked whether it is a worry that the US is the smallest contributor of aid among the OECD countries, I told the Select Committee that I thought that that was regrettable, that there was a chance that the whole world, post-11 September, would be more committed to development, and that there did seem to be a problem with the US, a country made up of diverse nationalities, in that it turned inwards and was rather insular. I stand by all those remarks.

Angola

4. **Vernon Coaker** (Gedling): What assessment she has made of the humanitarian situation in Angola, with particular reference to children. [14149]

The Parliamentary Under-Secretary of State for International Development (Hilary Benn): Children and other vulnerable people are bearing the brunt of the continuing conflict in Angola. Some 42 per cent. of Angolan children are underweight for their age, fewer than half of them go to school and under-five infant mortality there is the second highest in the world. The UK has contributed £56 million in development and humanitarian aid since 1993 and we continue to work through UN agencies, NGOs and our contribution to EC assistance. The urgent need, however, is to bring the war to an end.

Vernon Coaker: I thank my hon. Friend for that reply. The statistics that he gave show how awful the situation is for children in Angola. Unfortunately, there are no television cameras to record the misery that can be seen there. Having recently visited Angola on a trip with UNICEF, I ask my hon. Friend to consider what we can do to support projects in the southern half of the country, where there is less conflict and they can have the maximum effect. We can then show the children and people of Angola what can be done with good governance.

Hilary Benn: I say to my hon. Friend and to my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson), who was also a part of that UNICEF-supported visit to Angola, that I very much agree with his point about the need to demonstrate in that country the benefits of peace and stability. We are this year contributing almost £3 million in humanitarian aid through a range of NGOs, which will, in particular, benefit refugee children and their families. As my hon. Friend will be aware, in Luanda, we have the urban poverty programme, which is helping with water supply, micro-finance and child care. However, the fact remains that peace is the necessary precondition for progress in this relatively wealthy country, which has oil. If the Government could direct those resources more towards poverty reduction, the country would have a better prospect for the future.

Tony Baldry (Banbury): Does the Minister agree that we now need an international coalition against poverty, whether it is Angola or Afghanistan? We would have far greater clout in such a coalition if we could reach the 0.7 per cent. target. It is in all our interests to engage with colleagues in Congress in the United States to ensure that it is outward looking and that it seeks to improve on the rather poor 0.1 per cent. of gross national income that it devotes to development aid. If there is to be a coalition against poverty, it must engage all the richest nations in the world.

Hilary Benn: I endorse all the points made by the hon. Gentleman. Indeed, it seems that a coalition on precisely those points is developing between him as Chairman of Select Committee on International Development and my right hon. Friend the Secretary of State. The events of the past two months have given all of us—particularly America—pause for thought on the importance of international development in the new world order. There is now a better opportunity in that country to advance the arguments made by the hon. Gentleman than there has been for many years.

Mr. Hilton Dawson (Lancaster and Wyre): My hon. Friend is aware of the shocking conditions in 13 transit camps in Angola; even by the appallingly low standards of that country, conditions are particularly bad for thousands of people and their children. The Angolan Government have promised to close the camps by the end of the year and move those people to better conditions. The ambassador in Luanda is trying hard to pursue the matter with the Government. Will my hon. Friend bring every pressure that he can muster to bear on the Angolan Government on that vital issue?

Hilary Benn: We certainly shall. As my hon. Friend is aware, a team from the Department for International Development was recently in Angola as part of a review mission. On that occasion, it pressed the precise point made by my hon. Friend—the need to ensure that the Government of Angola honour their commitment to close the camps, which are clearly in an appalling condition.

Ministerial Meeting

5. **Mr. Stephen O'Brien** (Eddisbury): If she will make a statement on her recent meeting with the Presidents of Uganda and Rwanda. [14150]

The Secretary of State for International Development (Clare Short): My recent meeting with the Presidents of Rwanda and Uganda was fruitful in reducing tension between the two countries. The two Presidents talked through the causes of the rising tension, then signed an understanding committing them to discourage dissidents from organising in each other's country and to undertake not to interfere in each other's internal affairs. They agreed to set up mechanisms to monitor the implementation of the agreement, with the UK acting as a third party. The Prime Minister joined the talks for a time. The agreement has begun to be implemented and tensions are already reducing.

Mr. O'Brien: As the Secretary of State will be aware, peace in the Congo is vital to the stability of Rwanda and Uganda; indeed, the refugee crisis in north-western Tanzania would be exacerbated if the conflict took root. Can she assure the House that she is looking carefully at discussions on aid to Rwanda and Uganda to help encourage their Presidents not to allow their tensions over the Congo to get out of hand?

Clare Short: I share the hon. Gentleman's concerns. If we are to get better development in Africa, we need to resolve a lot of conflicts. The conflict in the Democratic Republic of Congo, a country as big as western Europe, is sucking in six neighbouring countries. A mineral-rich country, if properly governed, could be an engine of growth and development in Africa; it is essential to implement the Lusaka peace accords.

Rwanda is currently in the DRC because people responsible for the Rwandan genocide are still trying to get back to Rwanda and complete it. It is essential that we encourage the Kabila Government to pursue disarmament of those negative forces so that we get peace and development for the whole region. However, I agree that we must prevent tension between Uganda and Rwanda from rising, as that could drive the whole process backwards.

Mr. Win Griffiths (Bridgend): In considering the great problems in Rwanda, will my right hon. Friend explain what other help is being given to east African countries like Tanzania, which has a huge refugee problem arising from the disturbances in Rwanda and, of course, in Burundi?

Clare Short: As my hon. Friend said, Tanzania has many refugees—300,000, I think, or something similar. A desperately poor country is playing host to lots of refugees because of the conflict in Burundi in particular and instability in the great lakes region in general. Tanzania has recently being doing well on reform; its completion date for debt relief is due to go to the boards of the International Monetary Fund and the World Bank today and is likely to be approved. Despite its refugees burden, Tanzania, I am glad to say, is moving forward; the United Kingdom is supporting it in its big reform efforts.

Mr. Nick Hawkins (Surrey Heath): Does the Secretary of State not share our concern about the recent United Nations report which said that the increase by the Government in aid to countries like Rwanda and Uganda was being used to ensure that those countries did not spend money on the services that the Government should properly be funding, and asked whether those savings were being mis-spent on funding warlike approaches? Is there not a genuine concern that UK taxpayers' money is being misused for war? What is the Secretary of State going to do about that?

Clare Short: I am glad to inform the House that there is no such concern. The House should be proud that after—*[Interruption.]* It is difficult to hear what is being said in the Chamber. After the terrible genocide in Rwanda, during which nearly 1 million people were killed in the course of a few months by machete, under orders, and the UN was withdrawn rather than acting to protect the country, there was a massive refugee exodus and the country was left with nothing.

The UK has been engaged in helping Rwanda to rebuild its national institutions and to drive forward reconciliation. Rwanda needs an end to the war in the Congo. It therefore needs the disarmament and demobilisation of the forces of the genocide, which are trying to get back into Rwanda to complete the genocide. We all need to put pressure on all the parties to implement the Lusaka peace accords—including the Kabila Government in Kinshasa, who are arming and supporting the forces that are invading Rwanda and Burundi and holding back the peace process.

Afghanistan

6. **Paul Farrelly** (Newcastle-under-Lyme): What plans are being considered to rebuild the infrastructure of Afghanistan following the present conflict. [14151]

The Parliamentary Under-Secretary of State for International Development (Hilary Benn): We are closely involved in planning for the future of Afghanistan. As well as supporting Ambassador Brahimi's efforts to establish a broadly based transitional government, we are working with the international community on reconstruction. Repair of the country's infrastructure will be an important part of this process. A document setting out the UK's contribution to an emergency recovery plan for the first 100 days has been placed in the Library.

Paul Farrelly: I thank my hon. Friend for his reply. I am sure that my right hon. and hon. Friends on the Government Front Bench were as shocked as the rest of the House to learn that, in the conflict, Afghanistan did not have one functioning hospital. Does my hon. Friend agree that the international community should now commit itself early on, through the UN, to specific projects, including hospitals, to help rebuild Afghanistan, retain hearts and minds and shame all the warlords who reduced their own country to rubble?

Hilary Benn: I agree with my hon. Friend entirely. The re-establishment of a health system within Afghanistan, where life expectancy is 44 years, is an urgent priority, as is the re-establishment of a system of education so that at least half the next generation can have the opportunity to receive the education that they deserve. In the long term, that will make the greatest contribution to the re-building of the country. *[Interruption.]*

Several hon. Members *rose—*

Mr. Speaker: Order. The House is far too noisy and it must come to order.

Rev. Martin Smyth (Belfast, South): About 50 per cent. of the people of Afghanistan are under 18, and about 60 per cent. of that age group die from preventable diseases. What steps are being taken, if there is a new infrastructure—this follows on from the question of the hon. Member for Newcastle-under-Lyme (Paul Farrelly)—to get to Afghanistan the medicines, supplies and vaccines that the population requires and which we take for granted?

Hilary Benn: A great deal of effort is already under way to ensure that essential medical supplies get into the country. As we heard in answer to an earlier question, the polio vaccination programme—overseen by UNICEF—has continued during the current difficulties. I agree with the hon. Gentleman that continued effort must be made to ensure that we meet the health needs of the Afghanistan population, which has suffered enormously.

Mike Gapes (Ilford, South): My hon. Friend will be aware that many educated and skilled Afghan people have fled from the conflict over the past 20 years. They are living throughout the world, and many are in the UK. What steps is my hon. Friend's Department taking to assist the return of these people to help in the rebuilding of their country's infrastructure?

Hilary Benn: The most important contribution that we can make to addressing my hon. Friend's question is to work to bring peace and stability to Afghanistan. The sooner the reconstruction process can begin, and the sooner people who have fled the country—many of whom are educated, as my hon. Friend mentioned—see that there is a future and a prospect for their country, the greater will be the chance that they will commit themselves to returning to the country of their birth so that they can take part in helping to rebuild it.

Ivory Coast

7. **Patrick Mercer** (Newark): What actions her Department is taking to reduce the sex trade in young girls in the Ivory Coast. [14152]

The Parliamentary Under-Secretary of State for International Development (Hilary Benn): We are working with our European partners and the International Labour Organisation to try to address this serious problem, which affects several west African states, including the Ivory Coast. It was also discussed at the recent EU-Africa summit, which has set up a taskforce to take action.

Patrick Mercer: In view of the Victoria Climbie case, what further action is being taken at United Kingdom airports to prevent sex slave children from being brought into the country?

Hilary Benn: The Victoria Climbie case, dreadful though it was, did not directly involve sexual exploitation. We have signed up to all the relevant conventions and we are working with the Home Office to ensure that action is taken against people who engage in this appalling trade. The European Union is negotiating a new framework agreement that will oblige all member states to make trafficking for sexual exploitation a specific criminal offence. The sooner we can get that into law, the more we can do to prevent that appalling trade.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [14176] **Mr. James Paice** (South-East Cambridgeshire): If he will list his official engagements for Wednesday 21 November.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further meetings later today.

Mr. Paice: I wonder whether the Prime Minister knows of the case of a single mother in my constituency who needed a hysterectomy—*[Interruption.]* I do not know what Labour Members find so funny about a lady needing a hysterectomy. She had to move her young children from a village school to London schools while she was in hospital, but the operation was cancelled only a day before it was due to take place. Does the Prime Minister have any idea of the distress and trauma that she and her children suffered? That is only one out of 1,000 operations that are cancelled each week under his national health service.

The Prime Minister: The NHS performs 5.5 million operations every year, but of course I understand the immense pain and suffering caused to anyone whose operation is cancelled. For precisely that reason, we are introducing measures to provide that if an operation is cancelled for non-clinical reasons—for example, because there are not enough surgeons or beds—it will be performed within a specified period elsewhere. That is a change from the previous Government's policy.

Q2. [14177] **Judy Mallaber** (Amber Valley): In a week when the Government's target of half of all pupils achieving five A to C grade GCSEs has been met a year early, will my right hon. Friend congratulate Aldercar community school in my constituency and its staff and pupils? The percentage of pupils who achieve such grades there has increased by 36 points in the past four years. That makes it one of the schools that has improved most in the country. Will he encourage other schools to follow its example to try to persuade every pupil, even their large numbers of statemented pupils, to enter for qualifications? Even in such difficult days abroad, does he agree that there is some good news at home?

The Prime Minister: It is important that the target of 50 per cent. of pupils achieving five good GCSEs has been met. I believe that Tony Cooper, the head teacher at the school that my hon. Friend mentioned, was secondary head of the year in 2000. [HON. MEMBERS: "Oh"] It is amazing how well informed I can be. He is one of a growing number of head teachers throughout the country whose results have improved significantly. Results in some of the new specialist schools have improved by 15 per cent. or 20 per cent. Taken with the primary school results, that represents a significant step change, which we must maintain and develop further.

Mr. Iain Duncan Smith (Chingford and Woodford Green): One of the great successes in the war against terrorism has been this country's role in holding together the coalition with the United States. Will the Prime Minister reaffirm that Britain and the United States remain as one in pursuing our objectives, namely, the removal of the Taliban, bringing bin Laden and al-Qaeda to justice and delivering humanitarian aid? Will he confirm that there is full agreement on how to pursue those objectives?

The Prime Minister: Yes, I am happy to confirm that. There is complete agreement on the military objectives of removing the Taliban regime, which I am pleased to say is largely now achieved, and making sure that we pursue and hunt down the terrorist network of al-Qaeda, on which we have made considerable progress. There is complete agreement on making sure that we get the humanitarian aid into Afghanistan, which is absolutely vital; and on the political and diplomatic front, because there will be a meeting next Monday of all the various ethnic groupings in Afghanistan. That is a huge step forward. People would not have thought it remotely possible a short while ago. I also commend the attitude of the Northern Alliance in that regard. Many people feared that it would not join such a broad-based grouping, but clearly it is doing so.

Mr. Duncan Smith: Families of troops up and down the country are obviously concerned about husbands and wives who may be on deployment. Will the Prime Minister, making it clear that some are already on deployment and possibly in action, confirm that the number of troops on stand-by remains the same as last week, that no decision has yet been taken on whether or when they will deploy and that any such decision will also be made in full consultation with the United States?

The Prime Minister: Of course it will be made in full consultation with the United States. The troops were put on 48-hour stand-by for a purpose. Perhaps it is just as well that I say this, because it may be the reason for some of those incorrect stories arising. The situation in Afghanistan is obviously developing day by day. Two weeks ago, people would have been surprised at where we are today. In fact, they would have been astounded at the progress that has been made. A lot of people did not believe that the military strategy would succeed as fast as it did. They then worried that the Northern Alliance, having secured its victory, may, for example, run amok in Kabul or commit atrocities in different parts of the country. That has not happened.

We have to keep the troops on stand-by to use as and when appropriate, but a degree of flexibility, far from being a hinderance, is the only sensible position to take. Both we and the United States—indeed, other coalition partners—have troops on stand-by. How and when and where we deploy them is a matter we can decide day by day. We should retain the flexibility to do so as we wish.

Q3. [14179] **Laura Moffatt** (Crawley): Will the Prime Minister join me in recognising the considerable efforts being made by airline staff and those in associated industries to deal with the aftermath of 11 September? Does he recognise that much needs to happen to alleviate the pain of that industry? Will he give us assurances that all is being done to assist? Will he take the time to visit those hard-working staff at Gatwick, who would be pleased to see him?

The Prime Minister: I appreciate the concerns of my hon. Friend's constituents at this time. Our airline and aviation industry, in common with industries round the world in that sector, has obviously experienced difficult times. We believe, however, that the European Commission is right to say that there should be no general bail-out of companies and it is important that all countries stick to those rules.

The Commission has also set out guidelines that allow us to compensate for the four days after 11 September. We are considering how we can help companies within those guidelines, but it is important to keep to them. Of course, we shall work with my hon. Friend, her constituents and the companies concerned to do all that we can to help them through this time, recognising that the problem obviously affects aviation and airline industries everywhere in the world.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): When there are so many acute shortages in so many specialist staff areas of the health service, does the Prime Minister not think it ridiculous that many doctors who have served the health service with distinction for years, if not decades, are unable to apply for specialist consultant posts because they qualified in a non-European Union country?

The Prime Minister: There is an issue here, and, as a result of examining it over time, the Government are already considering changing the rules that allow registrars then to train for a further period that allows them to become consultants. It arises because of the way that the rules have been applied rather than racism in the national health service, as has been suggested in certain quarters. That is an unfair charge to make. It is important, however, that we ensure that the rules are changed so that there can be obvious transparency about how people can qualify fully as consultants.

Mr. Kennedy: The review is certainly welcome, but the Prime Minister rules out racism. Did he not hear the remarks on that very issue made on radio only this morning by the Secretary of State for Health? As the figures show, a vastly greater proportion of white doctors than non-white doctors achieve consultant status in the health service. Many of those non-white doctors qualified in the EU. There is an issue to address with urgency. The Health Secretary thinks so; surely the Prime Minister should give the House an undertaking that he will investigate and legislate.

The Prime Minister: I think that what the Secretary of State for Health said was that we must look at any charges that were made very carefully.

The right hon. Gentleman's first point related to the distinction between EU and non-EU people. That distinction is based on our membership of the European Union and the rules within the European Union, not on any rule that is discriminatory vis-à-vis race. Of course we will investigate any charges that are made, but it is important to realise that the particular issue raised this morning arose from rules that we are reviewing rather than from any attempt to discriminate between people of different races.

Mr. Kevin Hughes (Doncaster, North): After his no doubt healthy breakfast, did the Prime Minister have a chance to read the leader in *The Guardian*? Does he agree that affordable designer casualwear should be available in supermarkets throughout the country?

The Prime Minister: I probably study *Guardian* editorials less than my hon. Friend does. As for designer wear, I am afraid we must abide by the rules set out in the court proceedings. That is regrettable, but obviously we study these matters very carefully.

Q4. [14180] **Mr. Laurence Robertson** (Tewkesbury): In 1997 there was a surplus of nursing home places in Gloucestershire; now there is a severe shortage. Whom does the Prime Minister blame for the crisis? [HON. MEMBERS: "You."] Does he blame his own Government's regulations, or does he blame the Lib-Lab pact that runs Gloucestershire?

The Prime Minister: That is a bit of an open goal, given that the last Government massively cut the number of beds in the national health service and elsewhere. In respect of nursing homes, as the hon. Gentleman knows, the Government have provided a great deal of extra money for the NHS to deal with social services. *[Interruption.]*

I must point out to Opposition Members that there is a clear difference between us and them. I entirely agree with them that nursing homes have complained about the level of fees and also about the lack of sufficient resources—which is precisely why we are increasing investment—but the difference between the hon. Gentleman and us is that we believe that the additional money should go in, while he wants to take it out.

Q5. [14181] **Colin Burgon** (Elmet): In the light of unfortunate remarks made by a certain gentleman called Mr. Nigel de Gruchy, what message has the Prime Minister for the thousands of committed classroom assistants in my constituency and around the country—and for other staff who give valuable support to teachers, enabling them to deliver the results of which we have spoken today?

The Prime Minister: As well as the increase in the number of teachers, there has been an increase of, I think, about 44,000 in the number of classroom assistants in the past few years. They do invaluable work in our classrooms. They are part of the changing pattern of teaching provision in our schools which will allow us to secure more teachers but also more classroom assistants and more information technology assistance. That in turn is part of the creation of a modern environment in which schooling can best take place. Classroom assistants play a vital role in the process.

Mr. James Arbuthnot (North-East Hampshire): May we now have an answer to the question put by my hon. Friend the Member for Tewkesbury (Mr. Robertson)? Nursing homes are closing all over the country because of new Government regulations, and as a result patients are blocking hospital beds when they could be cared for better elsewhere. Chase hospital in Bordon, in my constituency, is consequently in danger of losing beds. Does the Prime Minister agree that that is unacceptable, and will he look into it?

The Prime Minister: I certainly will, but let me say this to the right hon. Gentleman. It is true that some private nursing homes are closing; as they will tell the right hon. Gentleman, that is largely because of their worry about the level of fees. *[Interruption.]* Regulation has been mentioned, and it is true that some of them raise issues relating to the minimum wage; but I thought the Conservative party had changed its position on that. As for other regulations, they concern standards of care in nursing homes, and were supported by both parties in the House.

In respect of the other point that the right hon. Gentleman makes, again, it is absolutely true that unless we have proper provision out in the community, there is greater pressure on hospital beds. Again, it is precisely for that reason that just a short time ago we announced still more money for social services, nursing homes and the national health service. That is money to which the Labour Government are committed and which he and his colleagues are committed to opposing.

Q6. [14182] **Mr. Huw Edwards** (Monmouth): Does my right hon. Friend agree that the Carers and Disabled Children Act 2000, which was introduced by the Government, can make a significant difference to the lives of Britain's 6 million carers, but that many carers are not aware of their rights under that Act? Will he do everything in his power to ensure that local authorities undertake the assessments, which they are required to conduct, and do what they can do to help Britain's 6 million carers?

The Prime Minister: We are engaged at the moment in putting together an information campaign that allows carers to know exactly what they are entitled to. Incidentally, all the provisions of the Act will come into force in Wales as well, or they did do on 1 July. We totally understand that it is one thing to provide those rights for carers, but that unless they are aware that they have them and of how to exercise them, it will be a futile exercise. It is for that reason that we are making sure that they have the information that they need.

Mr. Iain Duncan Smith (Chingford and Woodford Green): The chairman of the Strategic Rail Authority said of investors' confidence in the Government:

"tremendous damage has been done by Stephen Byers' actions".

Does the Prime Minister agree?

The Prime Minister: No, I do not, for the reasons that I gave the last time the right hon. Gentleman asked that question. I believe that it was absolutely essential that we stopped pouring billions and billions of pounds of public money into a company that was effectively bust and that was not being managed adequately. For that reason, we believe—this is the difference between us—that whereas he would pay the shareholders an additional £1 billion from taxpayers' money—

Mrs. Theresa May (Maidenhead) *indicated dissent.*

The Prime Minister: Oh yes, that is the position of the Conservative party. We believe that that money is better spent on the railways.

Mr. Duncan Smith: But it was the right hon. Gentleman's Government who appointed Sir Alastair and who described him at that time as a "highly respected figure". Sir Alastair is also supported by investors on both sides of the Atlantic, one of whom, a head of an American investment fund, said:

"We would now be unwilling to invest in any enterprise"—

Mr. Brian H. Donohoe (Cunninghame, South): Rubbish.

Mr. Duncan Smith: Oh yes. He has said they would be unwilling to invest in

"any enterprise regulated by the Government, because we couldn't be sure they would live up to their commitments".

Why does the Prime Minister not admit that investors cannot trust this Government and that people who travel on the railways will have to put up with more delays and more taxes?

The Prime Minister: If we followed the path that the right hon. Gentleman has set out, I assume that he would have carried on simply putting public money into Railtrack; alternatively, he would have us pay the £1 billion to the shareholders. I am afraid that in the end there has to be a simple choice: do we carry on putting that money in or do we say, "Enough is enough—we cannot put in any more money"? We have to restructure that industry in order to ensure that the money that goes in actually gets to improve the railway system.

As I say, the difference between us is that we believe that every single penny piece of that money has to go to improving the rail network, whereas the right hon. Gentleman's position is that he would take literally £1 billion or more of that money from the taxpayer and give it to the shareholders. If he denies that perhaps he would say so when he gets to his feet. His shadow Chancellor and his shadow spokesman on the railways have both said that they agree with the shareholders' campaign for a minimum handout of £3.60 a share. If that is the case, it amounts to more than a £1 billion subsidy. So, the difference between us is that I say that the money goes to the railways, while he says that it should go to the investors.

Mr. Duncan Smith: We are now clear about the Prime Minister: he would rather stand by a Minister than those thousands of investors who have lost money. Those investors are not fat cats, they are pensioners and people who work on the railways. What does he say to Mrs. Lloyd—*[Interruption.]* Labour Members do not care. Mrs. Lloyd lost all the money that she invested in Railtrack, money which was meant to be used to help a sick relative. She has written to the—*[Interruption.]*

Mr. Speaker: Order. I have told Mr. Donohoe before that he should not shout across the Chamber. I have told him before, and he will not do it again. It is out of order.

Mr. Duncan Smith: The Prime Minister must tell the House what he will say to Mrs. Lloyd, who has written to him five times about her lost investments and who has not received an answer. She is a lifelong Labour supporter, but she will not vote Labour again because of what this Government have done to her. In her letter, she writes:

"Stephen Byers is a real con man who will say anything and do anything and hopes to get away with it."

Is she not absolutely right? Is it not time that the Prime Minister told the Secretary of State for Transport, Local Government and the Regions to go?

The Prime Minister: The right hon. Gentleman has just made it clear in his answer that he would indeed back the claim of the investors. He has asked about an investor, so let us discuss the matter, because he has just accepted that he would back the claims of the investors that the Government should reimburse them at the level of the original share price at the time of privatisation. That would amount to a sum of money of more than £1 billion.

I accept entirely that small investors will be affected by what has happened to Railtrack. However, the only choice that the Government can make is whether to bail out people in that situation, or say that we cannot go on putting billions and billions of pounds of public money into a failed company.

In the end, no matter how many times the Leader of the Opposition gets to his feet, he must accept that, when it comes to a choice between putting the money into the railways and bailing out investors, he would bail out the investors. I am afraid that that is the difference between the Government, who believe in rail transport as a public service, and the Opposition, who do not.

Q7. [14183] **Mr. Stephen McCabe** (Birmingham, Hall Green): Will my right hon. Friend join me in welcoming the news this week that the courts are increasingly making use of antisocial behaviour orders? What about people in my constituency of Hall Green—and, I dare say, in many other places—who are denied the relief from persistent harassment, intimidation and distress that these orders provide? What should they do when their local authority, and/or the police, persistently fail to use the powers that Parliament has given them?

The Prime Minister: Antisocial behaviour orders have a very important role to play, and almost 500 have been granted up and down the country. Any resistance to their use by police and local authorities would be unfortunate, as there is nothing worse for people than to live on estates or difficult streets with those who engage in petty theft or drug dealing. The antisocial behaviour order can play a real role in reducing tensions and disorder in local communities. I urge them to be used, in my hon. Friend's constituency and elsewhere.

Q8. [14185] **Mr. Simon Burns** (West Chelmsford): Will the Prime Minister please tell me why the latest Department of Health figures show that the number of people in this country waiting more than 18 months for treatment has increased from two to 208?

The Prime Minister: The increase, as I understand it, is limited almost entirely to a certain number of trusts. [HON. MEMBERS: "Where are they?"] Each of those trusts is being given a dedicated team to reduce the 18-month waiting list. However, the hon. Gentleman did not point out that the latest figures show that the number of patients waiting three months has fallen. Overall, waiting lists have fallen, which means that hundreds of thousands of people are waiting a shorter time for treatment. *[Interruption.]* I am sorry, but waiting lists since the Labour party came to power are down, not up, as are waiting times. Down too, for example, are cardiac waiting times and the time it takes to refer patients for cancer treatment.

The hon. Member for West Chelmsford (Mr. Burns) said that 208 people are waiting more than 18 months. That is unacceptable, but I shall simply point out that 70 per cent. of people get their operations within three months, and that more than half a million operations are now being performed every year. The 208 figure is wrong, and we should change it, but we should not forget that the vast bulk of people are getting the treatment that they need.

Q9. [14186] **Mr. Mark Lazarowicz** (Edinburgh, North and Leith): Is my right hon. Friend aware of the collapse of Atlantic Telecom, which has caused severe difficulty for thousands of telephone subscribers, particularly businesses which are heavily dependent on the telephone? Will the Prime Minister take action to ensure that the lines, and specifically the existing telephone numbers, of the businesses concerned are protected before the service is withdrawn in four days time?

The Prime Minister: I understand that my hon. Friend is meeting the Minister for E-Commerce and Competitiveness at the Department of Trade and Industry later today to discuss the concerns of Atlantic Telecom's customers. I also know that Oftel is having discussions with Atlantic's administrators. This is a serious problem, because it can affect many business customers and other people. My hon. Friend the Minister also met the Director General of Oftel yesterday. I hope very much that we can have a smooth transition to a new company, responsible for the new business, but it has to be sorted out with the administrators and Oftel as well as with my hon. Friend the Minister.

Sir Teddy Taylor (Rochford and Southend, East): Is the Prime Minister aware of the serious damage done by the repeated press reports, which are obviously officially inspired, about the differences between him and the Chancellor of the Exchequer? There is one detailed report that the Chancellor used bad language—[HON. MEMBERS: "Oh!"]—and stamped his feet after a private meeting. If the Prime Minister is not prepared to say where these reports come from, can he at least give us an assurance that he is not picking on the Chancellor for not being as enthusiastic about the euro as the Prime Minister himself?

The Prime Minister: One thing is for sure—I knew that we would get to Europe one way or another. I am glad that the hon. Gentleman asked that question, because it gives me the opportunity to say that according to the OECD, we are predicted to grow at the fastest rate of any G7 country. We have the lowest inflation in Europe and the highest employment rate of any of our major competitors. We have the largest share of foreign direct investment in the European Union and we have halved youth unemployment. That is down to the work of the Chancellor, and he has done that work better than any Conservative Chancellor anyone can remember.

Q10. [14187] **Martin Linton** (Battersea): In view of the very high rate of asthma in my constituency, will the Prime Minister look at yesterday's report on lung diseases from the British Thoracic Society, showing that they kill even more people than heart diseases or cancer, and occur at nearly twice the European average? Will he ensure that we tackle those diseases with as much determination as we tackle heart disease and cancer by offering medical treatment and preventive measures such as action on air pollution and smoking?

The Prime Minister: I should like to make one point about the British Thoracic Society's report, which compared Britain with other European countries. One would not realise it from the coverage this morning, but the report was based on data from 1970 to 1998. The number of people dying from lung cancer has actually fallen by 1,500 in the past few years. Some 60,000 people were helped last year to stop smoking, and access to cancer specialists is faster than before. However, my hon. Friend is right to say that there is a great deal more to do. In particular, far more research needs to be done, which is why the Government are funding a multi-million pound research programme specifically into the issues he raised.

Q11. [14188] **Mr. Henry Bellingham** (North-West Norfolk): Is the Prime Minister aware that many Conservative Members greatly admire his handling of the current world crisis? However, is he also aware that if we had in place a common foreign policy, it would not be the Prime Minister travelling the world but probably Romano Prodi? If we had in place a Euro-army, the Prime Minister would almost certainly have much less control over his

British forces, currently on stand-by. Will he confirm that he will abandon completely all further moves towards European integration?

The Prime Minister: I thank the hon. Gentleman for his kind words at the beginning of his question, but his intervention sums up the problems of Conservative Eurosceptics. First, the hon. Gentleman said that we should not have a common foreign and security policy, but we have someone in the European Union who is already in charge of the common foreign and security policy—Mr. Solana.

Secondly, the hon. Gentleman seemed to think that the European Commission should not be involved in European defence. Under the European defence proposals, the European Commission is not involved in European defence. Thirdly, he seemed to think that we are setting up some sort of Euro-army. We are not. We are agreeing to have the capability in Europe should we wish, individually as countries, to decide to commit ourselves to peacekeeping or humanitarian missions. We can see why that is necessary from what is happening in Macedonia and in the Balkans today. We have the capability to form a proper defence force so that we can provide for keeping the parties apart in Macedonia and elsewhere, and provide the opportunity to build a peace process there. A European defence capability is simply an additional weapon in our armoury for defence purposes, alongside NATO. It is entirely sensible. What is happening in the Balkans shows why it is necessary and it would not make the slightest difference to anything that we are doing in Afghanistan at the moment.

Mr. Bill Tynan (Hamilton, South): Is my right hon. Friend aware that a report in the *Daily Record* claimed that service men and women on stand-by for Afghanistan have no suitable clothing for the winter that they would endure there? Will he investigate that claim and, if it is true, do all he can to alleviate the problem?

The Prime Minister: I will examine the claim, but many such claims are made and when they are investigated are found to be absolutely baseless. I assure my hon. Friend that the British troops, who are among the best trained and equipped of any in the world, will be properly equipped for any mission that they may undertake in Afghanistan.

I wish to take the opportunity to say that if we look at what British troops are doing in Afghanistan, the Balkans and Sierra Leone, it is clear that they are making a huge contribution to world security and peace. Of course they must have the proper equipment and we will ensure that they do so.

Points of Order

3.32 pm

Mr. John Bercow (Buckingham): On a point of order, Mr. Speaker, of which I have given you prior notice. It concerns 11 straightforward, factual questions tabled by me on 12 November and which related to Treasury involvement in decisions on Railtrack, to which the spectacularly unilluminating reply from the Chief Secretary to the Treasury was:

> "Treasury Ministers and officials have discussions with a wide range of organisations, including other Government Departments, on a wide range of subjects on a regular basis."—[*Official Report*, 19 November 2001; Vol. 375, c. 144W.]

Given the code of practice on access to Government information, the resolution of this House of 19 March 1997 that Ministers should comply with it, and the fact that most of my questions do not concern the detail of internal opinion, advice, recommendation, consultation or deliberation, but simply the dates of discussion and attendance at meetings, is not the Treasury's refusal to answer those questions an insult to Parliament, a breach of the code and a justification for a complaint to the Parliamentary Commissioner for Administration?

Mr. Speaker: The hon. Gentleman will know that I am not responsible for ministerial answers. That is a problem for the Minister, not for the Speaker.

Chris Grayling (Epsom and Ewell): Further to that point of order, Mr. Speaker. I hear what you say, but Members regard you as a key guardian of the interests of the House. On behalf of a constituent who has experienced rising insurance premiums, I tabled a question to the Chancellor of the Exchequer about insurance premiums since 11 September. I asked the Chancellor what representations he had received from other bodies on that matter, to which I received the reply:

> "We receive representations on a wide range of subjects from a variety of organisations and individuals."

What expectations can hon. Members have that Ministers will answer their questions?

Mr. Speaker: The hon. Gentleman must be persistent with Ministers. That is the best advice I can give him.

Several hon. Members *rose—*

Mr. Speaker: Order. I say to hon. Members who want to speak further on that point of order that I have made my views clear.

Mr. Nicholas Soames (Mid-Sussex): Further to that point of order, Mr. Speaker. May I intrude a little further? Although I understand precisely when you say that you cannot control ministerial answers, surely the Chair is right to issue guidance to Ministers that questions should be properly and fully answered.

Mr. Speaker: The Government issue guidance to Ministers, not the Speaker.

Mr. Andrew Robathan (Blaby): On a point of order, Mr. Speaker. Last week, I raised with you the report of the parliamentary ombudsman, which stated that

> "this is the first occasion on which a Government department has refused to accept the conclusions of the Ombudsman on a question of disclosure of information".

Following my point of order, I went to the Table Office and tabled a series of questions to the Deputy Prime Minister, who, according to the Government, is responsible for the central secretariat which is

> "the Government's central link with the parliamentary ombudsman".

Every question I table is transferred. How can I get the Minister to answer the questions, Mr. Speaker? Could you please advise?

Mr. Speaker: I am sympathetic to the hon. Gentleman, but in the end it is not a matter for the Chair.

Several hon. Members *rose—*

Mr. Speaker: Order. I hope that these matters are not going to be pursued. I have made my case and I certainly cannot keep pursuing the matter.

Miss Ann Widdecombe (Maidstone and The Weald): Further to that point of order, Mr. Speaker. Of course, I accept everything that you have just said, but could you perhaps give us some advice? I ask for your guidance on holding the Executive to account. If we cannot rely on rulings from the Chair, could you please tell us where we should go and how we can hold them to account? It is a simple question.

Mr. Speaker: The right hon. Lady must keep at Ministers. That is the best advice I can give her.

Mr. Douglas Hogg (Sleaford and North Hykeham): On a point of order, Mr. Speaker. You will know that there is a resolution of the House, which was passed in 1997, with regard to the duty of Ministers to make full and candid answers. Would you please advise the House what it can do when there is a manifest breach of the resolution of the House—as there frequently now is?

Mr. Speaker: Knowing that the resolution is there, the right hon. and learned Gentleman must persist. Other Members must persist. That is the best advice I can give in the circumstances.

Mr. Eric Forth (Bromley and Chislehurst): Further to that point of order, Mr. Speaker. Of course, we welcome your guidance and indeed respect it, as ever. You have told us, quite rightly, that the Government are responsible for the answers—or lack of answers—that Ministers give. But, Mr. Speaker, you are the custodian of the relationship that must exist between the Government and this House of Commons. I am not asking for an answer now, Mr. Speaker, but I ask you to reflect on how you believe you can guide the House further to make effective both the ministerial code and the relationship that should exist between the House and the Government. It would appear to have broken down completely, given the point of order made by my hon. Friend the Member for Buckingham (Mr. Bercow). We should welcome your further guidance,

[Mr. Eric Forth]

Mr. Speaker, perhaps after further reflection, on what we can do other than repeatedly putting questions and repeatedly failing to receive answers from Ministers.

Mr. Speaker: I have some sympathy with what hon. Members have said. The right hon. Gentleman is right—let me reflect on the matter and I shall come back to the House.

Mr. Michael Jack (Fylde): On a point of order, Mr. Speaker.

Mr. Speaker: I hope that it is not further to the previous point of order, because I think that I did not make a bad reply to the shadow Leader of the House. The right hon. Member for Fylde (Mr. Jack) should quit while he is ahead.

Mr. Jack: I seek your guidance, Mr. Speaker, about the status of the contents of "Erskine May". In your process of reflection, may I ask you to consider the advice therein, particularly as it reflects on the contents of questions?

Mr. Speaker: I shall consider that matter.

Litter and Fouling of Land By Dogs

3.38 pm

Mr. Bob Blizzard (Waveney): I beg to move,

That leave be given to bring in a Bill to make further provision relating to litter and the fouling of land by dogs and to allow a local authority to retain the revenue from fixed penalty notices for such offences issued in its area for the purposes of enforcement.

The last time I led a debate on this subject in the House was at 5 o'clock one morning—an Adjournment debate with my hon. Friend the Member for Mansfield (Mr. Meale) when he was a Minister. I am pleased that today he is a supporter of the Bill.

Litter is pollution, and I include dog fouling under the heading of litter. It is pollution in its most basic, common and widespread form. It has a very simple cause: people drop it, or permit their dogs to drop it, as a result of laziness, thoughtlessness, carelessness, plain disregard or sometimes even loutishness. It is very visible and it spoils the built and the natural environments. It is also a health risk.

Litter includes rotting material, broken glass, jagged metal, dangerous objects and cigarette ends, all of which can be picked up by young children. Worst of all, dog dirt can transmit toxocariasis to children, which can damage their eyesight, liver and lungs. About 100 children a year contract the disease in that way.

Litter pollution has a much simpler solution than most other forms of pollution. It does not take catalytic converters, international protocols, European directives, an integrated transport policy or a climate change levy to tackle it. The answer is simple—do not drop litter. Unfortunately, the long-standing culture in our country is one in which we live and walk about in litter. We try not to put our feet in dog dirt. We pay others to clear the whole lot up, and then moan that it is not all picked up.

We pay a total of £400 million a year in council tax for litter to be picked up. My council has to spend more than £500,000 a year and rubbish still accumulates in certain corners. What a sad way to have to spend money, and we must surely be mad if we carry on like this.

We have laws against dropping litter and dog fouling, both of which are offences, with maximum fines of £1,000, or even £2,500 in certain circumstances. The Environmental Protection Act 1990 placed statutory duties on councils and introduced fixed penalty fines of £25. The Dogs (Fouling of Land) Act 1996 put dog fouling on the same basis as litter, but the law is not being enforced.

In 1996, in England and Wales, there were only 626 prosecutions in magistrates courts for littering, resulting in 468 convictions. By 1999, the figure had fallen to 501 prosecutions, with just 390 convictions. In 1999–2000, only 2,970 fixed penalty notices for littering and 1,538 for dog fouling were issued—this in a country of 56 million people. That low figure is not because not much litter is being dropped.

In my county of Suffolk, there seem to be only about five or six convictions a year, and in my district of Waveney, there have been no recent prosecutions and no fixed penalties for litter at all, with just one recorded fixed penalty for dog fouling since the 1996 Act came into force. Why is the law not being enforced? The answer is obvious: councils simply do not have the means to do so.

At the moment, councils have to return all the revenue from fixed penalty fines to the Department for Transport, Local Government and the Regions, although it amounts only to about £70,000 a year in total across the country—a measure of how little enforcement goes on. The average court fine is only £90, and, of course, those fines go to the Home Office.

Although 98 per cent. of councils have appointed dog wardens, that amounts to only one or two people in most cases. Only 47 out of 474 councils employ litter wardens—again, usually only two or three people. That is hardly an army, armed with fixed penalty notices, that can realistically tackle the millions of litter droppers and the 5.4 million dog-owning households that produce 1,000 tonnes of faeces daily. In addition, it costs councils £500 to take a prosecution to court.

People are concerned about the problem. As many hon. Members will know, such local quality of life and clean street issues are those most frequently mentioned when we knock on people's doors. A Tidy Britain Group survey two or three years ago on people's attitudes to local environmental quality issues found that dog fouling, at 80 per cent., and littered streets, at 60 per cent., were right at the top of the list. Those same concerns regularly fill the letters page of my local paper, the *Lowestoft Journal*.

Down the years, we have had campaigns—many led by the Tidy Britain Group—and we now have more litter bins in the country than ever before. We also have bins for doggy bags. However, the sad conclusion is that, when it comes to litter, education does not appear to work—and I say that as an ex-teacher. In fact, some of the most littered places I have seen are school playgrounds.

Certainly, people such as the driver of the Renault Clio, with the registration S627 WOR, whom I saw on 8 October at a roundabout near Beckton in east London, are beyond educating. Sitting in a traffic jam, I watched him lob a huge bag of McDonald's debris out of his car window. As we were stuck in traffic, I stepped out of my car, picked up the rubbish and asked him whether he would take it home or to a bin. I thought for a moment that I might have succeeded as he accepted it from me, but he just threw it out the other side of his car as I walked back to mine. The only answer for such people is to apply the well-established principle of making the polluter pay, thereby handing out a deterrent to other litterers.

The Bill would require councils to retain the revenue from fixed penalty fines for the specific purpose of enforcing the litter laws. Councils would then be able to—and, indeed, would have to—employ the wardens necessary to tackle the problem. We would change the culture relating to litter. Fixed penalties can work; a high proportion of those actually issued are paid.

The Bill involves that old friend of the Treasury—hypothecation. There are precedents. Councils finance the enforcement of residents parking schemes from the fines dished out. It is the same with off-street parking, and we are now using the fixed penalty fines for speeding detected by cameras to set up more cameras. We spent years trying to educate people to wear seat belts and crash helmets, but it was only when we introduced laws that were enforced did people change their ways. It could be the same with litter.

The Bill would make the polluter pay. It would cost the Government virtually nothing, and we could spend much of the £400 million a year litter clear-up bill on more constructive things.In April, the Prime Minister said the Government were minded to go down that route. I offer this Bill as a suitable vehicle.

The Bill would be popular. Last night, Meridian television carried out a telephone poll. It received the biggest response ever with almost 6,700 calls, 97 per cent. of them in favour of my proposals.

Litter will continue to blight our environment only for as long as we permit it. Let us get serious and enforce the law of the land, so that we can have cleaner streets, cleaner communities and a cleaner country.

Question put and agreed to.

Bill ordered to be brought in by Mr. Bob Blizzard, Siobhain McDonagh, Mr. Alan Meale, Lawrie Quinn, Joan Ryan and Mr. Jonathan Shaw.

LITTER AND FOULING OF LAND BY DOGS

Mr. Bob Blizzard accordingly presented a Bill to make further provision relating to litter and the fouling of land by dogs and to allow a local authority to retain the revenue from fixed penalty notices for such offences issued in its area for the purposes of enforcement: And the same was read the First time; and ordered to be read a Second time on Friday 10 May, and to be printed [Bill 53].

Anti-terrorism, Crime and Security Bill (Programme) (No. 2)

Motion made, and Question proposed,

That, in accordance with the resolution of the Programming Committee of 20th November and pursuant to the Programme Order of 19th November (Proceedings in Committee of the whole House, on consideration and on Third Reading of the Anti-terrorism, Crime and Security Bill)—

(1) proceedings in Committee of the whole House shall, so far as not previously concluded, be brought to a conclusion at eleven o'clock on the second allotted day;

(2) those proceedings shall be taken on each of the allotted days as shown in the second column of the following Table and shall be taken in the order so shown, and shall be brought to a conclusion (so far as not previously concluded) at the times specified in the third column of the Table.

Allotted day	*Proceedings*	*Time for conclusion of proceedings*
First day	New Clauses relating to the duration of the Act and reports to Parliament, Clause 123, Clause 1, Schedule 1, Clauses 2 and 3, Schedule 2, Clauses 4 to 6, Schedule 3, Clauses 7 to 17, Schedule 4, Clauses 18 to 20	6.00 p.m.
	Clauses 21 to 35	8.30 p.m.
	Clauses 106 to 119	10.00 p.m.
Second day	Clauses 36 to 42	6.30 p.m.
	Clauses 43 to 58, Schedule 5, Clauses 59 to 70, Schedule 6, Clauses 71 to 87	8.00 p.m.
	Clauses 88 to 100, Schedule 7, Clauses 101 to 105, Clauses 120 and 121, Schedule 8, Clause 122, Clauses 124 and 125, Remaining New Clauses, New Schedules—[*Beverley Hughes.*]	11.00 p.m.

3.49 pm

Mr. Oliver Letwin (West Dorset): I do not want to trouble the House for long because we want to move on to the substantive matters, which are of huge importance. However, I have a question and want to register some concerns.

My right hon. Friend the shadow Leader of the House has explained to me that the programme motion as replicated in today's Order Paper is slightly different in a signal respect, from the Government's point of view, from the allocation of time as agreed. It does not refer to proceedings after 11 pm on the second day, which as I understand it are meant to include Report and Third Reading. Will the Minister illuminate the House on that troublesome point?

On a more serious note, I want to put on record our belief, which I am sure that Liberal Democrat Members and, I suspect, many Labour Members share, that it is wrong for the Lords to be allotted several days to consider the Bill when this House has one day for Second Reading and the greater part of two days exclusively for the purpose of scrutinising the Bill.

We have agreed a sensible division of the two days with the Government. I do not quibble about that. They have been generous in allocating the time as the Opposition thought fit, but it is not possible to allocate two days in a way that enables the House to have sufficient time to scrutinise and pursue matters that are of the utmost importance in both our opinion and that of the Government. That is why, despite the agreement on the allocation of time, I ask my hon. Friends to vote against the motion. I also urge them to express their views, but to be brief so that we can move on as quickly as possible to the substance of the debate.

3.52 pm

Mr. Paul Tyler (North Cornwall): I want to echo a couple of the points made by the hon. Member for West Dorset (Mr. Letwin). Although it is of course true that we are operating within strict limits, and we object strongly to the overall limits, there has been agreement on how to divide up the time, which is better for our business. In particular, I hope that when there is general agreement on amendments, we will deal with them speedily.

It is surely ridiculous, however, that the Home Secretary told us earlier this week that it had taken no fewer than 10 weeks to produce the Bill, yet if we are lucky we will be able to spend 10 minutes on some of its most important aspects, some of which will have a great effect on the civil liberties and human rights of our fellow citizens and other nationals. It is extraordinary that, once again, we have to rely on the other place, at the other end of the building, to give vigilant scrutiny to legislation. As the country's elected representatives, we should be responsible for the vigilant scrutiny of matters that affect the nation's civil rights.

The Bill contains many diffuse issues. They cannot be easily bound up and dealt with together. Although it is important to cover the wider issues within the limited time available, we, too, believe that the motion puts the House in a difficult position.

3.54 pm

Mr. Mark Fisher (Stoke-on-Trent, Central): I, too, want briefly to add my support to what has been said and to register my grave concern about the motion. I interpret the fact that the Minister moved it formally as enthusiasm for getting on to the meat of the debate. That is the most charitable view, although it is strange that the Government do not want to say anything in their defence given the importance of the motion and the time that we have to debate it. They do not seem to want to explain why we have only two days. I hope that the Minister will speak at the conclusion of the debate and give us a glimpse of the Government's thinking. I am sure that she did not mean to be discourteous to House, and that she wished to hurry on to the important matters to be discussed, but I think that we are owed an explanation from the Government, however brief.

I entirely concur with the hon. Members for West Dorset (Mr. Letwin) and for North Cornwall (Mr. Tyler) that two days is not only ridiculously short, but is a dangerously short time in which to consider things that change some of the fundamental principles of our legal system, albeit, if there are changes to the sunset clauses, for a finite amount of time. Nevertheless, for the next five years at least, our legal system will have a very different tone and implication.

It is not just the two days to which I object, but the fact that today, in the two and a half hours between 6 o'clock and 8.30, we shall have to consider the very serious question whether we want to go down the road to internment. We have had experience of internment in this country—let alone in Northern Ireland—twice in the last century, and we should have a chance to talk about it. Two and a half hours to consider the whole of part 4 is wholly inadequate given the grave seriousness of deciding to go for internment.

David Winnick (Walsall, North): I understand the concern about programming, which I share to some extent, if not entirely, but I wonder whether my hon. Friend has had the opportunity to see *The Times* today, because it gives a great deal of coverage to a fundamentalist Muslim cleric in Britain who has been sentenced to death in Jordan and is involved, it is alleged, with a terrorist network. The Spanish judicial authorities who have been investigating the case find it very difficult to understand why no action is being taken in Britain. There is some urgency, therefore, in connection with several people in this country. The public are, no doubt, wondering how on earth those people were ever allowed in. The Muslim cleric was apparently allowed in about seven years ago. I hope that my hon. Friend will understand the concern among the British public, even though I understand his concern, and that of others, over the programme motion.

Mr. Fisher: Of course I understand those concerns, although I have not seen the reference in *The Times* to which my hon. Friend referred.

I stress that hon. Members' wish to consider these things is absolutely not, in this instance, a desire to reiterate or delay. Indeed, I believe that the fear shared by all who have grave worries about the Bill is that we shall not even reach some clauses. The idea of this, of all pieces of legislation, not having each of its clauses fully discussed and each of its implications considered is frightening.

Mr. Tam Dalyell (Linlithgow): Why not arrest and try the individual to whom my hon. Friend the Member for Walsall, North (David Winnick) referred?

Mr. Fisher: I believe that when the House goes into Committee we shall discuss whether adequate powers to deal with some of these cases are already on the statute book.

David Winnick: There is, of course, an argument that the Home Secretary should explain why, if these allegations are true, the cleric has not been charged. However, if we work on the basis that it is not possible to bring charges—my hon. Friend the Member for Linlithgow (Mr. Dalyell) would know, as we all do, that in such cases it is not always possible—should there not nevertheless be concern, which I believe that my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) has already admitted, over cases of the type that I have mentioned, and which *The Times* publicises today?

Mr. Fisher: No one doubts the concern in the country and in all parts of the House, but the question that will be put to Ministers, with great force, and to which they must respond during the debate, is, in what regard does the present state of the law not allow us to deal with these things? Many of us were lucky enough to be in the House when my hon. Friend the Member for Redcar (Vera Baird), with her considerable experience of these matters as a Queen's Counsel, spoke at the end of the Second Reading debate. She made what appeared to me, as a layman, a very plausible case to the effect that there was plenty of elasticity in the existing statutes to do exactly what the Government want.

Mr. Douglas Hogg (Sleaford and North Hykeham): Perhaps the hon. Gentleman would care to make the point that although the hon. Member for Walsall, North may be right to say that there is a degree of urgency regarding some individuals who cannot now be prosecuted, he should remember that the Bill contains many measures that, on any view, are not urgent; for example, on incitement to religious hatred. Why should we be conducting our scrutiny on such a fundamental issue in only two hours or so?

Mr. Fisher: I have great sympathy with the views of the right hon. and learned Gentleman, and I have no doubt that he will express them when we come to those clauses.

We should proceed more slowly not only to achieve the quality of scrutiny that comes from debate, but to give us time to listen to expert voices from outside the House. There is a purpose behind the slow, measured and sometimes frustrating pace at which we pass legislation, which is to give us time to mull things over, sift out what is essential and listen to those who will be affected.

Last week, hon. Members on both sides of the House who are interested in this subject would have received the first batch of submissions from the organisations with the most immediate and pressing interest in the Bill, such as Liberty and Amnesty International. I was interested to find that today's post brought a submission from the Confederation of British Industry. It would never have occurred to me that the interests of its members would be affected by this legislation, but its submission concerned the data implications of the Bill. Inevitably, other organisations and groups will want to make representations once they have had a chance to read the Bill, think about it and consult their members. After next Monday night, or within a very few days of it, it will effectively be too late to do so.

Norman Baker (Lewes): Is the hon. Gentleman aware that hon. Members have spent more time in Committee on the Proceeds of Crime Bill than has been allotted for the entire Committee stage of this Bill, and we have only reached clause 6 of the Proceeds of Crime Bill? That is important legislation, but it is not as important as this.

Mr. Fisher: The hon. Gentleman makes a good point.

It is important that there should be more time to consider the Bill, not only for Members and those outside, but for Ministers. They need to consider what they want to achieve, although of course they have been thinking about that for the past 10 weeks, and to think how their intentions should be phrased. Moreover, that consideration must be tested in the House and against the opinion of outside experts and those who will be affected. I am sure that Ministers have paid attention to the Second Reading debate, to this debate and to the submissions from outside bodies, but I suspect that they have not given

[Mr. Fisher]

themselves enough time to take account of all that. The Government have already tabled amendments, and I am glad because some of them are sympathetic and constructive, but they have not given themselves enough time for the wider considerations.

One has only to look, as I did this morning, at the debates in the House in 1940, when internment was introduced, to see that there was a huge gap between the Government's intentions about how internment would work, as expressed in the good, sincere thinking of the then Home Secretary, Sir John Anderson, and the implementation of the policy by chief constables throughout the country. It escalated beyond the control of Parliament and the Government, despite their modest intentions.

The liberal protestations of regret that characterised the introduction of the policy were soon swept away by the flood of opinion about its implementation, which put a very different spin on the matter. That led to one of the most extraordinary and regrettable instances in our legal system, in which opponents of Nazism and Italian fascism were bundled together with Nazis and fascists in categories A, B and C and transported to the dominions or incarcerated here in appalling circumstances. Parliament was given assurances by the Government, which I am sure were well intentioned, but events worked out very differently.

We need to learn from history. There is a terrifying mood abroad in our society—a lack of interest in the past and a lack of understanding that the past is with us. The past is what we are; it is a live thing. I fear that the Government too often think that the past is out of date and irrelevant. It is not. We have very recent examples of internment in 1940 and 1914 and we should be learning from them.

Sir Brian Mawhinney (North-West Cambridgeshire): The hon. Gentleman says that Ministers have not given themselves enough time. Will not he go further and recognise—anybody who has had the privilege of being a Minister will do so—that if very short timetables are set, the whole structure is geared to defending what is there, because changing it takes longer than not doing so. There is not only not enough time, but a psychological pressure on Ministers not to listen.

Mr. Fisher: All hon. Members will pay particular attention to that contribution, not only because of the right hon. Gentleman's experience in government, but because of his understanding of the situation in Northern Ireland. He has given us wise words.

I make a late protest: we have not given ourselves time either for the particular, in relation to some clauses, or for the general, in relation to the whole Bill. I do not want to delay the House a moment further, but I express my hope that my hon. Friend the Minister will at least tell us briefly why the Bill is so pressing that we could not allow slightly more measured time for consideration and why the Government could not allow themselves more time to think about their response to the concerns expressed in the House and by people outside.

4.6 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): I rise to support what my old friend the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) has said, which is of great importance to this House. I hope that the Under-Secretary will not misunderstand me when I say that it is very regrettable that she did not introduce this short debate by giving us some indication as to why we are proceeding in this manner. She will forgive me if I remind her of what I told the Home Secretary on Monday. As I said then, some parts of the Bill may be urgent—I am not persuaded, but I recognise that such parts may exist—but it is clear from any viewpoint that there are large parts that are not urgent. The proper thing to do was to identify the provisions that were truly urgent, incorporate them into a short Bill and, if necessary, clear the parliamentary timetable—for example, last night's business could have been rescheduled—in order to give enough time to the business that we are now considering.

I think that the hon. Member for Stoke-on-Trent, Central—it may have been my hon. Friend the Member for West Dorset (Mr. Letwin)—spoke about the time that is being given in the other place, where I believe that six days have been allotted. When this House does not properly consider legislation, it does two things. First, we destroy the implied bargain that exists between the citizen and the state in a democracy. When the House imposes obligations, which are always backed by penal sanctions, there is an implied bargain that we, the citizens' representatives, have properly considered the legislation and expressed an opinion about it. The truth is, however, that we will not do so tonight or on Monday. The bargain is being destroyed. When the electorate see that important measures are being introduced without discussion in this place, they will lose their understanding and respect for democracy.

Secondly, I say to the Government that, from time to time, people complain about the way in which the judges are extending the convention and becoming interventionist in their use of judicial review. Indeed, that point has been made by the Home Secretary and others on a number of occasions. One of the reasons why the judiciary is much more interventionist than it was, say, 20 or 30 years ago, is that it understands that this House is not properly discharging its functions. If this House fails properly to safeguard the liberty of the subject, it is not in the least surprising that other people try other methods of enshrining that liberty. That is why we see the interventionism of judges. Indeed, it also explains why I gave broad support to the incorporation in domestic law of the European convention on human rights. I recognise that that gives the judges a legislative function, but we ourselves are not performing our function.

I shall conclude shortly, but I want to make one more point. On any view, the clauses that deal with internment without trial are of fundamental importance; many amendments to them have been tabled. Theoretically, however, those clauses are to be discussed between 6 pm and 8.30 pm. If we have a division at 6 pm, as is likely, we will have two and a quarter hours at the very most in which we will be asked to destroy a fundamental principle of British law—that a person cannot be sent into detention without proper trial. We have two and a quarter hours to destroy a principle that has underpinned British law for 500 years.

Who, in all conscience, believes that that is right? It cannot be right; we are sending people to prison on the suspicion or belief of the Home Secretary, without allowing them a proper appeal of any kind. We are going to approve that in two and a quarter hours, so the majority of the amendments will not be discussed. That cannot be right and is deeply offensive.

Mr. Kevin McNamara (Hull, North): I support entirely the argument advanced by the right hon. and learned Gentleman. However, is it not a little strange coming from his lips? He was a Member of the Government who did away with the right to silence and sought to gag the BBC without any vote at all, just statements in the House.

Mr. Hogg: Ever since I came to the House in 1979, I have defended the cause of liberty and the law; I stand for freedom, liberty and the law. Because of departmental responsibilities, I have not always been in a position to push that cause forward, but I have always believed in that principle. When I first came to the House in 1979, I was keen to bring about an elected second Chamber, and argued for that within my party as hard as I could. I recognise that the House is becoming an instrument of oppression; what we are doing tonight is part of that process.

4.15 pm

The Parliamentary Under-Secretary of State for the Home Department (Beverley Hughes) *rose—*

Mr. Dalyell: On a point of order, Mr. Deputy Speaker. In no way do I wish to offend my hon. Friend the Minister. However, I was brought up in a world in which business motions, particularly contentious ones, were answered, not by the Minister who had responsibility for the legislation, but by a senior Government business manager. It may be out of fashion, but a Cabinet Minister should have been present to hear what was said on the Floor of the House—*[Interruption.]* Well, I was Parliamentary Private Secretary to Richard Crossman when he was Leader of the House. On several occasions when he heard what was said in the House, he got on to the Prime Minister and business was altered; that is a matter of fact. It may be unfashionable to say so, but that is how it should be. The Leader of the House should respond to our debate.

Simon Hughes (Southwark, North and Bermondsey): Further to that point of order, Mr. Deputy Speaker. Can I just add a matter for consideration by you and Mr. Speaker? On Monday night, we debated the order on derogation from the Human Rights Act 1998. The Home Secretary may have had a personal reason for his behaviour, but I am making political and constitutional point, not a personal one. He left early in our debate and was not present for any of it. For the first time in many years, we decided to put the matter to Parliament which, with Government support, voted to take us out of part of the European convention on human rights and the Human Rights Act. It would be helpful to have an assurance from the Government that Secretaries of State should be present for matters of major constitutional importance, however good their junior Ministers, and that they are present both for the debate and the vote at the end.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. It is not in the interests of the House to develop this point during a debate on what is already a timetabled motion. I am sure that what has been said has been heard. It may be re-attended to on another occasion. For the moment, the Chair is dealing with the Minister who is available.

Beverley Hughes: For those Members who have not noticed, there is a Secretary of State on the Government Front Bench who will have heard what has been said. My right hon. Friend will take part in the debate later this afternoon.

In the interests of trying to move to the substance of the Bill and in the interests of those Members who wish to speak in Committee, I shall try to deal with some of the points that have been raised. The shadow Home Secretary, the hon. Member for West Dorset (Mr. Letwin), asked why the motion does not refer to events after 11 pm on the second day. That is because we are not debating now the programme motion that allocated time. The programme motion before us is not the motion that is relevant to the points that most Members have made. That motion was put to the House on Monday. If the hon. Gentleman refers to that motion, he will see that it refers to Report and Third Reading taking place from 11 pm to 12 pm. That was the motion that allocated the overall time provision.

Mr. Hogg: On a point of order, Mr. Deputy Speaker. Would you be good enough to tell us whether we are right in thinking that the motion to which the Minister is referring—namely, Monday's motion—was not even debatable?

Mr. Deputy Speaker: That is a matter not for the Chair but for debate.

Beverley Hughes: I was pointing out in response to the shadow Home Secretary—

Mr. Letwin: I am grateful to the Minister. I understand now the point that she is making.

Beverley Hughes: As for the general point that a number of Members have raised, the overall time allocated to the Bill in the House is the product of a difficult balance. As Members, we must balance what is required in relation to the urgency of the situation. I am grateful to my hon. Friend the Member for Walsall, North (David Winnick) for pointing that out. We are in a state of public emergency. We are responding to urgent events, and it is important that we get the Bill on to the statute book as quickly as possible. We must balance that with what is required in terms of public expectations.

How will the public expect us to behave when dealing with a Bill whose contents are a response to the events of 11 September? I think that the public will expect us to suspend our normal expectations and deal with these matters in an appropriate way, but in a way that responds to the urgency of the situation and to their expectations. We must balance these two points with what is required in terms of scrutiny. I accept, and so does my right hon. Friend the Home Secretary, that many of the matters that

[Beverley Hughes]

we are talking about in considering the Bill are of the grave seriousness to which my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) referred.

We have the difficult job of balancing competing imperatives when we decide the amount of time that we need to allocate and the speed with which we need to get the Bill on to the statute book.

Sir Brian Mawhinney: Will the Minister explain, as she is speaking for the business managers, how it is that a third day of consideration, tomorrow or on Friday, which would not have extended the overall time during which the Bill is to be considered in the Chamber, proved to be impossible for the Government?

Beverley Hughes: The right hon. Gentleman will know from his experience as well as I that those matters were discussed between the usual channels well in advance of the time scale being agreed. The time that we have allocated is a product of that process, with which he is well familiar.

Mr. Eric Forth (Bromley and Chislehurst): I wondered when the Under-Secretary would get around to that point. Discussions took place between the usual channels, of which I regrettably find myself part. It was made clear at the time—before we knew the Bill's detailed contents—that although we recognised the urgency of key parts of the measure, the addition of many other elements would change the picture. It is inaccurate of the Government to portray the whole Bill as having been agreed.

Beverley Hughes: As far as I can recall, the only addition to the Bill since the Home Secretary's statement on 15 October—the provisions on bribery and corruption—was included with the consent of all parties. The Home Secretary made a detailed statement about the extent of the Bill, and that formed the basis of our discussions. As soon as we had a draft Bill, we shared it with Opposition spokespeople.

In the interests of hon. Members who want to speak about the substance of the Bill—that is why we are here—I shall conclude. I regret that the Opposition will extend the debate on the programme motion by voting. That will take away more time from discussion of the substance of the measure.

4.21 pm

Mr. Edward Garnier (Harborough): That was the most disappointing ministerial performance that I have witnessed for many years. *[Interruption.]* It is no good the Home Secretary attending the debate late and chuntering. We are debating the purpose of Parliament. If the Labour party, in the guise of that frightful Government, believes that it can ram stuff through, it is even worse than we thought.

The programme motion is unjustifiable, unnecessary, unbalanced and unwise. It will bring the Bill into disrepute. It is unjustifiable because the Home Secretary has boxed himself into a timetable. He and his ministerial colleagues said that the measure must be on the statute book by Christmas. No one else holds that view on the current Bill. I am sure that all hon. Members support measures to combat terrorism and we understand the urgency of enacting them. However, we await a decent explanation from the Under-Secretary or her more senior colleagues of why all the other material will be rushed through.

The Bill is unjustifiable not only on that basis. There are 30 pages of amendments and new clauses. Even the edited version—the marshalled list—contains plenty of dense and interesting issues for discussion.

David Winnick: Will the hon. and learned Gentleman clarify that point?

Mr. Garnier: I shall not bother with the hon. Gentleman.

David Winnick: Will the hon. and learned Gentleman give way?

Mr. Garnier: No. Sit down.

The programme motion is unnecessary because, as my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) pointed out today and my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) said on Second Reading, a great deal of material in the Bill could be tackled later in a different measure.

The motion is unwise because the Bill that we are supposed to be debating in a spirit of co-operation and urgency is embroiled in a controversy of the Government's making about the rushed way in which a measure that is important for its legal as well as constitutional implications will be placed on the statute book. There is no reason for the Government's behaviour and I deeply regret their actions.

The motion is unbalanced because, as the hon. Member for North Cornwall (Mr. Tyler) said, the elected representatives of the public receive two days for debate in Committee and the House of Lords have six days to discuss the Bill. We had an interesting debate on Second Reading. It is regrettable that those who were unable to contribute to it will be confined to two days of consideration—today and next Monday. It is extraordinary that the Government believe that it is appropriate for the unelected House to spend more time than the House of Commons on the measure. That brings the legislation into disrepute.

We in this Parliament, whether Opposition or Government Members, seek to pass legislation that has public consent. Not everyone will agree with it or acknowledge the good sense behind the policy, but those who are the subject of the law know that it has been through a process that they understand and with which they agree. This important Bill is to be rammed through the House at short order. When brought into effect, I fear that it will not have the wholehearted consent of the public who send us here to discuss these matters.

In addition to the arguments made by my right hon. and hon. Friends, the hon. Member for North Cornwall and the hon. Member for Stoke-on-Trent, Central (Mr. Fisher), I have heard only one good thing today. My hon. Friend the Member for West Dorset (Mr. Letwin), the shadow Home Secretary, made the point that we shall at least express our distaste for the measure in a Division. That is all we can do, which is regrettable. I wish that I could argue further on the timetable motion and the substance of the Bill, but this Government do not want to listen. Frankly, I do not think they care.

4.26 pm

Mr. Tony McWalter (Hemel Hempstead): It is easy to lose sight of what these technical motions mean. On Monday, I sat on this Bench from 2.30 until the vote at 10 o'clock and each time I rose to catch the eye of the Chair I was unsuccessful. I remained in the House until business ended just after midnight. These motions deny a Member who is willing to take that much trouble to contribute the capacity to do so.

I accept that the electors of Hemel Hempstead may have been wrong to send me here in the first place, but the effect of a greatly restrictive timetable is to produce a situation in which those who want to contribute and make considerable efforts to do so are denied that contribution.

Mr. George Howarth (Knowsley, North and Sefton, East): Will my hon. Friend give way?

Mr. McWalter: I shall not take interventions, as I have about a minute left.

This Bench is a long way back from the Front Bench. Nevertheless, the concept behind the House is that Members who sit here as well as Members who sit there should be heard. The arrangements made for debate should give us the capacity to contribute, but I was not alone in being unable to take part. Many Members who contributed to the debate on this 114-page Bill were given only 10 minutes, so they had to focus and restrict their remarks considerably.

I strongly agree with the representations made by the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg). Restricting the timetable for a large Bill is different from restricting the timetable for a small, tight Bill. Had I been given a chance, I would have said that, among other things. Effectively, this is a very restrictive timetable motion—a gagging order on people who have been sent here to speak. That is an important element of the debate.

My next point relates to the matter raised by my hon. Friend the Member for Walsall, North (David Winnick), who was not here at midnight on Monday. With almost no time left, one of my colleagues was finally called, and my hon. Friend the Member for Redcar (Vera Baird) made an important speech about whether our system has the capacity to confine people who constitute a threat to our country.

Mr. George Howarth: On a point of order, Mr. Deputy Speaker. Will you confirm that decisions as to who is called in a Second Reading debate are a matter not for the Government, but for the Chair?

Mr. Deputy Speaker: That is probably self-evident to the House.

Mr. McWalter: The order makes it impossible for whoever is in the Chair to accommodate all who want to express their views. It means that matters that the House should discuss, such as the contribution of my hon. Friend the Member for Redcar, can be given only very restricted consideration. I hope that the Government will take seriously the impassioned pleas of Labour as well as Opposition Members, and give us a little more time to try and secure a Bill that is appropriate to the purpose and addresses the current legal deficiencies, while ensuring that those who want a say in its fashioning have an opportunity to speak.

4.30 pm

Mr. Andrew MacKay (Bracknell): I support all that was said by the hon. Member for Hemel Hempstead (Mr. McWalter). I do so as one who broadly supports the Bill, voted for its Second Reading, and has only the same reservations as my hon. Friend the Member for West Dorset (Mr. Letwin)—reservations that he expressed very clearly on Second Reading.

This has been a quiet week in the House. The business has been relatively unimportant. There was no reason why yesterday's Second Reading of the National Health Service Reform and Health Care Professions Bill could not have been delayed for a week. Tomorrow we are to debate Second Reading of the British Overseas Territories Bill, hardly the most exciting legislation of the current Session. The idea that such matters should have priority over proper consideration of this Bill is outrageous. As for Friday's business, we could surely have passed a motion enabling private Members' Bills to be taken on another Friday. No harm would have been done if the business had been delayed by a week or two.

Beverley Hughes *rose—*

Mr. MacKay: I should be very happy to hear from the Minister why that has not happened.

Beverley Hughes: When the Conservative Government presided over the passage of the Prevention of Terrorism (Additional Powers) Act 1996—I understand that the right hon. Gentleman was a Whip then, possibly deputy Chief Whip—did he object to the timetable governing those proceedings? I gather that it involved a statement on one day, all stages in the House of Commons on the following day, and all stages in the House of Lords, along with Royal Assent, on the day after that.

Mr. MacKay: If the Minister had been in the House at that time she would know that the Bill was very short and very precise, and that both sides of the House agreed that it could proceed through its stages quickly. This is a long and very complex Bill.

I would be quite happy for the Bill to go through in a week; I disagree with one or two other critics on that. I am saying that we should have had more time in which to debate it, because everyone would then have had the chance to express a view. This week's other business, which is at worst trivial and at best not very important, could have been delayed for a week. I hoped that the Minister would explain why the British Overseas Territories Bill is so important that its Second Reading must be debated tomorrow, rather than our having at least one extra day to debate this Bill in Committee. I now invite her to explain just why it is so important—but she shakes her head. *[Interruption.]* Let the Minister tell us just why the British Overseas Territories Bill is so important.

Mr. Hogg: Come on!

Mr. MacKay: If we had had Tuesday, Wednesday, Thursday and Friday on which to debate this Bill in Committee and on Report, most of us who are critical of the timetable motion—the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) nods—would have withdrawn our criticism. Nothing would have been lost, and the Minister and the Home Secretary would have gained a little credit.

It being forty-five minutes after the commencement of proceedings on the motion, Mr. Deputy Speaker, *pursuant to Order [28 June], put forthwith the Question already proposed from the Chair.*

The House divided: Ayes 334, Noes 213.

Division No. 71] **[4.34 pm**

AYES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Begg, Miss Anne
Benn, Hilary
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis–Thomas, Mrs Claire
Daisley, Paul
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Hill, Keith
Hodge, Margaret
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marlew, Eric
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Milband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morley, Elliot
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd

Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, John
(Glasgow Anniesland)
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Watson, Tom
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Ian Pearson and
Mr. John Heppell.

NOES

Abbott, Ms Diane
Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, John
Beggs, Roy
Beith, Rt Hon A J
Bellingham, Henry
Bennett, Andrew
Bercow, John
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Breed, Colin
Brooke, Annette
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, Rt Hon Menzies
(NE Fife)
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth
(Rushcliffe)
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Corbyn, Jeremy
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Dalyell, Tam
Davey, Edward *(Kingston)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Quentin *(Grantham)*
Djanogly, Jonathan
Dodds, Nigel
Dorrell, Rt Hon Stephen
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Duncan Smith, Rt Hon Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Fisher, Mark
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Francois, Mark
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gerrard, Neil
Gibb, Nick
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John
Heath, David
Heathcoat-Amory, Rt Hon David
Hermon, Lady
Hogg, Rt Hon Douglas
Holmes, Paul
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Lynne *(Selly Oak)*
Keetch, Paul
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Key, Robert
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNamara, Kevin
McWalter, Tony
Mahon, Mrs Alice
Malins, Humfrey
Maples, John
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Pickles, Eric
Price, Adam
Prisk, Mark
Pugh, Dr John
Randall, John
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sedgemore, Brian
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esh[illegible]Walton)*
Taylor, Matthew [illegible]*uro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Trend, Michael
Trimble, Rt Hon David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Weir, Michael
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Wishart, Pete

Wright, Tony *(Cannock)*
Yeo, Tim
Young, Rt Hon Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. David Wilshire and
Mr. Charles Hendry.

Question accordingly agreed to.

Resolved,

That, in accordance with the resolution of the Programming Committee of 20th November and pursuant to the Programme Order of 19th November (Proceedings in Committee of the whole House, on consideration and on Third Reading of the Anti-terrorism, Crime and Security Bill)—

(1) proceedings in Committee of the whole House shall, so far as not previously concluded, be brought to a conclusion at eleven o'clock on the second allotted day;

(2) those proceedings shall be taken on each of the allotted days as shown in the second column of the following Table and shall be taken in the order so shown, and shall be brought to a conclusion (so far as not previously concluded) at the times specified in the third column of the Table.

Allotted day	*Proceedings*	*Time for conclusion of proceedings*
First day	New Clauses relating to the duration of the Act and reports to Parliament, Clause 123, Clause 1, Schedule 1, Clauses 2 and 3, Schedule 2, Clauses 4 to 6, Schedule 3, Clauses 7 to 17, Schedule 4, Clauses 18 to 20	6.00 p.m.
	Clauses 21 to 35	8.30 p.m.
	Clauses 106 to 119	10.00 p.m.
Second day	Clauses 36 to 42	6.30 p.m.
	Clauses 43 to 58, Schedule 5, Clauses 59 to 70, Schedule 6, Clauses 71 to 87	8.00 p.m.
	Clauses 88 to 100, Schedule 7, Clauses 101 to 105, Clauses 120 and 121, Schedule 8, Clause 122, Clauses 124 and 125, Remaining New Clauses, New Schedules	11.00 p.m.

Orders of the Day

Anti-terrorism, Crime and Security Bill

[1st Allotted Day]

Considered in Committee

[Sir Alan Haselhurst *in the Chair*]

4.47 pm

Mr. John Gummer (Suffolk, Coastal): On a point of order, Sir Alan. I believe that you may, in another guise, have noticed that my right hon. Friend the Member for Bracknell (Mr. MacKay) was inadvertently unfair to the Under-Secretary of State for the Home Department in asking her to explain why the Bill had not been given enough time in the House. He would have done better to ask the Leader of the House to give that answer but was unable to do so because the right hon. Gentleman, although in the House, was not in the Chamber. Is it possible for him to be in the Chamber so that this question may be asked of him?

The Chairman of Ways and Means (Sir Alan Haselhurst): As I think the right hon. Gentleman knows, which Ministers are on the Bench to answer questions is not a matter for the Chair. I am sure that his point has been noted; a similar point was made somewhat earlier.

New Clause 6

DURATION

(1) This Act, apart from Part 12, shall (subject to subsections (2) to (5)) cease to have effect at the end of the period of one year beginning with the day on which the Act receives Royal Assent.

(2) The Secretary of State may, subject to subsections (3) to (5), by order provide—

(a) that a provision of the Act which is in force (whether or not by virtue of this subsection) shall continue in force for a specified period not exceeding twelve months;

(b) that [illegible]vision of this Act shall cease to have effect;

(c) that a provision of this Act which is not in force (whether or not by virtue of this subsection) shall come into force and remain in force for a specified period not exceeding twelve months.

(3) Parts 1, 2, 6, 7, 8, 9 and 14 of this Act shall, by virtue of this subsection, cease to have effect at the end of the period of five years beginning with the day on which this Act is passed.

(4) Parts 3, 5, 10, 11 and 13 of this Act shall, by virtue of this subsection, cease to have effect at the end of the period of two years beginning with the day on which this Act is passed.

(5) Part 4 of this Act shall, by virtue of this subsection, cease to have effect at the end of the period of one year beginning with the day on which this Act is passed.'.—*[Mr. Letwin.]*

Brought up, and read the First time.

Mr. Oliver Letwin (West Dorset): I beg to move, That the clause be read a Second time.

The Chairman: With this it will be convenient to discuss the following: New clause 7—*Report to Parliament No. 1*—

'(1) The Secretary of State shall lay before both Houses of Parliament at least once in every 12 months a report on the working of Parts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 13 and 14 of this Act as they relate to terrorism.'.

New clause 8—*Report to Parliament No. 2*—

> '(1) The Secretary of State shall lay before both Houses of Parliament at least once in every 12 months a report on the working of the Parts of this Act which relate to terrorism.'.

Government amendments Nos. 72, 42, 66 and 73 to 75, and clause 123 stand part.

Mr. Letwin: I am not privy to the discussions that may have gone on between the Government and the Chairman of the Select Committee on Home Affairs, but from listening to the interchange during the debate on the programme motion I sensed—perhaps mistakenly—that the Government might be offering to concede on the version of new clause 6 that has been proposed by the Home Affairs Committee. We shall undoubtedly discover whether that is the case as we proceed.

I want specifically to point out the respects in which new clause 6, tabled jointly by the Conservative and Liberal Democrat parties, differs from that which has been proposed by the Home Affairs Committee. The Committee's proposition is a huge advance on the position in the Bill. We would welcome a concession, but our view—for reasons that I shall explain—is that the Home Affairs Committee version is not tough enough to enable the House and the Government to inquire sufficiently, over succeeding years, into the effects and implications of the most controversial parts of the Bill.

Ministers will already fully understand new clause 6, but I apologise to the Committee because the drafting is inelegant and it may be opaque on first reading. The intent, however, is simple. New clause 6 is best read from back to front. The underlying intent of new clause 6(5) does not differ greatly from that of the Home Secretary. It would provide that part 4—the most controversial part—would cease to have effect after a year. The Bill would give that provision a 15-month renewal clause, so although there is a significant difference between a complete lapse and a renewal and a minor difference between 15 months and a year, our underlying thoughts are similar to those of Ministers.

New clause 6(4) would apply a two-year lapse period to the second most controversial class of parts of the Bill—parts 3, 5, 10, 11 and 13. Part 5, which covers incitement to religious hatred, might have been better included in new clause 6(5) and given only a year before it lapses, but we opted—in the spirit of attempting to reach eventual consensus with the Government—to give it and the other parts I mentioned two years before they lapse. New clause 6(3) relates to the remaining parts of the Bill except part 12. They are less controversial and we opted for a period equal to that suggested by the Home Affairs Committee—five years.

Having moved from the end of the new clause towards the front, I beg the Committee to move from the front towards the middle. New clause 6(1) and (2) describe the flexibility that we wish to give the Home Secretary, within the constraints that I have just described—one-year, two-year and five-year lapses for parts of descending order of controversy—to renew parts or to let them lapse and bring them back. The only other effect of new clause 6(1) would be on part 12—the implementation of the OECD convention on bribery and corruption—which would be left intact with no lapse period, because it is a matter of cross-party agreement and I am reasonably confident that such minor amendment as we have proposed will eventually be the subject of agreement, if merited. It is a purely technical amendment.

The sum result is that we wish the Committee to recognise—and if it does not, that the other place will do so—that the necessary constraints under which Ministers have laboured in producing a Bill at high speed and under which the House and the other place labour in scrutinising it at even higher speed, as we have already heard, should be matched by an exceptional rigour in forcing the Executive to bring back sections of the Act, as it will be, for fundamental renewal. The renewals would be more frequent the more controversial the provisions. I hope that we can reach consensus on that point. Many issues will be debated in the next few hours, next Monday and in the other place.

We ought to be able to agree that it is as much in the interests of the Government as it is in the interests of Parliament and of the people that there should be the opportunity to discover whether the intent of the Bill—I have always admitted throughout these proceedings and in all public pronouncements that the Home Secretary's intent is noble and justified—is reflected in the outcomes it provides.

Mr. Edward Garnier (Harborough): As always, my hon. Friend explains his case with exemplary clarity. May I ask him a question about new clause 6(2)(c)? It states:

> "The Secretary of State may, subject to subsections (3) to (5), by order provide . . . that a provision of this Act which is not in force (whether or not by virtue of this subsection) shall come into force and remain in force for a specified period not exceeding twelve months."

I understand that a provision that the Secretary of State wishes to lapse should be dealt with by order. That broadly covers subsection (2)(b). I can also understand that the continuance of an existing provision should be made by order of the Secretary of State, but when a provision has lapsed—for one, two or three years—is my hon. Friend able to convince me that it should be revived by order rather than by some more fully debated system?

Mr. Letwin: I certainly do not know whether I shall be able to convince my hon. and learned Friend. If I can, it will be a good test of whether I am right. He is one of those Members whose legal knowledge and attention to these matters is of the greatest. Let me try to convince him.

We believe that the constraints established by subsections (3), (4) and (5), which will force primary legislation de novo for part 4 within a year, for parts 3, 5, 10, 11 and 13 within two years and so forth, already create a sufficient lever for Parliament against the Executive. Subsection (3) would allow part 1, a relatively uncontroversial part of the Bill, to stand for five years. Under subsection (2)(c), to which my hon. and learned Friend refers, the Home Secretary would have the option to implement the provision, to let it lapse because it was no longer deemed necessary or to bring it back again within five years. Given that at the end of five years primary legislation would be required to re-enact the provision, it seemed to us reasonable that he should have that flexibility within the five-year period.

I certainly do not regard that as a cardinal point. If my hon. and learned Friend were able to persuade me or the Committee that new clause 6 was appropriate, bar subsection (2)(c), I should not dream of going to the stake about it. However, the flexibility that we are providing is appropriate, given the strict rigour that we are applying to the Government's actions under the sunset clause.

[Mr. Letwin]

Furthermore, if the provision stretches the patience and tolerance of my hon. and learned Friend, that is a good indication of the lengths to which we have gone to try to ensure that we achieve consensus with the Government. We have tried to ensure that the new clause provides sufficient flexibility that reasonable Ministers, acting in their own self-interest as well as that of the House and of the country, could accept the new clause.

Finally—I certainly do not want, in these proceedings or elsewhere, to go beyond the requirements of the subject matter—I merely observe that if Parliament passes large sections of the Bill intact, without a serious sunset clause, questions will be raised about the legitimacy of parliamentary proceedings in this country. It is perfectly right that the Home Secretary of the day, attending to a major national crisis, should introduce emergency legislation to deal with it. It is perfectly right that he should entertain the possibility of engaging in legislation of a kind that I suspect for him, and certainly for us, has a rather difficult feel to it. However, it cannot be right to do so at speed, and without the provision—right from the beginning—to enable Parliament to reconsider these controversial issues. The effect of not including such a sunset clause will be to cast into disrepute measures that are in principle acceptable and necessary. So I hope that the Home Secretary will, on mature reflection, support and welcome new clause 6, and I offer to describe it as "the Blunkett amendment" if that helps.

5 pm

The Secretary of State for the Home Department (Mr. David Blunkett): In speaking to the Government amendments and suggesting that clause 123 stand part, I want first to respond to the remarks of the hon. Member for West Dorset (Mr. Letwin) on the substantive issue—the sunset clause.

I said on Monday that we were—in my view, rightly—prepared to listen and respond to proposals, made by the Joint Committee on Human Rights and by other hon. Members, that would reassure the two Houses and were material to ensuring that the Bill would be in a good state when it gained Royal Assent. I meant what I said, and we will do so during the Bill's passage through Parliament. The speed with which it proceeds does not affect our willingness to be prepared to listen and respond.

The hon. Gentleman is right to say that the Chairman of the Select Committee on Home Affairs has suggested, having deliberated such issues in that Committee, that it would be appropriate to draft a clause that did not simply reinforce the return to the detention powers in clauses 21 to 23 annually, for which provision is already made in the Bill, so that Parliament can debate such issues under the affirmative procedure, but for longer than an hour and a half, as we said on Monday. He suggested that the content of those clauses should be put to the House afresh, so that it could show whether it was willing to reaffirm them.

I am prepared to agree on behalf of the Government that, on Report, we shall move a Government amendment providing a sunset clause after five years. That would allow us to determine whether we as a Parliament felt that the detention provisions were justified and acceptable any longer.

Mr. Chris Mullin (Sunderland, South): I thank the Home Secretary for what he says. His willingness to listen to what the Select Committee and others have said will make it very much easier for those hon. Members who have some discomfort about the Bill to support it in the Lobby later on.

Mr. Blunkett: I am grateful to my hon. Friend for saying that. I am genuinely prepared to continue to listen and to refute those who have the unfounded belief that we have malice aforethought in assuming that we can have questions and debates that are more like those of the court room than of Parliament.

I only quote *The Guardian* to upset my hon. Friend the Member for Doncaster, North (Mr. Hughes), but, on 13 November, Hugo Young asked:

> "how long will the emergency last? When will circumstances permit it to be lifted? If the minister is left to decide this alone, does anyone seriously expect this ever to happen?"

The answer is yes—people do seriously expect it to happen, and it will happen not only in the annual reaffirmation but in the sunset clause.

I am also prepared to respond to a further proposal, which appears on the amendment paper, from the Chairman of the Home Affairs Committee in relation to the sensible suggestion that, as with the Terrorism Act 2000, we should allow the reviewer of the Terrorism Act to review the operation of the detention clauses in time to report before the first review by Parliament—that is, when they return to Parliament for reaffirmation.

David Winnick (Walsall, North): I hope that, when the occasion arises, the Home Secretary will make another important concession, which I mentioned on Monday. As a member of the Home Affairs Committee, I very much welcome what he says, as did my hon. Friend the Member for Sunderland, South (Mr. Mullin). Does it not destroy the argument used by some Opposition Members that the Government and Labour Back Benchers are indifferent to civil liberties—that we could not care less about them and that we simply vote without any concern for the civil liberties of people in the country, including those who are not nationals? The Home Secretary shows how deeply concerned we are, and I am very pleased that he has listened to the Committee's recommendation.

Mr. Blunkett: I am grateful to my hon. Friend. Throughout my time in politics—a very long time—there have been many occasions, not least the terrible traumas in the Labour party in the 1980s, when abuse rather than persuasion was the order of the day. I have never relented in the face of abuse and I have always said that if people try to persuade they are more likely to receive a hearing. As long as I am in this job, I shall be prepared to listen to persuasion from Members on both sides. I am pleased that Lord Carlile accepted my invitation to undertake the duty of reviewing the clauses and of reporting back in time for the House to hold its deliberations.

I do not intend to speak for long as there is very little time available, but I need to refer to new clauses 6, 7 and 8, which were tabled jointly by the two opposition parties. We really cannot accept sunset clauses that deal with issues that—by anyone's standard and irrespective of how long they have been debated—would be accepted by us all.

Do we want to retain the power to remove unauthorised intruders from aircraft and airfields? Of course we do. Who wants to reject after two, four or five years the updating of the Aviation Security Act 1982? What is the point of tabling sunset clauses for issues on which we are all agreed? Do we seriously want a sunset clause to ensure that we can no longer protect civil nuclear sites in the way they will be secured and, as Members said on Monday, should have been secured a long time ago under previous legislation? Do we really oppose measures that retain on the statute book powers against the aiding and abetting of people transporting nuclear weapons?

Mr. Letwin: Does the Home Secretary accept that, although we certainly agree with the intent behind such provisions, there is a difference between agreeing with the intent and being sure now that the drafting will have the effect that he and I jointly desire?

Mr. Blunkett: The limited but genuine exercise to try to engage everyone in the past few weeks and the genuine commitment to respond to sensible suggestions, including drafting suggestions made here or in the House of Lords, are designed to meet that point. For example, if we have got wrong the provisions to protect us against the ebola virus, we will be very happy to respond to suggestions about how we get them right. However, the idea that we shall run out of time and that, in the next few years, we shall change our view on how we should protect ourselves does not do the House justice. The proposals would allow opposition for its own sake and not for the sake of getting the measures right. I want to be brief, but that is why we oppose the new clauses.

By all means let Members suggest changes that are appropriate to improving the legislation, but let us not for political or parliamentary procedural reasons suggest that sensible provisions that should have been sorted out a long time ago should be held up in years to come and brought back to the House. If they are, that will be at the expense of the other legislation for which Members on both sides will be pressing. They will ask why a Bill has been left out or why the Government have not managed to achieve what they wanted to do. They will ask why their constituents are demanding that we should have done this, that or the other—whether on the national health service or foxhunting—when we are bringing back large parts of a Bill that people agree with but wish to make a point about.

Mr. A. J. Beith (Berwick-upon-Tweed): Does the Home Secretary not understand the consequences of the argument that he is adducing? Precisely because, on every future occasion, there will be pressures for other legislation, Ministers will say that it appears, on reflection, that such legislation should be put through very quickly and perhaps not in the form that we would like. The many other competing claims might mean that we do not return to a certain Bill, and that might be one reason why we have had defective Official Secrets Acts for so long.

Mr. Blunkett: That argument does not damage my point. The Leader of the House is endeavouring to allow sufficient time for us to debate the issues that hon. Members wish to address while using parliamentary procedures and timetables that bear some relation to what people outside expect. As I have said several times, I am in favour of timetabling every Bill because that benefits constituents. There is an interesting anomaly, and the shadow Home Secretary was good enough to mention the clause on bribery and corruption. We agreed to it because we and the Opposition parties wanted it and it was an international obligation.

We should pause and reflect on the fact that the Bill may be long, but we have tried to get the wording right and to replicate the provisions for Scotland and Northern Ireland. It is on the intent of the Bill that we should be agreeing or disagreeing, not on whether bits of it, with the exception of one clause, should have to return to the House to be put through as a substantive parent measure just because people are irritated about the speed with which we are operating. It is on that basis that I ask the Committee to reject new clauses 6, 7 and 8.

Simon Hughes (Southwark, North and Bermondsey): I begin by agreeing with the Home Secretary's decision to accept the proposal by the Select Committee on Home Affairs, as contained in amendment No. 53, to give a sunset maximum life of five years to part 4, which contains the most controversial measure—detention without trial. Of course that is welcome.

It is also welcome that the Home Secretary has said that there should be a reporting back procedure on those measures that relate to terrorism, which is in line with the recommendation of the Select Committee and new clauses 7 and 8. This is my first chance to say in public how glad we are that he has appointed our noble Friend Lord Carlile of Berriew, a former Member of this House, to be the new reviewer of terrorist legislation. That job was created by the Terrorism Act 2000 and will be extended to this legislation.

Although those measures are welcome, there are others on which the Home Secretary needs persuading. I intend to do that by persuading him on their merits, the tactic that he says works best. He does not understand the nature of the case put by the hon. Member for West Dorset (Mr. Letwin) and my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith). The issue is one of principle. Parliament is being asked to have unusual timetables and exceptional measures of procedure, and the House of Commons is to spend a total of three days on a Bill. The timetable has not been agreed with the parties. With the exception of the clause on bribery and corruption, which the Government asked the Opposition parties to accept, the proposals have not been agreed in detail; yet they are trying to use emergency procedures, as evidenced by Monday's vote on a guillotine motion that gave us today and next Monday to debate the Bill's substance. In such a case, legislation should always come back to Parliament. It is not a case of whether it is controversial. The principle is that Parliament must hold the Government to account.

Mr. Blunkett: Why then does the hon. Gentleman not accord that principle to the clause that was agreed? We agreed to many clauses in our discussions, although they did form part of a bigger Bill. If I introduced them one by one and suggested that they were, as they are, emergency provisions, and if the parties agreed to them, would they add up to the same clause on bribery and corruption as he is prepared to accept?

5.15 pm

Simon Hughes: Not only is the answer no, but that is an unfair and unreasonable comment. The Home Secretary cannot have it both ways. His Minister came,

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no doubt with his blessing, specifically to obtain the agreement of the other parties to the inclusion of that particular proposal on bribery and corruption. No other proposal came to us. We were not consulted on whether other parts should be included. I expressly agreed with the Minister that the measure would be the only ring-fenced provision. I accepted that it could go through without the usual requirement for it to return to the House, because it was part of the policy supported by the Conservatives and Liberal Democrats. The Home Secretary must not pretend otherwise. He is wrong to do so, and he is misleading the House if he is suggesting that anything else happened. I am going to be tough with him because this is completely unreasonable.

Mr. Blunkett: If you accuse me of misleading the House, I have the right to make the clear point that over the past three weeks we did not bring clauses singly to the parties—except for the bribery and corruption clause, which was drafted after the substantive clauses had been presented to the Conservative party and the Liberal Democrat party in substantial form. You might not like the form in which they were presented, but they were presented. I object strongly to the suggestion that I misled the House—

The Chairman: Order. I have not suggested anything about the Secretary of State. I let the matter go because the hon. Member for Southwark, North and Bermondsey (Simon Hughes) spoke in the conditional tense. I do not think that he was aiming a direct slur at the Home Secretary.

Simon Hughes: I was careful to do that, as the Home Secretary will realise if he refers to the transcript of the debate.

We have not agreed to the detail of the rest of the Bill; therefore it must come back to Parliament if we are to have an emergency procedure. That applies generally and in particular to the more controversial provisions, especially the powers of the state. The Government have introduced the Bill to give the state more power. In that respect, it is important that Parliament should have the opportunity to scrutinise the legislation. We propose that there should be a five-year period for the uncontroversial matters to return to us, a two-year period for the relatively controversial matters of police powers and European legislation, and a one-year period for detention without trial, which is four years earlier than the Select Committee wanted. That is a considered proposal to ensure that everything that has not been agreed returns.

Mr. Gummer: Does the hon. Gentleman agree that when there is such full-hearted agreement in the immediate aftermath of a disaster or terrorist outrage, experience teaches us that that is when we may well make mistakes? When the Home Secretary suggests that everyone agrees to this legislation so there is no need to return to it, the experience of everything from the Dangerous Dogs Bill to any other emergency legislation teaches us that when we all agree we soon find out that we should have disagreed.

Simon Hughes: The right hon. Member is a former Minister and former chairman of his party and he is absolutely right. The Bill is a mixture of general agreement on matters that are not fundamentally important to our constitution, and huge disagreement on some matters that are very important. I pray in aid the fact that the Select Committee noted at paragraph 10 of its report:

> "Since 1974, at least eight Acts have been passed by Parliament, dealing with terrorism. Those in 1974, 1996 and 1998 were passed by the House with great speed. The other five were taken at the normal pace . . . The three Bills which passed quickly were relatively short—between seven and 13 clauses or 12 to 14 pages—and passed all stages on a single day at sittings of up to 17 hours . . . It is proposed"

—these are the Select Committee's words, not mine—

> "that this Bill (which is ten times longer) should be considered at three sittings—one day for second reading and two days for Committee".

The Committee concludes:

> "We question whether it is appropriate for this Bill to be passed through the House of Commons in exactly two weeks with only three days of debate on the floor of the House. A Bill of this length . . . with major implications for civil liberties should not be passed by the House in such a short period and with so little time for detailed examination in committee."

Those are the words of an all-party Committee, considering the Bill and forming a clear view.

I shall quote just two sentences from paragraph 79 of the second report of the Joint Committee on Human Rights, Session 2001–02:

> "Careful consideration is not, however, aided by the decision to push a Bill of this size and complexity through Parliament at such breakneck speed. Too many ill-conceived measures litter the statute book as a result of such rushed legislation in the past."

Matthew Taylor (Truro and St. Austell) *rose—*

Mr. Garnier *rose—*

Simon Hughes: I give way to the hon. and learned Member for Harborough (Mr. Garnier).

Mr. Garnier: Is not the very good point that the hon. Gentleman is making reinforced by the selection list? In the first allotted day, before 6 o'clock, there are 15 underlined subheadings to be dealt with, many of them subdivided. The Home Secretary very fairly said that he was prepared to listen, but if we do not have time to talk to him, he will find it quite difficult to listen.

The Financial Secretary to the Treasury (Mr. Paul Boateng): You are taking up time now.

Simon Hughes: Ministers cannot say that we are taking up time now. Members of Parliament are sent to this place to debate issues; I am sorry about that. We are sent to Parliament to ask Government questions. We are sent to Parliament to question whether the Government have got things right. The hon. and learned Member for Harborough is absolutely right, as are my hon. Friends, to point out that it is impossible to do so if there is no time allocated to do it.

It is a constitutional matter. We—ordinary people, the people whom the Home Secretary commends: the trade union movement, women, students—have fought over the years for Parliament, not the Executive, to be supreme: for Parliament to have the chance to decide, not the

Executive. The Home Secretary must understand, and I am sure that he does if he is straightforward with the House on this matter, that Parliament must be here to hold each and every Government to account, including his; and on matters emanating from the Home Office, to do with the powers of the state and liberty, Parliament must do its duty above all, for us, and for future generations as much as anyone else.

Several hon. Members *rose—*

Simon Hughes: I give way to my hon. Friend the Member for Truro and St. Austell (Matthew Taylor).

Matthew Taylor: I want to catch my hon. Friend before he goes too much further. A moment ago, the Home Secretary intervened to argue that the bribery and corruption clauses had been presented to the Opposition parties because they were drafted subsequent to the main items of the Bill. I was grateful that the Chancellor of the Exchequer took the time to discuss that issue with me, because it was something that I had pressed on him, and we welcome the introduction of those clauses. However, my understanding was that the discussion took place on the basis that there was some question as to whether they were appropriate for inclusion in the Bill, because although they might have indirect links with terrorism they were not directly linked with it, and whether we would support them in view of that issue, not because they were drafted late.

Simon Hughes: That is exactly the point, and that was the subject of the debate. The debate was about whether—without prejudice to the question of whether there was a terrorism link—because there was perceived by Government to be a relevance, and it was a reasonable case that there might be, and because everyone else had said that they supported these proposals, and they were part of an international obligation, we would accept the Bill as a home for them. Without prejudice to the rest of the Bill, we said yes to that.

The whole debate about the Bill, however, and about the justification for it—I hope that we shall have that debate shortly—is about whether the Bill should be a general Bill about terrorism, crime, security and other things, or whether it should be a terrorism-related Bill only. Those of us on the Opposition Benches who are trying to do our constitutional job are saying that if the Government want Parliament to pass a Bill quickly to deal with an emergency, it must be limited to matters that are to deal with that emergency.

Mr. Paul Tyler (North Cornwall) *rose—*

Mr. Douglas Hogg (Sleaford and North Hykeham) *rose—*

The Chairman: Order—I now wish to intervene. The hon. Gentleman is straying wide of the duration clause. I know that there are various interconnected issues but we must, for the sake of good order, keep within the confines of the new clause.

Simon Hughes: Of course, Sir Alan. I wish to take two interventions. Let me deal with the last substantive points before I let my colleagues intervene and then allow others to speak.

The reason Liberal Democrats and the Conservative Front-Bench team have sought to work together on the new clause and others is to try to achieve the maximum agreement to save time as far as possible, so as to create a basis for reasonable agreement in both Houses. That is why, conscious of the timetable, we have separated out the most controversial aspect of the measure and given it a specific one-year duration proposal—we believe that detention without trial should not be authorised by rushed legislation, given all the controversial issues that were raised on Monday night, without its returning properly to the House after being considered in the other place—and why we have suggested, in relation to a limited number of proposals, that some of them, but only some of them, should have a two-year life.

I remind the House of what those proposals are. They are: the parts of the Bill dealing with exchange of information among Government Departments—controversial; the part of the Bill dealing with race and religion—extremely controversial, if it were to reach the statute book; the part of the Bill dealing with police powers and their extension—extremely controversial; the part of the Bill dealing with communication data and the control by authorities of data—also controversial; and lastly, and not accidentally, the power that the Bill gives Ministers to introduce, by secondary legislation and by order, legislation that has only ever seen scrutiny by Ministers in Brussels and has not even been to the European Parliament. It is not unreasonable to argue that that sort of legislation, when we do not have time to scrutinise it and we may not in the House have time to debate much of it either, should have to return to this place, definitely, certainly and not conditionally on the whim of the Home Secretary.

Mr. Tyler: I am grateful that my hon. Friend continued his speech somewhat before taking my intervention, because it makes my point even more formidable. I suggest to my hon. Friend that the Home Secretary is taking a huge risk by resisting these sensibly, carefully crafted amendments, because by resisting them in the House, where the Government have a majority, he is simply inviting the other House to spend more time examining these issues and perhaps reaching a more rational and carefully crafted conclusion than we are able to in the House. He is taking that absurd risk by pushing the Bill through without these central amendments, because he will come a cropper at the other end of the building.

Simon Hughes: I not only accept that, but I hope that the Home Secretary accepts that if he does not want his Bill bouncing around between both Houses of Parliament in the days leading up to Christmas—

Mr. Blunkett: That is a threat.

Simon Hughes: No, it is not a threat. It is a constitutional process, not a threat. The right hon. Gentleman knows that it has happened in every Parliament he and I have been in this place. The House of Lords has a job to do. When it overturns the Government or amendments are made, the legislation returns to this place, and the more the Government resist in this place, the more will have to be overturned in the other place, and the more it will have to come back to this

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place. I am seeking to do what the Home Secretary said he wanted to do, which was to make proposals with widespread support, which will be supported in this and the other place.

Mr. Hogg: Might I suggest to the hon. Gentleman that his arguments are further reinforced by this consideration? We are now debating a group of new clauses and amendments, and the debate must end by 6 o'clock. There are actually 20 clauses in the schedule on which discussion must end by 6 o'clock. Some of them relate to the Treasury's powers to freeze money or to seize what is described as terrorist cash. The truth is that we shall never reach any of those clauses because we must terminate this part of the debate by 6 o'clock. Very important things—

The Chairman: Order. I must say to the—

Mr. Hogg: I am so sorry.

The Chairman: Order. The right hon. and learned Gentleman must accept that that is taking us outside the scope of the new clause before us. He is trying to make a more general point than is permissible in the debate that we are having.

Mr. Hogg: What I am seeking to do, if I may just explain—

The Chairman: Order. The right hon. and learned Gentleman cannot, on an intervention, argue with the Chair. Mr. Simon Hughes.

Mr. Hogg: On a point of order, Sir Alan. I was not seeking to argue with the Chair. What I was merely trying to do—and I am not seeking to argue with the Chair—was to reinforce the case for the sunset clauses, on the basis that we would not be able to discuss many things because of the timetable.

The Chairman: What I heard the right hon. and learned Gentleman say seemed to me to fall outside the terms of the new clause to which the hon. Member for Southwark, North and Bermondsey is addressing his remarks. For the sake of time, we have to concentrate very determinedly on the terms of the new clause.

5.30 pm

Simon Hughes: The Home Secretary asked a rhetorical question about how long the emergency will last. None of us knows that. Liberal Democrat Members have accepted that there is a case for special legislation, but we do not know for how long it will be necessary. That is why the new clause provides for flexibility. It will allow the Government to terminate elements of the legislation or even re-enact certain elements within five years, if that is required. However, Parliament has a duty to say to the Government that we will not allow emergency powers or legislation that we have not considered to continue indefinitely. We are the Parliament of the United Kingdom. There are separate issues for Northern Ireland, Scotland, Wales and England. If ever there were a test of whether the constitution will be upheld, it is whether Parliament will have the opportunity to scrutinise legislation.

The sadness for some Opposition Members is that those are exactly the arguments that the Labour party, in opposition, used to deploy against the Government of the day. It is sad to record that the longer it remains in office, the more new Labour forgets that it has to be properly accountable to Parliament—and Parliament to the people—rather than arrogating more and more power to the Executive. The Government need lessons because they are ignoring what they used to say in opposition and what the country expects from a democratically accountable Government. This is a usurpation of power too far.

Ms Diane Abbott (Hackney, North and Stoke Newington): In speaking to the new clauses on duration, the Home Secretary said that the important thing is that we all agree on the Bill's intent, implying that we should not get too hung up on procedure or detail. With the greatest respect to him, I beg to differ. We are passing a law on which will turn the liberty of the subject, so despite the fact that many of those interned under the legislation will be people whom most hon. Members find unsavoury, and who have no popularity with the wider public, it is important not only that we agree on the Bill's intent but that we be satisfied that the letter of the Bill is robust and will achieve the desired effect.

In the debate on the programme motion, the Under-Secretary of State for the Home Department, my hon. Friend the Member for Stretford and Urmston (Beverley Hughes), said that we needed to suspend our normal expectations because of the emergency situation. I am not sure what she meant by that, but no emergency justifies the suspension of our normal expectation that the House should pass legislation that is robust, defensible and fair.

I congratulate the Home Affairs Committee on its excellent report, and in particular its Chairman, my hon. Friend the Member for Sunderland, South (Mr. Mullin), on his hard work on winning from the Home Secretary the concession of a five-year sunset clause. Of course it is an improvement on the status quo, but I ask my hon. Friend to cast his mind back to the last Parliament, when my right hon. Friend the Member for Blackburn (Mr. Straw) was Home Secretary. He was a past master at the art of the carefully calibrated concession—just enough to get people voting with the Government but not enough to alter the substance of the legislation. I hope that in this Parliament we will not get caught up with such concessions because, a few years on, no one can remember what the concessions were but we know that we are lumbered with thoroughly bad legislation. The Chairman of the Select Committee is to be congratulated on his body fight for the concession—

Mr. Mullin: The Select Committee considered the proposals in detail and concluded that it agreed with the Government that there is a small category of people who cannot be deported or extradited and who constitute a danger to the state. The Committee is not disputing the Home Secretary's reason for bringing the core part of the Bill to Parliament. We wanted a sunset clause because we hope that in five years the emergency will be over.

Ms Abbott: I do not think that anybody in the House disputes the Bill's intent; it is the letter of the Bill that we are attempting to debate under the onerous restrictions of the programme motion.

I give the House a general warning to beware, as we scrutinise the Bill, of the carefully calibrated concession and always to return to the substance of the Bill and ask whether it is acceptable. The new clauses that would introduce more detailed sunset provisions would be preferable even to my hon. Friend's hard-won concession, but as we go through the Bill, we will find many substantive points to which many of us wish to speak.

Mr. David Cameron (Witney): I sit on the Home Affairs Committee with the hon. Member for Sunderland, South (Mr. Mullin), and I thank the Home Secretary and his colleagues for giving way on an amendment in our names.

I have listened to the debate and to the point made by the hon. Member for Hackney, North and Stoke Newington (Ms Abbott) about the carefully calibrated concession. When the Select Committee suggested a sunset clause on part 4, the most difficult part of the Bill, we also said that we profoundly believed, as the hon. Member for Southwark, North and Bermondsey (Simon Hughes) said, that it was not appropriate to give the Bill's passage so little time and we called on the Home Secretary to do some major surgery to the Bill.

We know from what we have heard that the House will get no more time to examine the Bill, and having listened to the debate on Second Reading, some of us are doubtful that we will get major surgery. The Select Committee asked for most of part 5 and all of part 13 to be cut out of the Bill. Do Ministers still have an open mind on those other points? New clause 6 in the name of my hon. Friend the Member for West Dorset (Mr. Letwin) is, I admit, complicated, but it does at least deal with the problem that the Bill is simply too long.

A sunset clause alone is not enough. A more general sunset clause along the lines suggested by my hon. Friend, which would not apply to the bribery clauses in part 12, would allow the Government to re-enact parts of the Bill for 12 months. It would include a fallback position of a full sunset clause: five years for the least controversial aspects; two years for quite controversial matters, and one year for part 4. If the Government accepted that, it would give them the defence that they will need when the Bill goes to another place, where Members will know, because it is simply too long, that we have not had time to scrutinise it properly. I hope that Ministers will address that point.

Mr. Mark Fisher (Stoke-on-Trent, Central): Like others who have spoken, I greatly welcome the Home Secretary's acceptance of the Home Affairs Committee's recommendation of a sunset clause for part 4. I especially welcome what he said about extending the remit of Lord Carlile, which would give many people considerable confidence.

The debate about sunset clauses has focused on the principle, intent and duration of the Bill, but there is a separate problem that new clause 6 might address, albeit slightly inadvertently: implementation. We need to retain not only the power to bring the measure to an end after a five-year term, desirable though that is, but the ability to consider and express a view on how it is being implemented.

Mr. Letwin: That effect is not inadvertent; it was central to the view that the hon. Member for Southwark, North and Bermondsey (Simon Hughes) and I took when we tabled the new clause.

Mr. Fisher: I am grateful to the hon. Gentleman for those comments, which I accept.

I should like to return to an issue that I raised in the debate on the programme motion, and mention what happened when we introduced internment in 1939 and 1940. On 4 September 1939, the then Home Secretary, Sir John Anderson, of Shelter fame, gave in answer to a question from Mr. Arthur Greenwood an admirable reply about how aliens would be treated under internment. He said that there would be

"no unnecessary interference with other foreigners".—[*Official Report*, 4 September 1939; Vol. 351, c. 366.]

I am sure that that was his intention and that he wanted the measure to be liberally interpreted and carefully considered and constrained, but as quickly as the following July, different results were shown by a statistical survey that was conducted in an internment camp containing 1,500 people. It dealt with the circumstances of all of those people and was conducted to see how internment was operating.

Mr. Blunkett: I have been listening carefully to my hon. Friend. All that he has said is entirely true. Policies were undertaken here and in other democratic countries during the second world war that caused great regret. However, first, there is, surely, no comparison; and secondly, no one envisaged in 1939 or 1949 the special immigration advisory committee procedure, which I spelled out in great detail on Monday and which we will, of course, implement to the letter.

Mr. Fisher: I accept what my right hon. Friend says. There is no intention that the measure should be applied on a wider basis than is appropriate. In 1939, however, the then Home Secretary initially thought that he was giving himself powers to intern about 2,000 people, but within nine months, 20,000 of the 30,000 Austrian and German male residents in this country had been interned because of the pressure of events. I suspect that that is not what Sir John Anderson intended, but it is what happened. The speed of events and the implementation of the measures by those with that responsibility—in this case, the chief constables—meant that although the sweep was originally targeted at enemy aliens, it was much wider in practice. Nazi sympathisers and opponents, Jews and Aryans, and a whole range of people who were not originally intended to be caught by the measures were affected. *[Interruption.]* I must say, Sir Michael, that it is terribly difficult to address the Committee when the junior Minister is talking on the Front Bench. As I was saying, the intention was one thing, but the effect was another. There were no additional powers, but the impetus of events meant that the circumstances were very different as soon as nine months later.

I am sure that my right hon. Friend Home Secretary intends the Bill to cover a very small number of people, as he told the House the other day. However, we must have the right to ensure that we can consider how it is proceeding in one or two years' time. At the very least, we must have a chance to debate, comment and, if necessary, vote on Lord Carlile's report every year,

[Mr. Fisher]

so that we can ensure that circumstances do not drive the intentions of legislation that is passed this year in a very different direction.

Mr. Hogg: I rise briefly to express my support for the thought behind the sunset clause approach, largely because of the procedure that we are going to adopt. The new clause at least enables all the parts of the Bill to which it refers to fall away within specified times. That inevitably means that this House will have to consider those provisions further if the Government of the day want to give statutory force to them.

5.45 pm

The plain truth is that, because of time constraints, we are not going to discuss the substance of any of the clauses in the group whose consideration terminates at 6 o'clock. We have reached only the first line in the marshalled list. At least new clause 6 would apply a sunset provision to all the other measures that feature in the marshalled list, but which will not be discussed at all. Some of them, such as the power of the Treasury to freeze people's cash, the power of Customs to go to the magistrates to get a seizure order in respect of "terrorist cash" and the extension of disclosure obligations are of great importance.

I shall not seek to debate the merits of those issues as you, Sir Michael, would call me to order if I did so. I point out only that, from any viewpoint, they are extremely important obligations and powers that are backed by penal sanctions. Furthermore, they apply to people's property and may also affect the property of innocent third parties. However, we are not going to discuss them at all. That is one of the arguments in favour of sunset clauses, which are a very imperfect way of dealing with the problem that we face. We should not be in this position, but as we are, we must do something to provide a remedy. A sunset clause is one way of at least expressing our dismay about the position.

Mr. John Burnett (Torridge and West Devon): The right hon. and learned Gentleman mentioned penal sanctions. Does he agree that there is a compelling debate to be had about whether more senior judges should deal with those matters, rather than more junior judges and magistrates, as the Bill proposes?

Mr. Hogg: I am sure that that is correct, although I am being a bit careful because I do not want to stray into the merits of clauses that are not currently before the Committee. None the less, the hon. Gentleman's point is valid, as the sunset clause gives us the opportunity, at least in theory, to address matters that the House will not address at all. Its failure to do so cannot be right.

Simon Hughes: Does the right hon. and learned Gentleman recall that, as the professor of human rights law at King's college pointed out in his evidence to the Home Affairs Committee, since the mid-1970s, regular review has been a feature not only of parts of anti-terrorism legislation, but of that legislation as a whole? That is the case not least so that Parliament and Government have to keep thinking about whether the legislation is justified and so that the public continually have it in the front of their minds.

Mr. Hogg: I was not aware of that specific evidence, but I am sure that the professor is entirely right. Sunset clauses at least focus the attention of the Executive and Parliament on whether the existing situation at a given time is serious enough to justify a derogation from civil rights. That is important, but in this case it is much more urgent: some 12 minutes of debate remain, in which we must consider 20 clauses—and we have not discussed one of them.

Mr. George Howarth (Knowsley, North and Sefton, East): I welcome the agreement that my right hon. Friend the Home Secretary has given in his response to the suggestion of the Select Committee on Home Affairs regarding sunset clauses. It is entirely appropriate that a five-year limit has been set. In normal circumstances, the House is rightly very suspicious of measures such as that which is before the Committee, but they should not necessarily be ruled out in all circumstances. Clearly, we are currently in a situation that nobody sought and nobody wants. We all wish that this had not happened, but the fact is that there are significant threats not only to this country and the security of its people, but to our way of life.

I want to take up a couple of points, but I do not want to detain the Committee long. In his two speeches this afternoon, my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) made great play of comparisons with legislation passed during the second world war. I shall reinforce the point made by my right hon. Friend the Home Secretary in an intervention—the two sets of circumstances are not comparable. In the second world war, we were dealing with a defined enemy and a known set of circumstances and massive intelligence was not required to know where people were or what support they had, although espionage was certainly going on in this country. We are now dealing with a terrorist organisation with tentacles all over the place. It can use sophisticated technologies that simply did not exist during the second world war. In those circumstances, it is crucial that we protect ourselves against that threat.

Mr. Fisher: The Home Secretary said that his difficulty is that he can identify the people who put this country at risk, but cannot take action against them. We are not dealing with the problem of an unknown and undefinable enemy in the community; the Home Secretary, or the security forces, can identify the people who are likely to cause terrorist outrages in this country, but cannot act against them.

Mr. Howarth: My hon. Friend would be right if the intelligence available to the Home Secretary and Ministers was a single static body of knowledge. I am sure that the Committee agrees that intelligence gathering is a dynamic process. As time goes on, other people, although relatively small in number, may well be identified who will fall under the provisions proposed by my right hon. Friend. I hope that that will be the case. I suspect that, in such circumstances, he will want to use the power that is available to him. So, in direct response to my hon. Friend the Member for Stoke-on-Trent, Central and others, in times like these they must accept that an element of trust is involved.

Mr. Letwin: No one is denying for half a second that an element of trust is involved. We are entrusting to the Government the power, with relatively little parliamentary scrutiny, to implement measures of great concern. The question is whether that trust should prevail for years or whether we should have the opportunity to review the issue of whether our initial trust was well placed.

Mr. Howarth: I accept that entirely. If the hon. Gentleman had not intervened to make that point, I was going to go into that territory.

If the House and, by extension, those whom we represent are to give that trust, it follows that the House should have regard to the period for which the legislation should sensibly last and at what time a sunset clause should come into effect. I have given that trust to Labour Ministers and would happily give it to the hon. Member for West Dorset (Mr. Letwin) if he were in government. I do not think that that is an immediate prospect but, nevertheless, I would do so. My right hon. Friend the Home Secretary has listened and he has earned our trust. He decided that suggestions by the Select Committee on Home Affairs were sensible and signalled that he wished to take them on board.

Norman Baker (Lewes): Does the hon. Gentleman understand that we would all be more willing to trust the Home Secretary completely if the Bill was narrowly focused, concentrated on anti-terrorist measures and not packed full of stuff that has been lying in a Home Office cupboard for months?

Mr. Howarth: If I strayed from the immediate point, you would pull me up, Sir Michael. However, the argument that the Bill has somehow managed to attract unconnected clauses for the Government's convenience is, frankly, a naive reading of the situation. The truth is that the Bill's provisions are connected. Having spent two years as a junior Minister in the Northern Ireland Office, I am well aware of the connections between all the clauses; there is an overarching theme, and the Bill is not just a loose connection of good ideas that somebody has decided to throw together. The point made by the hon. Member for Lewes (Norman Baker) does not stand up.

Lynne Jones (Birmingham, Selly Oak) *rose—*

Mr. Letwin *rose—*

Mr. Howarth: I shall give way to my hon. Friend the Member for Birmingham, Selly Oak (Lynne Jones) first and then the hon. Member for West Dorset, but after that I really must try to conclude my remarks.

Lynne Jones: My hon. Friend said that the Government listened to the Home Affairs Select Committee, but that is not completely true. The Home Secretary accepted its recommendation on the five-year sunset clause, but not its concerns about the time needed to debate the Bill in the House. He did not accept those reservations when they were made by the Joint Committee on Human Rights, either. Surely, the two things go hand in hand.

Mr. Howarth: I am in some difficulty, as I do not know whether the Front Bench wants time to respond before 6 o'clock. I am sure that somebody will signal if that is the case.

I listened carefully to my right hon. Friend the Home Secretary, who said that he was persuaded by the recommendation of the Home Affairs Committee on the sunset clause. He went on to say that there were other areas on which he was prepared to continue listening to advice. I am prepared to give him more than the benefit of the doubt, as he has already demonstrated his willingness to listen.

I said that I would give way to the hon. Member for West Dorset—*[Interruption.]* He has declined the opportunity.

Annabelle Ewing (Perth): In the light of the hon. Member for West Dorset (Mr. Letwin) not taking up that offer, I thought that I would quickly get in. I have listened to the debate with interest, and must ask a fundamental question. In what way is the Government's position, especially on part 4, fundamentally impinged if they have to return to the House to renew their legislation?

Mr. Howarth: If the hon. Lady had been listening to my speech, she would be aware that I made the point that, in the circumstances, the Government must return to the House to renew the legislation. The only contentious thing is with what frequency they should do that.

Mr. Andrew Hunter (Basingstoke): A moment ago, the hon. Gentleman argued that the entire Bill was, in a core sense, central to anti-terrorism. If that is the case, why does he not argue, as he did all the years that he was in opposition, that the whole Bill should be subjected to annual review?

Mr. Howarth: I do not know whether the hon. Gentleman was present, but my right hon. Friend the Home Secretary clearly explained that that is exactly his intention. I do not fully understand the hon. Gentleman's position.

Mr. Letwin: Will the hon. Gentleman give way?

Mr. Howarth: The hon. Gentleman sought to intervene earlier; I tried to give way to him, but he withdrew his request. There are two minutes left, and I have been generous in giving way throughout my speech. I shall now try to bring my remarks to close.

My right hon. Friend made it clear that he has listened to concerns that have been put to him and has acted on some of them. He also made it clear that he will listen to further reasonable concerns; I accept in good faith that that is his intention. In those circumstances, I hope that Conservative Members will withdraw new clause 6, and I hope that Liberal Democrat Members will not press their two new clauses to a vote.

Mr. Letwin: For the avoidance of doubt, we shall not withdraw the new clause. The position is not as

[Mr. Letwin]

represented inadvertently by the hon. Member for Knowsley, North and Sefton, East (Mr. Howarth). The Home Secretary's concession means that one part of the Bill will lapse after five years and, in the interim, will be subject to annual review. The remainder of the Bill, in its entirety, will not be subject to review and will last for ever. Conservative Members cannot accept that position.

6 pm

It being Six o'clock, THE CHAIRMAN, *pursuant to Order [this day], put forthwith the Question already proposed from the Chair.*

Question put, That the clause be read a second time:—

The Committee divided: Ayes 216, Noes 351.

Division No. 72] **[6 pm**

AYES

Abbott, Ms Diane
Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, John
Beggs, Roy
Beith, Rt Hon A J
Bellingham, Henry
Bennett, Andrew
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Breed, Colin
Brooke, Annette
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, Rt Hon Menzies
(NE Fife)
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth
(Rushcliffe)
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Corbyn, Jeremy
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Dalyell, Tam
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Djanogly, Jonathan
Dodds, Nigel
Dorrell, Rt Hon Stephen
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Duncan Smith, Rt Hon Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger
Galloway, George
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Hawkins, Nick
Hayes, John
Heath, David
Heathcoat-Amory, Rt Hon David
Hermon, Lady
Hogg, Rt Hon Douglas
Holmes, Paul
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Key, Robert
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
McDonnell, John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNamara, Kevin
Malins, Humfrey
Maples, John
Marshall, Jim *(Leicester S)*
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Pickles, Eric
Price, Adam
Prisk, Mark
Pugh, Dr John
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Weir, Michael
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim
Young, Rt Hon Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. David Wilshire and
Mr. Charles Hendry.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Begg, Miss Anne
Benn, Hilary
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David

Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas
(Newcastle E & Wallsend)
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Charles
(Norwich S)
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack
(Copeland)
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis–Thomas, Mrs Claire
Daisley, Paul
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hesford, Stephen
Heyes, David
Hill, Keith
Hodge, Margaret
Hood, Jimmy
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morley, Elliot
Morris, Rt Hon Estelle
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, John
(Glasgow Anniesland)
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan

Ward, Ms Claire
Wareing, Robert N
Watson, Tom
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
    (Swansea W)
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*

Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. John Heppell and
Mr. Ian Pearson.

Question accordingly negatived.

Clause 123

COMMENCEMENT

Amendments made: No. 72, in page 72, line 34, leave out "and (3)" and insert "to (3A)".

No. 42, in page 72, line 39, leave out paragraph (b).

No. 66, in page 73, line 2, leave out from "to" to end of line 3 and insert "96;".

No. 73, in page 73, line 3, at end insert—

> '( ) sections 97 to 99, except so far as they extend to Scotland,
>
> ( ) section 100 and Schedule 7, except so far as they relate to the entries in respect of the Police (Scotland) Act 1967,'.

No. 74, in page 73, line 10, at end insert—

> '(iia) in Part 6 of Schedule 8, in respect of the British Transport Commission Act 1962 and the Ministry of Defence Police Act 1987, so far as those entries extend to Scotland,'.

No. 75, in page 73, line 16, after subsection (3) insert—

> '(3A) The following provisions come into force on such day as the Secretary of State and the Scottish Ministers, acting jointly, may appoint by order—
>
> (a) sections 97 to 99, so far as they extend to Scotland,
>
> (b) section 100 and Schedule 7, so far as they relate to the entries in respect of the Police (Scotland) Act 1967, and
>
> (c) section 121 and Schedule 8, so far as they relate to the entries in Part 6 of Schedule 8 in respect of the British Transport Commission Act 1962 and the Ministry of Defence Police Act 1987, so far as those entries extend to Scotland.'.—*[Beverley Hughes.]*

Clause 123, as amended, ordered to stand part of the Bill.

Clause 1

FORFEITURE OF TERRORIST CASH

The Second Deputy Chairman of Ways and Means (Sir Michael Lord): With clause 1, we are also considering whether schedule 1—*Forfeiture of Terrorist Cash*—should be the First schedule to the Bill.

Motion made, and Question put:—

The Committee divided: Ayes 362, Noes 5.

Division No. 73] **[6.14 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham

Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John

Bailey, Adrian
Baird, Vera
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas
    (Newcastle E & Wallsend)
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, Rt Hon Stephen
Cable, Dr Vincent
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Gregory *(E Lond'y)*
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda
    (Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Charles
    (Norwich S)
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack
    (Copeland)
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Daisley, Paul
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian

Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dobbin, Jim
Dobson, Rt Hon Frank
Dodds, Nigel
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Annabelle
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Francis, Dr Hywel
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith
Hodge, Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan

Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morley, Elliot
Morris, Rt Hon Estelle
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, Angus *(Moray)*
Robertson, John
(Glasgow Anniesland)
Robinson, Geoffrey *(Cov'try NW)*
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salmond, Alex
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watson, Tom
Watts, David
Weir, Michael
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Graham Stringer and
Mr. Ivor Caplin.

NOES

Beggs, Roy
Hermon, Lady
Hunter, Andrew
Smyth, Rev Martin *(Belfast S)*
Taylor, Sir Teddy

Tellers for the Noes:
Mr. Douglas Hogg and
Mr. Richard Shepherd.

Question accordingly agreed to.

Clause 1 ordered to stand part of the Bill.

Schedule 1 agreed to.

Clause 2

AMENDMENTS RELATING TO SECTION 1

Amendments made: No. 60, in page 2, line 14, leave out " or 9" and insert "9 or 10".

No. 61, in page 2, line 32, leave out "and 9" and insert "9 and 10".—*[Beverley Hughes.]*

Clause 2, as amended, ordered to stand part of the Bill.

Clause 3 ordered to stand part of the Bill.

Schedule 2

TERRORIST PROPERTY: AMENDMENTS

Amendments made: No. 46, in page 87, leave out line 28 and insert—

'(5) For paragraph 19(3) substitute—

"(3) A restraint order made under paragraph 18(1) shall in particular be recalled on an application under sub-paragraph (2) if the proceedings for the offence have been concluded.

(3A) A restraint order made under paragraph 18(2) shall in particular be discharged on an application under sub-paragraph (2)—

(a) if no proceedings in respect of offences under any of sections 15 to 18 are instituted within such time as the Court of Session considers reasonable, and

(b) if all proceedings in respect of offences under any of sections 15 to 18 have been concluded.".'.

No. 47, in page 87, line 28, at end insert—

'(6) In paragraph 23(1) for "19(3)(a)" substitute "19(3A)(a)".'.

No. 62, in page 92, line 43, at end insert—

'(ca) the acceptance of deposits from the public within the limit set by section 7(3) of that Act by such a society;'.—*[Beverley Hughes.]*

Schedule 2, as amended, agreed to.

Clauses 4 to 6 ordered to stand part of the Bill.

Schedule 3 agreed to.

Clauses 7 to 17 ordered to stand part of the Bill.

Schedule 4 agreed to.

Clauses 18 to 20 ordered to stand part of the Bill.

Clause 21

SUSPECTED INTERNATIONAL TERRORIST: CERTIFICATION

Mr. Blunkett: I beg to move amendment No. 69, in page 10, line 35, after "State", insert "reasonably".

The Second Deputy Chairman: With this it will be convenient to discuss the following: Amendment No. 96, in page 10, line 36, leave out "believes" and insert—

'has substantial grounds to believe'.

Amendment No. 97, in page 10, line 38, leave out "suspects" and insert—

'has substantial grounds to suspect'.

Amendment No. 110, in page 10, line 42, leave out from "group" to end of line 2 on page 11.

Amendment No. 98, in page 11, leave out lines 12 and 13.

Amendment No. 99, in clause 22, page 12, line 9, at end insert—

'(k) giving directions for a person's physical removal (to a country of which he is a national or citizen or to which there is reason to believe he will be admitted) pursuant to section 5(5) and paragraph 1 of Schedule 3 to that Act.'.

Clauses 22 to 24 stand part.

Government amendment No. 70.

Amendment No. 100, in clause 25, page 13, line 5, leave out "does not agree with" and insert—

'is not satisfied that there are substantial grounds for'.

Clause 25 stand part.

Amendment No. 111, in clause 26, page 13, line 18, leave out from "25" to end of line 19 and insert "within three months".

Amendment No. 112, in page 13, line 21, leave out from "brought" to "months" in line 22 and insert "within three".

Amendment No. 113, in page 13, line 24, leave out from "21" to "month" in line 25 and insert "within three".

Government amendment No. 71.

Clause 26 stand part.

Amendment No. 114, in clause 27, page 14, line 37, leave out from "certificate" to end of line 38 and insert—

'(a) on grounds of change of circumstances, or

(b) where the initial certificate was cancelled because of a technical irregularity.'.

Clause 27 stand part.

Amendment No. 53, in clause 28, page 15, line 10, at end insert—

'but no order shall be made under this subsection after the expiry of the period of five years beginning with the date on which this Act was passed'.

Amendment No. 48, in page 15, line 10, at end insert—

'.( ) The power to revive or continue sections 21 to 23 by way of an order under subsection (2), may only be used once.'.

Clause 28 stand part.

Amendment No. 101, in clause 29, page 15, line 38, at end insert—

'save to review compliance with any rules made under section 5 of the Special Immigration Appeals Commission Act 1997'.

Amendment No. 115, in page 15, leave out lines 39 to 41.

Amendment No. 118, in page 15, leave out lines 42 and 43.

Clause 29 stand part.

Amendment No. 49, in clause 30, page 16, line 9, leave out subsection (2).

Amendment No. 117, in page 16, leave out lines 13 to 15.

Amendment No. 50, in page 16, line 15, leave out from "question" to end of line 17.

Clauses 30 to 32 stand part.

New clause 2—*Annual review*—

'28A.—(1) The appropriate Minister shall appoint an independent Commissioner for the purpose of this section.

(2) The Commissioner must review the operation of sections 21 to 23 before the end of the period—

(a) of 15 months beginning with the day on which this Act is passed;

(b) specified by an order made under section 28(2)(b) and (c), beginning with the date on which that order first came into force; and

(c) specified by an order made under section 28(4), but only if it has been approved by resolution of each House of Parliament.

(3) The Commissioner conducting a review under this section must prepare a report on the result of the review and lay a copy of it before each House of Parliament.

(4) In this section "the Commissioner" means the Commissioner appointed under subsection (1).'.

Simon Hughes: On a point of order, Sir Michael. I was listening very carefully and waiting for clause 17 to be called. We are minded to vote against it standing part of the Bill, but it was not called either on its own or with other clauses.

The Second Deputy Chairman: I read out very clearly the measures on which the Committee must vote, and the clause was included. I am afraid that the hon. Gentleman has missed his chance: We must now proceed to debate the proposals grouped with Government amendment No. 69.

Simon Hughes: Further to my point of order, Sir Michael. I do not wish to detain the Committee, but may I take you through what you said? Apparently, we were dealing with clauses 4 to 6, schedule 3, clauses 7 to 16 and schedule 4. My colleagues and I were listening carefully, and I understand that clause 17 was not included, although a schedule relating to it was included.

The Second Deputy Chairman: Let me repeat everything that I read out. I read out a proposal that clauses 4 to 6, schedule 3, clauses 7 to 17—[HON. MEMBERS: "No; 16"]—schedule 4 and clauses 18 to 20 stand part of the Bill. That is what I read out. That is what I put to the Committee, and the Committee agreed to it. We must now move on.

6.30 pm

Simon Hughes *rose—*

The Second Deputy Chairman: No.

Simon Hughes: What if I asked you to take advice, Sir Michael?

The Second Deputy Chairman: I do not need to take advice. I am sure that what I read out—*[Interruption.]* Order. I am quite clear about this, and there is no point in pursuing it further. I put clause 17 to the Committee, among other provisions, and the Committee agreed to it. We must now move on to the debate on amendment No. 69 and the proposals taken with it.

Simon Hughes: On a point of order, Sir Michael.

The Second Deputy Chairman: I hope it is a separate point of order, because I have dealt fully with the earlier one, and we need to move on.

Simon Hughes: It is a separate point of order, Sir Michael.

Mr. Tam Dalyell (Linlithgow) *rose—*

The Second Deputy Chairman: Order. The hon. Gentleman must resume his seat. I am on my feet, and I cannot deal with two points of order at once.

Simon Hughes: May I ask you, Sir Michael, to consider either putting the last Question again or putting the Question relating to clause 17 separately, to allow the Committee—

The Second Deputy Chairman: Order. I have explained the position to the hon. Gentleman, who is merely repeating what he said earlier. I am clear about what I put to the Committee: I have it before me. The Committee has agreed to the clause in question, and we must now move to the next business.

Mr. Hogg *rose—*

The Second Deputy Chairman: Order. We must move on, and that is what I intend to do.

Mr. Dalyell: On a point of order, Sir Michael. If a genuine mistake has been made—and I believe that one has—ought there not to be a reconsideration?

The Second Deputy Chairman: Under the Sessional Order, Questions are put as I have put them. There is no way in which, having agreed to a Question, the House or Committee can return to it.

Mr. Hogg: On a point of order, Sir Michael. I wonder whether we can look to the future just for a moment. As you will know, members of the Committee have followed the way in which you have put the Questions on the marshalled list, which makes plain that clause 17 gave rise to a free-standing debate. We all therefore expected to hear the Question on clause 17 put separately.

May I make a suggestion, Sir Michael? If in future you put the Question on a clause out of the marshalled-list order, so that there is a risk of our being taken unawares, will you be good enough to make that plain? I think that there has been a mistake, and that there will be some surprise about what has happened.

The Second Deputy Chairman: The right hon. and learned Gentleman is simply repeating a point that has already been made. I did not put the Question on clause 17 out of order. I explained clearly to the Committee what the vote would concern, and it was up to the Committee to listen. As I have said, we have already dealt with clause 17, and we must now move on.

Mr. Blunkett: I hope that whatever disagreement has taken place will not sour the serious debate that we are about to have. *[Interruption.]* It has taken us until 6.35 pm to embark on a substantive discussion of the detail of the Bill, and I appeal to Members to be prepared to engage in that discussion rather than continuing to grumble from a sedentary position about the decision that has just been made.

While evidence was being given to the Joint Committee on Human Rights, a number of issues were raised with me. I promised that I would think about them, and return to them in due course. One, which I mentioned on Monday, is the issue of the "reasonableness" clause—the provision requiring that a belief and suspicion must be reasonably held by the Home Secretary of the day in respect of judgments made by SIAC on the correctness of the certificate issued by the Home Secretary. I can confirm that we will table such a clause.

I am aware that a piece of paper circulating among some Members implies that the insertion of the "reasonableness" clause will be at the expense of what was already there, in terms of SIAC's powers to overturn the certificate. That is not correct. The "reasonableness" clause is as well as, not instead of, the current position, as it were. I think it important for people not to be misled.

Having heard the discussion in the Human Rights Committee and taken cognisance of approaches made by its chair, I think it only right to look again at some of the wording of the Bill, including clause 27(9). That subsection relates to links that someone may or may not have with a terrorist or a terrorist group. I think that the issue would be best addressed in the House of Lords, but I think we should make clear the connection someone would have to have with a particular group or groups. I thank my hon. Friends the Members for Bristol, East (Jean Corston), and for Redcar (Vera Baird), who made a point of drawing that to my attention. We are happy to examine—with our lawyers—how we can clarify the position.

I must now apologise for referring to clause 27(9) in connection with links. I meant to refer to a different clause. Clause 27(9), in fact, gives rise to debate on the word "otherwise". I undertook to look at that wording too.

Mr. Burnett: The Secretary of State mentioned the admirable speech of the hon. Member for Redcar

[Mr. Burnett]

(Vera Baird). When he consults the lawyers, will he ask them whether, while proceedings are on their way to Strasbourg, the provision he has mentioned could be included in the "taking action" provision in the European convention on human rights?

Mr. Blunkett: Having signed up to the convention, we are fully cognisant of it. I take the point, however, because there appears to have been some misunderstanding or at least misreporting of Lord Scott in relation to the interpretation of what is available to us and would be available to an appellant.

With regard to the word "otherwise", the human rights Committee feared that a certificate might be altered in circumstances other than those in which a certificate might be found to be technically at fault without the substance of the proposition being at fault. The Committee felt that SIAC should have the right to draw attention to the fact, and that it should be possible for the certificate to be drawn up again. Our lawyers believe that the formulation of that particular provision is correct. I have agreed to examine it and to take advice. Should it not be the case that what we intended is achieved, we will be prepared to look at the matter in the other place.

Mr. Robert Marshall-Andrews (Medway): I am sorry to take the Home Secretary back a little. I was rather taken by surprise by what he said in relation to Government amendment No. 70—that it does not increase the test for SIAC. The amendment would leave out

"does not agree with the belief or suspicion",

whereby SIAC could conclude that it did not agree with the belief and reverse it. The text now is

"considers that there are no reasonable grounds for a belief or suspicion"

In those circumstances, SIAC could conclude that the Home Secretary was wrong, but none the less be constrained by the clause because there were reasonable grounds to conclude that the detention should continue.

Mr. Blunkett: The provision does not take away the power of SIAC. It clarifies the terms on which it would make its judgment, again within the provisions and terms agreed in the Rehman judgment. We referred to that at considerable length on Monday in terms of the evidential threshold and the process to be followed. It is on that basis and in response to the requests made to us that we wish to clarify what is described as the reasonableness test. I will stick to that. Having gone through the matter at considerable length, I am satisfied that we are improving, not worsening, the rights that are available and the clarity with which certificates will be dealt with by SIAC.

There has been much misunderstanding all round in relation to the operation of SIAC, including by those who have great experience in the court. A letter in *The Daily Telegraph*—I am a great reader of *The Daily Telegraph* at the moment, which always enlightens me and sometimes infuriates me—from Peter Carter-Ruck of Great Hallingbury, who I understand is a renowned libel lawyer, so I am very careful to say what I am saying in the House rather than outside, accuses me of seeking to set up a Special Immigration Appeals Commission appointed by the Home Office. As I pointed out on Monday, it is already appointed through the Lord Chancellor.

Mr. Burnett: Does the Home Secretary think that, without impugning the present Lord Chancellor, the system of appointment would be more objective if appointments to SIAC were made by the Lord Chief Justice?

Mr. Blunkett: Appointments to a range of tribunals and appeals have been long established. On an emergency measure of this sort, to ask the Lord Chancellor to hand over to the Lord Chief Justice the appointments to the tribunals and commissions would be extraordinary, so I resist that.

Mr. Letwin: I am sorry, but I do not want to leave the point that was raised by the hon. and learned Member for Medway (Mr. Marshall-Andrews) because I think that I am now in some confusion. On Government amendment No. 70, which changes the position from one in which SIAC could agree or disagree with the belief to one in which it must judge whether there are reasonable grounds for the belief, does the Home Secretary believe that he has made it more or less difficult for SIAC to reject the Home Secretary's decision?

Mr. Blunkett: It is a mirror image of the change that we made in consequence—

Mr. Marshall-Andrews: That is wrong.

Mr. Blunkett: I understand that it is a mirror image of what we are seeking to achieve under clause 21.

Mr. Letwin: We may end up by agreeing about the matter on reflection. As I understand it, it is a double mirror image. The Home Secretary, or his lawyers, may think that, by changing to reasonable grounds—a move that we support and welcome—they have tightened the rule on what SIAC has to agree, but if all it is permitted to judge is whether there are reasonable grounds for the belief, the Home Secretary might make a decision—this was the point made by the hon. and learned Member for Medway (Mr. Marshall-Andrews)—with which it profoundly disagrees, but for which it admits he had some reasonable grounds. That is to enlarge the capacity of the Home Secretary and to diminish the capacity of SIAC.

Mr. Blunkett: Yes, but SIAC cancels the certificate if it believes that there are no reasonable grounds for believing that the person is a threat to the United Kingdom's national security, or suspecting that the person is an international terrorist. It is whether the grounds on which that certificate was issued are reasonable that is being inserted.

6.45 pm

If there is a genuine misunderstanding about this matter—we are desperately trying to ensure that we disagree on things—of course I will go back and look at it again, but my lawyers assure me that the measure provides the safeguards that were sought during the deliberations of the Joint Committee on Human Rights.

Ross Cranston (Dudley, North): Even if my hon. and learned Friend the Member for Medway

(Mr. Marshall-Andrews) is right, and I do not accept that he is, clause 25(2)(b) says that SIAC can cancel the certificate if it

> "considers that for some other reason the certificate should not have been issued",

so SIAC is in charge. It can decide the matter in terms of both the facts and the law. I think that that is the absolute answer to my hon. and learned Friend's point.

Mr. Blunkett: It is. I am grateful. As I was describing, that is the broader conclusion that is still built into the Bill. We have not taken that away. That was the point that I was seeking to make.

Annabelle Ewing: Does not the debate over the wording of the basis on which SIAC can look at certification orders suggest that, instead of trying to re-invent rules of evidence to that ad hoc, unusual body, the simpler way to deal with the matter would be to involve the courts fully and properly in the function of the system?

Mr. Blunkett: I desperately tried to deal with that debate on Monday. I do not know whether the hon. Lady was here and took it in, but we dealt with the establishment of SIAC in 1997.

Annabelle Ewing: On a point of order, Sir Michael. Unfortunately, I was not here on Monday because I was dealing with matters in my constituency.

The Second Deputy Chairman: That is hardly a point of order.

Mr. Blunkett: It is certainly a point of interest. I would like to put it on record that I wish I had been dealing with matters in my constituency as well.

The serious point is that we dealt with the nature of the establishment of SIAC in 1997, which was universally agreed by the House. We dealt with the question of the type of evidence that was to be adduced, the fact that a High Court judge or someone who had been a High Court judge should have two other people sitting with him, that there was a right of appeal on a point of law to the Appeal Court and to the House of Lords if leave were given, and that the evidential base had been established.

The issues around judicial review are being raised, particularly by the Liberal Democrats and others. When the certification process was established, and when eventually SIAC was put in place as an additional safeguard, it was seen as a review of the certification process for the Home Secretary. That is what it was established to do, with the appeal on the point of law clarifying whether the process had been properly carried through. Were judicial review to be reinstated between those processes, that could be done only on the basis of the provision of the evidence, admissibility and the rules that have been established and agreed not only by the House of Commons but by the House of Lords.

Norman Baker: Does the Home Secretary accept that, when SIAC was established, it was for a very different purpose—it was to deal with deportation, not incarceration?

Mr. Blunkett: It was to deal with the ability to remove people from the country who were a threat to national security, or whose presence was adjudged not to be conducive to the public good. I do not intend to go on at length tonight because people have rightly said that they want to debate the issues and I need to allow them to do so, but that brings us back to the only central point that I want to remake. That point concerns precisely the choice addressed in part 4 of the Bill—whether to derogate, temporarily or otherwise, from the ECHR altogether.

I do not accept the suggestion that, to do that, we could use article 58 of the convention, or pull out for a second or two under article 57. I do not believe for a moment that that would work or stand up to scrutiny. However, if, for the sake of argument, we were to come out of the ECHR, I would then have to sign a certificate declaring that I was prepared to send people back to regimes and judicial systems that we did not consider to be acceptable. Those regimes and systems would not stand up to scrutiny in court under the ECHR, in this country or in Strasbourg, because they do not provide for people properly or protect them from execution, torture or degrading treatment.

That is the choice that we face. The official Opposition are at least clear that that choice exists. Members of the other main Opposition party, the Liberal Democrat party, believe that we should continue to let the people involved be free in this country if we did not have a workable extradition treaty with their home country, or if they were not able voluntarily to go to a third, safe, country. According to the Liberal Democrats, those people would go if they were able to but, if they were unable to go, they would remain free in our society, even though the judgment had been made that they put us at risk.

In those very narrow circumstances, we are seeking to take the power of temporary detention, with the safeguards that we are now building in.

Mr. Fisher: Before my right hon. Friend leaves the subject of SIAC, will he clarify the definition of the word "terrorist" to which it will work? I welcome what he had to say about rethinking the use of the word "links" in clause 21(2)(c), but I find it difficult to understand what has changed since the Terrorism Act 2000 was passed. Clause 40 of that Act contains a completely different definition of the word "terrorist".

Has that definition proved inadequate and, if so, in what way? Why are we being asked to adopt two separate definitions of terrorism, and will not there be problems in reconciling two pieces of legislation that presumably should work in harness and reinforce each other but which, in this regard, appear to contradict each other?

Mr. Blunkett: The substantive issue of whether the definitions in the 2000 Act and in this Bill contradict each other is dealt with in schedule 2, which relates to the 2000 Act. As my hon. Friend knows, we are dealing in this Bill with the extension of the international terrorist threat. That is why we are here tonight. Therefore, the Bill and the 2000 Act are clearly compatible.

I know that all hon. Members are right to scrutinise whether lawyers—in government or outside, in the House or outside it—have got it right. On this occasion, I honestly believe that they know what they are talking about.

David Winnick: I do not belong to the usual suspects in this matter, as I believe that, given the circumstances,

[David Winnick]

the powers that my right hon. Friend is asking for are justified. If they were not, I would not hesitate to oppose the Bill, along with some of my hon. Friends. All hon. Members reach their own judgments: that is the purpose of the House of Commons.

I spoke about a specific case when my right hon. Friend was not in the Chamber, and I believe that, if we are going to take these very special powers following the events of 11 September, legal safeguards are necessary. I have noted everything that my right hon. Friend has said about SIAC, but I am afraid that I am not satisfied that the Bill can be passed without provisions for judicial review. It is absolutely essential that legal safeguards should exist, and that they are seen to exist. That is why I must support some form of judicial review.

Mr. Blunkett: I note what my hon. Friend said, but I am afraid that, when passing legislation and dealing with evidence provided by the security and intelligence service on suspected terrorists, it is not possible to have a vague view of what judicial review should achieve. Should judicial review come between certification by the Home Secretary and by SIAC? If so, it would be unable to hear the evidence that had been presented to SIAC, and I remind hon. Members that that process has been agreed by the House. The people involved would be misled and deluded into believing that they were going through a meaningful process.

If the review were to be concerned with SIAC's decision, based on the evidence provided and the circumstances in which that evidence was provided, it would come between the SIAC stage and an appeal court hearing based on a point of law—that point being whether the process had been conducted properly.

I appeal to all those hon. Members who think instinctively that we need a certain provision because it applies in other circumstances to ask, not whether that provision is a good idea, but how it might be implemented. It is precisely to achieve some accuracy in these matters that I responded as I did on the question of terrorist links, which relates to the point raised by my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher).

We have been talking about terrorists—people who are

"concerned in the commission, preparation or instigation of acts of international terrorism".

The provisions in the Bill do not replace the powers that already exist, but add to them.

Mr. Mike O'Brien (North Warwickshire): My right hon. Friend is right. As a Minister, I took through the House the Special Immigration Appeals Commission Act 1997, which established SIAC. It was created with the intention of dealing with some very serious issues—among them detention, as many of the people who were to come before SIAC would be detained. The provisions also covered their removal from this country, which might be something that the people involved would greatly fear. That is why it was considered necessary to have a High Court judge, an immigration judge and a specialist in security matters to review the Home Secretary's opinion. They could direct that that opinion should be changed.

If a judicial review procedure were inserted in this Bill, it would merely replace one High Court judge with the High Court judge that we have in SIAC. It would not provide the ability to keep confidential the intelligence information that SIAC can keep confidential. The divisional court does not have the appropriate procedures—short of introducing public interest immunity certificates, and I suspect that those who advocate judicial review would not want those certificates to be introduced in these circumstances anyway.

Mr. Blunkett: I am very grateful to my hon. Friend. In fact, on Monday, I read the Second Reading speech that he made in connection with the 1997 Act. It was very instructive and is why I know so much about SIAC. I appeal to the House: it is perfectly justifiable for hon. Members to want to do the right thing for the right reasons, but to want to do the right thing and then find out that one has done the wrong thing is neither justifiable nor wise.

Fiona Mactaggart (Slough): My concern is less with the appeal mechanism than with those who might be caught by the provisions in the Bill. Specifically, clause 21(2)(b) adds to those

"concerned in the commission, preparation or instigation of acts of international terrorism"

any person who

"is a member of or belongs to an international terrorist group".

This afternoon, the International Sikh Youth Federation was involved in a lobby of Parliament. Members of that organisation are or have been terrorists, and the group has been proscribed as a terrorist organisation. However, I assure my right hon. Friend that it also has members who are not terrorists. I am worried that we are planning to use the very serious measures contained in the Bill against people who are merely members of a group, and who are not suspected of being actively concerned in the commission of terrorism.

Mr. Blunkett: I shall try to answer that question as delicately as I can, as that group, which was proscribed back in February, is appealing against the decision. I have a crucial role in the appeal, so my hon. Friend will forgive me for being circumspect. However, it must be understood that people who become members of groups that are banned in this country are subject to the law of the land. Obviously, people are free to join other organisations and democratically to make the point they wish to make. However, when the Prime Minister of India asks, as he did last week, whether we are serious about the organisations that are committing terrorists acts in terms of following up members of banned groups, the answer has to be yes.

7 pm

Fiona Mactaggart: I quite understand that. I am concerned about the Bill's incarceration provisions and whether it is considered appropriate to hold in detention people who are simply members of some of these organisations.

Mr. Blunkett: Let me make this clear. In our democracy, people are free to be members of, or belong to, an international organisation, but not an international terrorist group. They are not free to belong to a group that has been proscribed. There would have been no point in Parliament passing the legislation or in my predecessor, my right hon. Friend the Foreign Secretary, having proscribed 21 groups if we were not going to implement it.

Ms Abbott: Further to the intervention of my hon. Friend the Member for Slough (Fiona Mactaggart), one of the proscribed organisations is the PKK, a Kurdish nationalist organisation. In Stoke Newington, hundreds of people call themselves members of the PKK and go on marches. My local superintendent of police says that he cannot pick up hundreds of such people. Yet those people, who have joined what they perceive to be a legitimate nationalist group and have no intention of bombing or murdering anyone, will be at risk of incarceration if the Bill goes through unamended.

Mr. Blunkett: This is a red herring; we will not pick up everyone who has been on a march or in a room with a particular group. We are talking about people who have connections with and are believed to be involved with such groups. I am clarifying the position about links precisely to avoid red herrings

Several hon. Members *rose—*

Mr. Blunkett: I will give way in a moment. I do not want us to get involved tonight in trying to determine who poses a risk to our national security or is engaging in international terrorism. The evidence must be adduced by the security and intelligence services and presented so that it convinces the Home Secretary of the day that a certificate should be issued. When a certificate is issued, the individual has a right to go to SIAC and to appeal. I have spelt that out—the judgment will depend not on whether people turn up to a PKK rally in Stoke Newington but on whether they pose a risk.

Simon Hughes: The House is wrestling with the fact that although the Home Secretary says that the powers would be used only as a last resort—which I accept—that is not what the Bill provides. The second issue relates directly to the right hon. Gentleman's answer to the hon. Member for Stoke-on-Trent, Central (Mr. Fisher). People could be certificated by the Home Secretary and detained because they had links with a person who was a member of or belonged to an international terrorist group, yet those links are not defined anywhere in the Bill. Someone who has represented them could be caught. All sorts of people might be caught. Surely the Home Secretary accepts that legislation cannot be drawn this widely. It is dangerous.

Several hon. Members *rose—*

The Second Deputy Chairman: Order. The Secretary of State cannot possibly give way to interventions when he has not started dealing with the previous intervention.

Mr. Blunkett: I will give way to one of my hon. Friends in just a second when I have answered the question. Taking into account the criteria that are laid down, I have accepted that "link" was not tight enough to ensure clarity about the nature of the connection with the group. That is precisely what I was responding to in saying that the members of the Joint Committee on Human Rights have a point. Therefore, during the Bill's passage through the two Houses, we will bring back a tighter definition that will satisfy the hon. Gentleman's concerns.

Mr. George Howarth: Will my right hon. Friend confirm that, as I suspect, each case will be dealt with on its own terms, on the basis of the evidence and information that is available? Given that some of that information will be very sensitive, it is probably not appropriate to spell out too clearly the circumstances in which he will make those judgments.

Mr. Blunkett: That is true. However, let me stress—to avoid another red herring—that judgments will be made within the terms that we are laying down, the process that SIAC has to follow and the evidential base that has to be provided. Now that that has been challenged through the courts and is established as accepted, we can move forward in a sensible but sensitive way.

That comes back to my earlier point about choice. We have the choice to do nothing or to take draconian action and give the Home Secretary powers to certificate and to remove people from the country whatever the circumstances. We can also choose to take the middle route, whereby we cannot use temporary detention when extraditing people or removing them to a third safe country.

Dr. Nick Palmer (Broxtowe): Does the Home Secretary agree that a number of the points raised recently are partially covered by the fact that my right hon. Friend will issue a certificate only if he suspects that someone is an international terrorist under the terms that we have defined and believes that person's presence in the United Kingdom to be a risk to national security? It would not sufficient for someone to be a member of the PKK, for instance. He would have to be a member of the PKK whom my right hon. Friend believed was a risk to national security.

Will my right hon. Friend take the opportunity to confirm that if a person is incarcerated under clause 23 and voluntarily chooses to leave, he will be free to do so.

Mr. Blunkett: Yes, that is entirely correct. That is why talk of internment is inappropriate; that is not what we are proposing.

Jeremy Corbyn (Islington, North): I am grateful to the Home Secretary for giving way. He said a few moments ago that the law must be upheld and obeyed when he defended his right to proscribe a number of organisations, including the PKK. Does he accept, therefore, that the police will have the powers of sweep and of arrest, even if those people are subsequently released, as many were, under the prevention of terrorism legislation. If the Bill is designed to catch international terrorists individually, why is it not drafted to do so? Why is it drafted to catch people who are merely members of organisations that the Home Secretary, on advice from many sources, including the United States, believes to be international terrorist groups?

Mr. Blunkett: I have just dealt substantively with that point. My hon. Friend the Member for Broxtowe (Dr. Palmer) made the point that it is not a question of a

[Mr. Blunkett]

single definition. I am slightly exasperated because I have said this, as have other hon. Friends, over and over again. It is a question not of a simple definition but of whether a person belongs to an organisation, as provided in the Bill. It is clear that with the exception of refining the term "links" we are specific about what is required, and SIAC would make a judgment on whether a case had been satisfactorily made when deciding whether a certificate was valid. The idea that those of us who carry that responsibility or those who sit on the appeals commission would agree to the detention of someone who did not seriously pose that risk is breathtaking and flies in the face of the process that has been undertaken in the past four and a half years, since SIAC was established, and our commitment to protecting civil and human rights. That is why we have agreed to a sunset clause and an annual review, as well as to a review by the reviewer, which lock in—as the Chancellor of the Exchequer would say, and probably will say next Tuesday—the protections that people seek to achieve.

Mr. McNamara: I welcome my right hon. Friend's statement that the Government will re-examine the definition of "links", which deals with the point made by the Joint Committee about the possibility of arbitrariness in the operation of these provisions. He said that he would not send people back to another country if he felt that they would be subject to torture or the possibility of the death penalty. Will he confirm that it is not his intention therefore to deport anybody to the United States or to accept an extradition order from that country? If any person connected with bin Laden or any other terrorist is captured by British forces in Afghanistan, will he confirm that they will not be transferred to the American authorities there, because by virtue of the executive order of the President of the United States—to which, my right hon. Friend will recall, he particularly drew my attention—and the draconian powers it contains, that person would be immediately subject to a possible punishment of death?

Mr. Blunkett: I thank my hon. Friend for his question and I will answer the part that is relevant to the Bill and to my powers. I would not sign a certificate for any country with extradition arrangements unless it was prepared to agree to retain and maintain the extradition agreement signed by us. In any revision of the extradition agreement with Attorney General Ashcroft, which we will undoubtedly undertake because it has been in force for 27 years now, I would insist that that existing parameter remain in force. I would not transfer someone to the United States or elsewhere if I believed that that outcome would result. I hope that satisfies my hon. Friend.

The issue is one of genuine choice. Some Opposition Members believe that it would be reasonable to give the Home Secretary the power in question, by removing the restraint of the ECHR. I do not take that view, but it is a reasonable alternative, albeit an unacceptable one in terms of the powers of our Parliament.

Mr. Cameron: The right hon. Gentleman overstates the position of those of us who are arguing that the Home Secretary should have greater flexibility in exercising the power to deport people from this country who may pose a threat to national security. Has he seen the recommendation in the Home Affairs Committee's report, which states:

> "It would be desirable for the Home Secretary, who is accountable to Parliament, to be able to exercise his discretion within the framework of article 3."?

That is the conclusion of a paragraph that says that

> "we do not, for a moment, suggest that the Government should send people back to countries where they would be at risk of torture or ill-treatment".

Is not the problem that the jurisprudence under article 3 has made it so difficult to deport anybody in any circumstances, because the Home Secretary is not allowed to take into account, according to the Chahal judgment, the risk that they may pose to the United Kingdom?

7.15 pm

Mr. Blunkett: It is true that the jurisprudence on that case, to which I have referred publicly, constrained what was possible, but—and this is an interesting point for the immediate future and we will return with a substantive extradition Bill in the new year—if we cannot reach an extradition agreement, it is not right to ask the Home Secretary to certify the risk in those countries that do not have judicial systems that are acceptable according to our terms and with which we do not have an extradition agreement that locks in the safeguards that we would seek. Even if we have queries about some countries' judicial systems, we have extradition agreements that safeguard the process when someone arrives back in one of those countries.

It is not right to ask the Home Secretary to take a risk in a grey area, where an extradited person may be summarily executed or tortured. We need to be open and clear, so that we do not say one moment that we do not want to detain people, but the next moment say that we are prepared to take the risk, on the certification of the Home Secretary, that someone will not be put to death. That is why the difficult but necessary compromise that we are putting to the Committee is the right one, and why the Government will seek to gain the assent and support of both Houses of Parliament in carrying it through.

Mr. Letwin *rose*—

Mr. Blunkett: I had intended to finish, but to be helpful to the hon. Gentleman I shall find another sentence.

Mr. Letwin: I am grateful to the Home Secretary. He has given an accurate and compelling description of the disposition of the Conservatives, the Government and the Liberal Democrats, but one element needs to be refined. He describes his choice, which is to give himself the power that he calls indefinite detention, as not being internment. He rightly says that in some technical sense the people he is interning—as I would call it—have the right to leave voluntarily. However, he has made the argument powerfully—although I disagree with it—that the choice that falls to those people is to go to countries to which he says he would not deport them. I do not understand in what meaningful sense someone could be said voluntarily to be able to leave if the circumstances of their departure are such that he would not compel them to go to that place.

Mr. Blunkett: That is an interesting debating point. I should warn the hon. Member that I have read chunks of his 1999 book, which relates, interestingly, to definitions of freedom and the role of politics. I happen to believe that if people wish to leave this country after they have come here voluntarily, they should be free to do so. If they choose to do so, that is very different from a Home Secretary deporting them on a certificate in the belief that they are a risk, but in circumstances in which their lives would then be at risk.

Several hon. Members *rose—*

Mr. Blunkett: We are about to enter the M25 on the issue, but because blood pressure should not be allowed to rise too high, I will give way to my hon. Friend the Member for Stoke-on-Trent, Central.

Mr. Fisher: The Home Secretary is willing to allow people voluntarily to leave the country whom he has good reason to suspect are associated with international terrorism. It cannot be good to let loose into the international community people whom he believes to be international terrorists; they should be detained and prosecuted here. We would do international security no favours by allowing those people to go voluntarily to another country.

Mr. Blunkett: That is the dilemma we have struggled with. The obvious answer is for my hon. Friend to table an amendment on Report that the process, including the role of certification and the review by SIAC, should lead to the person being imprisoned, even though the evidence base differs from the one that would usually be used and would normally be available to commit them for a set period of time to prison.

Several hon. Members *rose—*

Mr. Blunkett: No, I shall not give way. I want to finish the point.

There is a good debating point as to whether someone should be ejected from the country, but let me make it clear: we are using immigration powers—we are relating them to the issue of someone who has voluntarily come into our country, was hosted by this country, but whom we wish to remove on the grounds that they are a risk to our national security or that their presence is not conducive to the public good. We are challenged on that, not in terms of the fact that, historically, we can do that, because under the Immigration Act 1971—in schedule 3, I think: just for Simon Carr of *The Independent*, I was not referring to braille to enable me to remember that point—*[Interruption.]* He would not be in the Gallery because he will be having a good dinner somewhere. The biggest choice that he will have made will not have been at Sainsbury's but on the quality of the wine that he is buying on the expense account of *The Independent*. He cannot say anything more vile about me than he said on Tuesday morning, so he can get his own back at length, and undoubtedly, often—*[Interruption.]* Muesli will not be on the menu.

The serious point is that under those immigration powers, we had the ability to deport someone from this country. What has got in our way was the judgment that we were unable to ask a person to leave because their life was at risk. I rest my case.

DEFERRED DIVISIONS

Mr. Deputy Speaker (Sir Michael Lord): I now have to announce the results of the Division deferred from a previous day.

On the motion on Human Rights, the Ayes were 331, the Noes were 74, so the motion was agreed to.

[The Division List is published at the end of today's debates.]

Anti-terrorism, Crime and Security Bill

Question again proposed, That the amendment be made.

Simon Hughes: It is an indication of the huge importance of this debate that the Committee is very full. I hope that the Home Secretary will accept that we have listened to him with great attention, and that colleagues on both sides of the House are trying to deal with a set of complex matters that have greatly preoccupied many hon. Members and many people outside this place.

Two parliamentary Committees, the Select Committee on Home Affairs and the Joint Committee on Human Rights, have attentively deliberated and given helpful advice. When we began the debate, I was conscious of the fact that we had about one-and-three-quarter hours to discuss 15 clauses, 22 amendments and one new clause to do with what the letter column of *The Times*—not *The Guardian*—in a headline above letters from Lord Donaldson, Lord Russell and Professor Brian Simpson described as

> "Inherent dangers in plan to intern terrorist suspects".

The House accepts that the Home Secretary has a duty to try to think of ways of dealing with the issue. We all understand. There is no dissent about that. The Home Secretary has not only the opportunity but the duty to do that, and we do not criticise him at all.

The right hon. Gentleman is right to say that three different types of conclusion have been reached. The Government's conclusion is in the proposal that we are discussing. The Conservatives' conclusion relates to other articles of the human rights convention and would allow people to be sent back to countries to which the Home Secretary and I agree we would not want them sent. We believe that it is better to uphold our international obligations not to send people to such countries—and that view is confirmed by the all-party Home Affairs Committee.

The third conclusion is that expressed by my colleagues and me. I shall summarise it in a moment, because it is important that the Home Secretary and I do not disagree about what the different positions are.

This debate is hugely important for all us. I shall try to explain objectively why that is so, by reading one paragraph from the report of the Home Affairs Committee, published last Monday. Paragraph 32 states:

> "One ground for concern is the quality of the intelligence information on which detention was based. We note that in 1991, some 176 Iraqis and other Arabs were detained during the Gulf war. We understand that many of those, if not all, were eventually released without charge and some were subsequently awarded compensation."

[Simon Hughes]

We are debating proposed laws that risk doing injustice to people, so it is hugely important that the House, collectively, should try not to do that. Those people would not by definition be British but that does not reduce our obligations, as I am sure the Home Secretary agrees.

From the two Select Committee reports, I have drawn seven suggestions that would make the legislation more specific and targeted. The first is that we should define more tightly the term "international terrorists". The Home Secretary has helpfully acknowledged that he is willing to consider that, so I shall not pursue the point. I remind him that the Human Rights Committee noted that no other legislation authorises detention on the basis of criteria so vague as the current measure.

Secondly, the Select Committee makes the serious point that the legislation could be held to discriminate on grounds of nationality. We are proposing to detain people who are not British nationals and do not have the right to indefinite residence. We would not propose so to detain British nationals, so such provisions might be illegal under human rights and other international law. The Select Committee was not persuaded by the Home Secretary's evidence.

The third suggestion relates to an important point in clause 27—it would be easy to become technical at this stage, but I shall try not to be. That point is addressed in an amendment tabled by the hon. Member for Bristol, East (Jean Corston), as a result of the Select Committee's considerations, and in amendment No. 114, tabled by my hon. Friends and me. The provisions deal with circumstances in which, when a certificate has been cancelled, another certificate can be issued. They deal with the criticism that has been properly made of the clause. The clause states that a certificate can be reissued

"on the grounds of a change of circumstance or otherwise".

That is too wide. Will the Home Secretary consider amendment No. 114, which seeks to be even more specific than the amendment tabled by the hon. Lady?

The Home Secretary has dealt in part with my fourth point. The initial issue of the certificate should be subject to a test of reasonableness. I shall return to that point. The Home Secretary has accepted that the measure should include such a proposal.

I hope that the right hon. Gentleman is also minded to accept my fifth suggestion, which is also based on Select Committee advice: it is far better that the right to be represented—even in the unusual circumstances of an appeal hearing—should continue through each stage of the hearing, even if it goes to appeal at the Court of Appeal and the House of Lords. The reason is obvious: there may be new evidence that the representative of the detained person might not otherwise see and about which they could not argue before the commission.

The sixth point relates to the length of detention. To summarise one of the amendments, it would be much more acceptable if the length of detention without automatic review were shorter. We have proposed that the intervals should be no longer than three months. After that, detention should be reviewed.

The seventh point is that the police should not, as proposed, hold the fingerprints of asylum seekers indefinitely, as though they were in the same category as people who were being held in relation to other crimes, but that there should be a limitation. It is most unfair to group together people who have been suspected of a crime and those who are only in this country because they are seeking asylum.

So there are seven specific proposals for improvement, and I hope that they will all find favour with the Government today or, at worst, next week when the Bill is considered in the House of Lords. They have all-party support, although they have been proposed in different ways.

7.30 pm

The Home Secretary rightly wants to know what alternative general argument my colleagues and I would put. Before I turn to the specifics, which I can do very briefly, I shall put two very simple principles to him. First, this is not a matter for lawyers and judges; it is an issue for ordinary individuals who may become swept up in a nationalist fervour or become involved with other people who are, or who may come here as students, or who may have family in this country and who find themselves suspected by the intelligence services or others of being involved in terrorism in some way.

I hope that we can get away from thinking that the concerns about judicial review are the concerns of lawyers. They are absolutely not lawyers' concerns. This country's history is one of dealing with people—whether British born or immigrants—and ensuring that they are treated properly, but cases have often ended up in the courts because the Executive have failed those people. Tribunals have often been involved, and judges and lawyers have often had to help them to argue their cases. They may have had no English or poor English; they may have been elderly or infirm.

Detention without trial is a citizens' issue; it is an issue of civil liberty for the ordinary, non-professional individual. I hope that the debate can continue on the assumption that this issue is not academic or esoteric; it goes to the core of whether everyone has equality before the law in this great country of ours.

Mr. Letwin: I want to be clear about the hon. Gentleman's argument in relation to part 4. Is he arguing that there is no substantial difference between a United Kingdom citizen who poses a threat and a foreign national who poses a threat and that he would prefer part 4 to be eliminated altogether? Does he want to join us and others in wanting to limit those provisions as a second-best solution? Or is he arguing, as I would, that, in some circumstances, the Home Secretary has a moral right to take action against foreign nationals who pose a threat to our security that he would not necessarily be able to take in relation to our own citizens?

Simon Hughes: Those are perfectly proper questions, as I would expect from the hon. Gentleman. It is perfectly reasonable to deal differently, as far as is required, with people who are United Kingdom citizens, who by definition have a right to live here, and people who do not have that right. We must all be permitted to accept that discrimination. The answer to the question about what we would argue should therefore happen is to be found in the improvements to the process that we and others have proposed. I can list those proposals very simply.

First, we should look for international solutions, just as we have done in the context of the International Criminal Court. That point was picked up by the hon. Member for Witney (Mr. Cameron), who serves on the Home Affairs Committee. The sooner we can find a Europe-wide solution for people who are not citizens of any given country the better. That is one route that we must pursue, but I accept that we cannot do it today.

Secondly, as suggested to the Select Committees, there are a panoply of offences under current terrorism legislation, especially the Terrorism Act 2000, which do not appear to have been considered or used but which appear to fit the bill. I shall give two examples. I served on the Committee that considered the 2000 Act and remember the long debates. People can already be arrested, charged and prosecuted for directing activities and incitement to commit terrorism abroad under that Act, in which terrorism is broadly defined. We should consider those offences before we conclude that they do not work.

The third option, which was proposed in evidence to the Select Committees, is that if the evidence is defective, we should ask the Intelligence and Security Committee—which reports to the Prime Minister—and the Joint Committee on Human Rights to consider whether ways in which evidence is dealt with might be better adjusted in such circumstances, so that things that are currently precluded could be allowed in evidence, thus allowing trial and conviction. I do not pretend that that would necessarily allow the detention of everyone the Home Secretary has in mind, but we should try them first. We should never go down the road that ends in detention without trial—possibly for five years, as we agreed on Monday, although that is subject to review—without first considering every single other option.

Mr. Hogg: I want to take the hon. Gentleman back to his second option—to consider the existing offences under the Terrorism Act 2000. We could reinforce that approach by changing the standard for proof, so that the offence could be established on the balance of probabilities, not beyond reasonable doubt. In other words, the civil rather than the criminal standard could be applied.

Simon Hughes: That proposal is controversial, but perfectly proper, and it leads us to the fact that we cannot properly get this law right unless we consider how to get to where we all agree we want to go without, by accident, getting to where many of us agree we should not go. However, we are precluded from doing so tonight. That is the problem with the process.

I want to make another point before dealing with the other amendments in the group—I am conscious that this debate is ridiculously restricted. There is a real issue about asylum seekers, but we will not have a chance to consider it again. Again, Select Committees addressed that issue. I have asked the new representative in the United Kingdom of the United Nations High Commissioner for Refugees, and my advice is that under the convention on refugees we have to allow people to put their case. Then we can say, "They are precluded from qualifying because of the exception rule"—that is, because of their track record. But we cannot preclude people from having their asylum case considered by simply imposing a barrier. That is an important distinction, and international law is on the side of the UNHCR.

We welcome the Government's proposals in amendments to clause 21 to move from the test of believing to that of "reasonably" believing, but the hon. Member for West Dorset (Mr. Letwin) and I believe that there should be a higher test than that, and both main Opposition parties have tabled an amendment to that effect. We believe that the phrase "substantial grounds to believe" should be used in that test before the certification process is triggered. We have tabled a series of amendments, such as amendments Nos. 96 and 97, to deal with that issue, as well as that involving substantial grounds for suspicion.

We argue that we should at least limit the grounds for excluding judicial review, but Liberal Democrat Members and many others on both sides of the House would prefer it if clauses 21 and 29 were removed altogether.

Mr. McNamara: And clause 23. That is the principal one.

Simon Hughes: I think that the hon. Gentleman would accept that clauses 21 and 29 are the key ones.

Mr. McNamara *rose—*

Simon Hughes: Of course I accept that clause 23 is very important. There is a strong view in the House and in the Select Committees that those clauses should be deleted and that no qualification is appropriate because the other processes that I suggest should be tried first.

I have said that the review period must be shorter. There is an important need to tighten the grounds for issuing new certificates. The Scottish National party and others have tabled amendments that deal with improving the SIAC process, inasmuch as that process will be appropriate. In addition to the recommendations of the Select Committees, the SNP has made welcome recommendations to have a two-year maximum period.

It is crucial that we do not let things with which we are uncomfortable leave Committee. I say this carefully, but it is better to give the Executive too little power at the moment than to give them too much. Had we voted for an automatic sunset provision, we might be willing and able to err in the other direction. However, because we do not have that qualification to the extent that we would wish, I ask the Committee to be cautious.

These are just about the most serious issues that this place can debate. We do not have enough time to do them justice, but I hope that the Home Secretary will respond to all positive suggestions for improving the Bill. I hope that the Committee will vote to keep the right of the courts always to be able to make sure that the Executive are doing their job properly.

Jean Corston (Bristol, East): I shall be as brief as I possibly can in view of the number of Members who wish to speak.

I thank the Home Secretary for giving us assurances in respect of amendment No. 126, standing in my name and that of my hon. Friend the Member for Redcar (Vera Baird). It contains what I describe as the "otherwise test." I also thank him for agreeing to reconsider the definition of "links with", because both issues were drawn to the attention of the House by the Joint Committee on Human Rights, of which my hon. Friend and I are members.

[Jean Corston]

Amendment No. 127 deals with the appeal procedure. The Joint Committee was persuaded that the due process of rights and obligations was fulfilled under SIAC because it can offer a full hearing on the merits of a case, because a nominated representative can represent the interests of the applicant and because there is an opportunity to appeal on points of law. However, before the Court of Appeal or on appeal from that court to the House of Lords, there is a risk that the appeals procedure would be insufficient to meet the standards of articles 5(4) or article 6 of the European convention on human rights, because there is no provision under the legislation or under the Special Immigration Appeals Commission Act 1997 for the nominated representative to represent the applicant's interest in the appeal.

Therefore, there might be a violation of the European convention on human rights if the nature of national security considerations in the case unduly inhibited an applicant or his or her representatives from formulating a point of law or if new evidence was presented on appeal on behalf of the Secretary of State.

Mr. Blunkett: I am mindful of the interpretation that has been made. Within the terms that we discussed at the Human Rights Committee and in the debate on Monday, lawyers advise me that, when the advocate—the person nominated from the list provided—is appointed for the particular purposes of evidence that would not be admissible in other circumstances, nothing precludes the representative nominated by the person concerned from taking other aspects of the case, including appeal. That person may also decide to nominate themselves as the advocate and take the appeal to the Court of Appeal or to the Lords if leave is given.

Jean Corston: I thank my right hon. Friend; that is very helpful. We tabled the amendment because, when we took evidence from him and his officials on 14 November, my hon. Friend the Member for St. Helens, South (Mr. Woodward) raised this particular point at question 39 of the minutes of evidence. In response, Mr. Carter, an assistant legal adviser to the Home Office, said:

> "The Court of Appeal, as I understand it, in the Rehman case allowed a special representative who acted before SIAC".

My right hon. Friend added:

> "So they could if they wished."

Bearing in mind the fact that amendment No. 127 refers to the "avoidance of doubt", it seems to me and to my hon. Friend the Member for Redcar that it would be entirely sensible for the Bill to make it clear that such representation is a matter of right.

7.45 pm

Mr. Letwin: I do not want to detain the House long. Much of what I want to say about this group of amendments and clauses was said on Second Reading. I certainly do not want to rehearse those arguments again.

I shall briefly touch on amendment No. 98, which was tabled jointly with Liberal Democrat Members. If we understand the issue correctly, the amendment represents a position that I would have expected the Home Secretary to hold as well. I therefore wonder whether we have made an error or whether he has. We shall perhaps see which is the case during the debate.

The current articulation of part 4 is such that it quite rightly and very specifically excludes from the indefinite detention provisions anybody who is a UK citizen. Such a person would obviously not fall to be removed, so the triggers that are available in part 4 would not apply to a UK citizen.

The provisions deal with foreign nationals. If a particular foreign national were to come to the UK with the ambition—in the Home Secretary's belief, reasonable belief or substantial grounds for belief—of aiming at the destruction of Baghdad or New York, the Home Secretary would be able, under part 4 and subject to the Special Immigration Appeals Commission, to detain that individual indefinitely. However, the oddity of the situation is that the second definition in clause 21(4) would mean that, if that same individual coming from the same foreign place had it in mind—in the Home Secretary's belief, reasonable belief or whatever—to blow up Belfast as part of a joint operation with the Real IRA, the Home Secretary would not be able to detain that person indefinitely.

I do not know whether the judgment of our compatriots over the ages will be that part 4 is right or wrong. However, like my right hon. Friend the Leader of the Opposition, my hon. Friend the shadow Secretary of State for Northern Ireland, the leader of the Ulster Unionist party and, I believe, the leader of the Liberal Democrats, I am clear that if part 4, however it may be amended, is justified, it should apply equally to a foreign national who has in his sights Belfast as much as if he had in his sights Baghdad.

Mr. Fisher: Will the hon. Gentleman explain the position of what I would term "hybrid cases", in which the Home Secretary can identify a group of people who are engaged in planning for a terrorist activity? Some of them will fall within the Bill's remit but the others may be English nationals and will not. How will the nationals be treated when the people with whom they are plotting will be covered by the Bill? Is not such a hybrid case a genuine problem? How would the hon. Gentleman's amendment tackle it?

Mr. Letwin: I have wrestled with that very question and that is what gave rise to my intervention on the hon. Member for Southwark, North and Bermondsey (Simon Hughes). I may be wrong, because I do not believe it will possible for some time to tell whether what any of us believes is right or wrong. However, I shall describe the conclusion that I have reached.

I believe that there is a substantial difference between the protection of civil liberty that we should feel we have a duty to accord to those who are our fellow citizens, whatever they may be doing or plotting, and the protection of civil liberty that we feel we should have a duty to accord to foreign nationals. I accept that that is a very difficult distinction to make. Both groups are human beings and it is necessary to accord respect to both. However, when someone who is not a national enters our country, there is a special obligation on that person not to use us as a base for his activities and not to attack us. If someone is a citizen of this country, however, there is a special obligation on us to treat them in a certain way. I admit all the difficulties of that distinction, and I suspect that the Home Secretary does too, but I join him in making it.

To answer the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) straight, our amendment does not deal with what he identifies, although I do not, as the problem of hybridity. That is an anomaly, an inelegance and perhaps even a problem in the long term, but in the short term the bigger problem is with a person who is a foreign national. I am willing to join the Home Secretary in agreeing that such a person should be detained in some circumstances. If that foreign national has it in mind to blow up part of our country, the provisions for detention do not apply. That is strange and I cannot find it in me to support that distinction.

Mr. Hunter: Is not the issue of hybridity more complex than that? According to media reports, seven men are held under the successor to the Prevention of Terrorism Acts, two of whom are Irish citizens, five of whom are United Kingdom citizens. If the Bill becomes law, a different legal regime will apply to the two on the assumption that they are Irish citizens and the others are UK citizens. Where do we stand on dual citizenship? Tens of thousands of UK citizens who identify themselves with a nationalist background in Northern Ireland have dual citizenship. How does one define them? If they commit a terrorist offence, are they foreign terrorists or domestic terrorists?

Mr. Letwin: The problem is that the difficulty to which my hon. Friend alludes does not arise from the Bill. In the case to which he refers, neither the Irish nationals nor the UK nationals would be caught by the provisions for indefinite detention. In that context, the Irish nationals would be concerned only with the affairs of a part of the UK, so they would be excluded from the provisions. That is the exclusion that the leader of the Ulster Unionists, my right hon. Friend the leader of the Conservative party, my hon. Friends and the hon. Member for Southwark, North and Bermondsey cannot stomach. I hope that the Home Secretary makes the change recommended in amendment No. 98, although another method of achieving that would be acceptable.

We tabled amendment No. 101 to provide for strictly limited judicial review. On Second Reading there was a fascinating exchange between the hon. and learned Member for Dudley, North (Ross Cranston), the Home Secretary, other hon. Members and me. The hon. and learned Member for Dudley, North is a former Solicitor-General and a distinguished jurist. He argued that there was no need for the limited scope of judicial review that the amendment would introduce because an appeal on a point of law could include an appeal on the question of whether SIAC had conformed to its procedures as laid down by the Lord Chancellor.

Following that debate, we again consulted jurists—hopefully, as distinguished as the hon. and learned Gentleman—who do not take such a clear view. I am genuinely in doubt about what the situation is, and I should like the Home Secretary to reassure us that if it turns out that the appeal on a point of law does not provide for appeals relating to the procedure of SIAC, he will amend the law immediately to ensure that such appeals are possible. If he gives that assurance, we will happily not push our amendment to a vote either here or in the House of Lords. I have no wish to saddle the Bill with an unnecessary amendment.

Mr. Blunkett: I will not saddle myself with an immediate answer. Instead, in the spirit of the hon. Gentleman's comments, I agree to examine that matter for the purpose of clarification between now and the Bill's entry into the House of Lords.

Mr. Letwin: I am grateful to the Home Secretary for that. We await his considered view. I accept that we cannot expect him to give an immediate decision.

It is difficult to be clear on such a complex chain of argument, but I hope to set out our position on detention and deportation, which we recommend as an alternative solution. I want to stress that there is no question of the Conservative party suggesting that a Home Secretary should be compelled to remove a person to what he regards as an unacceptable fate. We accept that he should judge whether a particular fate is unacceptable in the light of the character of that fate for that person and of the risk to our national security posed by that person. We want the Home Secretary to take powers that give him the flexibility to make that judgment case by case. In many instances—for example, in relation to India and the United States—it would be reasonable to use the power of removal rather than to detain the individuals. That would pose a lesser risk.

It is on that basis and that basis alone that we would be reasonably comfortable with the detention powers, as modified by the amendments that we tabled with the Liberal Democrats and those tabled by the Home Secretary. We would be willing to subscribe with the gravest reservations to part 4 even if he does not accept our alternative flexible arrangements, because we accept the argument that he probably does not have sufficient powers to deal with the situation that he judges to be so serious.

I cannot say, as the debate unfolds in the House and the other place, whether we would be willing to stomach these powers if clause 29 remains intact and there is no further judicial review of the merits. We are struggling inwardly with that. If we were to vote on clause 29 today, I would ask my hon. Friends to abstain while we wrestle further with that problem. I hope that the Home Secretary will also wrestle with it, so that when the Bill eventually emerges from the other place, which has so much more time to consider it, we will have found a solution that makes the detention clauses as unobnoxious to our civil liberties as possible. They must also do as little as possible to endanger our country's reputation and safety when we consider the possibility of the friends and relations of those detained using certain methods to get them out.

With those provisos and reservations we give a highly qualified backing to the clauses that cause so many hon. Members on both sides of the House such concern.

Denzil Davies (Llanelli): I shall briefly raise what may appear to be a somewhat technical point concerning clause 25.

Amendments have been tabled to clause 25, but I do not wish to discuss them. The only question that I have for the Home Secretary relates to the primary legislation, if I may refer to it in that way—the Special Immigration Appeals Commission Act 1997. My right hon. Friend said that he had read the *Hansard* of the Second Reading debate of that legislation. I do not know whether he has had a chance to read the Act, but that Act sets out in section 2 the jurisdiction of the commission, and the jurisdiction relates to the various Acts—mainly immigration Acts—that are set out in subsection (2).

8 pm

Of course subsection (2) does not refer to clause 25 of the Bill before us, because it was a 1997 Act. Clause 25 says:

> "A suspected . . . terrorist may appeal to the Special Immigration Appeals Commission against his certification under section 21."

There may be something else in the legislation that I have missed—there may be an amendment of the 1997 Act somewhere in the legislation—but merely to state that fact does not confer on the Special Immigration Appeals Commission the power to hear appeals under clause 21. There may be a catch-all clause somewhere in the 1997 Act, but I have not found that either.

It has been argued in previous debates on the Bill that SIAC, or whatever it is called, is not appropriate. The Home Secretary says that of course it is because it is about immigration and we are talking about immigration, but I believe that one has to look at the specific areas of jurisdiction in relation to legislation for which SIAC was established; and it is established under section 2 of the 1997 Act.

My simple question, which does not go to the heart of the Bill but is necessary in the interests of clarity—after all, we are in Committee—is: is my right hon. Friend satisfied that merely stating that SIAC can hear appeals under clause 21 gives it a jurisdiction to do so? The parent Act, the 1997 Act, obviously cannot relate to this present legislation.

Mr. Blunkett: I wish to be helpful. I believe that it does have jurisdiction, because it is dealing with the powers that were granted, long before SIAC was created, in terms of certification. The role of SIAC, agreed in 1997, was hence to deal with that certification process. I am happy to provide the necessary legal evidence to my right hon. Friend and to other Members if that will help—over the next two weeks—them to be fully satisfied that what we are saying is the case.

Denzil Davies: I am grateful to my right hon. Friend. I am not criticising him when I say that I do not really understand. Apparently there were some powers that were there before SIAC was established, and we are now taking those from the air, or somewhere, and bringing them back. That may be the case, but I will avail myself of my right hon. Friend's kind offer, and if his lawyers, who I am sure are worthy gentlemen, and obviously better than some lawyers in private practice, are prepared to supply him with chapter and verse, which I am sure that he will sign, we shall all be very happy.

Mr. George Osborne (Tatton): I want to speak briefly on the clauses. I welcome the limited sunset clause that has been agreed to. My good and hon. Friend the Member for Witney (Mr. Cameron), who is not in his place, put his name to that amendment. It was the first amendment that he had ever put his name to, and he is in deep shock because the Government have accepted it.

The Parliamentary Under-Secretary of State for the Home Department (Angela Eagle): He is not here.

Mr. Osborne: He is not here because, I believe, he has a dinner; we dealt with that earlier in Committee. [HON. MEMBERS: "Oh."] Well, I am here, so I should like to say that, in my view, the sunset clause only makes part 4 less bad than it was. We are undermining the basic, historical liberties that have been established over hundreds of years of common law—basic liberties such as the right to a writ of habeas corpus, the right to normal legal proceedings, the right to know what a person is accused of and the right to challenge that evidence in a court of law. I notice that, in the report of the Select Committee on Home Affairs, which it did extremely well to produce in such a short time, Lord Donaldson, the former Master of the Rolls, is quoted as follows:

> "The right of an individual to apply to the courts by judicial review for a writ of *habeas corpus* . . . is one of the foundations of the rule of law and . . . previous attempts by Parliament and others to exclude the supervisory jurisdiction of the courts in various contexts . . . have"

all

> "been held to be ineffective."

We know where the Government are coming from on this, because in recent weeks the Home Secretary has made no secret of the disdain in which he holds lawyers. He expressed it in his speech to the Labour party conference. He expressed it in his article in *The Times* after his conference speech, in which he said that

> "British democracy was not created by lawyers and judges"—

which I believe to be a misunderstanding of the history of this country, because we cannot point to a single—

Annabelle Ewing: The hon. Gentleman is not the only guilty party, because this confusion has been a feature of our discussions in Committee tonight. There are various legal systems in the United Kingdom and it is wholly inaccurate to refer to British law in the various circumstances covered by the Bill.

Mr. Osborne: I am happy to confine myself to English law, which has a long history of liberty established by the rule of common law and by decisions of judges and jurists over many centuries, which are in many cases as important as acts of revolution or Acts passed in the House over the centuries.

Today we find ourselves contorting our long tradition of domestic liberty. We are jumping through legal hoops. We are going through legal fictions, such as declaring ourselves to be in a state of public emergency, because we—by that I mean Governments who have acted in our name and that of the House—have signed themselves up to international agreements that have been interpreted far more widely than was expected when they were signed up to.

We have already gone through the steps of derogating from article 5 of the European convention on human rights, and I have yet to hear a convincing explanation from a Minister of why we cannot go through the process suggested by my hon. Friend the Member for West Dorset (Mr. Letwin), which is to withdraw from the European convention for a split second and rejoin with reservations, which are exactly what France has. By doing so, we would be dealing with the root cause of all the problems that we have been discussing today and on Monday—the conventions that we have signed up to and the way in which they are interpreted by lawyers—and we would have no need to twist our domestic laws and liberties.

Ms Abbott: We are now, happily, moving from the choreography of carefully calibrated concessions on to the substance of the Bill, and the substance of the set of clauses before us is the notion of internment without trial. I have heard Ministers say that it is not internment because people can always leave the country, but I point out to colleagues that anyone who knows anything about the workings of the immigration system knows that it is highly unlikely that any other European Union or American state would accept someone whom we had just interned, so in reality the only place they could go would be the country in which they were at risk of torture or worse—so it will feel, and look, very much like internment without trial.

Much has been made of the suddenness with which this issue has been blown up and the importance of moving speedily, but it has long been the wish of some of the most gruesome, most barbaric, most undemocratic regimes in the world to get the Government to act against people whom they deem to be terrorists. Finally, and fortuitously for them, they have got their wish in these clauses on internment.

As other hon. Members have pointed out, these clauses potentially have a very wide ambit. It is no good Ministers briefing people privately that only half a dozen individuals will be affected. Thousands of people in this country are card-carrying members of organisations that we, perhaps rightly, have proscribed, but which they consider to be nationalist groups of a somewhat robust nature. I know that membership of the PKK or of certain Sikh organisations will not, on its own, bring people within the ambit of certification, but the Bill is potentially wide ranging, and that is why it is unfortunate that we have so little time to debate it.

Let me remind the House that it has long been accepted, certainly by most Labour Members, that internment was one of the best recruitment sergeants that the IRA ever had. We are supposed to be acting against terrorism and reassuring young people, whether they are Muslim or Catholic, about the fairness of British society and the things that we stand for, but the notion of internment without trial runs clean contrary to the idea of an effective war against terrorism. Even if it were possible to persuade some of us that in certain limited circumstances—much more prescribed than those in the Bill—internment was the only practical option, the notion of internment without judicial review would be completely unacceptable.

I know that I will see colleagues marching through the Lobby to vote for internment without trial whom, many years ago, I would never have dreamt of seeing voting for such a thing. The Government, with the size of their majority, can pass these clauses any which way they like, but many hon. Members on both sides of the House look to the Lords to make this legislation acceptable both to the course of an effective war on terrorism and to this country's traditions of liberty and justice.

Annabelle Ewing: I shall be brief because I know that many hon. Members wish to speak. It goes without saying that many of the Bill's provisions are welcome and do not cause concern, but I am afraid that part 4 does not fall into that category. I join the many hon. Members on both sides of the House who lament the extremely limited time that we have been given to examine these fundamental provisions.

As a lawyer—one of that popular breed—and a Scottish Member, I must point out that many of the provisions will have a significant impact on Scots criminal law. It is a great shame that we are debating them in a Committee of the whole House in proceedings that will last only three days. Only one Scottish Labour Member has seen fit to participate and, when one considers that the Scottish Executive happily proposed in a Sewel motion that the matter be passed to Westminster to be dealt with, that is a great shame for all those who have an interest in the integrity of Scots law.

The SNP cannot support a measure to introduce detention without trial. We believe that the right to trial following detention is a fundamental tenet of the legal systems in Scotland and elsewhere in the United Kingdom. If the Government are to depart from that, they will have to make a much better case. That is why my hon. Friends and I voted against the motion to invoke the derogation from the European convention on human rights. It is notable that no other contracting party to the convention has sought that derogation, and the UK Government have failed to make a case for their desire to do so.

I find it staggering that the Government seek not only to invoke a derogation but, in clause 30, to preclude the jurisdiction of our supreme courts to test the validity of that derogation by way of judicial review. That is why my hon. Friends and I have tabled an amendment to the clause.

Many comments have been made about SIAC, and I made an intervention on the nature of that strange body. One hon. Gentleman made the point that if we involved the courts fully, it would be like substituting one High Court judge for another. With respect, that shows a fundamental misunderstanding of the nature of the legal systems in this country. To say that SIAC is a court could not be further from the truth. It bears no resemblance to a court, and if we want to bestow on that body significant powers on the right to appeal and to a trial following detention, we should come out and say so, instead of pretending that SIAC is a court of law.

8.15 pm

It is not helpful to say that there is an appeal on a point of law which may or may not involve certain procedural matters. We are talking about the right to appeal, on a point of fact or law, to the court of first instance about the decision of the court of first instance. Which court would then determine the merits of the initial decision? The answer is no court. Surely we cannot sign up to such a fundamental breach of our civil liberties without due cause being shown, which it has not been.

My colleagues and I will be unable to support the clauses. The Home Secretary pointed out that choices had to be made, and he is correct. In any measure to be adopted, there is always a balance to be struck between the interests of security and respect for fundamental civil liberties. The Government have not struck that balance in part 4.

Mr. Mike O'Brien: I rise to support the provisions that the Home Secretary has brought to the House, but also to say how pleased I am with his agreement to make concessions. Like many Members, I am uncomfortable with some of the provisions, particularly those on

[Mr. Mike O'Brien]

detention and human rights legislation. I helped to get that legislation through the House, and I feel distinctly uncomfortable about circumstances in which it may be undermined. The sunset clause agreed by the Home Secretary is therefore very welcome, and I congratulate members of the Home Affairs Committee on their efforts to secure that.

The circumstances facing this country after 11 September mean that there is a serious threat to the people of this country, which means that we should take the necessary steps to protect them. There are people in the United Kingdom who are wanted for terrorism in other countries; they may have committed no offence in this country for which we can arrest them, but we cannot return them to their country of origin. In the current international crisis, we must be able to deal with such situations.

When the Human Rights Act 1998 was being discussed, we were well aware that this problem might present itself. At that stage, however, it did not look as if the threat from such individuals would be great. After 11 September, the situation changed. I hope that in due course we will be able to overturn our derogation from part of the European convention on human rights and fully comply with it. That may well be some time in the future, but the sooner the better. What is required now is a balanced response, and that is what the Government seek.

Mr. Marshall-Andrews: Will the hon. Gentleman give way?

Mr. O'Brien: I am conscious that I have limited time, but I will give way.

Mr. Marshall-Andrews: I am interested in the observation that we are going to imprison people who have committed no offence in this country. As I understand it, even the Home Secretary does not go that far, as he says that there are people who have committed offences, but who, for some reason or other, we cannot bring to trial.

Mr. O'Brien: As I understand it, my right hon. Friend the Home Secretary is saying that we have good cause for believing that the people in question are involved in activities that might lead to terrorist offences or are supportive of such offences. That is a somewhat different prospect. Of course, if those involved had committed offences in this country, we would be able to deal with them in our courts. That is the way in which we should deal with them, but we are facing circumstances that are somewhat different. I am afraid, therefore, that my hon. and learned Friend, who is usually very good on these matters, is not quite right on the point that he made.

I want to deal briefly with a number of issues. First, the decision to be taken by any Home Secretary in these circumstances will be difficult. He will have to make a judgment based on the evidence, some of which will come from confidential and high-security sources. That is a difficult decision for him to make, but once it is made, it is right that it should be subject to a review. SIAC has been established for the purpose of reviewing very difficult decisions made by the Home Secretary. I have heard some nonsense from the Opposition about SIAC being a mere immigration commission that is of little importance. It deals with fundamental issues about returning people to countries when they will not necessarily wish to return there.

Annabelle Ewing: Will the hon. Gentleman give way?

Mr. O'Brien: No, I shall not do so.

Decisions may be made and referred to SIAC about returning people to their countries. Of course, they may be in some fear about doing so, so SIAC deals with serious situations. That is why it is a high-powered commission on which a High Court judge, an immigration judge and a specialist in security matters sit. This is indeed a very serious body. I believe that the question whether it qualifies as a court of record is immaterial. It is a serious and high-powered body that is presided over by a High Court judge and deals with serious issues. It has a special procedure that enables intelligence information to be dealt with by the special counsel procedure set up under the legislation.

Ms Bridget Prentice (Lewisham, East): On the information from security services, will my hon. Friend make a quick comment about why it is important for the cases to be dealt with by SIAC and not judicial review, because of the potential effect on our intelligence services?

Mr. O'Brien: That was the very point with which I was about to deal. Under SIAC procedures, the defendant does not get to know the source of the intelligence information that is provided to the Home Secretary. If we were to deal with these matters by judicial review, they would be referred to the divisional court. There is not currently a procedure that could enable the defendant to put his case properly before the divisional court by way of judicial review and in which he would have access to all the information about which the decision is made, other than by using certificates of public interest immunity. I suspect that my hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews) will be seeking to intervene on that point. We know about the problems that have arisen in relation to certificates of public interest immunity in the past. There is a great reluctance to apply them, but that would seem to be the only way in which we could get these matters before the divisional court. We would be creating an entirely artificial situation that would not enable the defendant properly to examine the case against him in any event and would not involve the sort of the protections that hon. Members on both sides of the House have been seeking to claim too much in respect of judicial review.

Mr. Marshall-Andrews: That point is simply wrong. The divisional court has the powers to receive whatever evidence it wants, in whichever form it wants. It does not have to reveal material from security sources to somebody who appeals to it. I am afraid that my hon. Friend is simply wrong.

Mr. O'Brien: My hon. and learned Friend misses my point. If he is suggesting that judicial review would enable the Home Secretary's decision to be reviewed by the court in its fullest context, including the intelligence information that is supplied to him, I must point out that

that is not the case. In effect, he is agreeing with me that such a procedure would not provide the level of judicial review that most people—who are not lawyers in this House—would expect those who favour proper protection to want. The only protection that they expect is that provided by ensuring that the Home Secretary's decision is fully reviewed in a process that includes the intelligence information. The only context in which the intelligence information and all the other facts of the case can be properly reviewed is SIAC, which has proper procedures, a senior High Court judge and circumstances in which all the facts can be examined. The special counsel can examine the security matters and the defendant's own counsel can examine the other matters before SIAC, and a judgment can then be made. It is unnecessary to have first, a High Court judge, an immigration judge and others review the Home Secretary's decision, and then also to go off to the High Court for another few judges to review it once again, without even the benefit of the defendant putting the full case, as he is unable to have before him all the facts that will be before SIAC.

Thus, judicial review would create a wholly unnecessary, virtually spurious and messy new procedure. The Home Secretary's decision can be properly reviewed and it is necessary for that review to take place, but once the decision has been made, there is sufficient protection in the sort of procedures that we are undertaking for a very small number of people. It seems to me that the Home Secretary has shown that he is prepared to listen and to consider the concerns of hon. Members. However, I do not think that he needs to listen to the arguments that have been advanced in relation to judicial review. He can do so, but I do not think that he should accede to them, as the result would be a situation that would not protect the defendant in the way in which some of those who advocate it suggest.

The objective for the Home Secretary should be to protect the citizens of this country and to ensure that we also protect their liberties. He is seeking to create the right balance in doing that and I support him on the plans that he is proposing.

Mr. Quentin Davies (Grantham and Stamford): I am conscious that we have very little time left and that we have not had an opportunity to hear back from the Government about the all-important matter of amendment No. 98. I remind the House that that amendment seeks to remove the lines in clause 21(4) that state:

> "'international terrorism' does not include terrorism concerned only with the affairs of a part of the United Kingdom."

The provision has caused the greatest consternation and anxiety in Northern Ireland. When others of our countrymen realise what the Government have in mind, they will share that concern.

Two big issues are at stake: the practical issue and the issue of principle. My hon. Friend the Member for West Dorset (Mr. Letwin) set out the practical issue very clearly. If someone who is a terrorist or is connected with a terrorist organisation and whose purposes are not at all friendly—indeed, they will be very hostile—comes to this country with the objective of getting involved in terrorism in a part of the United Kingdom, perhaps in Northern Ireland, the powers that the Home Secretary is rightly taking to deal with an emergency would not apply. In that respect, there is a major lacuna and a big practical problem that has been left unresolved.

The whole House will notice that the Home Secretary and his colleagues on the Treasury Bench did not take the opportunity that was open to them either to intervene on my hon. Friend the shadow Home Secretary or to seek to respond to the point. There is a fundamental matter of principle as to whether we should allow into the law of the land an invidious distinction that implies that different regimes can be applied to those involved in international terrorism and those involved in terrorism within our shores. There must be an absolute principle—and I would have thought that the House of Commons would accept it unanimously—that we must be at least as rigorous in pursuing threats to our own people as we are in defending other countries around the world against the threat of terrorism.

We expect other countries to show the same solidarity when we face terrorist threats as we have shown when such threats have been directed against them. Equally, we must ensure that our laws are even-handed and do not distinguish between the two. The last thing that we must do is to leave gaps in our laws that can be exploited by terrorists who might be targeting the United Kingdom when we are trying to close those gaps as regards terrorists who operate elsewhere.

It being half-past eight o'clock, THE CHAIRMAN, *pursuant to Order [this day], put forthwith the Question already proposed from the Chair.*

Amendment agreed to.

Amendment proposed: No. 98, in clause 21, page 11, leave out lines 12 and 13.—*[Mr. Letwin.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 177, Noes 361.

Division No. 74] **[8.31 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Arbuthnot, Rt Hon James
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John
Beggs, Roy
Beith, Rt Hon A J
Bellingham, Henry
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brake, Tom
Brazier, Julian
Breed, Colin
Brooke, Annette
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, Rt Hon Menzies
  (NE Fife)
Carmichael, Alistair
Chapman, Sir Sydney
  (Chipping Barnet)
Chidgey, David
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Djanogly, Jonathan
Dodds, Nigel
Dorrell, Rt Hon Stephen
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Ewing, Annabelle
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Goodman, Paul
Gray, James
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic

Gummer, Rt Hon John
Hague, Rt Hon William
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John
Heath, David
Heathcoat–Amory, Rt Hon David
Hermon, Lady
Hogg, Rt Hon Douglas
Holmes, Paul
Horam, John
Howard, Rt Hon Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Key, Robert
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Liddell–Grainger, Ian
Lidington, David
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James

Price, Adam
Prisk, Mark
Pugh, Dr John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Weir, Michael
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Wishart, Pete
Yeo, Tim
Young, Rt Hon Sir George
Younger–Ross, Richard

Tellers for the Ayes:
Mr. David Wilshire and
Mr. Charles Hendry.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, Kevin

Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David

Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Gordon
(Dunfermline E)
Brown, Rt Hon Nicholas
(Newcastle E & Wallsend)
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Charles
(Norwich S)
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack
(Copeland)
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw

Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Francis, Dr Hywel
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Heyes, David
Hill, Keith
Hodge, Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*

Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morley, Elliot
Morris, Rt Hon Estelle
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watson, Tom
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Tony McNulty and
Mr. Ian Pearson.

Question accordingly negatived.

Question put, That the clause, as amended, stand part of the Bill.

The Committee divided: Ayes 341, Noes 77.

Division No. 75] **[8.45 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Begg, Miss Anne
Benn, Hilary
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit

Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Heyes, David
Hill, Keith
Hodge, Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morley, Elliot
Morris, Rt Hon Estelle
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, John
(Glasgow Anniesland)
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Stringer, Graham
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Watson, Tom
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Tony McNulty and
Mr. Phil Woolas.

NOES

Allan, Richard
Baker, Norman
Beggs, Roy
Beith, Rt Hon A J
Bennett, Andrew
Brake, Tom
Breed, Colin
Brooke, Annette
Bruce, Malcolm
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Calton, Mrs Patsy
Campbell, Gregory *(E Lond'y)*
Carmichael, Alistair
Chidgey, David
Corbyn, Jeremy
Cotter, Brian
Dalyell, Tam
Davey, Edward *(Kingston)*
Dodds, Nigel
Ewing, Annabelle
Foster, Don *(Bath)*
Galloway, George
George, Andrew *(St Ives)*
Gidley, Sandra
Green, Matthew *(Ludlow)*
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Heath, David
Hermon, Lady
Holmes, Paul
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)

Lamb, Norman
Laws, David
Lewis, Terry *(Worsley)*
Llwyd, Elfyn
McDonnell, John
McNamara, Kevin
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Moore, Michael
Oaten, Mark
Öpik, Lembit
Price, Adam
Pugh, Dr John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sedgemore, Brian
Skinner, Dennis
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve
Weir, Michael
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wishart, Pete
Wray, James
Younger-Ross, Richard

Tellers for the Noes:
Mr. Richard Shepherd and
Mr. Douglas Hogg.

Question accordingly agreed to.

Clause 21, as amended, ordered to stand part of the Bill.

Question put, That clauses 22 to 24 stand part of the Bill:—

The Committee divided: Ayes 347, Noes 70.

Division No. 76] **[8.59 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Begg, Miss Anne
Benn, Hilary
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Gregory *(E Londy)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dobbin, Jim
Dobson, Rt Hon Frank
Dodds, Nigel
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Heyes, David
Hill, Keith
Hodge, Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura

Moonie, Dr Lewis
Moran, Margaret
Morley, Elliot
Morris, Rt Hon Estelle
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Watson, Tom
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Tony McNulty and
Mr. Phil Woolas.

NOES

Allan, Richard
Baker, Norman
Beith, Rt Hon A J
Bennett, Andrew
Brake, Tom
Breed, Colin
Brooke, Annette
Bruce, Malcolm
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Calton, Mrs Patsy
Carmichael, Alistair
Chidgey, David
Cotter, Brian
Dalyell, Tam
Davey, Edward *(Kingston)*
Ewing, Annabelle
Fisher, Mark
Foster, Don *(Bath)*
Galloway, George
George, Andrew *(St Ives)*
Gidley, Sandra
Green, Matthew *(Ludlow)*
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Heath, David
Hogg, Rt Hon Douglas
Holmes, Paul
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Lamb, Norman
Laws, David
Llwyd, Elfyn
McDonnell, John
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Moore, Michael
Oaten, Mark
Öpik, Lembit
Price, Adam
Pugh, Dr John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sedgemore, Brian
Shepherd, Richard
Skinner, Dennis
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tyler, Paul
Wareing, Robert N
Webb, Steve
Weir, Michael
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wishart, Pete
Wray, James
Younger-Ross, Richard

Tellers for the Noes:
Mr. Kevin McNamara and
Jeremy Corbyn.

Question accordingly agreed to.

Clauses 22 to 24 ordered to stand part of the Bill.

Clause 25

CERTIFICATION: APPEAL

Amendment made: No. 70, in page 13, line 5, leave out—

'does not agree with the belief or suspicion'

and insert—

'considers that there are no reasonable grounds for a belief or suspicion of the kind'.—*[Mrs. McGuire.]*

Clause 25, as amended, ordered to stand part of the Bill.

Clause 26

CERTIFICATION: REVIEW

Amendment made: No. 71, in page 13, line 34, leave out—

'does not agree with the belief or suspicion'

and insert—

'considers that there are no reasonable grounds for a belief or suspicion of the kind'.—*[Mrs. McGuire.]*

Clause 26, as amended, ordered to stand part of the Bill.

Question put, That clauses 27 to 35 stand part of the Bill:—

The Committee divided: Ayes 325, Noes 89.

Division No. 77] **[9.12 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Begg, Miss Anne
Benn, Hilary
Berry, Roger

Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burgon, Colin
Burnham, Andy
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Gregory *(E Londy)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dobbin, Jim
Dobson, Rt Hon Frank
Dodds, Nigel
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Heyes, David
Hill, Keith
Hodge, Margaret
Hood, Jimmy
Hope, Phil
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Miliband, David
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morley, Elliot
Morris, Rt Hon Estelle
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Watson, Tom
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*

Wills, Michael
Wilson, Brian
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Tony McNulty and
Mr. Phil Woolas.

NOES

Abbott, Ms Diane
Allan, Richard
Austin, John
Baker, Norman
Barnes, Harry
Beith, Rt Hon A J
Bennett, Andrew
Breed, Colin
Bruce, Malcolm
Burden, Richard
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Calton, Mrs Patsy
Carmichael, Alistair
Chidgey, David
Corbyn, Jeremy
Cotter, Brian
Cryer, Mrs Ann *(Keighley)*
Dalyell, Tam
Davey, Edward *(Kingston)*
Ewing, Annabelle
Fisher, Mark
Foster, Don *(Bath)*
Galloway, George
George, Andrew *(St Ives)*
Gerrard, Neil
Gidley, Sandra
Green, Matthew *(Ludlow)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Heath, David
Hogg, Rt Hon Douglas
Holmes, Paul
Hopkins, Kelvin
Hughes, Simon *(Southwark N)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kilfoyle, Peter
Lamb, Norman
Laws, David
Lewis, Terry *(Worsley)*
Lloyd, Tony
Llwyd, Elfyn
McCafferty, Chris
McDonnell, John
McNamara, Kevin
Mahon, Mrs Alice
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Moore, Michael
Oaten, Mark
Öpik, Lembit
Price, Adam
Pugh, Dr John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sedgemore, Brian
Shepherd, Richard
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tyler, Paul
Wareing, Robert N
Webb, Steve
Weir, Michael
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Winnick, David
Wishart, Pete
Wray, James
Wright, Tony *(Cannock)*
Younger-Ross, Richard

Tellers for the Noes:
Mrs. Annette L. Brooke and
Tom Brake.

Question accordingly agreed to.

Clauses 27 to 35 ordered to stand part of the Bill.

Clause 106

BRIBERY AND CORRUPTION: FOREIGN OFFICERS ETC.

Question proposed, That the clause stand part of the Bill.

The First Deputy Chairman of Ways and Means (Sylvia Heal): With this we may discuss the following: Clauses 107 and 108 stand part.

New clause 5—*Consent for prosecution under sections 106 or 107—*

'.—(1) No prosecution for an offence under sections 106 or 107 shall be instituted except by or with the consent of the Attorney General.

(2) The Secretary of State shall lay before both Houses of Parliament at least once every twelve months a report on any prosecutions arising under section 106 or 107.'.

Simon Hughes: On a point of order, Mrs. Heal. I raise this point of order so that we do not make mistakes later on. The provisions in the group that we are about to discuss all relate to bribery and corruption. Clauses 107 and 108 are then grouped next on the list. If we finish our debate on that group before 10 o'clock and are able to begin consideration of clause 109 at 10 o'clock, can we vote on clause 109—I guess that clause 110 will be grouped with it—without having compromised our views on the earlier clauses which will by then have been disposed of? I want to ensure that they can be separated.

The First Deputy Chairman: The hon. Gentleman is correct. At that stage, if it is before 10 pm, clause 109 can be voted on separately.

Mr. Letwin: Further to that point of order, Mrs. Heal. If matters should not fall that way, I understand that you will be under an obligation under Standing Orders to call clauses 107, 108, 109 and 110 together. In which case, I place it on record that although we will be voting against that collectivity, it will actually be a vote against clauses 109 and 110 and not against clauses 107 and 108.

The First Deputy Chairman: I thank the hon. Gentleman. Hon. Members present will have heard what he said.

Beverley Hughes: Clauses 106 and 107 implement proposals contained in our White Paper, "Raising Standards and Upholding Integrity: the Prevention of Corruption". As we noted earlier, all parties expressed support for the clauses. We hope that the clauses meet our commitments to the OECD convention.

Clause 106 will ensure that the common law offence of bribery extends to persons holding public office outside the United Kingdom. It will also amend the Prevention of Corruption Acts to ensure that they cover the bribery and corruption of foreign public bodies and officials, as well as those in the private sector, irrespective of whether their functions are carried out here or abroad.

Clause 107 will extend our courts' extraterritorial jurisdiction over bribery and corruption offences committed abroad by United Kingdom nationals and bodies incorporated under United Kingdom law. Clause 108 is technical, but important, as it will ensure that the existing presumption of corruption will not apply more widely as a result of those clauses.

Mr. Humfrey Malins (Woking): I hope that the Committee will sympathise with me tonight because such is the nature of this place and these proceedings that, at different times during the course of the day, I have anticipated having to speak on bribery at very great length, very briefly or not at all. I have concluded that brevity would be appreciated by the Committee, because other important debates should be allowed to start as soon as possible after this one.

What of these proposals to implement the OECD convention so as to make it an offence to bribe a foreign official to induce him to give a benefit? In short, the proposals are worthy, and they have our support. Their implementation may have nothing to do with the current emergency; their connection with terrorism or security may be almost non-existent, but we are right to find a place for them nevertheless. However, may I make a few points to the Committee?

First, I find it terribly sad that we have no time to discuss these matters fully. They deserve close scrutiny; they deserve the attention of the whole House. One of the saddest things about today is that a number of very important issues will not get the time that they deserve. They deserve also very wide consultation, so I hope that the Government have consulted the British business world—after all, it will be affected—and taken its views into account.

I hope, too, that the Government have considered some of the practical difficulties of holding criminal court cases here that involve principally witnesses based outside our jurisdiction and that they have spoken to bodies such as a the Crown Prosecution Service, the judiciary and the Bar Council about some of those possible difficulties.

Secondly, do the Government realise that the proposals may have profound effects on our trade and on employment in this country? Do they accept that the proposals that we are considering tonight are thought by many to be a major self-denying ordinance, which we will, no doubt, obey in this country, while many of our competitors will not? Many countries that are signed up already ignore the convention, or they allow people to avoid it by using devices such as bogus consultancy contracts.

Of course, it is wrong to bribe foreign officials to get contracts, but that is often the way of the buying world. Interestingly, no country in Africa or the middle east has signed up. Only one country in south America is signed up. Very few countries in Asia have signed up, and Russia and China have not. It is because the Opposition feel that in all cases, including the common law offence of bribing a foreign official that will be newly created under clause 106, prosecutions should be brought only with the Attorney-General's consent, and because we believe that an annual report to Parliament detailing all such prosecutions should be required that the Opposition have proposed new clause 5, which covers just those points.

Particularly, in view of the time constraints on all hon. Members tonight, I hope that the Government will be very kind and helpful, and that they will accept new clause 5. It is quite a good new clause; I helped to draft it myself. It would be a great kindness if the Government were to consider it. I know that they have doubts about it, but an annual report to Parliament on prosecutions should not cause them any difficulty.

9.30 pm

Denzil Davies: Will the hon. Gentleman tell us why he wants prosecutions to be brought only with the Attorney-General's consent?

Mr. Malins: The Attorney-General's consent is already required for certain bribery offences. These provisions also face a novelty. If a British person bribes someone abroad—whether within or without the Bill's remit—there may be sensitive legal complications. Therefore, it seems to Conservative Members that the Attorney-General's consent would be very useful in every case.

Mr. McNamara: Is the hon. Gentleman suggesting that there might be cases in which bribery is all right? Is he suggesting that it might be useful to secure a nice, fat, juicy defence contract but that it would not be nice if it secured a simple one for organic food?

Mr. Malins: The hon. Gentleman makes a point, and I am stumped for a response. I have just noticed the clock, and I undertook to be brief. How time passes when one is enjoying oneself.

Mr. George Osborne: Have not the Government wished for a long time to incorporate the OECD convention on bribery into British law? Although we can debate at length the merits of the convention and whether it should be incorporated, it has absolutely nothing to do with the emergency powers needed to deal with the international terrorist threat.

Mr. Malins: My hon. Friend is absolutely right; I made that point earlier.

I conclude by asking the Minister to clarify the position. I hope that I am wrong, but it seems to me that the common law offence as proposed would be committed by our security services every time that they bribed a foreign official to spy for us. That is a serious point and I would be very glad if she could deal with it. If that problem exists, I am sure that, for obvious reasons, the Committee would wish to remove it.

Mr. Richard Shepherd (Aldridge-Brownhills): I am a little diffident about this proposal. Years ago, I had a summer job in Africa and I was responsible for accepting goods into a company's warehouse. It was impossible to do that job without providing money to a Government official. Much of the world works on that basis. In some countries, simple transactions need the lubrication of assisting public officials to make ends meet. That places us in a difficult position. Under the provision, I would presumably have been guilty of transmitting a $20 "dash", as it is called in Africa. However, that process operates around the world.

Mr. Malins: My hon. Friend is right. He refers to the practice of giving a "dash" and, if I may be forgiven for saying so, I must point out that my dear late mother passed her driving test in Africa only because my father, who was a Church of England clergyman, gave a "dash" to the driving instructor.

We have to look at the world as it is. We have to be sure that, in implementing the proposals, we take into account the effect that they will have on British business and commerce. *[Interruption.]* It is all very well for Labour Members to mutter, but Conservative Members have some concern for British business and we know something of the problems in the world. We hope that the Government will the examine the matter carefully and—possibly in another place—reconsider the provision to satisfy themselves that these proposals, which on paper are very worthy, will not be the impediment to British industry that some of us fear that they will be.

Norman Baker: I shall be quick. Clauses 106 to 108 are unusual in two ways: they are reasonably uncontroversial by comparison with the rest of the Bill and the Government bothered to discuss them properly with the Conservative and Liberal Democrat parties, an approach that might commend itself to other provisions.

[Norman Baker]

Although I agree with the hon. Member for Woking (Mr. Malins) that the clauses have little to do with terrorism, or anti-terrorism for that matter, we should still speed them on their way. I am conscious that clause 109 is more controversial and attempts to bypass Parliament almost entirely in a sweeping way. However, I shall conclude my remarks by saying that we support the clauses.

Mr. Hogg: I do not want to speed the clauses on their way. They are sanctioned by the phrase "politically correct", but are probably bad legislation. My hon. Friend the Member for Tatton (Mr. Osborne) made a sound point when he said that the provisions have nothing to do with terrorism, but they are subject to a timetable and as a consequence right hon. and hon. Members are too inhibited to speak about them. That is a thoroughly bad thing. I am against the measures for three substantial reasons, which in itself is a good enough reason to oppose the Bill.

First, it is a general proposition of English law that people are not subject to the English criminal law for acts done outside this country's jurisdiction. There are some rare exceptions to that, but as a general proposition we should not extend English law in that way. It gives rise to a range of evidential problems and is difficult to justify because we have to ask what public interest is at stake. That brings me to my second point, which was raised by my hon. Friend the Member for Woking (Mr. Malins).

It is my strong suspicion that the clauses would catch the security services. The Minister should comment on that. Let us be clear about one thing: members of the security services frequently bribe foreign officials in the interests of the United Kingdom. I was in the Foreign Office for five years and no one had better tell me that that does not happen. I find it difficult to understand why such people should be caught by the provisions, and if they are not to be caught, why not?

The American Government have put a price on the head of bin Laden, and a good thing too. In some circumstances, that could constitute a bribe to an official to have him killed, but we are told that that would be an offence under this legislation. If my interpretation of the Bill is wrong, I look forward to hearing the Minister tell me why, but, on the face of it, I am right and the Bill is absurd.

My final point relates to what my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) said. All of us who have been involved in trade abroad—I did it as a Foreign Office Minister—know full well the consultancy arrangement and commission. Time and time again, major contracts are acquired by payments of substantial commission. If we are honest about those payments, they constitute a bribe. The money is paid to an agent; it is called a commission. From that commission, the agent pays an inducement. That happens throughout the world. All trading countries do it. If we create a criminal structure that prevents our businesses from doing that, or being fearful of doing that, we will place a serious constraint on them.

I will have no part of the clauses, although I suspect that not enough hon. Members will vote with me. I hope that the provisions will be examined more fully in another place and that the Minister will give a proper answer to my questions. The clauses should not be in the Bill. They involve serious issues.

Beverley Hughes: I disagree entirely with the argument that the right hon. and learned Gentleman just made, and which the hon. Member for Woking (Mr. Malins) made in his introduction: that there is no relationship between these clauses and terrorism. Some Members on the Opposition Front Bench do not share their views either. There is obviously a relationship, in that corrupt Governments help to create the conditions that engender terrorism and we need to make it clear that the bribery of foreign officials is just as unacceptable as the bribery of United Kingdom officials.

Mr. George Osborne: For how long has it been the intention of the Home Office to incorporate in British law the Organisation for Economic Co-operation and Development convention on bribery? Could the Minister say for how long that has been an objective, so that we may judge whether it needs to be in this emergency legislation?

Beverley Hughes: The convention was ratified by the UK Government in December 1998.

Mr. Osborne: Right.

Beverley Hughes: The hon. Gentleman has not been in the House very long, but he may know that last year, a White Paper was published that proposed the revision of all our laws on bribery and corruption. Such revisions will be made in due course. In the meantime, all parties have agreed that these two clauses represent the minimum that we need to do to try to ensure our compliance with the OECD convention as far as we can. Actually, the start of that process was a specific request in a debate in the House, by the Conservative party's spokesperson on international development, the hon. Member for Meriden (Mrs. Spelman), that the Bill be used as the vehicle for these two clauses.

We certainly agree with the spirit of the first part of new clause 5, but I have to tell the hon. Member for Woking, despite his evident hard work prior to tonight, that I am afraid that that has all been irrelevant because the Bill amends existing statutory offences, both of which already require a Law Officer's consent, so that requirement applies to the clauses in part 12 without the need for any further amendment.

Mr. Andrew Turner (Isle of Wight): Could the Minister help me by answering the question asked by my right hon. and learned Friend the Member for Grantham—

Mr. Hogg: Sleaford and North Hykeham.

Mr. Turner: Grantham and Sleaford. [HON. MEMBERS]: No. Just Sleaford?

Mr. Hogg: Sleaford and North Hykeham.

Mr. Turner: I am so sorry. I am wasting time. The question was whether bribing a foreign official to indicate the whereabouts of Mr. bin Laden would be unlawful under the clause.

Beverley Hughes: I shall reach that point in a moment.

Just to deal with the second part of the new clause at this stage, I do not share the view of the hon. Member for Woking that the proposal for reporting to Parliament is necessary. The total number of persons proceeded against under the Prevention of Corruption Acts in the last calendar year was 17. On the basis of the experience in the United States we expect, as a result of these clauses, only another very small number—perhaps fewer than five—and I believe that a report to Parliament on that basis would be rather over-egging it.

Denzil Davies: There may be only a few cases, but is not there a case in principle for asking the Attorney-General to make a report to the House of Commons on the exercise or non-exercise of his discretion?

Beverley Hughes: No; I do not share that view. I do not consider that necessary. That is why, at the appropriate time, I shall ask the hon. Member for Woking not to press new clause 5.

In answer to the question about the security services, we certainly do not envisage any circumstance where a prosecutor would consider instigating any proceedings in the situations outlined by the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), and the requirement that the Attorney-General do give his consent to any statutory prosecutions is a long-stop safeguard, were that to be needed.

Mr. Hogg: But let us be clear about what the hon. Lady has said. She has said that the act would be criminal, but that she is relying on the discretion of the Attorney-General not to start a prosecution.

Beverley Hughes: That is not what I said. I said that we did not envisage any circumstances, such as those outlined by the right hon. and learned Gentleman, which would satisfy the threshold for prosecution and, in any case, the fact that the Attorney-General's consent would be required is a safeguard.

Question put and agreed to.

Clause 106 ordered to stand part of the Bill.

Clauses 107 and 108 ordered to stand part of the Bill.

9.45 pm

Clause 109

IMPLEMENTATION OF THE THIRD PILLAR

Mr. Letwin: I beg to move amendment No. 102, in page 65, line 19, after "may", insert "not".

The First Deputy Chairman of Ways and Means (Sylvia Heal): With this it will be convenient to discuss the following amendments: No. 103, page 65, line 19, after "provision", insert "except".

No. 59, in page 65 leave out lines 21 to 28 and insert—

'arising from the 2001 Framework Decision of the European Union on combating terrorism'.

No. 104, in page 65 line 21, after "pillar", insert—

'limited to those directives that may be required to be implemented by 31st December 2001 under the Framework Decision on Counter-Terrorism and the 1994 and 1995 Supplementary Convention on Extradition'.

No. 22, in page 66, line 8, leave out—

'except in accordance with subsection (7)'.

No. 21, in page 66 line 24, leave out subsection (7).

Clause stand part.

Clause 110 stand part.

Mr. Letwin: I begin what will, of necessity, not be a long utterance by pointing out, mainly for the purposes of the other place but also I hope, in due course, for a wider audience, that it is positively one of the most astonishing features of our much-prized democracy that we can be discussing in 14 minutes a couple of clauses that relate to the fundamental structure of this country's constitution.

Clause 109 deals with the removal of proper parliamentary scrutiny of legislation on justice and home affairs, which it was the noble purpose of our former colleague and Prime Minister, John Major, to institute when he brought about, at great pains to himself and to the Government whom he led, the third pillar of the EU.

We are now faced with a Bill that will make it possible for the Government of the day to implement decisions on matters of British law, with criminal penalties attached, which have been arrived at by negotiation under the prerogative power between Ministers in Brussels, without going through the laborious process that our predecessors so carefully constructed of First and Second Reading, Committee stage, Third Reading and a similar passage in the House of Lords. None of that will now be necessary.

Sir Teddy Taylor (Rochford and Southend, East): Does my hon. Friend not think it terribly wrong to treat European Union treaties as though they had been amended by the treaty of Nice before that treaty has been approved by all member states?

Mr. Letwin: I do, although I have to say that by comparison with the fundamental destruction of parliamentary check that these clauses bring about, that is a fine point, which I would expect my hon. Friend to make. It is an important one, but it is by no means as important.

Angela Eagle: Does the hon. Gentleman admit that the powers that we are talking about are broadly similar to, and based on, those in section 2(2) of the European Communities Act 1972, which have been working very well since our accession in that year, and that they guarantee effective parliamentary scrutiny?

Mr. Letwin: I suppose that the Minister and I have completely different views of the centrality of legislation that entails putting people in jail. Perhaps that is the central theme running through our discussions tonight. We are dealing here with something that people in the time of Charles I would certainly have recognised but which it appears Ministers have lost sight of. Our

[Mr. Letwin]

predecessors fought a civil war to try to prevent the Executive from introducing legislation under the prerogative power that would put our citizens in jail. Now, as long as the Executive take themselves off to Brussels, they will be able to do just that in a 90-minute debate hidden away Upstairs. That is a monstrosity.

Mr. McNamara: The hon. Gentleman will be aware that the city of Hull started the civil war by slamming its gates in the face of King Charles I, who went off to Nottingham in a huff. There is a democratic deficit in relation to the whole question of the third pillar. Would it not be far better if we were to seek to amend the treaties so that the ambit of the third pillar, and defence aspects and so on, came under the aegis of a properly elected European Parliament?

Mr. Letwin: The hon. Gentleman and I will differ on that point, but at least we are joined in holding the view that there should by some means be a proper democratic check. I prefer that which is provided by our own Parliament.

The Bill proposes not the replacement of one democratic check with another, but merely the removal of the greater part of that which exists. I hope that the hon. Gentleman will join us in seeking to remove these clauses wholesale, with one slight exception that the Opposition have explored with the Liberal Democrats. We understand there to be a small set of pre-existing obligations under the third pillar, which we have specifically exempted in our amendments.

We also understand that it is the intention of Ministers—we hope that they will fulfil it in practice—to introduce the European arrest warrant provisions, and hence to subject them to the full glare of parliamentary scrutiny with a reasonable timetable. We are grateful for that. Thus, we are talking about implementation of every decision and framework decision under the third pillar thereafter. I hope that the Committee will realise what it is doing if it allows Ministers to introduce the legislation in its current form. If it does not realise that, I hope that the other place will do so.

Mr. George Osborne: My point concerns an issue raised by my hon. Friend the Member for Witney (Mr. Cameron) in his cross-examination of the Under-Secretary in the Select Committee on Home Affairs. He asked her whether, as a result of the clause, measures that had absolutely nothing to do with terrorism could be introduced by affirmative resolution in this House rather than in primary legislation. She said, "The answer is yes."

Mr. Letwin: Not only was that her answer, but it was true.

Mr. Cameron: Does my hon. Friend accept that it is not only Opposition Members who feel strongly about the extraordinary power that is being taken in the clause? The Home Affairs Committee—a Labour-dominated body—agreed unanimously that it was wrong to take the power. Indeed, amendment No. 59, which originates from the Committee, seeks to restrict the power to provisions that apply to terrorism in the framework directive.

Mr. Letwin: My hon. Friend is absolutely right.

I now want to sit down to give the maximum opportunity to my opposite number, the hon. Member for Southwark, North and Bermondsey (Simon Hughes), to make the point that we are not discussing a piece of Conservative Euroscepticism. The issue has nothing to do with that, as it relates to the preservation of the fundamental ability of this House to protect British citizens.

Simon Hughes: I shall be extremely brief. I want to make the point that I was invited to make by the hon. Member for West Dorset (Mr. Letwin). The view about how we should proceed on this matter unites people who have always been sceptical about more powers going to the European Union, such as the hon. Member for Rochford and Southend, East (Sir T. Taylor), and those who have been very positive about that prospect.

We object for three simple reasons. First, it was always understood that justice and home affairs matters needed to be treated differently. That is why there is such a thing as the third pillar and why legislation dealing with liberty, prisons, policing and the rest has always been treated differently—Parliament has always been most keen to reserve its authority over those matters.

Secondly, in that area the decision of the Council of Ministers is not subject to a co-decision by the European Parliament. I do not think that all my colleagues are aware of that fact. There does not have to be democratic accountability somewhere else for that decision. There is no democratic accountability.

Angela Eagle: I think that the hon. Gentleman will find that the European Parliament takes a co-decision on some of the issues. His argument that there is no way in which that Parliament can oversee the matter—leaving aside the scrutiny that takes place as all these directives are drawn up through our processes here—is wrong.

Simon Hughes: I stand to be corrected, but I talk to colleagues who are Members of the European Parliament and lead the group there. I understand that the matters that would be governed by these clauses, which would allow the Secretary of State to put statutory instruments before the House to be debated and disposed of in 90 minutes, are not matters that would go to the European Parliament after the Council of Ministers decides on them.

The hon. Member for West Dorset, the Conservative party, the Liberal Democrat party and I have agreed that, where the United Kingdom has said that it will pass certain measures into law by the end of this year, we must do so—matters that are clearly related to terrorism or have a timetable commitment.

We are not willing, however, to sign up to a sudden change in a very delicately negotiated constitutional settlement, which provides that third pillar justice and home affairs matters will be treated differently until and unless Parliament decides otherwise. We have not debated whether we should decide differently. We have never looked at the issue in the round. We have not considered amendments to the treaty. We are being asked to do all that here, in a limited time, in the context of this Bill. That is inappropriate and I hope that hon. Members on both sides will support the amendments and will vote that the clauses should be taken out of the Bill.

Angela Eagle: I ask the Committee to resist all the amendments and agree that clauses 109 and 110 should stand part of the Bill.

On bypassing Parliament, which is the issue that has caused the outrage, these powers have been broadly working in relation to the first pillar since 1972. They provide an effective way for this Parliament to scrutinise the decisions taken—by unanimity—in the Justice and Home Affairs Council.

Annabelle Ewing: Will the hon. Lady give way?

Angela Eagle: I do not have time. I have only two minutes to answer some of the questions that have been raised. *[Interruption.]* I will not give way. *[Interruption.]* If Opposition Members had not spent so much time talking and voting, we would have had the time to have a much—*[Interruption.]*

The First Deputy Chairman of Ways and Means: Order. Hon. Members may wish to hear what the Minister has to say.

Angela Eagle: If we had spent less time on some of the shenanigans that we have witnessed tonight, we would have had more time to deal with the debates.

Mr. Andrew Turner: On a point of order, Mrs. Heal. Is it right to describe debating and voting on clauses as shenanigans? Is it not a right of hon. Members?

The First Deputy Chairman: Order. It is important that we get to the substance of the Bill.

Angela Eagle: The amendments to the clauses that try to focus only on terrorism simply do not work. The framework decisions that the Justice and Home Affairs Council is drawing up deal with serious crime too. If Opposition Members are serious about fighting terrorism, they need to consider not only the framework decision on terrorism but the decisions on freezing assets, money laundering and mutual judicial co-operation, which help us to catch terrorists. We know from the documents that are emerging from Kabul that al-Qaeda has been involved in money laundering and drug smuggling.

Opposition Members want to say that terrorism is important, but they also want to tie our hands when it comes to judicial co-operation on dealing with terrorist organisations. They need to realise that we need to take power at European level to ensure that we can deal with global organisations in the most effective way.

It being Ten o'clock, THE CHAIRMAN, *pursuant to Order [this day], put forthwith the Question already proposed from the Chair.*

Question put, That the amendment be made:—

The Committee divided: Ayes 210, Noes 344.

Division No. 78] **[10 pm**

AYES

Abbott, Ms Diane
Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, John
Beith, Rt Hon A J
Bellingham, Henry
Bennett, Andrew
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brazier, Julian
Breed, Colin
Brooke, Annette
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, Rt Hon Menzies
(NE Fife)
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth
(Rushcliffe)
Clifton–Brown, Geoffrey
Collins, Tim
Conway, Derek
Corbyn, Jeremy
Cotter, Brian
Cran, James
Curry, Rt Hon David
Dalyell, Tam
Davey, Edward *(Kingston)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Djanogly, Jonathan
Dodds, Nigel
Dorrell, Rt Hon Stephen
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Hawkins, Nick
Hayes, John
Heath, David
Heathcoat–Amory, Rt Hon David
Hoban, Mark
Hogg, Rt Hon Douglas
Holmes, Paul
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Key, Robert
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Liddell–Grainger, Ian
Lidington, David
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
McDonnell, John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNamara, Kevin
Malins, Humfrey
Maples, John
Marshall, Jim *(Leicester S)*
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam
Prisk, Mark
Pugh, Dr John
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(Mid–Norfolk)*

Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Weir, Michael
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim
Young, Rt Hon Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Tom Brake and
Mr. Charles Hendry.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Begg, Miss Anne
Beggs, Roy
Benn, Hilary
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Heyes, David
Hill, Keith
Hodge, Margaret
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morley, Elliot
Morris, Rt Hon Estelle
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick

Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Stringer, Graham
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watson, Tom
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Mr. Tony McNulty and
Mr. Phil Woolas.

Question accordingly negatived.

Question put, That clauses 109 and 110 stand part of the Bill:—

The Committee divided: Ayes 343, Noes 203.

Division No. 79] **[10.15 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Begg, Miss Anne
Benn, Hilary
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Heyes, David
Hill, Keith
Hodge, Margaret
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David

King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morley, Elliot
Morris, Rt Hon Estelle
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Stringer, Graham
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watson, Tom
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Tony McNulty and
Mr. Phil Woolas.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, John
Beggs, Roy
Beith, Rt Hon A J
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brazier, Julian
Breed, Colin
Brooke, Annette
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, Rt Hon Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Corbyn, Jeremy
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Djanogly, Jonathan
Dodds, Nigel
Dorrell, Rt Hon Stephen
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger
Gibb, Nick
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Hawkins, Nick
Hayes, John
Heath, David
Heathcoat-Amory, Rt Hon David
Hoban, Mark
Hogg, Rt Hon Douglas
Holmes, Paul
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
McDonnell, John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNamara, Kevin
Malins, Humfrey
Maples, John

Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam
Prisk, Mark
Pugh, Dr John
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(Mid-Norfolk)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Watkinson, Angela
Webb, Steve
Weir, Michael
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim
Young, Rt Hon Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Charles Hendry and
Tom Brake.

Question accordingly agreed to.

Clauses 109 and 110 ordered to stand part of the Bill.

Clause 111

USE OF NOXIOUS SUBSTANCES TO CAUSE HARM AND INTIMIDATE

Amendments made: No. 38, in page 68, line 2, at end insert "anywhere in the world".

No. 39, in line 3, leave out "property" and insert—

'real or personal property anywhere in the world'.

No. 40, in line 13, leave out "any person" and insert—

'a person anywhere in the world'.

No. 41, leave out lines 22 to 24—*[Mrs. McGuire.]*

Clause 111, as amended, ordered to stand part of the Bill.

Clauses 112 to 114 ordered to stand part of the Bill.

Clause 115

INFORMATION ABOUT ACTS OF TERRORISM

Amendment made: No. 68, in page 70, line 9, leave out "or a procurator fiscal".—*[Mrs. McGuire.]*

Clause 115, as amended, ordered to stand part of the Bill.

Clauses 116 to 119 ordered to stand part of the Bill.

To report progress and ask leave to sit again.—*[Mr. Pearson.]*

Committee report progress; to sit again tomorrow.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Monday 26th November, the Speaker shall not adjourn the House until any Lords Messages have been received.—*[Mr. Pearson.]*

Young Offenders Units

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Pearson.]*

10.30 pm

Mr. Jim Cousins (Newcastle upon Tyne, Central): The events with which I am concerned tonight relate to the death of a 12-year-old boy in my constituency called Wesley Neailly, who was reported missing on 5 June 1998. Dominic McKilligan, aged 18, was charged with his murder in July 1998 and subsequently found guilty.

Of course, nothing can bring back Wesley Neailly. Nothing can heal the hurt of his mother, his grandfather and other members of his family. But there are lessons to be learned from the circumstances that led to this dreadful tragedy, and I know that Wesley Neailly's family want those lessons to be learned. They want the bad practice and bad management that is evident in the history of this dreadful affair to be put right once and for all.

I wish to place on record my thanks to my right hon. Friend the Member for Norwich, South (Mr. Clarke). When he was a Minister at the Home Office, he met Wesley Neailly's family with me, leading to the early implementation of the Sex Offenders Act 1997. I also wish to thank the northern region health executive for commissioning the central report that was published last week dealing with the history of this dreadful affair.

There are only a limited number of cases each year in which young people between the ages of 10 and 18 commit violent or sexual offences. They make up a small, very disturbed group of young people. Very few go on to commit homicide—murder—in the way that occurred in this case.

The report demonstrates that there are early signals which could, if the organisation was right, prevent some of the disasters that occurred in this affair. Wesley Neailly was a 12-year-old boy in my constituency. Most of my constituency is very diverse. It comprises a mixture of people living together, of different races, religions, life styles and age groups, and has a very mobile population of the kind that one sees in any big city in which people find themselves and, sometimes, lose themselves.

Dominic McKilligan arrived in Fenham, just one such part of my constituency, at the age of 18, to lose himself and, tragically, to find others. When he came to Fenham, he was already highly intelligent, manipulative and disturbed, a practised abuser of long standing with a long-established capacity for wicked threats and acts for which he showed no remorse. He sought out young Wesley Neailly, befriended him, led him away and murdered him. The circumstances that led up to that tragedy are the subject of the reports and they are a source of great concern to me. I was very shocked and disturbed by their contents.

For example, when Dominic McKilligan was placed in the Fenham area of my constituency—he did not just arrive there, he was placed there—no outreach programme was set up for him. The report says in cold and chilling terms that the consequences of the lack of action in respect of the young man's discharge into my constituency were that no agency that had been responsible for his care when he was discharged from the Aycliffe unit in County Durham had any formal plan in place to visit and support him in the place where he was going to live. No statutory agency in the area in which he was going to live was made aware of his presence until two and a half months after his discharge from Aycliffe and six days after the ending of the care order which might have been the basis of some preventive action. The first time that Northumbria police have any record of knowing about Dominic McKilligan's presence in the area was when he himself chose to report to the local police information about the disappearance of Wesley Neailly.

The failure of agencies to share information with each other, with the local community and with the local police is at the disastrous heart of that dreadful tragedy. The report documents in chilling detail the lack of documentation regarding McKilligan's treatment in his first year at the Aycliffe centre. Those records apparently cannot be found. That is a shocking fact, and something that the Aycliffe unit must investigate thoroughly.

It took 10 months from McKilligan's arrival at Aycliffe from Bournemouth for him to receive a full assessment. Why did it take so long? The Kolvin unit at the then Newcastle city hospitals trust, which had the clinical supervision of McKilligan's care, deemed him—at times only two months apart—to be a high risk and a low risk. There must be some inquiry into the conduct of the Kolvin unit and why that confusion of analysis occurred. What other confusions of analysis may have occurred at other times?

The report contains clear evidence not merely of lack of co-ordination between Bournemouth, where McKilligan originated, the Aycliffe unit in Durham where he was cared for, and Newcastle, where he was placed, but of conflict between the caring agencies and of a failure to share information. The arguments between the agencies were more centred on money and finance than they were on the substance of the case.

The record keeping was lamentably poor. There should have been seven recorded reviews of McKilligan's progress, care and treatment at Aycliffe. Only three can be found. McKilligan decided that he would leave Aycliffe after an incident in which he flirted with another boy and was threatened with the child protection board. That triggered his decision to leave Aycliffe. During his time at Aycliffe, a unit under the control of Durham county council, 15 very serious incidents are logged concerning his behaviour, 13 of which were of a clearly sexual nature. The unit's policy was that it did not encourage sexual behaviour and activity between those who were being cared for at Aycliffe. None the less, inadequate action seems to have been taken to deal with this matter.

The report records, in chilling terms, that specialist units—Aycliffe at Durham and the Kolvin unit at the Newcastle city hospitals trust—understandably feel the need to succeed and that behaviours can thus too readily be justified. The report documents 16 agencies as having had the care of Dominic McKilligan, involving 200 members of their staff. Several professions were involved. As I said, there was a failure to share information; there was conflict between some of the caring agencies and there were rows about money and the responsibility for supervision. There was extremely poor record keeping at the Aycliffe centre.

Finally, I point out that McKilligan came to Newcastle to follow a music course at Newcastle college. I want to record my deep understanding of what the professionals at the college—who had no knowledge of that young man and his history—must feel about the period in which he was under their care. I have a great deal of sympathy for them.

It is clear from the report and from a similar report produced by Newcastle and North Tyneside health authority that the Kolvin unit at Newcastle city hospitals trust failed adequately to carry out the duty of supervision of that young man that it had agreed to undertake. Durham county council, which is responsible for the management of the Aycliffe unit, did not take adequate action. We must explore the need for further inquiry both by the mental health trust that has taken over responsibility for the Kolvin unit from Newcastle city hospitals trust, and by Durham county council into its actions.

Is there a need to identify the staff responsible and perhaps to carry out disciplinary action or to provide additional training? We must certainly demonstrate to the people of the north-east that the failures recorded in such chilling detail can never be repeated. General words of comfort and general assurances will not do. I hope that my hon. Friend the Minister of State will make clear her desire that such inquiries should be carried out speedily and robustly, and that if they are not undertaken by Durham county council and the mental health trust, she will herself ensure that the necessary corrective action is put in hand.

Some important lessons for the Government emerge from this matter. There has been no proper calculation of the number of young people who need that specialist care. There are no consistent standards for care arrangements, for assessment and treatment, for clinical oversight and accountability and for the training of staff. There is no single regulatory inspection system for units that care for such deeply disturbed young people.

Furthermore, there is no geographical consistency or equity of provision. There is a grave shortage of places. That is how Dominic McKilligan, who lived in Bournemouth, came to be placed in a unit in County Durham. Had there been better, and better spread, provision, that would never have happened. There must be co-ordination of the protocols and policies that link all the caring agencies—social services, health, education and, of course, the custodial services that deal with young offenders—so that they will think and act together. They must co-ordinate their records and share information, especially if children and young people leave their home area and switch between responsible authorities, so that those young people can benefit from co-ordinated, specialist support.

The reports highlight the enormous need for nationwide specialist assessment facilities and for skilled remand facilities. There should not be 1,000 young people in that age group in the care of prisons. There should be skilled treatment facilities, including secure treatment facilities, so that other communities can be protected in a way that my community in Newcastle was not.

The Government should take responsibility for the regulation of what is an extraordinary array of different facilities, some run by the NHS, some run by voluntary agencies, some even run for profit by the private sector and some, such as Aycliffe, run by local social services agencies and the county council.

The treatment facilities should be provided on nationwide basis, so that it will never again be necessary for a deeply disturbed young man to be taken from his home community—where there was a great deal of knowledge about him, his family and his early life, with all the signals that that gave about his later behaviour—and placed at the other end of the country, where some of that knowledge sadly does not appear to have arrived or to have been properly shared.

At present, there are a very limited number of specialist facilities for young sex offenders. Those that exist are spread across that wide range of different agencies, without nationally agreed standards of care. I hope that alongside the necessary, robust corrective action that must be taken by Durham county council and by the mental health trust, which now has responsibility for managing the Kolvin unit, there will be a programme of national action to correct the deficiencies in the system that the reports highlight—Wesley Neailly's family expect no less.

10.47 pm

The Minister of State, Department of Health (Jacqui Smith): I congratulate my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins) on securing this important debate on the case of Dominic McKilligan.

The death of any child is desperately sad, but the death of Wesley Neailly was particularly tragic, and I should like to take this opportunity to express my sympathy to his family.

As my hon. Friend has said, Dominic McKilligan was only 18 when he murdered Wesley. Dominic was a damaged young man who had exhibited very dangerous behaviour and had had a great deal of contact with statutory agencies over several years. He had significant contact with social services, mental health services and the criminal justice system. As a child, he was the subject of a care order to the local authority, and following his conviction for sexual offences as a young teenager, he received treatment for his offending behaviour.

Dorset, and then Bournemouth social services, however, had lead responsibility for Dominic's welfare and were ultimately responsible for ensuring that his care plan encompassed all aspects of his treatment and that there was very careful planning for his discharge from the care system on turning 18.

My hon. Friend is absolutely right to say that, given the risks that Dominic presented, a very high standard of assessment, planning, intervention and review was absolutely essential, but there was clearly a failure in this case. Let me make it clear, however, that the requirement for thorough assessment, planning, intervention and review is nothing new. The Arrangements for Placement of Children (General) Regulations 1991, under which local authorities are required to draw up care plans, and the Review of Children's Cases Regulations 1991, under which reviews are required to take place to enable the plan for the child to be reconsidered and any necessary changes to the care plan to be made, are in operation.

Wesley's death rightly gave rise to very serious questions about how effectively the agencies responsible had worked together to plan and provide for Dominic's care and treatment. Without doubt, there are important lessons to be learned from this case for a number of agencies. They include how to ensure that people and the current systems work correctly and that people and resources develop to minimise the possibility of such an event happening again.

[Jacqui Smith]

It was because of the clear need to learn from this tragic case that the responsible area child protection committees—ACPCs—for Bournemouth, Durham and Newcastle decided to carry out a serious case review, under the "Working Together to Safeguard Children" guidance, into the management of the care and treatment provided to Dominic McKilligan. In parallel with this review, Newcastle and North Tyneside health authority, which is the host commissioner for the Kolvin unit that oversaw Dominic McKilligan's treatment programme at the Aycliffe centre in Durham, commissioned an independent inquiry into the health care and treatment of Dominic under the terms of the health service guidance in circular (94)27. As my hon. Friend said, the report of the inquiry was published, along with a summary of the serious case review, on 14 November 2001.

Both the serious case review and the independent health authority inquiry have identified specific issues for local authorities, the NHS, and their partner agencies to address through their ACPCs. The serious case review, which makes recommendations to the three ACPCs that commissioned the review, concludes that Wesley Neailley's death could not have been predicted. However, it highlights how important it is for the key professionals involved with young people who have committed violent or sexual offences to carry out, on a multi-agency basis, effective assessments of young people's needs and the likelihood of such offences being committed in the future; to use current research findings to inform professional judgments and decision making; and to ensure responsibility and accountability for the implementation and reviewing of plans across agencies.

Those, along with other recommendations, have been the subject of detailed action plans drawn up by each of the ACPCs and the NHS trust involved in this case to take forward the review's recommendations.

My hon. Friend made an important point about how we monitor implementation and future progress. The implementation of these plans will be rigorously monitored by the Department of Health, through its regional offices and the social services inspectorate.

Key recommendations from the independent health inquiry included the premise that the Department of Health should issue further guidance which reinforces the requirements of agencies responsible for young people that need mental health treatment; and that the Department should review existing guidance to local authorities and provide written notification to other agencies when young people are discharged from care and placed in other areas.

The Department will consider seriously whether any additional guidance is required. My hon. Friend made an important point about the failure of the discharge process in this case. In terms of planning for discharge, since 1 October 2001 local authorities have been required to comply with the Children (Leaving Care) Act 2000. The principal aim of the Act, which was implemented this October, is to improve the support available to young people leaving care.

As my hon. Friend pointed out, we know that Dominic left care at the age of 18 already a deeply troubled young man, and that he then became lost to the system. The provisions of the Act, had they been in force at the time, might have gone some way to preventing this tragedy. Dominic would have left care at 18, but the Act imposes a new duty on local authorities to keep in touch with care leavers until they are at least 21 and to make sure that they receive the support to which they are entitled.

My hon. Friend asked for further work to be done in relation to the health responsibility and, in particular, to the responsibility of the Kolvin unit. I am glad that Newcastle and North Tyneside health authority and Northumberland Mental Health NHS Trust, which is now responsible for the Kolvin unit, have taken action to review their involvement in supporting treatment programmes that are undertaken by other organisations, so as to ensure that responsibilities for clinical oversight are clear. In future, any arrangements for the provision of specialist treatment programmes or of training support to other organisations that are delivering such programmes will be unambiguous with regard to the important issue of clinical responsibility, and will have clear standards against which the programme can be monitored. Under the Health Act 1999, the Commission for Health Improvement has responsibility for inspection of NHS provision. I hope to comment further on inspection and common standards.

Mr. Cousins: I am grateful to my hon. Friend for going through these matters and take heart from the changes that she mentions. However, she will recognise that the report illustrates that the procedures of the time were not properly carried out. Does she know whether the action plans relevant to Durham county council, Bournemouth social services or the Kolvin unit have resulted in disciplinary action or acceptance of responsibility by the staff?

Jacqui Smith: I do not know whether the action plans have led to disciplinary procedures. As I emphasised, they are a key part of the response to such problems and will be closely monitored. Durham social services department has carried out an internal inquiry. Perhaps I could write to my hon. Friend on that specific issue.

The serious case review also made the important recommendation that area child protection committees should make representations to Ministers, and highlighted the urgent need for a national strategy to be developed for the management and treatment of young, violent and/or sex offenders. My ministerial colleagues in the Home Office are giving that careful consideration.

The youth justice board is preparing an effective practice strategy for working with young people who sexually abuse. To inform that, a number of pilots are being conducted in the community, with plans to extend them to the secure estate. The board is also ensuring that all youth-offending team staff receive appropriate training and that work is monitored and quality assured to measure effectiveness. The Department of Health is also closely involved in those discussions.

Dealing effectively with the most dangerous individuals, including young people, is a key part of modernising the criminal justice system and making it more responsive. We have made substantial improvements to the way in which we treat and rehabilitate young people in particular. It may reassure my hon. Friend to know that if a 14-year-old boy were to be convicted today of the same crimes as Dominic

McKilligan committed as a 14-year-old, he would be required to register with the police under the provisions of the Sex Offenders Act 1997.

Multi-agency public protection panels exist in every area of the country, bringing together agencies with a statutory duty to co-operate to manage high-risk offenders. As Dominic approached 18 years of age, he would have been the subject of one of those meetings, which would in turn have been part of the pathway planning process because he was a child leaving care. A senior member of staff from Newcastle college would have attended that meeting and been part of the discharge planning process. I recognise my hon. Friend's concern that a college that has not been properly notified is unable to take the necessary action.

An inter-agency inspection of safeguards for children is scheduled for this winter. The inspection will focus on the range of safeguarding measures that are in place in council areas. It will incorporate judgments about services that are provided by social services, health, the police, probation officers, education and custodial establishments, and the courts, and it will consider the agencies' individual effectiveness as well as their effectiveness in the corporate arena, such as in area child protection committees and the community safety forum.

Mr. Cousins: Do the Government propose to address the shortage of treatment facilities nationally for the category of young people who require care and supervision?

Jacqui Smith: It is part of our investment in mental health services to ensure that we increase the number of secure placements. It is crucial to get better co-ordination between the services. I made clear how the Government are addressing some of those issues, and we will learn the lessons that my hon. Friend spelled out.

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at Eleven o'clock.

Deferred Divisions

HUMAN RIGHTS

That the Human Rights Act 1998 (Designated Derogation) Order 2001 (S.I., 2001, No. 3644), dated 11th November 2001, which was laid before this House on 12th November, be approved.

The House divided: Ayes 331, Noes 74.

Division No. 70]

AYES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Begg, Miss Anne
Beggs, Roy
Bell, Stuart
Benn, Hilary
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Burden, Richard
Burgon, Colin
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Gregory *(E Lond'y)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Daisley, Paul
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dobbin, Jim
Dobson, Rt Hon Frank
Dodds, Nigel
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Gapes, Mike
Gardiner, Barry
Gibson, Dr Ian
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai

Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Hill, Keith
Hodge, Margaret
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Tessa
Joyce, Eric
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Milliband, David
Miller, Andrew
Moffatt, Laura
Moran, Margaret
Morley, Elliot
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Paisley, Rev Ian
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, John
(Glasgow Anniesland)
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, Rt Hon Clare
Simon, Siôn
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Sutcliffe, Gerry
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher & Walton)*
Taylor, Sir Teddy
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Watson, Tom
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

NOES

Abbott, Ms Diane
Allan, Richard
Baker, Norman
Baldry, Tony
Beith, Rt Hon A J
Bennett, Andrew
Brake, Tom
Breed, Colin
Brooke, Annette
Bruce, Malcolm
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Calton, Mrs Patsy
Campbell, Rt Hon Menzies
(NE Fife)
Carmichael, Alistair
Chidgey, David
Corbyn, Jeremy
Davey, Edward *(Kingston)*
Dunwoody, Mrs Gwyneth
Ewing, Annabelle
Fisher, Mark
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Gerrard, Neil
Gidley, Sandra
Green, Matthew *(Ludlow)*
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Heath, David
Holmes, Paul
Hughes, Simon *(Southwark N)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Kilfoyle, Peter
Lamb, Norman
Laws, David
Llwyd, Elfyn
McDonnell, John
McNamara, Kevin
Marshall-Andrews, Robert
Mawhinney, Rt Hon Sir Brian
Moore, Michael
Mullin, Chris
Oaten, Mark
Öpik, Lembit
Price, Adam
Pugh, Dr John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sedgemore, Brian
Shepherd, Richard
Simpson, Alan *(Nottingham S)*
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tyler, Paul
Wareing, Robert N
Webb, Steve
Weir, Michael
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wishart, Pete
Younger-Ross, Richard

Question accordingly agreed to.

House of Commons

Thursday 22 November 2001

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

EDUCATION AND SKILLS

The Secretary of State was asked—

Schools (Staffordshire)

2. **Michael Fabricant** (Lichfield): If she will visit schools in Staffordshire to assess the condition of the *(a)* buildings, *(b)* heating and *(c)* associated infrastructure. [14632]

The Parliamentary Under-Secretary of State for Education and Skills (John Healey): The Secretary of State has no current plans to visit schools in Staffordshire. Staffordshire has, as requested by the Department, already carried out an assessment of the condition of its school buildings. Since 1997, £92 million has been provided to help meet the capital investment needs of schools in the county, and £39 million more has been allocated for the next two years.

Michael Fabricant: Well, that would seem to be a rather complacent reply on behalf of the Secretary of State, which is, perhaps, not typical of her. She may well know that, two or three weeks ago, head teachers from throughout Staffordshire came to the House of Commons to meet all the county's Members of Parliament and talk about their budgets. Duncan Meikle, the headmaster of King Edward VI school in Lichfield, said that his budget for those services has already run out this year, and pointed out that it is the worst budget he has had since he became headmaster of the school four years ago. Is it not typical of Education Ministers, like Health Ministers, that they talk about millions, even billions, of pounds, but when it comes down to it, services are getting worse?

John Healey: I remind the hon. Gentleman that his question was about capital, not services. We are not complacent; we are investing a massive amount of extra money in schools. Four in five of Lichfield schools have already benefited from targeted capital allocations since the election, and all Lichfield schools, like all the schools in every constituency, have benefited from direct funding through the new deal for schools. Over the next three years, £22 million more will be going direct to Staffordshire schools, and if the hon. Gentleman talks to two of Lichfield's head teachers, he will find that they are part of the asset management forum in Staffordshire and they can tell him exactly what the plans are for capital investment in his county.

Mrs. Janet Dean (Burton): Does my hon. Friend accept that the problems with Staffordshire schools and their buildings stem from the years and years of under-investment under Tory Governments? Does he accept that, in my constituency, although there are complaints about the needs of school buildings, many schools are seeing real benefits from the extra money being provided for capital spending?

John Healey: I thank my hon. Friend for that question. She is right, of course. We faced a massive backlog after two decades of Tory under-investment in our schools, and we still need to catch up in Staffordshire. The new asset management plan, prepared by the local education authority with schools, shows that over the next five years £72 million is needed for the county's schools. However, I can tell my hon. Friend that £52 million has already been allocated for the next two years.

Mr. Graham Brady (Altrincham and Sale, West): But can the Minister guarantee that capital spending in Staffordshire schools will not be financed through the sale of school playing fields? In a year when there has been a 60 per cent. increase in the number of playing fields being sold by the Government, is it not time that they started to live up to their promise to stop the sale of playing fields, or is the former Minister for Sport right when she says that the Government have lost the plot on the issue?

John Healey: When the Conservatives were in power they did not keep any check on the sale of school playing fields. There are new rules and new controls, and under this Government the number of playing fields sold has been way down on the number sold under the Conservative Government, and the proceeds of sales are earmarked for education purposes.

Most of the new capital investment will now be formula-based and dedicated under the new asset management plans prepared by LEAs with schools. That is the guarantee of local control, of local decision making and of local transparency, and it means that the investment provided centrally will find its way into schools.

Charlotte Atkins (Staffordshire, Moorlands): Is my hon. Friend aware that my constituency has enjoyed unprecedented capital investment over the last four years? We have a new primary school, several new computer suites and science laboratories, new extensions and additional nursery provision. However, I do not know whether my hon. Friend is aware that one local school has just suffered a devastating fire, in which the catering buildings and gym facilities were totally destroyed. Will he congratulate the school, the staff, the LEA, the pupils and the governors on the magnificent way in which they have coped in very difficult circumstances over the last two weeks? The school was closed for only one day, and Staffordshire LEA now—

Mr. Speaker: Order. I think that the Minister has got the drift.

John Healey: First, I pay tribute to the experience and expertise my hon. Friend brings to the subject as a former member of the Education Committee and one who knows a great deal about the system. It is telling that the picture of the education system that she paints differs starkly from the one painted by the Conservatives.

As for the fire at my hon. Friend's local school, I congratulate all those who made tremendous efforts to pull together and ensure that only one day of schooling was missed. In addition, I undertake to make sure that our Department provides all the support that we can and should provide in such difficult circumstances, to make sure that the school recovers as it needs to after such a catastrophe.

Student Finance (Wales)

3. **Adam Price** (East Carmarthen and Dinefwr): What recent discussions she had on student finance with the Secretaries of the National Assembly for Wales. [14633]

The Minister for Lifelong Learning (Margaret Hodge): My right hon. Friend the Secretary of State and I have regular discussions with the Welsh Assembly covering a range of issues, including student finance.

Adam Price: I am grateful to the Minister for her reply, however brief. She will be familiar with the contents of the National Assembly's Rees report, which in June showed that student debt had increased threefold since the abolition of the maintenance grant; and that the greatest debt was found among students from the poorest backgrounds, who were most likely to drop out of university because of financial problems and least likely to enter university in the first place because of the psychological barrier of having to borrow, in some cases, more than their parents earn in a year. Does she agree with her Labour colleague in the National Assembly that the best way to widen participation in higher education is to reintroduce the maintenance grant? If she will not endorse that position, will she at least devolve powers over higher education funding to Wales so that we might at last get the system that best suits our circumstances?

Margaret Hodge: We want to increase the number of students from working class backgrounds who go through higher education, but it is not as easy as the hon. Gentleman suggests. We need to raise their attainment at school so that they get the necessary qualifications to go to university, and we need to raise their aspirations. As I have said before, almost half of young people from lower socio-economic backgrounds do not during their school years hear about university as an option for them. Until we change that, we will not get those young people into university.

In addition, we are examining issues of student finance and student funding and reviewing them to ensure that everybody, whatever their background, has access to a university place.

Llew Smith (Blaenau Gwent): The Minister will be aware that one of the reasons why some Members voted against the introduction of tuition fees was their likely effect on mature students entering higher education. Will she comment on figures for the period since tuition fees were introduced, which show about 7,000 fewer mature students now entering higher education?

Margaret Hodge: I have to say that my hon. Friend's figures are not correct. This year's acceptance figures—we do not have entry figures—from the Universities and Colleges Admissions Service show an increase of 12.5 per cent. in the number of 21 to 24-year-olds accepted, and an increase of 7.7 per cent. for those aged 25 plus. We should compare that with the increase of less than 2 per cent. in the number of Scottish people entering university. It is now generally accepted that people who gain a personal advantage from university education in terms of increased earnings over a lifetime, which average out at about £400,000, should make a contribution to the cost of that post-compulsory education. The issue is how and in what way.

Teaching Vacancies (South-east)

4. **Dr. Julian Lewis** (New Forest, East): How many teacher vacancies there are in secondary schools in the south–east; and if she will make statement. [14634]

The Minister for School Standards (Mr. Stephen Timms): Systematic data on teacher vacancies are collected once a year, in January, as part of the annual census of teachers and vacancies. In January this year, authorities in the south-east recorded 548 vacancies in secondary schools.

Dr. Lewis: I saw some of those data: as they related to Hampshire, they showed 175 teacher vacancies in maintained schools as a whole, rising to 291 if nearby Portsmouth, Southampton and Isle of Wight are included. Might the reason for that unacceptably high number of vacancies be that, as recent research by Professor Smithers of Liverpool university shows, almost 60 per cent. of trainee teachers either never make it into the classroom at all, or resign within three years? Is that not a deplorable and unsatisfactory—indeed, intolerable—state of affairs?

Mr. Timms: Let me begin by inviting the hon. Gentleman to join me in congratulating schools in Hampshire on the achievement of 54.9 per cent. of their youngsters gaining five or more good GCSEs in the results published today. That is a very good achievement, and I certainly pay tribute to all the teachers and schools in Hampshire who have contributed to that result.

Of course, there have been pressures on recruitment in the south-east, but the rate of departure from the profession has been relatively stable. Eighty per cent. of those who enter the teaching profession and take up jobs as teachers are still in teaching three years later. The figures cited by the hon. Gentleman are not correct. Indeed, the Chartered Institute of Personnel and Development recently issued data showing that education as a profession has one of the lowest turnovers of any profession in the country.

We are seeing rising standards, including especially good levels of achievement in Hampshire, and the whole House will welcome that.

Mr. Barry Sheerman (Huddersfield): May I congratulate my hon. Friend on keeping a cool head during the summer, when so many people on the Opposition Benches were calling "Crisis, crisis" and predicting short-term working in schools? I urge him to continue a pragmatic approach to shortages, to consider the problems on the ground and to make the appropriate responses. The Department has been doing that; I hope that it will continue to do so and will ignore those calls about crises that do not actually come about.

Mr. Timms: I am grateful to my hon. Friend; he is absolutely right. We have always made it clear that we need more teachers. Our target is for at least an additional 10,000 over the lifetime of this Parliament. We made the announcement, and confirmed in the White Paper, that we shall write off loans over 10 years for shortage subject teachers entering the profession from September 2002. That is exactly in line with the course of action advocated by my hon. Friend and I agree with the points that he made.

Chris Grayling (Epsom and Ewell): Does the Minister agree that our head teachers deserve enormous credit for the work that they have done during the past few months to ensure that the crisis in teaching did not have the worst possible effect on our pupils? They deserve great credit for that, but when and what will the Government do to alleviate the pressure on head teachers, to find ways of dealing with teacher shortages and to provide real solutions to problems that will eventually show up in the quality of our education?

Mr. Timms: It is good to hear a tribute to head teachers from the Opposition Benches. I am happy to endorse the point made by the hon. Gentleman; it certainly is a tribute to the hard work of heads and schools during the summer. Many head teachers worked right through the summer holiday to ensure that their schools were operating normally—as every school has done since September. That is in contrast to the predictions of some people, including some Opposition Members, earlier in the summer.

We have taken many steps to address the difficulties in teacher recruitment. We have increased teacher pay; I have already talked about paying off student loans; and we have introduced £6,000 training bursaries and fee remission for postgraduate trainees. The result is that this year we have had a second increase in the number of people applying for teacher training—the second increase in a row—after eight years of decline. Things are moving in the right direction, but there is much more to do.

Dr. Stephen Ladyman (South Thanet): Last year, Ramsgate school in my constituency had problems with teacher recruitment and it was joint bottom in the league table. The school resolved its teacher recruitment problems by taking a generous view of pay scales and is now fully staffed, but this year it remains at the bottom of the league table. Will my hon. Friend agree that that is entirely due to the evil and corrosive system of selective education that we operate in Kent, which condemns schools such as Ramsgate school to be, in effect, sink schools? Although we should not be complacent about teacher recruitment, will my hon. Friend give some thought to ordering an inquiry into selective education in Kent, so that Ramsgate can recover?

Mr. Timms: I have heard the point made by my hon. Friend and others will have done so too. Wherever there are low standards of achievement in our schools, we are providing additional support. Last year, 41 schools had less than 10 per cent. of their pupils achieving five or more good GCSEs; that number has come down to 17, which is an important step. However, there are still serious problems of under-achievement; we will provide support and help to deal with them wherever they arise.

Mr. Mark Prisk (Hertford and Stortford): Will the Minister respond on the issue of teacher vacancies, which is of special concern in my own constituency, where a number of secondary schools have seven, eight or, in some cases, more vacancies? There is a crisis in schooling in Hertfordshire and many other counties in the south-east. Will the Minister comment on the recent National Union of Teachers report which, among other things, states that four out of 10 teachers leaving the profession do so because of the sheer weight of Government initiatives; they feel that that is a burden they should not have to deal with.

Mr. Timms: I have dealt with those figures already and made it clear that they are incorrect. We are aware of the pressures on teacher recruitment in Hertfordshire—one of the areas to benefit from the starter home initiative, which will be particularly helpful to younger teachers wanting to buy their first home. We have demanded a great deal from our teachers in work load over the past four years; they have delivered a great deal in response, and we should pay tribute to their achievements. Where there are pressures on recruitment, we are addressing them in the way that I have already outlined.

Religious Schools

5. **Tony Wright** (Cannock Chase): What recent representations she has received on the issue of religious schools. [14635]

The Secretary of State for Education and Skills (Estelle Morris): I have received a number of representations on faith schools from organisations and the general public since the publication of the White Paper.

Tony Wright: I am grateful for my right hon. Friend's answer. May I suggest that the last thing our society needs at the moment is more schools segregated by religion? Before 11 September, it looked like a bad idea; it now looks like a mad idea. We have had some splendid policy rethinks recently; will my right hon. Friend give us another one today?

Estelle Morris: My hon. Friend is concerned about divisions in society and different groups living and working in different areas; I share his concern. However, the problem is not caused by parents having the right to educate their children in a faith-based school. My hon. Friend should not land the whole issue of segregated communities on faith schools, as they do not cause it. However, there is an issue about bringing up our children to be tolerant and understanding and to appreciate people from different faiths and cultures. That is why I know that my hon. Friend will have welcomed the inclusion of citizenship in the national curriculum from September. There is a great deal to do but, for centuries, people in this country have been tolerant of parents' wish to have a faith-based education. That has been granted to Christians and Jews; I do not want to be a Secretary of State who denies it to minority faiths.

Mr. Phil Willis (Harrogate and Knaresborough): Does the Secretary of State accept that no Church school in receipt of state funds should be able to discriminate in its admissions policy against children of other faiths and those with no faith at all? Given her comments on inclusiveness and comments by the Bishop of Blackburn and, indeed, Muslim associations, will she give the House a guarantee that faith schools and new faith schools will have inclusive policies and that, if necessary, she will introduce legislation to ensure that there is no discrimination on the basis of faith?

Estelle Morris: No, I will not go that far, but perhaps I can reassure the hon. Gentleman. In the case of over-subscription, it is reasonable for a faith-based school to say that it wants to give preference to those who share its faith. However, as I said to the Church of England—I pay tribute to Ron Dearing and the Church of England for their entirely inclusive attitude to Church of England faith-based schools—there is an obligation and a challenge, which are not being completely met at present, to make sure that children in faith-based schools have opportunities to meet, mix and work with people from other faith-based schools and schools of no faith at all. That change should take place. Under the new rules, new faith schools must show that they are inclusive; they could do so through admissions arrangements, which I welcome, but, if not, they must show school organisation committees ways in which they will be inclusive.

Mrs. Lorna Fitzsimons (Rochdale): Many of us on the Labour Benches and beyond wish that the horse had not bolted 150 years ago, and that we had secular education, as is the case in America. However, the horse has bolted. In the communities that I represent, more than 27 per cent. practise the Muslim faith, and that number is growing. Does my right hon. Friend accept that greater damage is done by the hypocrisy that those people see reinforced when members of faiths whose numbers are diminishing have a protected right to faith-based schools, which they are denied? Does my right hon. Friend accept that that is far more dangerous for our communities than allowing people to educate their children in a regulated faith-based school of their choice?

Estelle Morris: I agree with my hon. Friend. I do not know what message it gives about a multicultural society if people who are not Christians or Jews are told that they are the only group who cannot have faith-based schools.

I take a further point that my hon. Friend makes. My hon. Friend the Member for Cannock Chase (Tony Wright) mentioned 11 September; others have mentioned Bradford and the riots during the summer. We must remember that before last year there was not one faith-based Muslim school in Bradford, but there were 18 in the private sector. Between 1997 and 2001, the new minority faith-based schools were independent schools that came into the maintained sector—all 13 of them. Let me be clear: I would sooner have them in the maintained sector, where they are inspected properly and teach the national curriculum and we can make sure that standards are kept high. I entirely support my hon. Friend the Member for Rochdale (Mrs. Fitzsimons).

Mr. Paul Goodman (Wycombe): Does the Secretary of State have any plans that could reduce the percentage of Catholic pupils at Catholic schools?

Estelle Morris: No.

Mrs. Ann Cryer (Keighley): I thank my right hon. Friend for her comments. In one of my Church of England schools, 90 per cent. of the pupils are Muslim. That demonstrates that faith schools can work. Does my right hon. Friend agree that in some areas where we extend the number of religious schools, it could lead to further self-segregation, which would fly in the face of what some of us are trying to achieve—greater integration?

Estelle Morris: I entirely respect my hon. Friend's comments. I know her constituency and I know of her extensive work with the Muslim community. She makes an interesting point. In Birmingham, as in her constituency, there are maintained schools which are 100 per cent. Muslim. Children in faith-based schools are not always predominantly from one culture or another. Whether or not there are more faith-based schools will not depend on me or on Government; such decisions will be taken locally. It is not our wish to encourage them proactively. There must be a level playing field. Until 1997, every time a religious group other than a Jewish or Christian one asked for a faith-based school, it was denied it by the former Tory Government. We have moved to introduce a level playing field. That is all I ask. Whether my hon. Friend's community has more faith schools will be up to that community and the school organisation committee.

Mr. Nicholas Winterton (Macclesfield): The headmaster and governing body of the Henbury high school in my constituency—an important secondary school to the west of Macclesfield—have expressed an interest in becoming a faith school. Although I am a strong supporter of faith schools and Church schools, can the Secretary of State clarify whether the final decision will be taken by the governing body or by a majority of the parents of children who are at the school or are likely to go to the school? If that school subsequently merges with another school, would the second school with which it is to be merged be bound by the faith status that Henbury might have achieved?

Estelle Morris: The hon. Gentleman asks me a detailed question about two schools in west Macclesfield, and I should hate to mislead the House. I am happy to clarify in a subsequent letter the details that I shall give now. My feeling is that the decision would be taken by the governing body. When a school merges, it keeps its existing status. However, it is a technical matter and I am not entirely confident about giving the hon. Gentleman an accurate answer now. I hope that he will allow me to clarify it in due course.

Nursery Places

6. **Jim Knight** (South Dorset): What progress is being made in ensuring a nursery place is available for every three and four-year-old whose parents want it. [14636]

11. **Mr. John Smith** (Vale of Glamorgan): What progress she has made in providing free nursery places for three and four-year-olds whose parents require it. [14641]

The Minister for Lifelong Learning (Margaret Hodge): Since September 1998, all four-year-olds have had access to a free part-time nursery education place. About 62 per cent. of three-year-olds already have access to a free part-time nursery place. I expect that level to rise to 66 per cent. by March 2002, with universal provision by September 2004.

Jim Knight: I thank my hon. Friend for that reply. What is her assessment of the number of three-year-olds in Dorset who are offered nursery places? Given the difficulties in recruiting staff for nursery schools in the rural part of my constituency, which are due to transport and remuneration problems, will she encourage and work with Dorset local education authority to ensure that rural needs are addressed, possibly through a multi- agency approach such as that proposed by the By The Seaside charity, which is based in Swanage?

Margaret Hodge: First, I am pleased to tell my hon. Friend that 64 per cent. of three-year-olds in Dorset have access to a nursery education place—a level that is above the national average. Secondly, I recognise the particular difficulties that are faced in ensuring access to places for children in rural areas. We are doing a number of things about that, including undertaking a very strong recruitment campaign, which is successful. It might well be that we can provide a high-quality experience to young children through child minders, working together in networks. Of course, we will work with all voluntary organisations in all areas to ensure that all our children get access to good, high-quality nursery education.

Mr. Smith: I, too, warmly welcome my hon. Friend's initial reply on universal nursery places, although I wonder whether I should declare an interest as the very proud grandfather of two-year-old Ryan Tomos. I have a picture in my wallet that I could show to her later. Will she inform me of the total increase in all education expenditure since 1997?

Margaret Hodge: As the very proud grandma of a three-year-old, of whom I have plenty of pictures in my wallet and who has just started in her new nursery class, which I had the privilege of visiting a couple of weeks ago, I share with my hon. Friend the joy of being a grandparent—it is all love and no blame.

I am extremely proud of our record of increasing spending on nursery education. We have doubled the amount that we are putting in: it is going up from £1 billion to £2 billion. I think that that is one of the most crucial bits of investment that we have undertaken since we have been in office. Giving young children that very good grounding is the best way of trying to ensure that they develop their full potential.

Mr. Nick Gibb (Bognor Regis and Littlehampton): Is the Minister aware that half the pupils in the intake of a secondary school in a relatively affluent area of my constituency have a reading age of less than their chronological age, and that 30 per cent. of them have a reading age of two years less than their chronological age? What does she see as the root causes of that problem?

Margaret Hodge: I am assuming that the hon. Gentleman was referring to a primary school—

Mr. Gibb: It is a secondary school, but—

Mr. Speaker: Order. In that case, the hon. Gentleman's question is out of order.

Mr. James Gray (North Wiltshire): While many parents will welcome what the Minister has said about the availability of nursery places at primary schools for many children, does she agree that many parents prefer a less formal style of education for three and four-year-olds, which can be provided, for example, by pre-school and nursery groups and by child minders? Is not she concerned that there has been a significant fall in the number of pre-school playgroup places that are available? Some 300 closures have occurred throughout the country and 12 in Wiltshire alone. What is she doing to ensure that no undue influence is placed on parents to encourage the inclusion of children in three and four-year-old primary school intakes, thereby putting the pre-school playgroups at risk?

Margaret Hodge: I hope the hon. Gentleman agrees that what matters is providing parents with appropriate choices—a child minder, playgroup, or a place in a primary or nursery school—so that they can decide what they want. Our policies are based on that. If more parents choose nursery classes in primary schools or classes in nursery schools, that is up to them. We need to ensure that places and funding are available in the private, voluntary and state sector: we are doing precisely that.

Mr. Jonathan Shaw (Chatham and Aylesford): Last year, there were approximately 200 funded places for three-year-olds in the Medway towns. We now have 2,300 places, which is clearly due to the failure to invest that Conservative Members talk about. We want that failure to continue.

Those involved with pre-schools mention the crucial need for training. Will Ofsted, which is now in charge of inspection, link up with local authorities to ensure the provision of a good local training programme that is easily accessible and, most important, affordable?

Margaret Hodge: The quality of the child's experience, wherever he or she is placed—in a playgroup, with a child minder or in a nursery class—depends entirely on the quality of the person who cares for and teaches the child. Investment in training is crucial. We have therefore asked the Learning and Skills Council to put a lot of money aside to ensure proper investment in and training for people who work with young children.

We have also set clear targets for the qualifications that we want them to achieve. We want to improve that over time. We acknowledge the importance of the early years stage by investing in training and ensuring good qualifications.

Mrs. Eleanor Laing (Epping Forest): I am happy to articulate the feeling of the House that we would never have guessed that the Minister could be a grandmother. *[Interruption.]* That was meant as a compliment. However, one never ceases to be amazed at what a Minister can do with statistics.

Parents in the real world know that thousands of nurseries have closed in the past four years. Ministers like to provide statistics about increasing places on, for example, holiday schemes, but they are not equivalent to a nursery place. Anyone who runs a nursery in the real world knows that the increasing burdens of regulation are such that thousands more nurseries are now under threat. Ministers are fond of targets, and we hear statistic after statistic about them. They display absolute complacency. However, parents know that results, not targets, matter. What will the Minister do to stop the increasing closure of nurseries and loss of nursery places?

Margaret Hodge: I have to say to my hon. friend that, as a recent mum, she will find many more places for her child than existed for my children when I had them some time ago.

My hon. friend complains about regulation, but I hope that she supports our attempt to improve the quality of provision for the early-years phase. The only way to achieve that is through inspection, review and investment in training, as my hon. Friend the Member for Chatham and Aylesford (Mr. Shaw) said. If that is regulation, it is good.

The hon. Lady, not the Government, talks about statistics. If one talks to parents in every constituency, one hears that more places are available. They may be in schools, nursery classes, playgroups or with child minders, but children have access to more places. She needs to get out of this place a little more and spend time in the community.

Mr. Lindsay Hoyle (Chorley): The new free places that have been created in nurseries in Lancashire are welcome, but is my hon. Friend aware that difficulties have been created because some people have the allocation and some do not? When can we get over that difficulty by extending the scheme so that they all get places? It ought not to take about three months before we realise that of, say, five places allocated only three have been taken up. In that case, two places have been lost for three months that could have been given to others. The scheme is welcome, but we must ensure that it works more efficiently.

Margaret Hodge: I completely agree with my hon. Friend that, in a period of expansion, there will always be difficulties until there is a place for everyone: some people will get a place and others will not. I recognise the problem that he described but, by 2004, there will be a free nursery place for every three and four-year-old—something on which I have campaigned for 30 years. It is about time that it became a reality in everyone's lives.

Teacher Retention

7. **Mr. Mark Hoban** (Fareham): How many teachers left the profession within their first three years of employment in the last five years; and if she will make a statement. [14637]

The Secretary of State for Education and Skills (Estelle Morris): In each of the past five years for which data are available, approximately 80 per cent. of teachers were still in service in the fourth year after entering teaching.

Mr. Hoban: Has the Secretary of State read the comments of Davina Lloyd, the head of Coopers Company and Coborn school—a top state school—in *The Times* today? She said:

> "Leave us alone—let us get on with things and stop inundating us with bits of paper and bureaucracy."

Given her comments and the survey by the National Union of Teachers, which showed that the growing tide of regulation and initiatives from the Department are a major factor in teacher resignations, what initiatives will she cut to stem the tide of resignations?

Estelle Morris: I congratulate the head whom the hon. Gentleman quoted and other heads on the GCSE results, which were published today. They have ensured that 50 per cent. of our 16-year-olds attain five good A* to C passes. That is a great achievement and I pay tribute to all those who have worked hard to achieve it. If leaving people alone means allowing some schools to teach in a way that is not based on good practice and evidence, I will not do so. We would not have introduced the literacy hour, the numeracy hour or the key stage 3 strategy for our younger secondary school children if we had done so. It is our responsibility to raise standards for every child. If the hon. Gentleman means leaving alone those schools that are good, that are proving it and that are improving even more, I will leave them alone. That is the thrust of the White Paper and the Bill that will be published later this week.

Joan Ryan (Enfield, North): At a recent meeting with secondary school heads in my constituency, I heard positive reports about the graduate teacher programme and the difference that it was making. What plans has my right hon. Friend to continue that programme and to expand it, as it is welcome on the ground and it is clearly effective?

Estelle Morris: I am grateful to my hon. Friend for that comment. The scheme is hugely popular. Its attraction is that it often brings in mature teachers with skills from industry and other walks of life. They train in school and receive a salary for doing so, and the school is paid as well. I think that the cost is £17,000, which, as hon. Members will know, is more than we normally pay for students to do initial teacher training. We have created more than 2,000 such places and I am conscious of the fact that it is an excellent way to train to be a teacher. We certainly plan to build on the scheme as we roll out our plan to ensure that we get even more teachers to add to the 12,000 extra whom we have got into the nation's schools.

Mr. Damian Green (Ashford): Much mention has been made of the NUT report on teachers leaving. Does the Secretary of State not feel alarmed that that report makes it clear that significantly more secondary teachers say that the sheer weight of Government initiatives is a more important factor even than pay in driving them out of the profession? Is not it clear that her Department is not part of the solution to teacher shortages—it is a significant part of the problem?

Estelle Morris: If that is the case, how does the hon. Gentleman answer the point that this year there has been an 8 per cent. increase in the number of people going into teacher training? The House must remember that more young graduates choose teaching than any other profession, which is a tribute to the attraction that education and teaching hold. I know that teachers feel under pressure and that we have asked more of them than any previous Government, but they have raised standards in a way that has not happened for decades. I pay tribute to them for that. I also know that we need to do more to support them, but that is why there are 44,000 more teaching assistants, more bursars and more investment in information technology.

I say to the hon. Gentleman and to teachers that we will not take from them the literacy strategy, the numeracy hour, the strategy for our younger secondary school pupils and target setting, which are at the core of raising standards. We must not take away what works, but ensure that we offer all our teachers the support they need to do the job. We have made a start, but there is much further to go.

Mr. Green: The right hon. Lady mentions trainee teachers. She knows that 60 per cent. leave the profession within three years of becoming trainees, so I am afraid that teachers will not be convinced, especially when they read the views of Lord Puttnam. The Government have put him in charge of the General Teaching Council, but he gave a newspaper interview in which he said, "All we need is fewer teachers." Will she confirm that fewer teachers is not just the side-effect of Government policy, but the target? Does she understand why teachers are so demoralised under her Government?

Estelle Morris: The hon. Gentleman did not listen at the last Question Time and he is not listening again. My hon. Friend the Minister for School Standards has already made it clear that the NUT figures are not accurate. In answer to the question—*[Interruption.]* Do not thrust NUT research at me expecting it to be taken as gospel. The hon. Gentleman will have to learn that lesson pretty quickly. After three years in teaching, 80 per cent. are still in the profession.

Let us be clear about the NUT survey figures: they show how many leave, not how many leave and then return. Let me give an example. If someone moved to another part of the country with a partner for a job, left teaching for three months and then found a new post at the start of term, that person would be included in the NUT research as having left teaching in the first five years.

The truth is that 80 per cent. of people who go through initial teacher training join the maintained sector within five years of qualifying and 90 per cent. do some teaching in the maintained sector, the independent sector, further education or higher education. I am not complacent and I know that there is a genuine debate about improving retention, but the hon. Gentleman cooking the figures or selectively quoting research that was not accurate in the first place does not help one iota.

Mr. Graham Allen (Nottingham, North): Does the Secretary of State accept that a number of teachers have left the William Crane comprehensive school in my constituency? It appears near the bottom of the league tables. Does she also accept that most of those teachers have stayed the course and that it is difficult for teachers on tough estates with poor catchment areas to raise standards? To raise standards by even 1 or 2 per cent. is a near-miraculous achievement. Will she take the chance to praise those teachers who are not in the leafy suburbs, but who work very hard with pupils and parents to raise the standard in some of our toughest schools?

Estelle Morris: All of us who have been teachers know that some of the toughest jobs are on the toughest estates with children who do not come from backgrounds and neighbourhoods with high aspirations. That is why I know that my hon. Friend will welcome the fact that today, as well as publishing the raw data for GCSE, we have published for the first time value-added data on tests for 14-year-olds. In 2003, we shall be able to publish the raw scores and the value-added data on 16-year-olds.

That school needs extra support to make standards even higher, and I know that my hon. Friend shares my view. We have turned our back on the days when people thought that children at schools in such areas almost inevitably leave with lower qualifications. They do not; they are as bright as kids anywhere else. It is our responsibility to ensure that we provide the support to go with the skill and commitment of the teachers my hon. Friend describes. We have done that for four years and we will never stop.

Teaching Vacancies (Leicestershire)

8. **Mr. Andrew Robathan** (Blaby): How many teacher vacancies there are in Leicestershire. [14638]

The Minister for School Standards (Mr. Stephen Timms): In January, when the last annual census of teachers and vacancies was carried out, Leicestershire recorded 30 teacher vacancies.

Mr. Robathan: We all know that the vast majority of teachers in Leicestershire and elsewhere are working extremely hard and doing a good job under difficult circumstances and for little reward. I hope that the Minister will not repeat that answer when he replies again, but will instead tell me whether he will come with me to Leicestershire to see the reality on the ground. Will he come to the schools that cannot get teachers in information and communications technology? Will he visit the schools that have to advertise five times to get a single response? Will he come to South Wigston high school, whose headmaster told me yesterday that for two years he tried to get a music teacher but could not get one? Will he address the real problems of schools in Leicestershire, not merely give us more waffle?

Mr. Timms: My right hon. Friend and I, and other colleagues, visit schools all the time. I agree with the hon. Gentleman about the excellent job that teachers in Leicestershire are doing. I pay tribute to them for the substantial improvement in GCSE results in Leicestershire that were published this morning. It achieved a well above average rise. The vacancy rate in Leicestershire is about half the national average, so it is by no means an area with the most acute problems. We have increased teachers' pay, created more places on refresher courses so that former teachers can come back into the profession, and introduced golden hellos for people to train to teach in shortage subjects. Those measures are helping to improve what undoubtedly have been real problems and real pressures in schools in Leicestershire and elsewhere.

SOLICITOR-GENERAL

The Solicitor-General was asked—

Jury Trial

36. **Mr. Stephen O'Brien** (Eddisbury): What the Government's policy is on trial by jury, following the publication of the Auld report. [14666]

The Solicitor-General (Ms Harriet Harman): The Government's policy on jury trials is set out in our manifesto, and in the document "Criminal Justice: The Way Ahead". The Auld report makes a number of new proposals on juries, and the Government are consulting on them.

Mr. O'Brien: In the light of that answer and the Solicitor-General's consultation on the Auld report, does she agree that trial by jury should be replaced by a circuit judge and magistrates for many indictable offences, and that the decision-making process should be interfered with by juries having to give reasons for their verdicts and by the judge and the assessors having to second-guess verdicts by juries?

The Solicitor-General: The hon. Gentleman is right that the substantial Auld report goes far beyond what was in our manifesto and in "Criminal Justice: The Way Ahead". The Auld report recommended that juries should give reasons for their conclusions, that we should ensure ethnic balance on juries and that the right to jury trial should be removed in certain serious fraud cases. We are consulting on those proposals.

David Taylor (North-West Leicestershire): As a member of the Magistrates Association, I am aware that my colleagues have given a broad welcome to many of the recommendations in the Auld report. However, they are concerned about the status and powers of the two lay magistrates sitting with the judge, to which the hon. Member for Eddisbury (Mr. O'Brien) referred. Will my right hon. and learned Friend reassure us that she will take a fresh look at the powers of those two lay magistrates? They should at least have powers of sentencing.

The Solicitor-General: My hon. Friend will know of our manifesto commitment, and he will not need me to remind him of the importance of carrying out that commitment to remove the widely abused right of defendants alone to dictate whether they should be tried in Crown court. As for the respective roles of magistrates and the new judge in the district division, it is important to have the involvement and views of the magistrates on the relative responsibilities in the proposed new division. Consultation will take place in writing and at regional meetings throughout the country, and I hope my hon. Friend will encourage members of the Magistrates Association to come along to those consultations and put their views. The matter is not cut and dried, and is not written on tablets of stone. We genuinely want to consult on proposals that have such far-reaching implications.

Mr. John Burnett (Torridge and West Devon): I pay tribute to Lord Justice Auld, his consultants and those who assisted him. His report is comprehensive and thorough, and I am glad that there is an opportunity for further submissions to be made on it.

May I return to the point made by the hon. Member for Eddisbury (Mr. O'Brien) about the so-called middle tier? Does the Solicitor-General agree that there is a real danger that the two lay magistrates will be dominated by the district judge in the proceedings, and that, effectively, juries will be replaced by what used to be a stipendiary magistrate?

Professor Vogeler conducted a study of the system of stipendiary magistrates in Germany. In his report, he concluded that

> "in guilt decision making, the lay-body's functional role is nil. Decisions are dominated by the professional"—

that is, the judge.

The Solicitor-General: I am well aware that the proposals are controversial. Perhaps I can reassure the hon. Gentleman by saying that we have no set policy on whether we should replace the existing system involving a magistrates court and a Crown court with a jury with a system involving an intermediate court, the district division. In other words, there is no policy of replacing the two-court system with a three-court system; that is a proposal in the Auld report, and I join the hon. Gentleman in paying tribute to those who have put so much work into that radical and far-reaching document.

The issues are under consultation, which will continue until the end of January. Only after that will the Government give their views. It is good that we have had an opportunity to note the concerns that have been raised, but the Government's views are not yet decided.

Ms Bridget Prentice (Lewisham, East): Will my right hon. and learned Friend confirm that we already have a system whereby two lay magistrates sit with a judge on appeal cases? That is not particularly radical or new.

Have the Government any timetable for the reintroduction of a Bill dealing with the mode of trial? At present, the defendant is the only person who can decide where he or she should be tried. That system does not stack up, and it is time that magistrates were given an opportunity to deal with such cases properly.

The Solicitor-General: My hon. Friend makes two points. First, she reminds us that we already have a system whereby, in some cases, lay magistrates sit with a district judge. That also applies in youth courts. I recently had an opportunity to see the system working—very well—in Camberwell youth court, where a professional judge sits with two lay wing members.

Secondly, my hon. Friend asked us to get a move on and sort out the business of defendants' asking to go to the Crown court, only to plead guilty. She said that they should really be tried in the magistrates court. As she will know, we have a policy on that, but we are consulting in the context of the Auld proposals. The position is difficult to describe. We have a policy, but we are consulting on the wider issues. As I have said, the consultation will finish at the end of January; a White Paper will then be produced, and any Bill will be presented after that.

Mr. William Cash (Stone): I am glad to hear that the Solicitor-General and the Government have a policy on this, but does the Solicitor-General agree with Liberty that jury trial is, on the whole, fairer than trial in magistrates courts, that there should be no discrimination in regard to who can choose trial by jury, and that jury trial is fairer to black defendants?

The Solicitor-General: I think that the hon. Gentleman would, rightly, be first to complain if we had made a commitment in our manifesto and did not implement it. Like him, however, we are anxious that trials should be fair—that there should be fairness as between defendant and prosecution, and fairness to the victim. Those considerations will be at the forefront of our minds, but we have a settled policy on the right to elect for trial by jury. We are consulting on the wider issues relating to juries that a number of Members have raised.

Criminal Law Reviews

37. **Simon Hughes** (Southwark, North and Bermondsey): What reviews have been undertaken to discover which criminal laws have fallen into disuse in the last *(a)* 10 and *(b)* 30 years; and what plans Her Majesty's Government have to repeal them. [14667]

The Solicitor-General: The Law Commission is responsible for the review of all statute law and has conducted a number of major reviews of specific spheres of criminal law. The reviews identify which criminal laws have fallen into disuse, which are then dealt with in Statute Law (Repeals) Acts, the most recent of which was in 1998.

Simon Hughes: Do the Solicitor-General and the Government have any plans to present proposals to Parliament to repeal laws that have not been used in the past 10 years, and possibly not in the past 30? Is it correct that there is a proposal on the table to get rid of the blasphemy law, partly because it has not been used for a considerable time? Do the Government have any other specific laws at the front of the queue for repeal?

The Solicitor-General: The most recent private prosecution under the blasphemy law was the very famous Mary Whitehouse prosecution of *Gay News*, and there has not been a public prosecution under the law since 1922. As the House will know, the Home Secretary, in evidence to the Joint Committee on Human Rights, said that he expects that that law will soon find its place in history. Nevertheless, there is still a common law offence of blasphemy. However, if a blasphemy prosecution were to be brought before that common law offence had been repealed, it would not require prosecution by the Director of Public Prosecutions. If the case were heard in a magistrates court, it would be open to the DPP to step in and discontinue the prosecution, and if it were held in a Crown court the Attorney-General could step in and discontinue it. As for other offences, there is a rolling programme to consider laws on criminal offences that have fallen into disuse.

Laura Moffatt (Crawley): Could my right hon. and learned Friend tell my constituents, who come from various backgrounds, whether there is a case for using old laws? As I understand it, the Treason Act 1351 may apply to those who are found guilty of fighting for the Taliban and wish to return to the United Kingdom. Will she comment on that, please?

The Solicitor-General: The Treason Act is still on the statute book, despite its age. If there were evidence of the commission of an offence under the Act, it would be for the DPP to bring a prosecution, and the Law Officers would be accountable to the House for that decision. The police have already asked for information and advice on prosecuting for treason, and that advice has been given. As my hon. Friend will know, however, many other offences may be brought into play, not only when the Anti-terrorism, Crime and Security Bill is enacted, but under the Terrorism Act 2000. The Law Officers will be accountable to the House for a decision by the DPP or by ourselves, acting under our consent provisions, to bring prosecutions for treason.

Business of the House

12.32 pm

Mr. Eric Forth (Bromley and Chislehurst): Will the Leader of the House give us the business for next week, please?

The President of the Council and Leader of the House of Commons (Mr. Robin Cook): The business for next week will be as follows:

MONDAY 26 NOVEMBER—Conclusion of consideration in Committee and remaining stages of the Anti-terrorism, Crime and Security Bill.

TUESDAY 27 NOVEMBER—Second Reading of the Employment Bill.

WEDNESDAY 28 NOVEMBER—Second Reading of the Civil Defence (Grants) Bill.

THURSDAY 29 NOVEMBER—Consideration of an allocation of time motion followed by all stages on the Human Reproductive Cloning Bill *[Lords]*.

FRIDAY 30 NOVEMBER—Private Members' Bills.

The provisional business for the following week will be as follows:

MONDAY 3 DECEMBER—Opposition Day [6th Allotted Day]. There will be a debate on an Opposition motion. Subject to be announced.

TUESDAY 4 DECEMBER—Second Reading of the Education Bill.

WEDNESDAY 5 DECEMBER—A debate on European affairs on a motion for the Adjournment of the House.

THURSDAY 6 DECEMBER—A debate on the common fisheries policy reform and sustainable fisheries on a motion for the Adjournment of theHouse.

FRIDAY 7 DECEMBER—The House will not be sitting.

Mr. Forth: I am grateful to the Leader for giving us the business. Can he tell us what has happened to the debate that we always used to have—just before Christmas, I think—on public expenditure? We are having the Chancellor's pre-Budget report next week, on 27 November. I should have thought that if the economy is such an astonishing success, as the Government like to claim it is, they would be eager to have a full day's debate on public expenditure so that that confidence may be fully expressed. Opposition Members certainly look forward to such a debate. Can the Leader of the House say when it will be and whether the Government are ducking and evading as usual, or whether such a debate would reflect their confidence?

May we also have an urgent debate on the role and powers of Select Committees? The Leader of the House will know very well that Standing Order 152 says that Sub-Committees of Select Committees

> "have power to send for persons, papers and records".

He will also know that this is one of the most cherished powers of our Select Committee system; and many people believe that the entrenchment of that power is one of the most important aspects of the Government's accountability to Parliament. I would have thought that all that was uncontroversial.

Is the Leader of the House aware of the recent press notice from the Transport Sub-Committee which says:

> "The Transport Sub-Committee . . . invited a Minister from HM Treasury to provide oral evidence to the inquiry into Rail Passenger Franchising and the Future of Rail Infrastructure. HM Treasury has declined that invitation and refused to appear before the Transport Sub-Committee"?

It continues:

> "The Sub-Committee is astonished that Treasury is unable to assist with this inquiry."

I would have thought that you are astonished, too, Mr. Speaker. I certainly am, because it seems to me to challenge the entire relationship that we thought existed between Select Committees and Ministers. This is the second such occasion in a fairly short time, is it not?

Will the Leader of the House please grant us a debate on the matter? In the meantime, perhaps he will clarify what he thinks is the relationship between Ministers and Select Committees, because his Modernisation Committee is busy claiming that Select Committees are very important and central to parliamentary activities. Given that, I hope that the Chairman of the Modernisation Committee may have something to say about this latest scandal.

As I suspect that the Leader of the House is a regular reader of *The Guardian*, which I happily am not, perhaps he has read it today? I emphasise that these are not my words, but the words of the paper's correspondent. Under the headline:

> "Parliament misled over recycled dioxins",

the Westminster correspondent writes:

> "A government minister has twice misled parliament over a serious health hazard . . . Michael Meacher, the environment minister, admitted that figures for levels of dioxins . . . have been heavily underestimated by the environment agency . . . This is the second time Mr. Meacher has had to clarify the issue."

Ministers in the other place regularly have to appear before their Lordships to apologise and to retract and correct what they have said. However, manners are much better in the other place and Ministers there obviously regard it as important to their integrity that they apologise, if necessary. Can I ask the Leader of the House for a regular slot—it may not be daily, but at least weekly—when Ministers can come to the House and apologise for what they have said?

Mr. Cook: I welcome the Opposition's interest in debating the Government's record on the economy.

Mr. John Bercow (Buckingham): We'd love to!

Mr. Cook: I am delighted to hear the hon. Gentleman confirm that. We are very happy to take any opportunity that comes our way to remind the House that Britain currently has the fastest growth rate in the G7, the lowest inflation in Europe and the lowest unemployment for a generation. We are proud of that record and we approach it with confidence.

As the right hon. Gentleman knows, my right hon. Friend the Chancellor of the Exchequer will be coming to the House next week to present the pre-Budget report. I recall that the right hon. Gentleman wanted that. It is right that the Chancellor and the House should focus on that next week. I shall, however, draw the attention of my right hon. Friend to the Opposition's enthusiasm for debating our record, and I hope that any amendments that they table to the motion relating to that debate will reflect their pleasure at what the Government have achieved and the contrast between that and their own lack of achievement when they were in office.

On the Transport Sub-Committee, I am grateful that the right hon. Gentleman has given me the opportunity to clarify some of what was said in the press statement from the Select Committee. It is not the case that Treasury Ministers have declined to appear before the Select Committee.

Mr. Forth: Oh?

Mr. Cook: It is true. In the previous Parliament, the Financial Secretary and the Economic Secretary appeared before the Transport Sub-Committee, and in doing so, they reported on their proposals for taxes that affected the transport industries. It is also the case that, in this Parliament recently, Treasury Ministers have appeared before the Scottish Affairs Committee to report on the impact of the aggregates levy and on excise duty. Those matters are firmly within the ministerial responsibility of Treasury Ministers. Rail franchising is firmly within the ministerial responsibility of Ministers at the Department for Transport, Local Government and the Regions. Frankly, I cannot imagine anything that will do more to undermine the system of ministerial accountability to the House and its Committees if the Ministers with responsibility are not held to account by the Committees and if other Ministers are held to account for decisions for which they are not responsible.

Mrs. Eleanor Laing (Epping Forest): Very clever.

Mr. Cook: The hon. Lady should also take pride in the fact that the Conservative party showed the same cleverness when in office. The right hon. Member for Kensington and Chelsea (Mr. Portillo) also refused to appear in front of the Transport Committee, when he was the Chief Secretary to the Treasury. The right hon. Member for Bromley and Chislehurst (Mr. Forth) should explain why he believes that this Government should follow practices that Conservative Members never dreamt of following themselves when they were in office.

Lastly, on the report in *The Guardian* today, I must confess that I did not see that part of the paper—perhaps my yoghurt splashed on it before I turned to that page—but my right hon. Friend has already written to the two hon. Members involved to put the record straight.

Mr. Tony Lloyd (Manchester, Central): Is my right hon. Friend aware of the reports in this morning's *Financial Times* about a very major restructuring of the Department of Trade and Industry and the introduction to the DTI of a significant component from private business? In terms of parliamentary accountability, to whom does the DTI account if those business leaders will be significant in the decision-making mode? Will my right hon. Friend assure me that the concept of genuine social partnership will exist in the DTI; or can we perhaps expect a statement from the Secretary of State?

Mr. Cook: I am advised that the DTI will answer a parliamentary question today, setting out the new arrangements for the strategy committee. Under Governments of whatever colour, the DTI has endlessly consulted business men and had committees on which they served. It is absolutely right and proper that my right hon. Friend the Secretary of State should rationalise that system and provide a strategic focus for it by setting up that committee. That will be fully explained in the written answer to be published this afternoon.

Mr. Andrew Stunell (Hazel Grove): I thank the Leader of the House for the business statement. May I draw his attention to the private Member's business that will be conducted on 30 November—in particular, the Home Energy Conservation Bill? Will he confirm that the Government will give that private Member's Bill a fair wind and that they will try to avoid its obstruction and defeat, given its importance to home energy efficiency and energy conservation in general?

Will the right hon. Gentleman comment on the Human Reproductive Cloning Bill, consideration of which will take place on 29 November? Bearing in mind the fact that the Bill appears to reinstate only one of the four protections of embryos that the courts struck out, is he satisfied that the amount of time allocated is sufficient to hold a properly measured debate and that the Bill's framework is sufficient to allow sensible amendments to be added to it?

Finally, will the right hon. Gentleman tell the House that statements will be made next week not only by the Chancellor, but on local government expenditure? Will he consider holding a full debate on local government finance, especially on the gross inequalities in the funding of local authorities throughout the country?

Mr. Cook: The Government certainly want more energy to be conserved; thus we share the objectives of the Home Energy Conservation Bill's promoter. My right hon. Friend the Minister for the Environment is consulting the Bill's sponsors. I hope that it will be possible to find common ground, but that is also down to the promoter entering into discussions in a way that enables us to produce a Bill that is not only laudable but practical.

On cloning, I remind the hon. Gentleman that we have appealed against part of the judgment and that has a bearing on the terms of the Bill before us on Thursday. We are seeking to do no more than restore what was understood to be the law before the ruling last week. That is important for the House and for the country. At a future stage, we may need to consider further measures on the issue, but for the time being, we need emergency measures to prevent people from coming to Britain to exploit the loophole that has been revealed by the court decision.

I expect there to be a statement of one kind or another on local government finance in the near future. I will take on board the hon. Gentleman's point that we should have a debate and I shall add the subject to my long list of impending debates.

Mr. Derek Foster (Bishop Auckland): Will my right hon. Friend find time for a debate on the future of education maintenance allowances? That would provide Ministers with the opportunity to explain why the county of Durham, the largest education authority in the north-east, is the only one in the area not to be selected

[Mr. Derek Foster]

for a pilot programme. Because of the pilot, every one of its neighbours has experienced increased participation in further education. Durham would very much like to be included.

Mr. Cook: I understand my right hon. Friend's disappointment. I am sure that it is reflected in his constituency. However, it is in the nature of pilots that not every area is selected. I hope that the experiment will be successful and that we shall be able to extend the programme to areas such as Durham that have not been included in the pilot scheme.

Mr. George Osborne (Tatton): Did the Leader of the House share my shock when he read this morning's newspapers and discovered that he was not one of the Chancellor's new best friends? Is that because he, like half the Government, has a long-standing feud with the Chancellor? Can we have an early debate to see whether these tantrums at the Treasury are impairing the proper functioning of government?

Mr. Cook: The hon. Gentleman obviously has an interesting question to put on the pre-Budget report next week. I shall give my bestest of friends the Chancellor advance notice to look out for it.

David Winnick (Walsall, North): The shadow Leader of the House did not raise this issue, but will we have a statement on why the advertisement for the post of Parliamentary Commissioner for Standards states that the job is only for three days? [HON. MEMBERS: "What?"] Three days a week, I mean—although I suspect that, if some people in the House had their way, it would be three days a year.

Why did the House of Commons Commission come to the view that the present occupant should not have her contract renewed, unlike the offer made to her predecessor, Gordon Downey? It is being interpreted—in my view rightly—as an Officer of the House being sacked for doing her job in a zealous manner; so does my right hon. Friend accept that that reflects badly on the House and on us all? I hope that, even at this late stage, the matter can be reconsidered. This person is doing a fine job; there is no need to sack her.

Mr. Cook: The reference to three days a week reflects precisely the terms of the advertisement placed on the last occasion the job was advertised. It is the basis on which Mrs. Filkin was appointed, but she negotiated an increase to four days. It will be open to any incumbent that we may appoint to enter into similar negotiations. The advert this time is exactly the same as the one used when Mrs. Filkin was appointed.

Sir Gordon Downey indicated that he did not wish to seek a second term, so the question of reappointment did not arise. I keep pointing out to my hon. Friend—and I am pleased to do so again for the benefit of the whole House—that it is important to be fair about the case of Mrs. Filkin. She has not been sacked. Nobody has expressed any dissatisfaction with the way in which she has carried out her duties. The decision of the House of Commons Commission is that it is right that the post should be filled by open competition and that the best candidate should be appointed. Mrs. Filkin has been invited to apply, and if she is the best candidate, she will be reappointed.

Mr. Andrew MacKay (Bracknell): Does the Leader of the House not understand the widespread concern that has been expressed on both sides of the House that the Anti-terrorism, Crime and Security Bill will have only two days for its Committee stage and Report, with the second day on Monday? Will he also explain why he was not on the Front Bench yesterday when the programme motion was debated and the hapless Under-Secretary of State for the Home Department, the hon. Member for Stretford and Urmston (Beverley Hughes), failed to explain to me and to others why the British Overseas Territories Bill, which is being debated today, was so important that it had to be discussed this week? We could have had an extra day in Committee on a vital Bill.

Mr. Cook: I attach great importance to the British Overseas Territories Bill, as do the residents of British overseas territories and a number of hon. Members. Moreover, I remind the right hon. Gentleman that those residents have been waiting some time for the Bill to be introduced and proceeded with. When I was Foreign Secretary I was regularly asked when it would be introduced, and it is important that it should proceed.

On the Anti-terrorism, Crime and Security Bill, I understand that hon. Members want to debate its important contents. It is therefore a matter of regret that some of the right hon. Gentleman's hon. Friends wasted time yesterday debating not the Bill's substance, but a programme motion that had already been put before the House.

Mr. Alan Simpson (Nottingham, South): The Leader of the House knows that we are entering a difficult stage in which health authorities have to manage their demise by next spring and the transfer of their responsibilities to primary care trusts. Although I have nothing but praise for my health authority in Nottingham for the professionalism with which it is attempting to do that, I am conscious that we face the problem of staff haemorrhaging from health authorities to the embryonic PCTs. Some health authorities face the prospect of meltdown as they try to get the staff to support existing and essential services. Can we have a statement on how the Government are supporting the transition of responsibilities to the new PCTs and on what additional resources we are putting in place to ensure that existing services are not damaged in the process?

Mr. Cook: I accept that that is an important aspect of the NHS Reform and Health Care Professions Bill, which is before the House. I anticipate that my hon. Friend and some of his colleagues will want to explore that issue as the Bill proceeds. I welcome his praise for his health authority and believe that there is a broad welcome for our proposed measures to put the funding of local services in the hands of local health service staff, especially general practitioners.

We are aware that there will be a period when staff of the health authorities are worried. That is why we have given an assurance that those who may not be transferred by 1 April 2002 will remain employees of the Department of Health, which will run a clearing house to ensure that existing staff are placed. There is no need for staff at the present time to become anxious about their future after 1 April. We will ensure on a national basis that staff are placed.

Mr. Michael Jack (Fylde): May I draw the attention of the Leader of the House to page 63 of "Erskine May", which says:

> "ministers should be as open as possible with Parliament, refusing to provide information only when disclosure would not be in the public interest"?

No doubt the right hon. Gentleman will have read in *Hansard* the exchanges that occurred yesterday in which it was evident that a number of right hon. and hon. Members had great difficulty in obtaining answers to their parliamentary questions in pursuit of their duties as Members of the House. He will also be aware of the ombudsman's finding on my hon. Friend the Member for Blaby (Mr. Robathan). To that extent, will the Leader of the House consider making a statement to the House at the earliest opportunity about the way in which the code of ministerial conduct is being operated in respect of the answering of parliamentary questions, so that the House knows what service it can expect from Ministers in the provision of information?

Mr. Cook: I did read yesterday's *Hansard* with great interest and I notice that you, Mr. Speaker, have undertaken to reflect on the points made. I stand ready to communicate to my colleagues any views that you may express.

Mr. Keith Vaz (Leicester, East): Can we have a debate or a statement next week on the length of time that patients have to wait on trolleys before being admitted to hospital wards in Leicester? I appreciate that the Government have made a huge commitment to spend billions of pounds on our health service and that many dedicated staff work in it, but the news this morning that a 53-year-old Leicester woman died after being on a trolley for eight hours before receiving treatment has caused enormous concern. Can we have a debate on that important subject?

Mr. Cook: I understand the deep concern in my hon. Friend's constituency about the case to which he referred. He will be aware that the trust has expressed its regret to the family of the woman concerned. Waiting for a long time in accident and emergency is unacceptable, and that is why we have applied targets in the national health service plan to ensure that people are admitted to hospital within four hours of being assessed in accident and emergency as requiring such admission. I am pleased to say that the longest periods of waiting on trolleys are being reduced, but as long as anybody has to go through the experience described by my hon. Friend, we plainly cannot be complacent and have not achieved a satisfactory outcome. We must keep trying.

Dr. Evan Harris (Oxford, West and Abingdon): The Leader of the House will be aware that the Human Reproductive Cloning Bill is effectively unamendable, in that the main clause is the same as the long title. He claimed in his reply to my hon. Friend the Member for Hazel Grove (Mr. Stunell) that the Bill seeks to restore the situation that existed before the judgment. If the right hon. Gentleman is advised and convinced that it will not do so, will he give an undertaking that there will be scope to amend the Bill so that it does achieve that stated aim? Does he share my concern that the Bill is to be passed by both Houses of Parliament in one day, which makes it not only unamendable but practically undebatable?

Mr. Cook: By definition, no Bill is unamendable. It is beyond the wit and knowledge of even the parliamentary draftsmen to produce a Bill that it is not competent to amend. The hon. Gentleman is right to point out that the Bill is tightly drawn. That is because its focus is to restore the position that we understood to be the state of the law before Friday, apart from those matters that are still subject to appeal.

The Bill is indeed being brought before the House next Thursday under an emergency procedure, for the simple reason that it is surely not in the country's interest that we should end up with no legal controls—controls that we thought did exist—to prevent people from coming here to take advantage of that legal ruling. I would hope that all Members recognise the importance of closing that legal loophole before it is abused.

Mrs. Claire Curtis-Thomas (Crosby): Several weeks ago I was fortunate enough to lead a debate on manufacturing in Westminster Hall. Many Members from both sides of the House attended and many important issues were raised. However, the time allocated to the debate was far too short to flush out the Government's response to the issues that are affecting British manufacturing. Can my right hon. Friend allocate a whole day to a debate on that subject and the impact that it is having on our economy?

Mr. Cook: I congratulate my hon. Friend on having secured that debate in Westminster Hall, demonstrating once more the value of that Chamber in ventilating some of the issues that we cannot accommodate in the House. I will happily add my hon. Friend's bid for a day's debate to the three other such bids that I have had in the last half hour. Perhaps I could point out that the Department of Trade and Industry will answer questions next week, and I am sure that that will provide an opportunity for an exchange on manufacturing.

Mr. John Randall (Uxbridge): The Leader of the House will no doubt be aware of the plight of the 12 British tourists still being held in custody in Greece without having been charged. They include my constituent, Mr. Peter Norris. Will the right hon. Gentleman arrange for a Foreign Office Minister to come and make a statement on that situation?

Mr. Cook: I am pleased to tell the hon. Gentleman that the Foreign Office, through its consular department, is maintaining contact with the British citizens who have been arrested. We understand that they have been given access to legal representation and that they have had opportunities to contact their relatives by phone. We will continue to give the closest consular attention to their case.

Mr. Tam Dalyell (Linlithgow): Assuming that there will be a statement on Monday from the Foreign Secretary on his very important visit to Iran and Pakistan, could he include some comment on policy on the dropping of

[Mr. Tam Dalyell]

cluster bombs and other ordnance that may not be exploding? Is my right hon. Friend aware that many of our colleagues were disturbed by what General Sir Hugh Beach, Richard Lloyd and other experts from the all-party land mines group said, when they came to the House, about the amount of ordnance that has been dropped but has not exploded? Somehow, someone—perhaps the Halo Trust—is going to have to clear it up.

Mr. Cook: There are indeed many land mines throughout Afghanistan which are the detritus of a decade of civil war. Tackling that will be an important priority in the reconstruction of the country, and it must include tackling any unexploded ordnance from the bombing. I am not aware of the statistics that may have been presented to my hon. Friend and his colleagues, but in present circumstances I would be a little sceptical about whether we could be precise about the amount that has not exploded.

As I said to the House when we last discussed the subject, any cluster bombs that have been used—they have been used on very limited occasions—are designed to explode on impact.

Mr. Nicholas Winterton (Macclesfield): In his statement, the Leader of the House announced the Second Reading of the Employment Bill. I genuinely seek information because I, like the right hon. Gentleman and others, fervently support pre-legislative scrutiny. Bearing in mind the impact that the Bill may well have on manufacturing industry—a subject that has already been mentioned—will he say whether it has been the subject of pre-legislative scrutiny, and if not, why not?

Mr. Cook: The answer to the hon. Gentleman's first question is that the Bill has not been through the process of pre-legislative scrutiny—[HON. MEMBERS: "Oh!"] I do not see why that comes as a surprise, given that the Bill was first published only the other week. As the hon. Gentleman knows, I would like pre-legislative scrutiny to become the norm, not the exception, but several other changes to our proceedings would be required to make that feasible. One of those is to deal with the sessional cut-off and decide whether to adopt the interesting proposal in the—Conservative—report by Lord Norton that there should be a fixed period of 12 or 14 months within which a Bill can run, which would provide adequate time for exactly the sort of pre-legislative scrutiny that the hon. Gentleman wants.

Mr. Chris Bryant (Rhondda): I am sure that my right hon. Friend is aware that 119 Labour Members have now signed early-day motion 226:

[That this House supports the democratic principle that any revised Second Chamber of Parliament should be wholly or substantially elected.]

The motion has also been signed by Members from other parties, including the right hon. and learned Member for Rushcliffe (Mr. Clarke). When will we have a debate on reform of the House of Lords, and will that debate take place before Christmas?

Mr. Cook: I have followed the early-day motion and other representations on our proposals with the greatest of interest. As my hon. Friend is aware, we have said that we want the consultation period to run until 31 January. It is my intention that the House should have a full day's debate on the proposals. Because of the legislative pressure, I cannot commit to having that debate before Christmas, but if not then, it will certainly be held in very early January and well within the consultation period.

Miss Anne McIntosh (Vale of York): The Leader of the House is aware of my constituents' great interest in the east coast main line route, so he will share their disappointment about the refusal of Treasury Ministers to take questions from the Transport-Sub Committee. I echo my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) in requesting a debate at the earliest possible opportunity on the powers of the Select Committees. I remind the Leader of the House that the Treasury team was invited to field Ministers for an inquiry into rail passenger franchising and the future of rail infrastructure. He will be aware that the Strategic Rail Authority requested a 20-year extension for Great North Eastern Railway on the east coast main line route and that the Secretary of State refused that request.

Mr. Cook: That is entirely a matter for my right hon. Friend the Secretary of State for Transport, Local Government and the Regions. As I said, it does not assist the question of ministerial accountability to Committees of the House for that accountability to be passed to other Ministers. Treasury Ministers have in the past been perfectly willing to appear before the Transport-Sub Committee in respect of matters for which they are ministerially accountable. It is absolutely right that the Secretary of State for Transport, Local Government and the Regions should account to the Committee for matters for which he is responsible.

Mr. David Chaytor (Bury, North): As we now know, it took only seven months in New Zealand, nine months in Australia and 12 months in Canada, so does my right hon. Friend agree that it is frustrating that in the United Kingdom it should take almost four years to implement freedom of information legislation? Given some of the clauses of the Anti-terrorism, Crime and Security Bill, will he find time in the near future for a debate—or at least a statement—on the implementation of the freedom of information provisions?

Mr. Cook: My hon. Friend is uncharacteristically unfair about the proposals. He will remember that the terms of the Freedom of Information Act 2000 provided that the Act would be implemented in a five-year period. In fact, we are to bring it fully into force a year earlier than that, but it is not a matter of waiting four years for implementation: the roll-out of the Act's provisions will start next year. It conforms entirely with the advice that we have received from the person appointed to oversee the implementation of the Act's procedures that it should be done one part at a time, so that we can gain experience and properly train and prepare staff to bring the measures into existence. It is a massive public administration undertaking and the House should not understate it. Broadly, there has been a welcome for the way in which we are proceeding with it—starting next year and completing by 2004.

Bob Spink (Castle Point): Will the Leader of the House convey my thanks to the Government for finally offering help and hope to many multiple sclerosis sufferers by making beta interferon more widely available? Those talks are going on even today. May we have a debate to ensure that there will be no postcode restrictions, that we will allow at least 10 years before we start to draw conclusions on the trials, that consultants and patients will be able to choose between a variety of products and that the cohort who use those drugs will be about 10 per cent. of all MS sufferers?

Mr. Cook: I am grateful to the hon. Gentleman for his welcome for the way in which we are proceeding. He is correct: talks are currently under way with the commercial manufacturers to try to find a financially viable and clinically acceptable way forward. I am not medically qualified, so I hesitate to comment on the particular parameters he imposes on the study, but I hope that we can reach agreement on it.

David Taylor (North-West Leicestershire): Two weeks ago, on 8 November, Garry Fagan of Kegworth in my constituency was among the group of 12 plane spotters who were arrested in southern Greece. The position is rather more serious than the hon. Member for Uxbridge (Mr. Randall) suggested. Those 12 British citizens were charged with espionage on 12 November, and some or all of them may face even more serious charges next week, on 27 November. I am reassured as to the extent of consular and family contact, but will my right hon. Friend use his influence either to obtain a statement, to initiate a debate in the House, or to speak to colleagues in the Foreign and Commonwealth Office, which he led with such distinction, to ensure that they take a close look at a case that is starting to spiral in the most worrying fashion?

Mr. Cook: I fully appreciate my hon. Friend's concern and can well understand the deep concern that must exist in the family he represents. I am pleased to tell him that the Foreign Office has already been in contact with its opposite number in Greece. Indeed, my right hon. Friend the Minister for Europe raised the case of the 12 people who have been detained with the Greek Foreign Minister only a week ago. We shall continue to take every action that we can to ensure that we draw the attention of the Greek authorities to the deep concern in the country and in the Chamber on this matter.

Mr. John Wilkinson (Ruislip-Northwood): Following the questions put by my right hon. and hon. Friends on the need for an urgent debate on the working of the Select Committee system, does the Leader of the House not realise that the Chancellor is demeaning his office, and that it is for the Select Committee, in the exercise of its prerogative, to decide which persons and which papers to summon? It is not for Her Majesty's Government to decide which Minister should or should not go. If the Chancellor is to do his duty to Parliament, and to our constitution, he has an obligation to attend.

Mr. Cook: I do not think that anybody can accuse Treasury Ministers of not carrying out their obligations to Select Committees. Earlier, I gave the House some examples: the Economic Secretary appeared before the Transport-Sub Committee on landfill tax and the Financial Secretary on green taxation. The reasons for their appearance before the Committee had everything to do with the Treasury, but rail franchising has everything to do with the Department for Transport, Local Government and the Regions—*[Interruption.]* I put this question to hon. Members who are braying from a sedentary position: if they really disagree with it, why did they follow the same practice when they were in office?

Dr. Stephen Ladyman (South Thanet): If my right hon. Friend has studied the school league tables that were published this week, he will have seen that the selective system of education in Kent is failing hundreds of my constituents by creating sink schools that do no one any good. My right hon. Friend has just announced the Second Reading of the Education Bill. If, on Second Reading, we find that changes to address the system of selective education and to make it a practical possibility to hold a parental ballot on the subject in Kent have inadvertently been omitted, will my right hon. Friend ensure that the Committee and Report stages are programmed in such a way that we can thoroughly debate appropriate amendments to make those changes to the Bill?

Mr. Cook: I fully understand my hon. Friend's concern. He is right to take the opportunity to stress the case for fair treatment of all the schoolchildren in his constituency. We are some way away from the Report stage of the Bill to which he referred, but I shall bear in mind what he said when we come to that point.

Mr. David Cameron (Witney): Further to the question asked by my right hon. Friend the Member for Bracknell (Mr. MacKay), if we cannot have another day's debate on the Anti-terrorism, Crime and Security Bill, could we at least have a debate specifically on the powers that the Government have taken to pass into British law anything agreed by European Union home affairs and justice Ministers without introducing a proper Bill in the House? Last night, we had just 14 minutes to discuss an enormous constitutional change. I am sure that the Leader of the House will have seen, as I have, early-day motion 452 in yesterday's Order Paper. It states:

> *[That this House congratulates the entertainers comprising Puppetry of the Penis on their work to raise awareness of testicular cancer; notes that testicular cancers are the most common cancers in men under the age of 40; further notes that each year approximately 1,500 men in the UK develop the disease; further notes that testicular cancer is one of the most curable malignancies if caught at an early stage but that 81 per cent. of males do not know how to conduct a self-examination, further notes that self-examination is quick and easy and can form part of a regular awareness regime; and draws hon. Members' attention to NHS Direct's information webpage on this subject which will be of invaluable use during Check Your Tackle Day on 21st November.]*

I accept that that is important, but have we reached a stage in the House where there is time to check your tackle, but there is not time to check the Government's legislation?

Mr. Cook: The hon. Gentleman's closing line was beneath the dignity of the House and the seriousness of fighting international terrorism. I remind the House that when we met in the recall days immediately after

[Mr. Cook]

11 September, there was widespread concern in the House that we should act to make sure that the security of our citizens was foremost. The Government are doing that. If we had been debating the legislation in the mood that was around after 11 September, Opposition Members would not be objecting to us taking the measure through Parliament quickly to protect our constituents.

Mr. Mark Prisk (Hertford and Stortford): I should like to raise with the Leader of the House an issue that affects every taxpayer in the country, and urge him to raise it with the Chancellor. I am referring to yesterday's debate on the Anti-terrorism, Crime and Security Bill. There was no opportunity to discuss part 3, which relates to the Inland Revenue's ability to disclose information on personal tax records; colleagues on both sides of the House were deeply disappointed about that. Part 3 represents an unprecedented breach of personal confidentiality. The danger to the Chancellor is that there will be a significant problem in raising Government revenue. I therefore urge the Leader of the House to ask the Chancellor to make an early statement to the House that would establish clearly whether our constituents' tax records are dealt with by the Inland Revenue in complete confidence.

Mr. Cook: I remind the hon. Gentleman and the House that the provision was introduced so that we can succeed in seizing terrorist funds and preventing them from being used for the commission of terrorist acts. Like many hon. Members, I was appalled to discover that it was possible for terrorists to use our banking and financial system to move their money around. My right hon. Friend should be praised, not criticised, for taking vigorous action to stop that.

Mr. Crispin Blunt (Reigate): I understand from the BBC that the Government intend to make an announcement on Monday by means of a written answer that they are converting another male prison into a female prison; that is in the face of a four-year sustained rise in the female prison population. So far, such decisions have been taken with about a week's notice for the prison to begin the changes. Could we have a statement rather than a written answer so that those of us who represent not only prisoners whose rehabilitation programmes have been disrupted but staff who are being asked to move around the country at a week's notice can make direct representations to the Minister concerned?

Mr. Cook: I cannot say that I am familiar with the pending question to which the hon. Gentleman referred, but I am happy to draw his comments to the attention of my right hon. Friend the Secretary of State for the Home Department.

Mr. John Hayes (South Holland and The Deepings): The House will be aware that the Government have suddenly decided to end education action zones. They were a flagship initiative, as the Leader of the House will know, but the House will have learned of their scrapping not through a proper debate in the House but through press reports. Should not the House have an opportunity to debate the matter, which comes on top of scrapping individual learning accounts? If the Government are going to get rid of some of their important flagship initiatives, the repercussions for people employed in EAZs and the affected children should be fully debated in the Chamber.

Mr. Cook: As I understand it, education action zones were time-limited from the start. Therefore, the time at which they come to an end, far from being a sudden surprise, has been known ever since the date on which they commenced. As to communication with the House, I am advised that my right hon. Friend the Secretary of State for Education and Skills has written to every hon. Member who has an education action zone in his or her constituency.

Dr. Julian Lewis (New Forest, East): Did the Leader of the House see today's report in *The Times* which read:

> "Tessa Jowell, the Culture Secretary, is to announce the death of Cool Britannia, the slogan that summed up Tony Blair's flirtation with youth culture . . . She will describe the label . . . as meaningless."

May we please have a statement from the Secretary of State for Culture, Media and Sport so that Opposition Members can congratulate her on that sudden outburst of candour, and may we offer a similar incentive to other Ministers who have been promoting meaningless slogans similarly to dispose of such catch-words and catch-phrases as "stakeholders", "communautarianism", "the third way", "joined-up government" and last but not least, that under Labour "things can only get better"?

Mr. Cook: I congratulate the hon. Gentleman on his preparation. He has elevated the question to an art form and deserves congratulations from both sides of the House on entertaining us. Whether, as well as entertaining us, he illuminates politics in our time, I am more doubtful. I have heard "cool Britannia" buried three times over the past three years, and I am not surprised to hear it all over again. I do not think that the hon. Gentleman will find that the phrase has been used by any Minister for a very long time.

Points of Order

Miss Anne McIntosh (Vale of York): On a point of order, Mr. Speaker. Can you clarify the confusion that has arisen in the past hour, during business questions? I have the honour and privilege to sit on the Transport Sub-Committee of the Select Committee on Transport, Local Government and the Regions, and I do not recall any Treasury Minister appearing in this parliamentary Session. Will you use your good offices to request the Leader of the House to explain when any Treasury Minister last addressed the Transport Sub-Committee?

Mr. Speaker: There is always next week. The hon. Lady can put her question to the Leader of the House then.

The President of the Council and Leader of the House of Commons (Mr. Robin Cook): Further to that point of order, Mr. Speaker. We have this week—let us use this week. I referred to the Transport Committee in the last Parliament. However, the Government were the same, and we do not resile from that. The dates, if the hon. Member for Vale of York (Miss McIntosh) wishes to look them up, are March 1999, when the Economic Secretary appeared, and April 1999, when the Financial Secretary appeared.

Mr. Speaker: The hon. Lady does not need to catch my eye next week, then.

Ann Clwyd (Cynon Valley): On a point of order, Mr. Speaker. The surrender of the Taliban troops in Kunduz seems to be under way this morning. It is less clear what will happen to the many foreign troops who are fighting with the Taliban. Clearly, any bloodbath in that area, ahead of the conference in Bonn on Monday, would be catastrophic for the future of the peace process in Afghanistan. It has been unclear over the past few days who is responsible for what. We get the impression that the United States is washing its hands of the whole episode and walking away from events that are unfolding inside the country. That would be extremely regrettable. We have a responsibility. It is important that a United Nations security force be brought into the area immediately to monitor the withdrawal and what is happening in the country. Also, the humanitarian aid is not getting into the country. We should have daily statements from the Government about what moves are to be made next.

Mr. Speaker: That is a matter for the Ministers concerned. I am sure that they will note what the hon. Lady said.

Mr. Tam Dalyell (Linlithgow): Further to that point of order, Mr. Speaker. Accepting that it is a matter for the Ministers concerned, I asked during business questions whether there would be a statement on Monday from the Foreign Secretary on his return from Iran and Pakistan. Through your good offices, perhaps he could be asked to address the issue raised by my hon. Friend the Member for Cynon Valley (Ann Clwyd), which is so urgent, concerning the possible bloodbath in Kunduz.

Mr. Speaker: That is not a matter for me.

BILLS PRESENTED

EDUCATION

Secretary Estelle Morris, supported by the Prime Minister, Mr. Secretary Murphy, Mr. Andrew Smith, Mr. Stephen Timms and Mr. Ivan Lewis, presented a Bill to make provision about education, training and childcare: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed. Explanatory notes to be printed. [Bill 55].

TELECOMMUNICATIONS TRANSMITTERS (RESTRICTIONS ON PLANNING APPLICATIONS)

Mr. Frank Field presented a Bill to permit a local planning authority to decline to determine an application for the development of telecommunications transmission to antennae in certain circumstances: And the same was read the First time; and ordered to be read a Second time on Friday 18 January, and to be printed [Bill 56].

Orders of the Day

British Overseas Territories Bill *[Lords]*

Order for Second Reading read.

1.20 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Ben Bradshaw): I beg to move, That the Bill be now read a Second time.

The Bill seeks to fulfil a commitment to grant British citizenship, and with it the right of abode in the United Kingdom, to British dependent territories citizens in qualifying overseas territories. Many hon. Members will be familiar with its content and many have urged the Government to speed its passage on behalf of the people of the overseas territories. It was introduced in another place by my noble Friend and colleague Baroness Amos, Minister for the overseas territories, and has come to this House without amendment. I hope that it will secure the approval of this House too.

Britain has 14 overseas territories. For the benefit of hon. Members who are not familiar with all of them, I shall list them: Anguilla, Bermuda, the British Antarctic territory, the British Indian Ocean territory, the British Virgin Islands, the Cayman Islands, the Falkland Islands, Gibraltar, Montserrat, the Pitcairn Islands, St. Helena and the dependencies, South Georgia and the South Sandwich Islands, the sovereign base areas of Akrotiri and Dhekelia on Cyprus and the Turks and Caicos Islands. With the exception of Gibraltar, all those territories are islands or form part of them. Their populations vary from some 60,000 in Bermuda to only 50 in Pitcairn, which owes its population and its place in history to the mutiny on the Bounty.

Jeremy Corbyn (Islington, North): My hon. Friend mentioned the British Antarctic territory. I am not sure whether it has a permanent resident population, but my question relates to the fact that it is a claim rather than an agreed possession in the sense in which the other territories are so named. Can my hon. Friend clarify that point?

Mr. Bradshaw: Not immediately. I shall endeavour to do so in my winding-up speech. None the less, my hon. Friend is absolutely right on this point: as far as I am aware, there are no permanent residents in the territory to which he refers.

Andrew Mackinlay (Thurrock): Apart from Gibraltar, which my hon. Friend has listed, none of the other overseas territories is included in the European Union. Will he make it clear now or subsequently that, when the Bill is enacted, people to whom British citizenship is extended will, ipso facto, be citizens of the European Union? European Union citizenship is not geographical; it depends not on whether we are in the United Kingdom but on whether we are British citizens. I do not believe that that is made clear in the Bill or the explanatory notes.

Mr. Bradshaw: I do not think that there is such a thing as a citizen of the European Union. There is, however, British citizenship, and the citizens of the territories will become British citizens and enjoy all the rights that such citizens have in the European Union, so the answer on the premise of my hon. Friend's question is yes.

Andrew Mackinlay: My hon. Friend had not been elected when the Maastricht legislation was introduced, so I understand why he does not know that it provided for the citizenship that I described. We are citizens of the European Union and I am pleased to tell him that he is, too. He needs to have the matter clarified by the time that he makes his winding-up speech, because it is a very important constitutional point. I believe that citizenship will benefit these folks, although some people might take a different view, so we need to know whether they are citizens of the European Union. I assert that they are.

Mr. Bradshaw: My hon. Friend may well be right. I shall try to help him on that point by the end of the day.

Mr. David Chidgey (Eastleigh): I understood the Minister to say that the citizens of our overseas territories would enjoy the same rights as other EU citizens. Does that include the rights to free travel and work throughout the Union and therefore throughout the territories?

Mr. Bradshaw: Yes, it does.

Some of the territories, such as Bermuda and the Cayman Islands are prosperous; others are less so. Most, such as St. Helena and her dependencies Ascension Island and Tristan da Cunha, are remote. Whatever their differences, they have a close, long-standing connection with Britain.

In March 1999, the Government published a White Paper entitled "Partnership for Progress and Prosperity: Britain and the Overseas Territories." It was a culmination of a wide-ranging review of our relationship with the overseas territories. It laid the foundations for a new relationship built on the fundamental principles of self-determination, the acceptance of responsibilities on both sides and the greatest possible control for the people of the overseas territories over their own lives. It set out an agenda explaining what each side expected of the partnership in terms of support for good governance, sustainable social and economic development and protection of the environment.

In his foreword to the White Paper, the then Secretary of State made it clear that our partnership must be founded on self-determination, and that the overseas territories would be British for as long as they wished to remain British. Britain has willingly granted independence when it has been requested, and will continue to do so when that is an option. I should like to reaffirm that that remains the position.

Partnerships are not always easy, and I recognise that we may not always get the balance right, but I believe that our relationship continues to evolve positively, in consultation with the territories, and that we have made good progress on White Paper issues such as financial regulation, human rights, the environment, constitutional reform and good governance.

Several hon. Members *rose*—

Mr. Bradshaw: I give way to the hon. Member for Ruislip-Northwood (Mr. Wilkinson).

Mr. John Wilkinson (Ruislip-Northwood): The Minister has mentioned two important words:

self-determination, which is fundamental to democracy, and partnership. Will he assure the House that there is no question of Gibraltar entering a form of condominium with Spain? Surely British citizenship means that the British flag should fly and that another power should have no jurisdiction in what is essentially British dependent territory.

Mr. Bradshaw: I emphasise the assurances that my right hon. Friends the Prime Minister and the Minister for Europe have given. However, I warn Members that I am not prepared to be drawn on Gibraltar outside the scope of the Bill.

We need to maintain momentum. The White Paper agenda still holds good, and there is further work to be done. The proposal to grant British citizenship to British dependent territories citizens in qualifying territories, and to recognise their British connection properly, is an important component of that process. The proposed citizenship provisions in the Bill apply to all territories except the sovereign base areas of Cyprus, which are excluded because of their special status as military bases, established by treaty with Cyprus.

The Bill formally changes the name of the territories to British overseas territories, and the term "British dependent territories citizens" to "British overseas territories citizens". It is no longer appropriate to use terms such as "dependent territory" or "colony". They are outdated and fail to reflect either the nature of our relationship and partnership with the overseas territories or modern reality. The Bill alters those terms in the British Nationality Act 1981 and will add a new definition of British overseas territory to the Interpretation Act 1978, so that it can be conveniently used in all future legislation.

We estimate that around 200,000 people could become British citizens on or following enactment. The number is an estimate because it is not yet possible to tell exactly how many people will benefit. Apart from those who already hold British dependent territory passports and live in and outside the territories, others who live in them and do not yet have that status will come forward after commencement of the Act to seek naturalisation or registration as British overseas territories citizens and go on to apply for registration as British citizens.

Mr. Lindsay Hoyle (Chorley): Will my hon. Friend clarify one point, which, surprisingly, is not about Gibraltar, but about the Falkland Islands? Will the people of the Falkland Islands, St. Helena and other places still have the right to self-determination? Will the Bill provide for that?

Mr. Bradshaw: Yes. There is, however, no compulsion about British citizenship. We believe that most people will want it, but British overseas territories citizens, as the Bill proposes that they should be known in future, will have the option to renounce British citizenship and to retain their current status should they so wish.

British dependent territories citizens from the Falkland Islands already have British citizenship, and those of Gibraltar are already entitled to apply for it. We do not expect all British dependent territories citizens in other territories to want to apply for new passports describing them as British citizens.

I have already said that those people who prefer to continue with their British overseas territories passports will be free to do so. We expect the take-up rate to vary from territory to territory and according to circumstance.

I hope that right hon. and hon. Members have had an opportunity to read the Bill and the explanatory notes, both of which were deposited in the Library after First Reading and are readily available in the Vote Office. Nevertheless, it may be helpful if I summarise the content and scope of the Bill. As soon as the Bill has passed through Parliament and received Royal Assent, clauses 1 and 2, which deal with the change of name to "British overseas territory" and "British overseas territories citizen" will take effect. At that point, all references to the territories will be formally changed. I say formally, because the description "overseas territories" is already in common usage. Those clauses deal only with changes of name and involve no substantive change of law.

Clause 3 sets out how existing British overseas territories citizens, as they will be known, will automatically become British citizens with the right of abode in the United Kingdom on commencement of the citizenship provisions of the Bill. In other words, they will not have to apply for citizenship, although they will have to apply for a British passport to show documentary evidence of their new status and to facilitate travel.

Peter Bradley (The Wrekin): Will my hon. Friend confirm that possession of a passport confirms, but does not confer, citizenship?

Mr. Bradshaw: Yes.

The date of commencement will be appointed by my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs by statutory instrument once we are satisfied that the practicalities for implementation of the citizenship provisions are in place. For instance, we need to ensure that arrangements for passport issue are agreed and that the staff who will deal with passport and nationality questions are properly trained.

Clause 4 sets out how British citizenship can be acquired by people who become British overseas territories citizens after commencement of the legislation. There are, of course, many people living in the overseas territories who are not British dependent territories citizens. The automatic provisions of the new legislation do not apply to them. To qualify for British citizenship, they will first have to qualify for British overseas territories citizenship by connection with the territory in which they reside. If their application is successful, they will thereafter be free to apply for British citizenship.

Tony Baldry (Banbury): The Minister is talking about citizenship and passports. The White Paper, "Partnership for Progress and Prosperity: Britain and the Overseas Territories", published in 1999, was a series of quid pro quos. Will the Minister explain what the overseas territories and their legislative councils have given the Government in exchange for the citizenship that we are giving? As I understand it, this is a two-way deal that the Foreign Office has arranged. We ought to have some understanding of what is being given back.

Mr. Bradshaw: I will deal with reciprocity later.

Mr. Jim Marshall (Leicester, South): Perhaps my hon. Friend the Minister could tell the hon. Member for

[Mr. Jim Marshall]

Banbury (Tony Baldry) that we are returning to those citizens what they had prior to 1962, when the then Tory Government took away their right of abode in the United Kingdom.

Mr. Bradshaw: The point is well made.

Clause 5 and schedule 1 to the Bill further amend the 1981 Act to provide for acquisition of British citizenship by future generations having the requisite connection with any of the qualifying overseas territories. Those provisions will put the qualifying territories in the same position as the UK for that purpose so that, for example, a child born in a qualifying territory after commencement to a parent who is a British citizen or settled there will automatically acquire British citizenship in the same way as a child born in similar circumstances in the UK.

Clauses 6 and 7 and schedule 2 deal with repeals of superseded legislation and the short title, commencement and extent of the Bill.

British citizenship will mean that British overseas territories citizens have the right of abode in the United Kingdom and the right of free movement and residence, and with that the opportunity to work, in European Union member states. In short, Mr. Deputy Speaker, they will have the same entry and residence rights as you or me. They will be able to visit friends and relations or travel on business or for employment without being subject to immigration controls. I know that that has long been a bone of contention.

British dependent territories citizens have never considered it fair that they are subject to immigration control and must pass through the non-EU channel on arrival at UK ports and airports. As British citizens under the Bill, they will not have to.

I should like to make an important point at this stage. The Bill is about nationality. British citizenship carries with it the right of abode in the United Kingdom and the right of free movement in Europe, but other rights and obligations, including the right to preferential rates for tertiary education, health and social security benefits and the vote in UK parliamentary elections and the requirement to pay income tax, all depend on residence in the UK, not nationality. Those matters are therefore not covered.

Furthermore, the Bill will have no impact on the constitutional relationship between the United Kingdom and the overseas territories or that between the territories and the European Union. That has been confirmed by the Constitution Committee in another place.

I am aware of concerns surrounding those issues, and also of continuing concern about reciprocity. Representatives of some territories are worried about what would happen if large numbers of British or European citizens were given the right to live in their territories, most of which are small islands that would be unable to cope with such an influx. They point out that granting British and European citizens the right of abode in their territories risks fundamentally altering the social, cultural and economic fabric of the territories.

We have already given assurances that the Bill is non-reciprocal, but in case there are lingering doubts, I am happy to reiterate that that is the case. Please do not think that support for the Bill will entitle you to retirement on Bermuda, Mr. Deputy Speaker. It will not.

Tony Baldry: I am partly at fault, as I was not sufficiently clear. That is not the trivial type of reciprocity about which I am concerned. The White Paper refers to fundamental principles of self-determination and the acceptance of responsibilities on both sides. As a consequence of the Bill, what new responsibilities, if any, will the overseas territories in the Caribbean and elsewhere accept?

Mr. Bradshaw: I am happy to give the hon. Gentleman a longer list when I sum up, but, for example, territories have changed their laws on money laundering, same-sex relationships and a number of human rights and judicial matters, which they would not have done had it not been for the Bill.

The legislation is eagerly awaited, nowhere more so than on St. Helena, which will celebrate—

Bob Russell (Colchester): Will the Minister give way?

Mr. Bradshaw: No, I am sorry. I shall give way in a moment, if the hon. Gentleman is patient.

St. Helena will celebrate its quincentenary in May next year. How fitting for its people to be able to celebrate by having British citizenship conferred on them and residence rights in the United Kingdom restored to them.

Bob Russell: I am grateful to the Minister for answering the question before I have asked it. Is he confirming that the citizens of the island of St. Helena will be British citizens by 21 May 2002?

Mr. Bradshaw: We hope so, but that depends to a certain extent on the rapidity of the progress we make in resolving the passport issue. My officials are confident that we will do so in time for the islanders' happy celebration.

Peter Bradley: In my previous intervention I sought clarification, as possession of a British passport does not of itself confer citizenship, but simply confirms it. The hon. Member for Colchester (Bob Russell) is making the point that putting in place provisions on issuing passports is not necessary to granting British citizens' rights to the residents of St. Helena and elsewhere well before 21 May 2002. That point is extremely important to St. Helenians and their friends in the House and elsewhere, so I hope that my hon. Friend the Minister carefully considers what we are saying.

Mr. Bradshaw: I shall consider those points carefully. The time lag between the passing of this legislation through both Houses of Parliament and the issuing of passports is being discussed in the light of representations that my hon. Friend has made to me and colleagues in the Home Office. I hope that the islanders will welcome the fact that we are bringing the Bill through now. I know that they have waited a long time, but we have a heavy parliamentary programme, and we are showing our commitment to getting the Bill through by debating it now.

I know that many right hon. and hon. Members take an interest in the overseas territories, and have urged the Government to deliver on the granting of citizenship. Given the pressures on the parliamentary timetable, we have been fortunate to secure an opportunity to debate the Bill. I am confident that hon. Members will share my desire to see it approved, and I commend it to the House.

1.40 pm

Mr. Richard Spring (West Suffolk): The British Overseas Territories Bill contains many positive aspects, and I should like to express my party's support for its objectives. We have waited a long time for this Bill since the original proposals were made. I remind hon. Members that it was on 27 August 1997 that the then Foreign Secretary, the right hon. Member for Livingston (Mr. Cook), announced a review of policy on the dependent territories. Those plans stayed for too long in the in-trays of Foreign and Commonwealth Ministers. It was not until March 1999 that a White Paper was published. It took until July 2001 for it to appear as a Government Bill, which is an inordinate delay.

John Austin (Erith and Thamesmead): It occurs to me that, if it were not for a previous Conservative Government taking away the rights of these people, we would not have needed the Bill in the first place.

Mr. Spring: Circumstances have changed somewhat in the past 40 years. Although there certainly was a powerful feeling that this issue needed to be addressed, the hon. Gentleman will be aware of the difficulties that Hong Kong presented for the British Government.

We welcome the Bill, even though it has taken four years and three months to be introduced. We recognise that the people of the overseas territories are very much in favour of the Bill, and we fully support their right to this change of status. It is good to debate legislation that has such widespread support among those whom it will directly affect.

Britain's overseas territories include some of the most prosperous and some of the most remote islands in the world. They range from the barren wilderness of Antarctica to business, financial and tourist centres, such as some of the Caribbean territories and Bermuda. We understand the value that people in our territories attach to British citizenship—like the people of Gibraltar, if I may remind the Minister. The people in our territories have long sought the status that the Bill will afford them. The Conservative party will support their right to citizenship, as we have supported the right of the people of Gibraltar to remain British. I refer in passing to the widespread consternation that the inept remarks of the Minister for Europe have caused in Gibraltar.

The main provision of the Bill concerns the granting of citizenship. We welcome this move, and so do the overseas territories. Many benefits will now be available to those who are soon to become full British citizens. At this time of terrorist threats from around the world, the overseas dependent territories are dependent on the United Kingdom for defence, just as in 1982 when Britain went to the aid of the Falkland islanders. Supporting the rights of territories can take the form of military action, but happily of late that has rarely been needed, and it more often takes the form of diplomatic assistance. Only this week we have seen the importance that the residents of Gibraltar attach to their British status, which they clearly cherish, and which we cherish, too.

However, it is not only close-to-home territories such as Gibraltar, or those further afield such as the Falklands, that depend on Britain for support. The Chagos archipelago, better known as the British Indian Ocean Territory, is claimed by both Mauritius and the Seychelles. The United States' lease is due to expire in 2016, and although that is 15 years into the future, we may be called upon to defend the rights of people who wish to return there.

Jeremy Corbyn: Does the hon. Gentleman not recognise that the Chagos islanders have already won their right of return? That happened in a landmark High Court judgment last year. As yet, however, there is no specific facility for their return, beyond an environmental impact assessment study that is taking place now. Is it not high time that these people were allowed back to all the islands?

Mr. Spring: The hon. Gentleman has a particular interest in the subject. The House will have heard what he said, and I am sure that we should consider it.

The relationship between Britain and the overseas territories is also important to the development of their economies. A prominent example, which many will doubtless cite later, is St. Helena. I mention St. Helena for a specific reason: it illustrates the problems of distance and inaccessibility. I therefore hope, Mr. Deputy Speaker, that you will not mind if I refer to it at some length.

I am pleased to say that it was my constituent the Earl of Iveagh who, on 30 July 1997, introduced the British Nationality (St. Helena) Bill. It was intended to provide for the acquisition of British citizenship by those with connections with St. Helena. It gives me great pleasure that this Bill deals with many of the issues to which my friend was so dedicated, including the need to boost employment, the need for an airstrip, and the value of education opportunities for the young people of the island. It is regrettable that the earlier Bill did not make more progress.

I pay tribute to Ned Iveagh, who pursued the issue so singlemindedly and highlighted the plight of St. Helena before his departure from the House of Lords. On Second Reading, on 23 October 1997, he spoke of the "overwhelming sense of Britishness" on the island. He said:

> "The majority of the people are Anglican; their schools teach using the national curriculum, and, of course, the language is English."

The citizens of St. Helena should have the right to British citizenship. They should be able to go through the British-European Union channel at British airports.

In 1997, Lord Iveagh rightly asserted:

> "The civil rights of the St. Helenians were granted by King Charles II in 1673 by Royal Charter, which stated that its people"—

at this point he quoted from the charter—

> "'Shall have and enjoy liberties, franchises, immunities, capacities and abilities of free denizens and neutral subjects within any of our dominions to all intents and purposes as if they had been abiding and born within this our kingdom England or in any other of our dominions'".

[Mr. Spring]

He was also right to add:

> "This freedom has been eroded by the introduction of work permits for Saints"—

that is, St. Helenians—

> "who want to work in the United Kingdom, followed by the British Nationality Act 1981".

Peter Bradley: Does the hon. Gentleman believe that legislation of the 1960s, and indeed the British Nationality Act 1981—which conflicted directly with the royal charter—was in any way unlawful?

Mr. Spring: The legislation was passed, obviously, and I do not think that it was successfully challenged. As the hon. Gentleman will surely accept, however, things have moved on. We are dealing with a limited number of people in specific circumstances.

Members have spoken a great deal about the situation in St. Helena, especially since the changes in shipping patterns, and I am very glad that we have now reached this stage.

Lord Iveagh pointed out that giving St. Helenians the right to British citizenship was important because it would address the "poor economic status" of the island and its dependencies. He also spoke of the unemployment problems that have sadly led to a damaging brain drain from the island. He said:

> "Restoring full British passports will create a much needed release valve for the islanders, who seek to raise their living standards from a very low base."

An issue that is of great concern to the people of St. Helena, and to many Members, is the need for an airstrip on the island. During that debate of 23 October 1997, Lord Iveagh said:

> "The island's economic status is punctuated by lost opportunity. A Ministry of Defence survey back in 1941 declared an airstrip as feasible. It is now 1997 and there are still no plans for an airstrip. The island is very well served by the RMS 'St. Helena', which is an extremely versatile ship with a highly dedicated crew. However, the case for an airstrip comes into its own when we consider such things as medical emergencies and the development of the island's full tourist potential."—[*Official Report, House of Lords*, 23 October 1997; Vol. 582, c. 847-8.]

The islanders of St. Helena are dependent on the United Kingdom for their transport links with the rest of the world. Those links have changed dramatically in the past 30 years, but the Government seem to be set on providing the cheapest option. They are focused on a short-term solution. The current proposals require spending £26 million on replacing a passenger cargo ship, and will require the continuation of an annual subsidy to operate the service.

A recent recommendation, which will require £38 million in the short term but has the possibility of earning revenue in the long term, is to build an airport on the island. The 1999 White Paper itself recognised the problem when it stated:

> "In 1997, 8,698 tourists visited St. Helena but without an airport, no safe anchorage for yachts in heavy seas and the limited capacity of the passenger/cargo ship RMS St. Helena, tourism is unlikely to develop rapidly".

In a written answer, in July, the Secretary of State for International Development stated:

> "The St. Helena Leisure Company has held preliminary discussions with the St. Helena Government and my Department about its proposals to provide leisure facilities on the island. At the request of the St. Helena Government, we have made available to the Company a copy of the recent report of the 'Comparative Study of Air and Sea Access' for St. Helena. We understand that the Company wishes to take account of the study's findings in further formulating its proposals to the St. Helena Government."—[*Official Report*, 5 July 2001; Vol. 371, c. 264W.]

The Minister would also do well to read the comments of the late Lord Shackleton, who was a great supporter of St. Helena, and who argued on many occasions for an airport on the island. An airport matters to the people of St. Helena, as no airport means no tourists in any substantial number. Give the islanders an airport and the significant boost to the local economy, not to mention the much speedier transport link that will ensue will be greatly appreciated. Such action would also encourage people of other countries to invest in the island, which—as Viscount Colville of Culross stated in another place, on 10 July 2001—would be of great benefit to it.

An airport is one means of boosting the economy of St. Helena. By helping St. Helena to achieve that objective the Government would be giving the islanders the opportunity to exercise more economic independence. I assure the Minister that, for the sake of an extra £12 million, the Opposition will not stand in their way.

From the development perspective, we must all welcome the easing of the education restrictions that are currently endured by those wishing to study in the United Kingdom.

Mr. Hoyle: The hon. Gentleman is making a strong case for building an airport now. Why was one not built in the 18 years of the previous Conservative Government?

Mr. Spring: The hon. Gentleman will know that the way of linking St. Helena to the outside world has changed dramatically. Previously, shipping went regularly between the United Kingdom and South Africa, and for many years much of it stopped off at St. Helena. Much of that shipping has now ceased, thereby aggravating the problem. I am sure that the hon. Gentleman knows that.

Tony Baldry: Will my hon. Friend confirm that only those citizens of the overseas territories who come to the United Kingdom and take up UK citizenship have access to education here? The idea that all citizens of the overseas territories are able to avail themselves of higher education here and then return to the overseas territories is a misconception. All the Bill does is to provide people with the opportunity to come here and gain citizenship, from which other rights would follow.

Mr. Spring: I am grateful to my hon. Friend for raising that issue, which I was about to address. If he is successful in catching the eye of the occupant of the Chair, he may wish to expand on the issue.

Hon. Members may be aware of the difference in the fees structure. The University of Manchester, for example, offers a very good degree in medicine. For a UK or EU citizen attending that university, the fees for the first four years amount to £4,300. For all others, the fees for the first year alone are £9,700. Fees for the third and fourth years are significantly higher. The total fees bill for four years amounts to some £54,200. Through this Bill, we are offering, to some at least, tertiary education at an affordable price, and that is welcome.

In the past, I have said to interested parties, such as the British Council, that there is an important long-term gain for Britain in attracting the brightest and the best to this country. I understand that it is open to individual universities to interpret the regulations on fee status and that decisions on access to education and differential fees are based on residence and not citizenship.

What assurances can the Minister give on the measures he is looking at to encourage universities to undertake initiatives to encourage young people from these territories to study in Britain? There is an argument that under a changed status many islanders may leave to visit Britain either to work or to stay. I point to what happened on Tristan da Cunha, which faced a full evacuation in the 1960s to the United Kingdom. An overwhelming majority of the population returned to their homes when the all-clear was given. Indeed, the top estimate of those who would leave St. Helena at present amounts to some 500 people. People obviously prefer their own home base.

All the evidence points to the fact that the Bill will lay foundations that can assist the British territories in their development and in their partnership with the United Kingdom.

Another issue that Opposition Members are glad to see addressed by the Bill is the resentment that many feel concerning airport procedures at present. In 1998, my noble Friend Lord Waddington, who has substantial experience of the British territories as a former distinguished Governor of Bermuda, informed the Foreign Affairs Committee that the vast majority of white Bermudans of Anglo-Saxon descent have British citizenship but the vast majority of black Bermudans do not. He went on to say:

> "At Gatwick the whites go through the British and EU Channel. The black Bermudians, even Premiers and Cabinet Ministers, are lumped in with the foreigners and queue to obtain leave to enter. It is scarcely surprising that this causes immense resentment and black Bermudians simply cannot understand why as a matter of common courtesy those for whom Britain has a responsibility are not treated as favourably as foreigners for whom Britain has no responsibility."

We welcome the fact that this situation will no longer continue.

On the values of our relationship with the British territories there is also the issue of aid. One cannot forget the valuable contribution made by the British Government to Montserrat when nature took its violent course, spewing volcanic lava and ash over half the island and leaving its capital destroyed. It is right that we made that contribution.

As a friend of the territories I would like to flag up a note of caution regarding this Bill. We will be seeking clarification on several issues which concern the fine detail of the Bill, and I am certain that the Minister will be able to provide assurances.

The House may not be aware that some Governments of the overseas territories would not welcome this Bill if it came with conditions attached to it, such as an obligation to introduce British tax rates and regimes. It would be of concern to the Governments of the territories, to their people and indeed to the House if this Bill were to result in an unwelcome excessive influence of EU law in the internal affairs of the British territories. The EU is seeking an active influence. A memorandum on a meeting of the preparation of the euro group and Council of Economic and Finance Ministers, which took place in July this year, stated:

> "As far as the EU's tax Code of Conduct is concerned, we must continue with member states to ensure that the timetable established by the Council of Economic and Finance Ministers of November 2000 for rollback of harmful business tax measures, including in dependent and associated territories of Member States is observed."

This matter was discussed in a letter to my noble Friend Baroness Rawlings, on 15 October this year, from the Baroness Amos, who stated:

> "The territorial scope of application of EC law is defined in the EC Treaty. This specifically excludes the Sovereign Base Areas in Cyprus and, with the exception of Part Four of the Treaty concerning the 'Overseas Countries and Territories' (OCT), the other Overseas Territories apart from Gibraltar. The EC Treaty applies, with some exceptions, to Gibraltar as a 'European territory for whose external relations a Member State is responsible'. The relationship between the other Overseas Territories and the EC is governed by the Council decision on association with the Overseas Countries and Territories, which is periodically renewed (the latest OCT decision is due for adoption in December and will run until 2007). The granting of British Citizenship to Overseas Territories citizens under the provisions of the Bill will have no effect on the Overseas Countries and Territories decision, nor on the constitutional relationship between the EU and the Overseas Territories. It follows that the Bill will have no effect on the rights of nationals of EC Member States, including British citizens, in the Overseas Territories, because the Territories fall outside the scope of the EC Treaty."

Mr. Nicholas Winterton (Macclesfield): Is it not possible that there could be an increased perception that British citizens, including those who will now become British citizens, should be equally subject to the same tax obligations? Is not that a danger? Will my hon. Friend confirm unequivocally from the Opposition Front Bench that we have no intention of letting that happen and that those countries will be able to have their own fiscal policy and regime?

Mr. Spring: I am grateful to my hon. Friend for making that point so forcefully. Of course, taxation is a matter of residence and in no way should it be our responsibility, or, indeed, that of the European Union to impose a specific tax structure on the overseas territories. I should therefore like to ask the Minister to assure the House and the people of the territories, who would resist such a move, that the Bill will not result in the Government or our European partners further interfering in the internal workings of the British territories.

Peter Bradley: Will the hon. Gentleman confirm whether, as well as reading the Lords *Hansard* report of debates that took place in the other place, he has read the White Paper, the Bill and the explanatory notes, which clearly confirm that the citizens of overseas territories will not be subject to British tax unless they have taken up abode and qualify for tax and benefits in this country? Will he make that clear to the hon. Member for Macclesfield (Mr. Winterton), who clearly has not read that information?

Mr. Spring: I am sorry that the hon. Gentleman seems to adopt a somewhat churlish tone about a perfectly valid point, which my hon. Friend asked me to reinforce. As I made clear in response to my hon. Friend's intervention, we are talking about residents. I am happy to confirm that,

[Mr. Spring]

but what I want to hear from the Minister is something crystal clear, from the Government's point of view, to echo the point that the hon. Gentleman makes.

Mr. Wilkinson: These are extremely important points, which get to the heart of the Bill. Will my hon. Friend consider reciprocity again? Is it not the case that the Minister said in his speech that British citizens resident in the United Kingdom would not be able to settle in the overseas territories because he lumped them together with European citizens? He referred to British or European citizens. In other words, he gave the impression that, notwithstanding the fact that the overseas territories remain British and not part of the EU, European citizens from elsewhere in the EU could go to those overseas British territories. For that reason, he denied full reciprocity. Will my hon. Friend consider that point?

Mr. Spring: I hope very much that, for the benefit of the House, the Minister will clarify that point in replying to the debate, because some confusion has obviously arisen from his remarks. The fact is that there is no reciprocal arrangement between citizens of the United Kingdom and those who live in the overseas territories for exactly the reasons that have been set out in the White Paper and the Bill. Obviously, it would be extremely difficult for that to happen in practice, as I am sure that my hon. Friend would agree, but I am grateful to him for making that point.

Andrew Mackinlay: British and European citizens will be free to go to the overseas territories, but there will be no free mobility of labour. That is also the existing position in the Isle of Man and the Channel Islands. To invest or obtain employment, one has to meet the local work permits regimes. There is confusion because, although the right to live in the territories will be a matter of fact, there is also the question of employment.

Mr. Spring: I am grateful to the hon. Gentleman for raising that point. It underlines the importance of the Minister addressing it when he winds up.

The Minister talked about the relationship between the United Kingdom, the European Union and the territories. The White Paper states:

> "Under European Community law, giving British Dependent Territories citizens British citizenship will mean giving them certain European Community rights of free movement and residence in EU and European Economic Area member states."

The Minister defined the difference between what was and was not available, but he might wish to refer to the issue when he winds up as there is some confusion.

Andrew Mackinlay: The White Paper was probably written by the same person who wrote the brief.

Mr. Spring: I am grateful for the hon. Gentleman's erudition.

The Government raised human rights issues in their 1999 White Paper. It states:

> "Overseas Territory legislation should comply with the same international obligations to which Britain is subject, such as the European Convention on Human Rights and the UN International Covenant on Civil and Political Rights."

It also flagged up three human rights issues on which it wanted reforms in some of the overseas territories: judicial corporal punishment, homosexuality laws and capital punishment.

We note that the laws making homosexuality a crime in Anguilla, the Cayman Islands, the British Virgin Islands, Montserrat and the Turks and Caicos Islands were repealed in January 2001; that judicial corporal punishment has been abolished in all overseas territories; and that a variety of human rights projects in the territories are funded by Britain.

However, many Members may not be aware that some lawyers and students of law believe that the Government may still risk being in breach of important and fundamental international agreements, including the European convention on human rights and the international covenant on civil and political rights. It will be useful for clarity's sake if the legal position regarding the international agreements is outlined by the Minister for the consideration of the House when he winds up.

In particular, I would like assurances from the Minister that the Bill's implications for the agreements were carefully considered when it was drawn up. A statement on the legal rights of individuals in the territories that will become British overseas territories is central to that. In particular, as a result of the Bill, will individuals be able to take action against the British Government regarding legislation or actions implemented in the territories that fall in breach of the ECHR? As Baroness Amos said in her letter to my noble friend Baroness Rawlings on 15 October:

> "British overseas territories citizens who gain British citizenship as a result of the Bill will come within the definition of UK nationals for EC purposes and will therefore acquire the same rights in EC law as existing British citizens".

I take this opportunity to acknowledge my gratitude to my noble Friend Baroness Rawlings. She put much constructive effort into the debate and discussion of the Bill during its stages in another place and asked such questions.

Addressing the situation in the Cayman Islands would add clarity to the problems that Britain may face in due course. Despite the progress on human rights that I have outlined, reports suggest that the human rights situation in the Cayman Islands—and indeed in some other territories—is at present below that demanded under the ECHR. One issue of particular concern is that spouses of citizens of the Cayman Islands do not have an equal human rights status. Does the Minister agree that this constitutes a violation of article 8 of the ECHR, which demands that spouses have equal rights even if one spouse originates from another country?

In addition, there is the issue of statelessness. The noble Lord Redesdale mentioned that in the debate in the other place. Is the Minister aware that the problem extends to the Cayman Islands? I understand that children there who are subject to statelessness are entitled to British citizenship under provisions in the British Nationality Act 1981. Will he clarify that?

Furthermore, what discussions has the Minister had on the human rights situation in the Cayman Islands and will he assure the House that before legislation comes into force, those matters will be considered and, if necessary, resolved? Will he consider placing in the House of Commons Library his assessment of whether the

European convention on human rights extends to the Cayman Islands, with particular reference to the right of individual petition applying as of November 1998 with the addition and changes to the treaty through protocol 11, which was ratified at that time.

It would be of great concern to all hon. Members if the United Kingdom were found to be in contravention of its obligations under the European convention on human rights and the international covenant on civil and political rights as a result of this Bill. That would expose the United Kingdom to an avoidable contingent liability of costs and possibly damages. Will the Minister assure the House that the Bill does indeed comply fully with those obligations? Will he also assure the House that no embarrassment will be caused to Britain as a result of the change of status of the territories?

At present, citizens of the British dependent territories can acquire an entitlement to British citizenship if they qualify under the immigration rules to enter and remain for settlement in the UK. They are then entitled to register as British citizens as soon as they have completed five years' residence. I am interested to know what mechanisms, if any, are in place to stop terrorists obtaining citizenship in an overseas territory and using that status to apply for British citizenship under the rights afforded in the Bill. I understand that the Home Secretary will exercise scrutiny in that matter, but the detail of the process is less clear. We should consider that given the current international situation. Are there plans to scrutinise those citizens of the territories who apply for British citizenship shortly after obtaining citizenship of one of those territories? What mechanisms are in place to prevent known proponents of terrorism from obtaining British citizenship under this legislation?

In whatever action we take we must be careful that we do not undermine either the political structures or the economies of the British territories. Will the Minister give assurances that the Bill will not result in unrealistic standards being forced on the overseas territories? It must not result in regulation in excess of that operating in the London markets, especially if financial markets are a primary source of revenue. What of the financial concerns that were raised in the White Paper? Several of the territories rely heavily on offshore banking. What are the implications for them? Will they be affected by European Union legislation on that sector?

Clarification is also needed on some of the Bill's finer points. What is the cost of bestowing British citizenship? The explanatory notes to the Bill state:

> "The intention is that the costs of implementation will be recovered from the fees charged for nationality registration and naturalisation and passport issuing."

Will the price vary from territory to territory? Does the Minister agree that it is important that any cost-paying mechanism is not discriminatory?

What measures is the Minister taking to achieve the aim of the partnership that all hon. Members would welcome? The Bill implies that the people of the islands will become more closely associated with the United Kingdom, but little has been said about what positive steps will be taken to achieve that aim. What evidence will be required when applying for British citizenship, and what action has the Minister taken to ensure that arrangements for passport issue are agreed and that the staff who will deal with passport and nationality questions are properly trained?

What has been the outcome of the discussions being undertaken with the overseas territories with a view to developing a programme of secondment and training for overseas territories civil servants from the Foreign and Commonwealth Office's good governance fund? Finally, how will the pension and social security rights of those applying for British citizenship be affected?

The Bill is a significant step towards the Government's notion, as expressed in the White Paper, of a partnership. In fairness to the Minister, I do not expect him to provide full answers to my questions this afternoon, but I hope that he will do so either in part in his response or in Committee. However, for the sake of clarity, I hope that he can be persuaded to write to me on some of those questions before we reach the Committee stage. I should again like to commend the Minister for introducing and explaining the Bill today. We fully support its aims.

2.15 pm

Mr. Jim Marshall (Leicester, South): It was, and it may well remain, my intention to make a brief contribution. I must be honest, however, that in view of the breathtaking hypocrisy of the general political points made by the hon. Member for West Suffolk (Mr. Spring), I am tempted to speak for far longer.

One of the main thrusts of the hon. Gentleman's opening remarks echoed what Baroness Rawlings said about waiting too long for the legislation. Perhaps four years is too long, but had the Tories been elected in 1997 we would still be waiting for a report, and we would probably still be waiting in 2005. It is a little strange to hear the hon. Gentleman claim that we have been waiting too long.

The hon. Gentleman mentioned Lord Waddington. He said in his contribution to the debate in another place that he had raised the possibility of restoring British citizenship to the British dependent territories when he was Governor of Bermuda. The then Tory Government made it clear that there was no possibility of that being considered while there was still a threat from Hong Kong and, even if that threat were to recede, they would still be highly unlikely to restore British citizenship to citizens of the British dependent territories.

Peter Bradley: Although Lord Waddington made a thoughtful contribution to the debate in the House of Lords, it is worth pointing out that before he was the high commissioner for Bermuda he was Home Secretary and would have had more influence had he made that suggestion then.

I want to reiterate a point that my hon. Friend raised in his intervention. Never mind waiting for the legislation, it would not be necessary to legislate had it not been for the British Nationality Act 1981 and previous legislation enacted by the Conservatives.

Mr. Marshall: Naturally, I am grateful to my hon. Friend for his comments, but I wish that I had refrained from giving way because he makes two of my main points.

Lord Waddington was one of the most illiberal Ministers ever to serve in the Home Office. My hon. Friend might have forgotten—I am sure that the hon. Member for Ruislip-Northwood (Mr. Wilkinson), who also served on the Standing Committee that considered

[Mr. Marshall]

the 1981 Act, will remember—that prior to Lord Waddington becoming Home Secretary he was the Minister of State responsible for interpreting and deciding immigration matters. As someone who wrote to him in that capacity, I cannot remember him ever giving a favourable response to a request for people in this country to be permitted to stay. As I said, he was one of the most illiberal Ministers to occupy high office in the Home Department.

The hon. Member for West Suffolk also referred to St. Helena. I almost cried for the island and its population. I appreciate their difficulties, but the Opposition are shedding crocodile tears. The hon. Gentleman referred to the royal charter granting the status of St. Helena and the right of its people to come to the United Kingdom. I remind him that the British Nationality Act 1981 removed those rights. I can only say, with due diffidence on my own part, that in the Committee proceedings on that Bill we protested against that, but the then Tory Government were impervious to our arguments and rode roughshod over those historical rights. It ill behoves the Opposition now to criticise the Government when the primary responsibility is theirs, and we are restoring rights to people who had them removed.

I certainly welcome the Bill without reservation. As the Under-Secretary said, it restores the right of citizenship of, and abode in, the United Kingdom to those people who are currently citizens of the British dependent territories. In view of the way in which I voted last night, it is a pleasure to be able to say publicly that, on this occasion, the Government are to be applauded.

I say that not only because of the contents of the Bill but because for the first time since 1966, nearly four decades ago, we have legislation on nationality and immigration which gives people a right—the right of abode in this country. For the past 40 years, each piece of legislation on nationality and immigration has successively taken away rights, ultimately removing all right of entry to, and of abode in, the United Kingdom. I certainly applaud the Foreign Secretary and the Under-Secretary, who has introduced the Bill today.

As I have already said, I served on the Standing Committee that considered the British Nationality Bill in 1981. There are still a few of us left in the House. I have already mentioned the hon. Member for Ruislip-Northwood. We also have the right hon. Member for Suffolk, Coastal (Mr. Gummer), who then went under the name Selwyn Gummer, and the hon. Member for East Hampshire (Mr. Mates), who was then the hon. Member for Petersfield; namely Michael Mates. I mention his name in case some hon. Members do not know to whom I am referring.

Mr. Deputy Speaker (Sir Michael Lord): Order. It is normal just to refer to the hon. Member's constituency, and I do not think that there is any need to spell it out for the House.

Mr. Marshall: I am aware of the propriety and the rules of the House, but I was trying to be helpful.

To show how long the Tories have been involved in racist nationality and immigration legislation, and how high within the party that involvement ultimately went, I should also point out that the Tory Whip on the Committee was a Mr. John Major, who subsequently became Prime Minister.

Tony Baldry: I think that we have had enough of this. Will the hon. Gentleman be fair-minded and acknowledge to the House that the Government would not be introducing this Bill now if Hong Kong were still a dependent territory?

Mr. Marshall: I can assure the hon. Gentleman that I have no intention of hiding away from the problem that Hong Kong posed, so I shall come to that question. *[Interruption.]* I did not hear what the hon. Member for West Suffolk said.

John Austin: It was not worth hearing.

Mr. Deputy Speaker: Order. That is a good example of how sedentary interventions simply disturb the debate.

Mr. Marshall: Thank you, Mr. Deputy Speaker. I sought to intervene on several occasions during the speech by the hon. Member for West Suffolk by rising in the normal manner, rather than trying to make my comments from a sedentary position. Unfortunately, he refused to give way. If he wishes to intervene and repeat his remarks so that I can hear them, I will give way.

Mr. Spring: I apologise to the hon. Gentleman for not giving way to him, but I did not see him rise. I hope that he acknowledges that I generously gave way to a number of his colleagues.

The hon. Gentleman talked about the hypocrisy of our supporting the Bill after we complained that, although the way was clear for it to be introduced after 1997, there was a delay in doing so. Following the intervention of my hon. Friend the Member for Banbury (Tony Baldry), he then admitted that that was due to the Hong Kong situation. I do not see where the hypocrisy is, and I feel that his remarks were neither called for nor fair.

Mr. Marshall: They were totally fair and they were called for. There was no reason for the then Tory Government to treat the 200,000 people who are now citizens of British dependent territories in that way just to protect the position of Hong Kong. If they had wished, they could have allowed those people to be British citizens, with the right of abode in this country, even if they could not allow them to retain citizenship of the United Kingdom and colonies. Unfortunately, 200,000 people scattered around the world have had to suffer an injustice because the Tory Government in 1981 were not prepared to give them justice. They had to suffer for that Government's decisions on Hong Kong.

Mr. Andrew Rosindell (Romford): As a new Member of the House, may I ask the hon. Gentleman whether he agrees that we should not waste time discussing what previous Governments did, and that our time would be better spent considering how we can now benefit the people of the overseas territories? Does he agree that it is rather strange that we are debating the future of people in the British overseas territories who have no right to vote in British elections or to have a democratic say in what goes on in this House?

Mr. Marshall: I can only say in my defence that I dwell—I hope at not too great a length—on the events of 20 years ago because, since I came into the House in 1974, I have always sought to protect the rights of British citizens both in this country and overseas. I have witnessed, particularly between 1979 and 1997, increasingly racist nationality and immigration law. I hope that this Bill now closes that chapter. We are seeing that trend reversed, which is why I so warmly welcome the Bill.

Mr. Wilkinson: Does not the hon. Gentleman find it interesting, and does not he draw any conclusions from the fact, that Her Majesty's Government have seen fit to introduce the Bill to grant British citizenship to people living in the overseas territories but have introduced no measure to end the statelessness of children of British overseas citizens born in east Africa?

Mr. Marshall: Again, the hon. Gentleman anticipates a point that I hope eventually to reach.

Returning to the Standing Committee on the British Nationality Bill, you will recall, Mr. Deputy Speaker, that the legislation sought to bring into line nationality and immigration law at the same time. It abolished the citizenship of the United Kingdom and colonies, and introduced three types of citizenship for the people concerned: British citizenship, citizenship of British dependent territories and citizenship of British overseas territories. Only the first of those conferred the right of abode in the United Kingdom.

Despite the overwhelming strength of the arguments that Labour Members advanced in the Committee on the 1981 Act—we were led by Lord Hattersley, who had by far the better of the debate—we failed to persuade the Tory Government of the day of the injustice inherent in the legislation. That Government were so obsessed with the potential threat of mass migration to the United Kingdom from Hong Kong on its being handed over to China that they were prepared to ride roughshod over the claims of 200,000 people living in the other dependent territories. We repeatedly levelled that charge and the Tory Government never convincingly refuted it. I am delighted that that injustice is now to be removed.

I wish that the current Government had been bolder and taken the opportunity to restore rights to British overseas citizens. The Tory spokesman and the hon. Member for Ruislip-Northwood mentioned stateless children in the Cayman Islands and in Kenya. My understanding of previous debates and of remarks made by Foreign Office Ministers is that if there are stateless children, they will be given British citizenship. I would like to hear the Minister's comments and his estimate of how many people are involved.

A decision has to be made on the position of British overseas citizenship, which is held by a group of people who are scattered throughout the world. Their numbers are dwindling and many are elderly, so a decision would not cause large numbers of new British citizens. Furthermore, that category of citizenship is racially discriminatory. For those reasons, I urge the Government to be bolder and to restore rights to British overseas citizens.

I also urge the Government to recreate a single British citizenship, which would cover not only British overseas citizens, but British protected persons, British subjects and British nationals (overseas). The three latter categories of person should also be brought within the ambit of British citizenship.

I apologise for having taken the House down a path that leads back 20 years. I welcome the legislation, but I urge the Government to turn their mind to introducing a single British citizenship, so that we can do away with the various categories that I have described.

2.33 pm

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): As our spokesman in another place said when the Bill was introduced there, the Liberal Democrats support the Bill, and—more importantly—so do the dependent territories. It is important that its passage through Parliament is swift so that the important changes it makes to citizenship can be established as soon as possible.

The rights of abode, of employment and of movement are fundamental rights that go with citizenship. It is right that the people of the dependent territories—which are to be renamed overseas territories—are to have those rights, that those rights are to be automatic and that they are to be capable of being passed on to those people's children. As the Chief Minister of Gibraltar put it earlier this year, in contrast to some of the measures on offer, the Bill gives "first-class British citizenship" to the people of the overseas territories. We, too, welcome that.

Several interesting themes have run through the debate, including that of self-determination. I do not want to get sidetracked by the issue of Gibraltar, but it is worth noting that in another place Baroness Amos confirmed that the Bill would not affect the right of self-determination, saying:

> "the right is reflected expressly in the constitutions of Gibraltar and the Falkland Islands."—[*Official Report, House of Lords*, 10 July 2001; Vol. 626, c. 1037.]

We must hope that the Government never lose sight of that fact.

The important changes made under the Bill and their effects have already been explored by other speakers. Separate channels at airports are particularly humiliating, so it is welcome that they are to go at last. There is some confusion about the rights relating to education: universities will have discretion to decide whether to treat the new British citizens from overseas territories as though they were resident. That is important, but I hope that the Government will go further and encourage people to do that, rather than leave them uncertain about what financial burdens and opportunities would be open to them if they came to this country to pursue further or higher education.

The other substantive change made by the Bill is the change of name, which is right and proper as it reflects the practical reality of how the territories are already described. It was not specifically mentioned by the hon. Member for West Suffolk (Mr. Spring) today, but Conservatives in another place attacked the change of name, saying that it reflected some sort of political correctness. I hope that is not the hon. Gentleman's view. It appears that all of the—soon to be officially—overseas

[Mr. Michael Moore]

territories support the change, so right hon. and hon. Members on both side of the House should be able to agree.

The number of people affected by the Bill is relatively modest—the current estimate is 200,000—so many have speculated about the reason for the delay in its appearance. We have already gone over that territory, so I shall not dwell on it too long. Suffice it to say that during the 1980s and 1990s the previous leader of the Liberal Democrats, Lord Ashdown, fought a fairly lonely battle on the issue of citizenship on behalf of the residents of Hong Kong. That issue may have been the practical reason why the Bill could not appear under a Conservative Government. We opposed their treatment of Hong Kong, and we feel that it is not appropriate for the Conservatives now to make a big deal of the delay between the publication of the White Paper and the introduction of the Bill.

There is a separate issue relating to timing which has been touched on by previous speakers: the crucial and practical issue of implementation. The hon. Member for The Wrekin (Peter Bradley) said that the rights are conferred and are not dependent on a passport having been issued. My understanding is that at the point that the commencement order is passed following the Bill completing all its stages, all those in the overseas territories will have those rights of citizenship; none the less, it is important that they are quickly issued with their passports. Technical issues relating to passport provision and the training of staff have been mentioned.

Peter Bradley: The point I was trying to make is that commencement is not conditional on the structure for issuing the passports being in place. I hope the hon. Gentleman will support me in urging Ministers to ensure that commencement is not delayed by delays in producing passports.

Mr. Moore: I wholeheartedly endorse that. It is most important that the commencement order is introduced as soon as possible after the Bill has completed its stages and received Royal Assent.

Having said that, I hope that there will not be many practical problems that might cause a lengthy delay between commencement and the issuing of the passports. I am sure that the people of St. Helena, whose 500th anniversary has been mentioned, would be delighted to be able to flourish British passports as a symbol of their British citizenship.

The Minister's explanations of the problems are similar to those given by Baroness Amos in another place in July. Some months have passed since she made those observations, so I hope that the Minister can assure us that the problems are close to resolution and will be sorted out before too long.

There have been brief references to points that are missing from the Bill: for example, the issue of stateless persons and British overseas citizens in the Cayman Islands, in east Africa and elsewhere. The Minister was strangely silent on that point. Will he inform the House of the state of discussions with the Kenyan and Cayman Islands authorities, in particular, and give us his assessment of the likelihood that that loophole will be closed within those countries? Will he make a strong statement of intent that, if the countries will not fulfil those duties, the British Government will fill the vacuum?

In response to an intervention, the Minister briefly mentioned some of the welcome human rights developments that have taken place in certain overseas territories during the past few years and which he directly attributes to the prospect of the Bill. He promised to give a fuller list at the end of the debate. I hope that he will take the opportunity to do so.

The Bill is short, but it has huge significance for the people who will be affected by it. As the hon. Member for Leicester, South (Mr. Marshall) pointed out, for years rights have been stripped away from people who live in the dependent—now to be overseas—territories. The Bill restores those rights and Liberal Democrats support it.

2.41 pm

Peter Bradley (The Wrekin): I, too, welcome the Bill—not least because it is short, simple and straightforward. It rights wrongs that have been festering for the best part of 40 years. I had hoped that there would be a measure of consensus for the Bill, so I am sorry that some of the contributions from the Opposition Benches have been contentious, especially that of the hon. Member for West Suffolk (Mr. Spring), the Opposition spokesman. It would have been appropriate, opportune and gracious had the hon. Gentleman—rather than drawing a veil over the past and making only a grudging concession about the implications of the British Nationality Act 1981—taken the opportunity to issue some words of apology to the 200,000 people in the overseas territories who were not only disadvantaged but insulted by that legislation.

I am especially pleased because, although the Bill may not attract much public interest, it is of huge importance to the territories that will be re-enfranchised and to many of the 200,000 people who will have their nationality rights restored. They enjoyed those rights until the legislation of the 1960s and, finally, the 1981 Act, which rendered them second-class citizens. In future, they will enjoy the right of British citizenship and, most importantly, the right of abode in this country.

I suspect that few of the 200,000 people involved will take advantage of that right, however. Mercifully—not least because of the progress made in establishing higher standards of human rights in the territories—few people are likely to be victims of persecution in those territories. Few of them are likely to be economic migrants: about 70 per cent. in the territories enjoy a gross domestic product that is higher than ours.

Lord Waddington, a former Governor of Bermuda, made the point in another place that white Bermudans who had the benefit of British citizenship passed through the "British" channel when they disembarked at British airports, whereas their black compatriots all too often had to pass through the "other nationalities" channel. In future, I hope that insult will be removed.

The restoration of citizenship rights will have a practical meaning for other people, especially St. Helenians. They will have open access to opportunities that were previously denied them; in particular, for education and training in this country and in the European Union.

Mr. Michael Trend (Windsor): The hon. Gentleman said that the measure would bring an end to second-class citizenship, but citizenship, as we understand the word, will continue to be second-class for St. Helenians in relation to education. As Saints will have to fulfil residency requirements, and as they have no opportunity to take up tertiary, higher, or further education in their own islands, they will still suffer discrimination.

Peter Bradley: The hon. Gentleman makes an important point; he is both right and wrong. As I understand it, he is wrong inasmuch as the conditions that apply to other people living outside the United Kingdom will now apply to Saints. In other words, they will not be disadvantaged compared with other people in the same position. However, I share the concern expressed by the hon. Gentleman and by other Members and make this plea to the Minister: given the importance of education to the economy of St. Helena, Departments should work vigorously with British universities and higher education institutions to ensure that places are made available to a small but important number of young people and others. They come to this country not only to enjoy the right to British citizenship and to acquire education and skills that enrich them, but to develop their economy in St. Helena—whither I suggest that the vast majority who will come to this country for education and training will want to return.

I shall concentrate most of my remarks on St. Helena, because of its special position. Perhaps more than any of the territories, St. Helena was almost literally cast adrift by the 1981 Act. It is a tiny island: 47 square miles, mostly of volcanic rock. It has little more than 6,000 inhabitants, most of whom feel intensely British. Their island is incredibly remote and isolated. It is almost 4,500 miles from this country; about 1,200 miles from the coast of Africa; and about 1,800 miles from the coast of south America.

The 1981 Act caused enormous hurt and grievance to the population of St. Helena. It also severed an economic lifeline—tenuous but nevertheless important—and forced the community into an unequal struggle for self-reliance.

St. Helena has had a long association with this country. It was first settled in the year of the Spanish Armada, in 1588. It was more permanently settled by half a dozen families who were displaced by the great fire of London. For 150 years, it was administered by the East India company, but became a Crown colony as long ago as 1834.

In those days, the island was of great strategic importance to this country. It was a key station on our sea routes and provided invaluable service both to the Royal Navy and to merchant shipping. In its heyday, about 2,000 ships a year put in for re-provisioning or repairs. Since the opening of the Suez canal, that number has declined swiftly and substantially; at present, only one ship, the RMS St. Helena, plies between Falmouth and the island.

The island is rich in landscape and wildlife habitats, but in little else: economically, it is poor. It had a flax industry that was undermined by the development of synthetics. I am indebted to the Under-Secretary of State for Transport, Local Government and the Regions, my hon. Friend the Member for Southampton, Test (Dr. Whitehead), who tells me that when the Post Office decided to bundle letters in rubber bands rather than string, not only was there enormous growth in the littering of our streets and doorsteps but St. Helena was deprived of an important export outlet.

Unemployment has reached about 18 per cent. in St. Helena. Provisions for a three-day week and job sharing were introduced because of the straitened circumstances in which the economy found itself. Retirement at 60 was also introduced, and 1,000 of the 6,000 residents of St. Helena now work outside the island—700 on Ascension Island and 300 in the Falklands. Its GDP is one of the lowest of all the aid-receiving overseas territories—£2,500 per capita, compared with just over £17,000 enjoyed by people living in the British Virgin Islands.

It is vital that we reconfer rights of citizenship and of abode in this country and open up opportunities for training and skilling, but the aid provided by the Department for International Development should also continue. Hon. Members have mentioned the importance of the airport, which will make a huge difference to St. Helena. Reading the *Hansard* account of debates in the Lords, I came across an anecdote—probably apocryphal, as I have heard it several times—about the previous Government, who thought it expedient to dispatch a Minister to St. Helena. However, they could not spare one, so they sent a Whip, who disappeared off the radar, not for days or weeks, but for several months, so difficult is it to get to St. Helena and, more to the point, to get back again.

The airport is crucial, not just to the quality of life of people who live on the island, but to the development of their economy. There are prospects for the limited expansion of their tourism industry. As I said earlier, although much of the island is volcanic, there are exceptional wildlife habitats and beautiful landscapes. Hardy and adventurous people will want to visit St. Helena and spend their money there, not least the French, who will want to visit Napoleon's former home.

It is important that we restore citizenship rights to Saints, but this is not just about rights and opportunities: it is a matter of principle. The hon. Member for West Suffolk quoted the royal charter of 1673, which was conferred on the island by Charles II. It says that the inhabitants of the island

> "Shall have and enjoy liberties, franchise, immunities, capacities and abilities of free denizens and neutral subjects within any of our dominions to all intents and purposes as if they had been abiding and born within this our kingdom England or in any other of our dominions".

That was an unqualified conferring of rights and privileges on a people living 4,500 miles away. The provisions of the charter were intended to remain in perpetuity; it was never intended that they should be superseded by legislation passed in the 1960s or 1981.

The 1981 Act did a great injustice to the people of St. Helena and, indeed, those elsewhere. I was not in the House in those days, so I am not sure how readily Conservative Members conceded that the 200,000 inhabitants of the dependent territories, as they were then called, should be disadvantaged by the need to protect the country, as their Government saw it, from the implications of returning Hong Kong to mainland China. I am not sure that they were willing to concede that point. However, the hon. Gentleman made it clear that rights were withdrawn from Saints and others, not by accident but by design. As my hon. Friend the Member for Leicester, South (Mr. Marshall) made clear, with a little more thought and consideration, and to honour our commitments and the provisions of the charter, those territories could have been

[Peter Bradley]

exempted from the legislation; it is no credit to the previous Government that they were not. Much as they would like to, Conservative Members cannot escape that fact. I hope that they will take the opportunity during our debate to apologise to the 200,000 people whom we are re-enfranchising today for the wrongs done to them in the past.

The White Paper "Partnership for Progress and Prosperity" was widely welcomed when it was published, not just for the rights that it re-established, but for the responsibilities that it conferred. Indeed, the previous Foreign Secretary drew attention to four subjects in his introduction: the important right to self-determination, which is not abridged in any way by the Bill; responsibilities on both sides; the right of territories to control their own destiny; and their right to depend on or look to this country for continuing aid where necessary. As I have just said, self-determination—the ability of territories to take control of their own future—is an important principle. Although a few people will regard it as political correctness, changing the term "dependent territories" to "overseas territories" is important; it is politically significant, not least because it makes it clear that those territories should no longer regard themselves as subsidiary to the motherland, even if the ties are strong, and have a right and responsibility to pursue their own future.

The White Paper also insists on conformity to higher standards of human rights. An important by-product of the process that led to its publication and the subsequent introduction of the Bill is the fact that there have been changes and significant improvements in human rights in most of the territories. In most of them, corporal punishment and capital punishment have been abolished; laws that curtailed equal rights for homosexuals have been amended. We must be vigilant, as must the territories' Governments and people, that standards in human rights continue to improve. When they fall short, our Government and Parliament have a responsibility to ensure that every encouragement is given to Governments in the territories to improve them.

The White Paper makes important reference to the need for stricter financial regulation. Money laundering has been a problem for a long time and pre-dates the events of 11 September, but the need to deal with it is now much more urgent. I hope that the Government will give aid, as well as incentives, to the emerging economies and their Administrations to ensure that their offshore financial regimes are not vulnerable to the money laundering with which we have become all too familiar recently.

I referred to continuing aid, which is significant. Technical aid is given to Anguilla, Pitcairn Island and the Turks and Caicos Islands. Financial aid—budgetary supplements—is given to St. Helena, this year totalling £9.5 million. By comparison with our own public expenditure, that is not a great deal of money, but it is a considerable sum for an island with a population of 6,500. This year, Montserrat will receive £24.5 million, not least because of the continuing need to recover from the effects of the volcano. I hope that the Minister will assure us that the aid will continue and that, in particular, the Government will do all they can to advance the project to develop an airport. A consultation paper was completed this year and the Government have pledged aid for whichever solution—replacing RMS St. Helena or constructing an airport—proves most cost-effective. Cost-effectiveness is a strange criterion; within reason, we should be looking at which solution is most desirable and can provide the biggest boost to the local economy and the quality of life of the citizens of St. Helena. I hope, like other hon. Members, that we will be generous in acknowledging our commitment and debt to St. Helena and give its people every assistance to develop their economy in future.

When the White Paper was published in 1999, a newsletter from the UK branch of the commission on citizenship led by the Bishop of St. Helena said:

> "The Government has understood the justice of the case and responded with both honour and generosity."

It is unusual for a Government to receive such a plaudit, but is welcome none the less. The newsletter went on:

> "It does not merely restore full British passports and the right of abode in the UK, it does so in a manner that is open, honourable and generous."

I join my hon. Friend the Member for Leicester, South in saying that it gives us, as members of the Government party, a warm glow to be able to welcome a Bill that has generated such support from those whom it is intended to benefit.

That welcome for the White Paper and the Bill was shared by my constituents, whom I ought to mention—Ken Butler and his wife, Edie, who provoked my interest in St. Helena. Like most hon. Members, I was blissfully ignorant of its existence, other than in the history books, and of the plight of the people who live on St. Helena, until the 1997 general election, when I knocked on Mr. Butler's door. He said, "You politicians—you only come round at election time." We are all familiar with that opening gambit. He went on to say, "There is one issue that concerns me and which I feel passionate about, but if you get elected, you won't take the slightest interest in it." I am particularly pleased to discharge a debt today and to redeem the pledge that I made to Mr. Butler—that I would remember his words. Since that time, I have taken an interest in the fate of St. Helenians.

I pay tribute also to Dr. Dorothy Evans, who is a lifelong friend of the St. Helenians and has been extremely helpful to them in the development of their education system. She provided the basis of much of my knowledge about St. Helena and, I discovered, happens to live in the same village as my sister, from whom she bought a jumper recently. If anyone else would like to buy a jumper from my sister, who makes them for a living—very warm and elegant they are, too—please let me know after the debate.

People like Ken and Edie Butler and Dr. Dorothy Evans have kept the flame burning and campaigned tirelessly for the rights of an isolated people many thousands of miles away. I pay tribute to such people, without whose support Saints would not be on the threshold of achieving their new status. Their commitment and love for that place are paying off. They have kept the faith and kept the crusade going.

I am grateful to the Minister for offering a meeting some time ago to discuss the Bill. I repeat that, on 21 May 1502, the Portuguese Admiral Joao da Nova Castella discovered St. Helena, although it was the British who settled the island. In six months, Saints will celebrate the 500th anniversary of the discovery of their island. It would be sad to have made the progress that we have made so far, but not to have conferred on Saints by that date their British citizenship and the rights that go with it.

That is why, in a series of interventions today, I have made a plea to the Minister not to allow the bureaucratic difficulties of establishing consensus among the territories about the format of the new passports, and the technical ability to issue passports, to delay the commencement order which confers British citizenship on those 200,000 people. It would be sad if that were to happen. Conversely, it would be the cause of much celebration throughout the territories if we were sensible and sensitive to those people's needs and issued the commencement order as soon as the Act receives Royal Assent. We owe that much to Saints, to ensure that they can celebrate their anniversary as British citizens.

I welcome the Bill. It discharges a debt and acknowledges the associations of the past, but it goes further. It will help to secure the future for hard-pressed economies and isolated communities such as those of St. Helena. They are a few, but they are an important few in the British overseas territories. I hope that when we have achieved Third Reading, Royal Assent and commencement, there will be happy days of celebration for those people.

Mr. Deputy Speaker: Before I call the next speaker, may I remind the House that the Second Reading is principally about citizenship? One or two hon. Members have started to stray rather wide of the mark.

3.4 pm

Mr. John Wilkinson (Ruislip-Northwood): I shall be brief, and I shall resist the strong temptation to reminisce to which the hon. Member for Leicester, South (Mr. Marshall) yielded all too readily, going back to the good old days of the 1981 Standing Committee that considered the British Nationality Bill. Let us deal with the points at issue, which were not all addressed with complete clarity or certainty by the Minister from the Dispatch Box.

The Bill deals specifically with the granting of British citizenship to residents of the British overseas territories. As British citizens, they are to be on an equal footing with us. This is all to the good, and there is unanimity about it across the House. However, the Bill is singularly deficient because it does not address the responsibilities as citizens which those new British citizens will enjoy. The omission is deliberate. On the key question of the franchise, the Bill says nothing. That is an issue about which democrats such as us care profoundly.

All the dependent territories listed are beyond the European continent, except for one—the dependent territory of Gibraltar. It is instructive for us to contrast the citizenship provisions of the Bill, and the attendant responsibilities, with those enjoyed, for example, by French citizens in the French overseas departements, especially the big ones—Reunion, Guadeloupe and Martinique. Those have been incorporated in metropolitan France—

Jeremy Corbyn: I thank the hon. Gentleman for giving way. He is right to draw the parallel with the French overseas departements. They have direct representation in the French Parliament and elections which are part of those in metropolitan France. Is it his wish that the same should happen in the case of British overseas territories?

Mr. Wilkinson: No. I was about to point out an anomaly. The departements send deputies and senators to the French Parliament in a way that is not proposed in the Bill, unless, perhaps, some residents of the British overseas territories are fortunate enough to become people's peers and sit in the other place—anything is possible. Although the residents of the British overseas territories will be citizens in the fullest sense of the word, they will not be able to stand for election here in the territories where they reside or to take part in the democratic process for representation of those territories in the UK Parliament.

With regard to Gibraltar, it is noteworthy that the United Kingdom continues to be in breach of the European Court of Human Rights decision of 18 February 1999, which ruled by 15 votes to two that the residents of Gibraltar should have the right to vote in the European Parliament elections. For that reason, I thought it was casuistry on the part of the Foreign Secretary to declare in the preamble to the Bill that the Bill is compatible with the European convention on human rights. In a strictly logical and legalistic sense, he is right, but the spirit of the legislation is not compatible. Following the resolution of the Committee of Ministers of the Council of Europe this year, it is high time that the United Kingdom found a means for Gibraltarians to vote in European elections.

Tony Baldry: Does my hon. Friend find it surprising that the Minister did not draw the attention of the House to a written answer given by one of his ministerial colleagues yesterday, in which the Government state that

"the UK is now actively considering taking unilateral action to extend the franchise to Gibraltar. This will involve bringing in domestic legislation without prior amendment of the 1976 Act"?—[*Official Report*, 21 November 2001; Vol. 375, c. 331W.]

If the Government are considering taking unilateral action to extend the European franchise to Gibraltarians, one would have thought that the Minister would make that point today.

Mr. Wilkinson: Yes, indeed. Perhaps the Foreign Office is not sanguine that the proposal will receive the unanimous approval of the other member states. The Government may envisage a blocking veto but be reluctant to admit it at the beginning of discussions with the Government of Spain about the future of Gibraltar.

Let us not be awkward, however, but return to the Bill and the more central question of citizenship. A most interesting principle is involved, as our conferral of full British citizenship on the residents of the overseas territories means that they will, ipso facto, become citizens of the European Union. The Minister denied it at the start of his speech, but then stood corrected, as he was not present for the exciting and interesting debates about the Maastricht treaty, which means that he missed a lot. The consequences persist: people can acquire citizenship of the European Union, whether they like it or not, by virtue of having citizenship of one of its constituent countries. This will also be the case for British citizens who live in our overseas dependent territories.

I find intriguing the extra-territoriality of the measure in terms of European citizenship. It is a sort of imperialism, exerted via the route of citizenship, which is distinctly

[Mr. Wilkinson]

odd. In the understanding of most people, citizenship is attached to territorial connection in a very particular way. It is not the case in this instance, inasmuch as the Minister specifically admitted that our overseas territories will, with the exception of Gibraltar, remain fully outside the European Union. In addition, when he was pressed by my hon. Friend the Member for West Suffolk (Mr. Spring), he said that European Union law would not apply to them. He is looking thoughtful, which is all to the good. If I am wrong, I am sure that he will put me right in his winding-up speech.

I mentioned a significant omission regarding the children of British overseas citizens. I think that only Kenya now regards children as stateless if neither of their parents is a national of that country. The issue arose in the other place. I am not sure whether the situation still exists, as Baroness Amos seemed to suggest that the children in question could somehow acquire British citizenship by virtue of the British Nationality Act 1981—an answer which I did not comprehend. This is a most important point, not least for my constituents, as these are the sort of unaccompanied refugee children who end up at Heathrow, which is in the same borough as my constituency. My constituents have to pay for them to the tune of more than £1 million a year. They are a significant category not only in practical terms for my constituents, but also in terms of ethics. Nobody wants children to be stateless and therefore unable to enjoy the rights of citizenship in any country, especially if they owe their statelessness to a lacuna in British citizenship legislation.

Fiona Mactaggart (Slough): I agree that we have a responsibility to avoid statelessness in respect of any category of British citizen, but does the hon. Gentleman have any evidence for his implication that the children of British citizens are arriving as refugees at Heathrow?

Mr. Wilkinson: All I can say to the hon. Lady—I have not studied the figures—is that we seem to get unaccompanied refugee children from most parts of the world. I imagine that it would be easier for the refugees in question than for others to get around the visa stipulations of airlines, which are extremely vigilant, as they are liable to be fined if they allow passengers to board their aircraft without appropriate travel documents. I assume that Kenya is embarrassed about the situation, which is entirely of its own making, and will be all too happy to see such children elsewhere. Of course, once they arrive here, as do many other stateless children, we have a responsibility to fulfil. We do not shirk that responsibility in my borough—far from it. Every effort, from social services to health and schooling, is made to ensure that stateless children who come into this country are well accommodated and provided for, and that the transition to British life is smooth and harmonious for them. We are not shirking our responsibilities, but the point is important and the Government should address it. I look forward to hearing the Minister's response.

I should like to make a couple of other points. They may appear to deal with matters of detail, but they are very important from the ethical viewpoint, which I have already mentioned. The hon. Member for Linlithgow (Mr. Dalyell) has been more assiduous than any hon. Member in championing the rights of the Chagos islanders who were evicted from the British Indian Ocean territories and transplanted to Mauritius. From the middle of the next decade, they will be able to return, which is well and good. I wonder, however, what will happen to those who elect to stay in Mauritius. I presume that they will not get British citizenship. Is that the case, even though their transplant was occasioned entirely by the high-handed and dictatorial behaviour of the British Government of the time? Why should they be denied that right?

Jeremy Corbyn *rose—*

Mr. Wilkinson: The hon. Gentleman may correct me if I am under a misapprehension.

Jeremy Corbyn: I am puzzled by the hon. Gentleman's assertion that the Chagos islanders can return from the middle of the next decade. They currently have a right of return that was granted by a High Court decision of last year. The American lease on Diego Garcia expires in 13 years' time. So they have a right of return at the moment that has not yet been carried out.

Mr. Wilkinson: I am grateful to the hon. Gentleman, who has clarified the matter. I imagined, perhaps over-optimistically, that when the US lease on Diego Garcia ran out, the reason for this forced transplanting of people would be a thing of the past and the islanders could return.

Jeremy Corbyn: Perhaps I can help the hon. Gentleman. I think that he may be confusing Diego Garcia with the rest of the archipelago. A very large number of islands are situated some distance away. Diego Garcia is the largest and is, unfortunately, occupied by an American military base. The others are unoccupied at the present time and are, therefore, available for return.

Mr. Wilkinson: In an ideal world, they most certainly are. I referred to Diego Garcia because it is the island which is relevant to the United States lease. I am well aware that the territory is huge; it stretches for hundreds of miles and contains many islands. None the less, I should like the Minister to answer the citizenship point.

I want to deal with one final matter. If any of our overseas territories elect, by virtue of self-determination, to become independent, what will happen to the British nationals who are resident in those former British territories? Will they continue to enjoy the British citizenship that the legislation confers, or will we introduce an Act of Parliament that contains special provision? What will happen? This came up in the other place, where the Minister made no clear reply. We should have a clear answer before the Bill leaves the House of Commons.

I applaud the principle of the Bill, which is overdue. However, like so many other measures that the Government have introduced, it is ill thought through. Many gaps and inconsistencies remain. I am thankful that, unlike the more important and contentious constitutional measures, it has not been strictly timetabled. Perhaps we have time to get it right.

3.20 pm

John Austin (Erith and Thamesmead): I welcome the Bill, which is long overdue. I congratulate the Government on finding time for it in a heavy legislative period. I welcome the Bill for the same reasons as my hon. Friend the Member for Leicester, South (Mr. Marshall). It is one of the few occasions when such a measure confers rather than removes rights.

The British Nationality Act 1981 removed rights from the people whom we are considering today. In 1983, citizenship was granted to the people of the Falkland Islands as a result of a rebellion in the Tory ranks. It has taken another 14 years for the election of a Government who are prepared to extend that citizenship to the other territories. That is one year for each dependent—now overseas—territory.

I want not to dwell on the past but to look to the future, and to ask for clarification on one or two points. I should like the Minister to expand on his response to my hon. Friend the Member for Chorley (Mr. Hoyle) about self-determination. As hon. Members know, the right to self-determination is an intrinsic part of the United Nations charter; it is covered in the first article. Some of the overseas territories, the Falkland Islands, for example, have that right enshrined in the preamble to their constitutions.

I seek an assurance that, even though the right to self-determination is contained in a preamble, not the main body of the text, it has the same legal validity in international law. I also ask for an assurance about the reviews that are taking place of overseas territories' constitutions. Will territories be allowed to incorporate the right to self-determination in their constitutions?

During the debate, several points have been made about Gibraltar. Self-determination is important in the context of Gibraltar. The Order in Council that established the 1969 constitution of Gibraltar stated:

> "Her Majesty's Government will never enter into arrangements under which the people of Gibraltar would pass under the sovereignty of another state against their freely and democratically expressed wishes."

I seek an assurance that that remains the case. I share the fear of other hon. Members that, unless the British Government stand firm against the measures that Spain have taken to affect normal life in Gibraltar, it may have to decide whether to compromise its sovereignty to obtain a telephone line or the right to issue a driving licence. That cannot be tolerated.

Hon. Members have referred to the United Kingdom being in breach of human rights legislation because the people of Gibraltar are not represented in the European Parliament. Of course, the Government intend to put that right as soon as possible. However, their attempts may be thwarted by another European Union member, which would try to block and veto them, thereby continuing to deny the people of Gibraltar their rights. We need an assurance that the Government will stand up to Spain, which is infringing the rights of the people of Gibraltar.

It has been said that approximately 200,000 people may be affected by the Bill. They will have the right to British citizenship. The right of abode in the United Kingdom is part of that, but it is right to point out that few of those citizens will avail themselves of it. Few Bermudans would give up their climate and higher standard of living for the British winter. However, the right to travel to gain education and work experience is important to many Bermudans.

Hon. Members have referred to comments by Lord Waddington in another place about the injustice of the inequality in the treatment of black Bermudans and white Bermudans at British airports when they go through two separate channels. My hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) highlighted that problem in a debate in 1997 when the then Foreign Secretary announced the review of British citizenship and the overseas territories, and heralded the White Paper.

Discrimination does not only occur when Bermudans come through different channels at airports. Bermuda relies greatly on banking and financial services, and therefore many Bermudans need to travel and work abroad to gain experience so that they can progress in their careers. Black Bermudans, who are denied British citizenship, do not currently have the right, whereas white Bermudans, who may have British citizenship by descent, do. I am pleased that the Bill will create equality between black and white citizens in Bermuda.

Other territories are less fortunate in their economies than Bermuda. I acknowledge that we are not here to discuss the economy of St. Helena, but it is pertinent when it comes to explaining why British citizenship is so important to the people there. It has traditionally exported labour, and the money earned by Saints abroad has gone back to sustain their families and communities. It will be dependent for a long time on revenue and support from the United Kingdom.

I echo the comments of my hon. Friends who have more experience of St. Helena than I do. Few hon. Members have visited St. Helena; few people have visited because of transport difficulties. The Government acknowledged that in the White Paper, which referred to the lack of safe anchorage and the limited capacity of the passenger ship. St. Helena would benefit if it were to be opened up through the provision of an airport to make it less dependent on the United Kingdom and on work elsewhere.

Other hon. Members have mentioned the importance of May, which marks St. Helena's 500th anniversary, in the context of the commencement of the measure. I hope that procedural difficulties will not prevent commencement before St. Helena's celebrations, and that the Foreign Office and the Home Office will work together to ensure that there is no delay.

Will the Minister say what will happen to people who will become overseas citizens and may be abroad or in the United Kingdom with limited leave to remain between the Bill's passage and commencement. Will their position be secure? What is the position of people who will become British overseas citizens and wish to apply to come to the United Kingdom before the date of commencement?

I also wish to refer to the situation of the Chagos Islands and the British Indian Ocean Territory. In the original Government proposals, the BIOT was not to be included in the provisions for British citizenship. I suspect that that decision has been changed because of the High Court judgment to which my hon. Friend the Member for Islington, North (Jeremy Corbyn) referred. I am pleased by that judgment.

[John Austin]

My hon. Friends the Members for Linlithgow (Mr. Dalyell) and for Islington, North have championed the rights of the Chagos islanders for many years. The High Court judgment gives them the right to return and ruled that they were illegally removed. However, the hon. Member for Ruislip-Northwood (Mr. Wilkinson) is right to highlight the position of the children of the Chagos islanders in Mauritius who have been born since 1968 and who are automatically Mauritian citizens. I hope that the Minister will give an assurance that the children of the Chagos islanders—the Ilois—also have a right to return, as well as a right to British overseas territory citizenship and thus to British citizenship.

I welcome the Bill for a variety of reasons, not least because it will remove the difficulties faced by my constituents from Montserrat if they wish to travel to France or other European countries. They have difficulty obtaining visas. Many of the Montserratians in my constituency would like to return to Montserrat. Unfortunately, some of them have no homes to return to. Some will remain in the United Kingdom, and it is right that if they are here, they are afforded full British citizenship and full rights as residents.

I said that the citizens of the BIOT were not originally to be included in the legislation, but they now are. It would also have been possible to include British nationals overseas, British overseas citizens and British protected persons. The number of those persons who have not exercised the right to come to the United Kingdom and now have no right to do so is very limited. It would not be difficult for the Government to provide British citizenship for those people as well.

I seek an assurance from the Minister that the children of British overseas citizens in Kenya—they have been mentioned by other hon. Members—who are effectively stateless, will not be allowed to remain so by the United Kingdom Government and that they will have the right to British overseas territories citizenship and, through that route, to British citizenship.

My final point relates to Europe and to international bodies. Often, the interests of the overseas territories are affected by decisions taken in international and intergovernmental organisations—for example, the European Commission, the European Union, the North American Free Trade Area and the World Trade Organisation. Will the Minister consider how the voice of the overseas territories may be heard in those organisations? The Government could consider adding a representative from the overseas territories to the UK permanent representation to the Commission in Europe.

Hon. Members have mentioned the way in which European legislation may affect the overseas territories, which are in a different position from the French dependent territories mentioned by the hon. Member for Ruislip-Northwood. They are an integral part of France, with direct representation in the French Parliament. The hon. Gentleman mentioned Reunion and, since he is passionate about the euro, he may be interested to learn that, because of that island's position in the time zone, when the clock chimes midnight and the euro becomes legal currency in Europe, it will already be the legal currency in Reunion. Our overseas territories are in a different position, however.

My hon. Friend the Member for The Wrekin (Peter Bradley) referred to financial services and banking in some of the overseas territories. He is right to stress that those services need to be regulated. No one is arguing against that. Regulation is different from taxation, however. A substantial part of the economy of some of those territories depends on banking and financial services. An EU derogation allows them to be excluded from EU tax regulations. Concern has been expressed—I know that it is shared by the UK Overseas Territories Association—about whether that derogation will be affected by the legislation. I do not think that it will, but it would be helpful if the Minister could assure the overseas territories that that is not the case in his response.

In his opening statement, my hon. Friend the Minister referred to the fact that there are 14 overseas territories. This legislation will be welcome to their citizens. I have visited only two of those territories, although other hon. Members have travelled more widely.

Returning to the problem of isolation and the needs of St. Helena, which my hon. Friend the Member for The Wrekin mentioned, I visited the Falkland Islands for a Commonwealth parliamentary conference on citizenship and immigration issues. There was a representative from St. Helena at the conference, which took place in January. For me, it meant a day's travel from the United Kingdom and a day for the return journey, although it is not particularly comfortable travelling there in a Tristar out of Brize Norton, via Ascension. We picked up the St. Helena delegate in Ascension. He had left St. Helena before Christmas and was unlikely to get back home much before Easter. That emphasises the need for better communication links and the importance of an airport for St. Helena. I hope that the Minister will also deal with that in his reply.

3.37 pm

Tony Baldry (Banbury): It is a pleasure to follow the hon. Member for Erith and Thamesmead (John Austin). The House will agree with much of what he said, in particular his remarks about Gibraltar.

Gibraltar is an overseas territory and the rights of the people of Gibraltar to self-determination must be no less than those in relation to any other overseas territory. The treaty of Utrecht is unambiguous and clear. It must be a matter of concern that the Foreign Secretary appears to be colluding with the Foreign Secretary of Spain against the interests of Gibraltarians. I am not aware of any request from Gibraltarians to become part of Spain.

It is a matter of great regret that the Government, in engaging in discussions with the Government of Spain, were not able to persuade the legislative assembly of Gibraltar that it was in Gibraltar's interests that the discussions should take place. There must be real concern in the House and elsewhere that the Gibraltarians are likely to be bludgeoned into some compromise of sovereignty, as the hon. Member for Erith and Thamesmead described it, which will be to their detriment.

Not only is Gibraltar a British overseas territory: we should never forget that the Gibraltarians have supported this country, the Commonwealth and the allies in two world wars and that, without their support, we would have had great difficulty with the naval campaigns in the Mediterranean.

Mr. Nicholas Winterton: Does my hon. Friend agree that it is most unfortunate that Chief Minister Peter

Caruana and his delegation were not permitted to attend in their own right the meeting during the recent discussions between the United Kingdom Government and Spain that concerned their future? They could only have gone there had the situation been different.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman is an experienced Member and knows that he is leading his hon. Friend astray and taking us outside the scope of the Bill. He may have been provoked, but I am ruling that the hon. Member for Banbury (Tony Baldry) should return strictly to the terms of the Bill.

Tony Baldry: The Bill is about citizenship, and we in the House are entitled to put down a marker that we are concerned about the people of Gibraltar retaining their right to avow their wish to remain citizens of Gibraltar and thus retain their links with the Crown. That should not be undermined by negotiations between the Foreign Secretary and the Foreign Minister of Spain.

Mr. Deputy Speaker: Order. The hon. Gentleman might indulge me, as I did not rule against him. I intervened because of the direction that the remarks made by the hon. Member for Macclesfield (Mr. Winterton) were taking when he talked about the composition of delegations. I ruled those out of order.

Tony Baldry: Perhaps I am being hyper-sensitive, Mr. Deputy Speaker.

The Bill is of relatively narrow compass and its purposes are to change the name of the British independent territories to the British overseas territories—no one could complain about that—and to confer British citizenship on citizens of the overseas territories. However, it has been suggested that more rights are being granted to British overseas territories citizens than is the case. As the Minister in the other place made clear, all the Bill does is grant citizenship. With citizenship, it grants the right of abode, but all the other rights flow from the right of abode.

Fiona Mactaggart: No they do not.

Tony Baldry: The hon. Lady, from a sedentary position, dares to challenge me. Let me read to her what the Minister in the other place said:

> "The Bill grants citizenship, and with it the right of abode. Other rights come into effect on the basis of residence."—[*Official Report, House of Lords*, 10 July 2001; Vol. 626, c. 1034.]

Fiona Mactaggart: I said, "No they do not," because residence and right of abode are two separate matters. The hon. Gentleman is right that those rights derive from residence, but they do not derive from right of abode.

Tony Baldry: I think the hon. Lady is wrong, because what the Minister in the other place said could not be clearer or more unambiguous. Unless people from the overseas territories come here to live, they will not acquire any rights. That is a straightforward point.

There was great discussion in the other place concerning the ability of people from the overseas territories to come to the UK for medical treatment or to benefit from higher education. They will not have those benefits unless they choose to come to the UK to live.

Fiona Mactaggart *indicated assent.*

Tony Baldry: I am glad that we agree about that.

Fiona Mactaggart: Those rights are the same for any British citizen.

Tony Baldry: Yes, of course they are, but my point is that people in the overseas territories will benefit from those rights only if they choose to live in the UK. The Bill will give people in Anguilla, the British Virgin Islands and Montserrat no benefits unless they choose to exercise them in the UK. There have been suggestions in various places that the Bill will give various rights to people in St. Helena or Anguilla who may come here to benefit from medical treatment or higher education. It will not, unless they choose to come here to live.

John Austin: Does the hon. Gentleman agree that the position is no different from that of a British citizen born in the UK who chooses to live elsewhere and then returns?

Tony Baldry: I must be being very inarticulate this afternoon. I have no quarrel with that, but it is not the point that I am seeking to make. For citizens of the British overseas territories, such rights as the Bill will give may be acquired only if they choose to come to the UK to live. Those citizens of the overseas territories who may want to come here for higher education will have to pay the costs as though they were foreign nationals, unless they come here to live.

Mr. Trend: Is my hon. Friend concerned that the remarks made from the Labour Benches are fallacious? Inhabitants of St. Helena have no right to higher education because there is no possibility of higher education, but it would be unfair for them to have to come here and pay an enormous sum to exercise a right as a British citizen.

Tony Baldry: I agree with my hon. Friend and we are at one on this. It is perhaps a pity that the Government were not more generous, particularly to some smaller overseas territories, in at least making higher education available. Effectively, those rights are exercisable only if people choose to live here.

The Bill, which effectively arises from the White Paper "Partnership for Progress and Prosperity: Britain and the Overseas Territories", is about balancing rights and responsibilities, and the citizenship proposals are part of the package. If I may, I shall briefly explore with the Minister what has happened to the rest of the package on the balancing side of the equation, as I have some interest in the matter.

For a while, I was fortunate enough to fill the post that the Minister occupies and lucky enough to visit five of the 10 overseas territories in the Caribbean: Montserrat, Anguilla, the British Virgin Islands, the Cayman Islands and the Turks and Caicos Islands. For reasons that I shall

[Tony Baldry]

explain, I thought that my ministerial career would come to a sudden end through my being sacked as a consequence of my involvement with them.

When I returned from the overseas territories, I recommended that we reconsider our relationship with them and that there ought to be balancing rights. The White Paper refers to various balancing rights such as

> "measures promoting more open, transparent and accountable government;
>
> improvements to the composition of legislatures and their operation;
>
> improving the effectiveness, efficiency, accountability and impartiality of the public service".

What have the Government done to meet the various objectives on improving the quality of government? We are doing our part by granting citizenship. That is part of the package; the other part is what the overseas territories have to do. What have they done?

How are the Government minimising the contingent liabilities of the overseas territories? In May 1997, the National Audit Office published a report on contingent liabilities in the dependent territories. I return to why I thought I would be sacked. One night in 1995, 3,000 Cuban migrants suddenly arrived on the shores of the Cayman Islands—then a dependent territory with a population of only 30,000. The governor had only two police officers and he was concerned that they would be insufficient to deal with 3,000 Cuban migrants, so he asked whether we could please send more.

I realised that, whatever I did as a Minister, I was likely to get it wrong. If I sent no officers, there would inevitably be riots and I would be held responsible. If I sent a lot of officers, there would again be "bobbies on the beach" stories of the kind that arose in Anguilla in the mid-1970s. Either way, my ministerial career would come to a sudden end.

The Metropolitan police kindly put no fewer than 500 officers on stand-by one weekend, but to my great joy and relief the American Government reopened Miami for Cuban migrants and, very speedily, those on the Cayman Islands went to the United States, which is where they wanted to go in the first place. The incident brought home to me the fact that the overseas territories place on the United Kingdom a number of contingent liabilities. To what extent have the Government assessed them and have they reached arrangements with the overseas territories to minimise them?

This is not the only Bill before the House dealing with overseas territories. Clause 2 of the International Development Bill, which focuses international development on poverty, makes an exception in relation to overseas territories. The United Kingdom development budget is top-sliced to give money to the overseas territories. For understandable reasons, Montserrat is getting £22.8 million this year. St. Helena is to get £29 million over a three-year period; the Turks and Caicos Islands are getting £4 million; Anguilla is getting £2 million; and even the British Virgin Islands are still getting development aid.

When I was in the Turks and Caicos Islands, I was slightly surprised that we were giving them substantial development aid while the people of those islands do not pay income tax. I found that rather curious. Although I fully understand why Montserrat and St. Helena may still require development aid, will the Minister tell the House when other overseas territories, such as the British Virgin Islands, will no longer be a liability on our development budget?

My predecessor as the Member of Parliament for Banbury was Sir Neil Marten, who was persuaded way back in 1979, when he was Minister with responsibility for overseas development, that if the Turks and Caicos Islands were given an international airport, it would so generate tourist income that they would no longer require any development aid. That was 20 or so years ago, and the Turks and Caicos Islands still receive a substantial amount of development aid in proportion to the population.

I welcome the Bill, and I do not think that anyone could object or take exception to it. However, it was part of a package under the White Paper "Partnership for Progress and Prosperity: Britain and the Overseas Territories", which required the overseas territories to do certain things in exchange for being granted citizenship. We have heard a lot about what we have done, so it would be good to hear from the Minister what the overseas territories have done in exchange and what they will continue to do. We should have a better feel for the on-going relationship.

Clearly, it is unlikely that any of the overseas territories will opt for independence. Bermuda had a referendum not so long ago, and it voted against independence. The remaining overseas territories are likely to remain so for some time. The House is entitled to have a better explanation from the Minister than he gave in his opening remarks about how he sees our future relationship with the overseas territories, and about what their duties and responsibilities will be.

3.53 pm

Jeremy Corbyn (Islington, North): I welcome the debate and the Bill. I want to refer to three of the overseas territories. My hon. Friend the Member for Erith and Thamesmead (John Austin) highlighted the plight of the Chagos islanders and the British Indian Ocean Territory. I shall also refer to Antarctica and the sovereign bases in Cyprus.

I tabled early-day motion 380, which noted

> "with concern the recent protest outside the British High Commission in Mauritius by hundreds of exiled Chagos Islanders and the protesters' declared intention to go on hunger strike until"

the British Government have responded to a number of their demands. I shall try to explain those demands.

The situation of the Chagos islanders is very serious. In the mid-1960s, the British Government indulged themselves in a deal with the United States in which the people of the Chagos Islands—the Ilois people—were to be removed. The majority of them were to go to Mauritius and some to the Seychelles, and the largest island, Diego Garcia, was to become an American base. Unfortunately it still is an American base, and is being used as we speak in the bombing campaign in Afghanistan.

Ever since they were removed, the Chagos islanders have rightly demanded a right of return. They have protested strongly at the way in which they were removed—internal memorandums that have since been revealed used disgusting language against them, describing them as people like Man Friday—and they have sought a right of return. Many lived and still live in great poverty in Mauritius and in other places, and they feel dispossessed.

It was my privilege last July and August to attend two sessions of the United Nations Commission on Human Rights. The first was on indigenous peoples, in which the Chagos islanders were represented, and the second was the sub-commission on human rights. This issue was raised on a number of occasions.

I shall give some further background. The Chagos islanders have pursued their eternal quest for a right of return with enormous diligence, brilliantly led by Olivier Bancoult and others from the elected committee. They pursued their case with the help of an excellent English solicitor, Richard Gifford of Sheridans, and last year took the case to the High Court, where they won an historic right of return—a declaration of their right of return to the islands. That right of return was made without qualification, and ultimately was not appealed by the British Government, even though they initially responded that they would appeal against the judgment.

There are clearly problems over the right of return to the largest island, Diego Garcia, because the British Government have signed a lease agreement with the United States, which has another 13 years to run. There are serious questions about the legality of that lease arrangement, which may well be challenged in the American courts in the near future.

I have tabled a number of written parliamentary questions, and I had a meeting with Baroness Scotland when she was the Minister dealing with this issue. On several occasions, I have discussed with the Foreign Office what will happen about the right of return. The British Indian Ocean Territory's high commissioner announced that there would be a feasibility study of the right of return and an environmental impact assessment.

That concern for the environment is touching, given that the presence of a small number of people—a few thousand—re-inhabiting the islands of the archipelago is unlikely to have an enormous environmental impact. After all, they managed to live there for several hundred years in an entirely sustainable way by fishing, picking coconuts and small-scale farming.

The idea that a small number of people returning to the islands is about to destroy that pristine environment is laughable. Far greater damage has been done to the archipelago around Diego Garcia by the presence of the American base, including the removal of some coral reefs to allow large American military ships to get to the base. If the experience of the United States leaving other bases around the world is anything to go by, the condition in which they leave Diego Garcia will be pretty appalling, if and when they finally leave, as we hope they will, in 13 years' time.

I hope that when my hon. Friend winds up the debate he will assure me that, on 3 and 4 December, when Olivier Bancoult visits London, he will be able to have a meeting with the Minister or with Baroness Amos, who is directly responsible for this matter. I am sure that my hon. Friend would agree that it is extremely important that the Chagos islanders be treated with the courtesy they deserve and that such a meeting be afforded to them.

Mr. Trend: I seek clarification, because I have not understood this point. Is the hon. Gentleman saying that, as a result of the court judgment, the inhabitants have the right to go back home straight away, but the Government are delaying their return? I am not trying to make a party political point. I had assumed that they would not be allowed to go back until 2016, but the hon. Gentleman seems to be telling us something different.

Jeremy Corbyn: The hon. Gentleman has hit the nail on the head. The High Court judgment authorised the right of return without the setting of a specific date, so it might be assumed that that means now.

There is also the perverse issue of the deal made between previous British Governments and the United States over Diego Garcia. It could be said that the issue should be viewed in two ways: as well as the opportunity, possibility and right of return to the rest of the archipelago, which is a subject of the current environmental impact assessment, there is the secondary—or, rather, connected—question of the right of return to Diego Garcia.

I hope that the Minister will tell us when the assessment will be completed, and what assistance is being given to the islanders to return and, indeed, to visit and be consulted, as part of the arrangements for the assessment. They have very imaginative ideas about how the islands could survive. They are extremely intelligent and capable people, who do not deserve to be treated in a way that suggests that they should not sit at the conference table. They have submitted some ideas to me, including a return to fishing and coconut growing but also small-scale farming, eco-tourism and a number of other activities. They care deeply about the archipelago, and would be ideal custodians of it.

I have referred to the wider issue of Diego Garcia. The lease expires in 13 years. Several thousand nationals of other countries currently work for the American base on the island. Some people, however, are specifically barred from civilian employment there: Ilois, or Chagos islanders. The Americans do not trust them, I assume—or the British do not trust them; I am not sure.

I hope the Minister will tell us why the only people in the world who are not allowed to work on Diego Garcia are those who were expelled from it in the late 1960s and early 1970s. The arrangement is surely very unfair. Obviously, the island could be at least a temporary source of employment. The expulsion was one of the great injustices of the 1960s and 1970s, and the last Foreign Secretary made considerable efforts in that connection when Labour were in opposition.

I now want to make a number of points. My great friend the Member for Linlithgow (Mr. Dalyell)—the Father of the House—may wish to do so as well, as he has taken an enormous interest in the issue.

Responding to the demonstration outside the high commission in Mauritius, Lady Amos wrote to the solicitors representing the Chagos islanders. She replied to a number of points, including the suggestion that a visit was needed. Apparently, the possibility of a ship to take the islanders to the Chagos Islands at least for a visit is being investigated. Will the Minister confirm that that is happening, and also that the Foreign Office—or, more specifically, the Indian Ocean territories—will bear the cost of the visit, rather than the islanders' being expected to pay?

There is also the question of resettlement, and the expected date for the pilot scheme. Another question, which has been raised by a number of Members on both sides of the House and therefore cannot be seen as a party political issue, relates to birth certificates and rights of residence.

[Jeremy Corbyn]

As I have explained, the islanders were removed against their wishes, and many have subsequently led a very poor existence—some in Mauritius, some in the Seychelles, and a smaller number scattered around the world. Some of those are in France, some in this country and some in Switzerland. I have met many on foreign visits.

Birth certificates are a sad subject. Apparently many birth records were lost and then discovered somewhere else, which does not say much for the quality of administration. Furthermore, there is the question of what rights are held by children born since 1968 in Mauritius, the Seychelles or anywhere else to a parent who was a Chagos islander. Being born in Mauritius would have given them an automatic right to Mauritius citizenship, but there is an added complication: Mauritius has a claim on the islanders, because it would like to take over the islands and make them part of Mauritius.

I want the Minister to make it clear that when the right of return is exercised, the islanders' children will be included and will be entitled to the same privileges and rights—and will have the same responsibilities—as every other person in the British overseas territories included in the Bill. That, surely, is a fundamental demand.

The issue of compensation for the islanders is mentioned in Lady Amos's letter of 15 November to Sheridans. I accept that the British Government paid the Chagos islanders individual compensation some years later—belatedly and reluctantly: it was not paid on a collective basis. We are talking about a poor community that suffers from high unemployment and poor access to further and higher education. I shall not pursue the issue of individual compensation, but I would be grateful if the Minister could say whether there is any possibility of general support and compensation for the community as a whole. That would enable elected representatives—in particular, Olivier Bancoult—to travel to this country for important meetings. It strikes me as perverse in the extreme that a poor community should be expected to organise collections to buy an air ticket enabling Olivier Bancoult to meet representatives of the Foreign Office.

I feel that a social aid trust fund should be established. The Chagos islanders would be the trustees and administrators. The Foreign Office has already accepted the legitimacy of the raising of these matters by the elected representatives of the people. Surely, just as in the case of any other overseas territory, it is our responsibility to support the elected form of government. We have a recognised and elected committee here, and elected representatives there should be supported as they clearly deserve to be. The issue of pensions should also be considered.

John Austin: As my hon. Friend will know, before the High Court action the Chagos islanders had a grievance relating not just to the loss of their homes but to the denial of an opportunity for them even to visit their ancestral burial grounds, which were very important to them. Does my hon. Friend know whether they have now been given that opportunity?

Jeremy Corbyn: My hon. Friend is right to draw attention to that. Visits have been undertaken by some people from the Chagos Islands, but I want to make it clear to the Minister that the islanders want the right to visit the islands to assess for themselves the need for return. They also want the right to return itself. The issue of visits to ancestral burial sites is clearly important.

Mr. Tam Dalyell (Linlithgow): Is not this the position? It had been agreed in principle that such visits would be allowed, but after 11 September, the use of the Diego Garcia base—the biggest base outside the continental United States—made that impossible for the time being.

Mr. Deputy Speaker: Order. I am a little concerned. The debate seems to be moving away from the main content of the Bill; the hon. Member for Islington, North (Jeremy Corbyn) seems to be pinning a different debate on this legislation. I should like him to move back to the main stream of the Bill.

Jeremy Corbyn: I am happy to move straight back to it, and suggest that these British overseas citizens have a right to visit Diego Garcia, at the very least to examine burial sites and other important memorials.

Will the Minister confirm that Chagos islanders born in places other than the Chagos Islands since the unlawful removal in 1965 will qualify for British citizenship? It is extremely important that that right is confirmed. Will he also confirm that the Government might adopt as their policy the amended clause 4, on the conferral of British citizenship on Chagos islanders, that was drafted by the citizenship expert Laurens Fransman QC? The Foreign Office has received a copy of the amendment, and Baroness Amos has been involved in correspondence on that technical but extremely important point. Will the Minister also tell us what other practical action the Department has taken on the issue other than to appoint experts to study the possibility of return?

Will the Minister give a date by which the islanders will be able to return? Does he accept that the United Nations human rights sub-committee was correct in its conclusions, in its report of 29 October 2001, on the British Indian Ocean Territory? In paragraph 38, the committee criticised the Government's failure to disclose information in their fifth periodic report, and it noted the unlawfulness of removing the population. The report also suggested that the Government

> "should, to the extent still possible, seek to make exercise of the Ilois' right to return to their territory practicable."

Does the Minister not feel embarrassed that the United Nations should criticise the British Government on this matter? Will he pursue that particular point? In her letter of 24 October, Baroness Amos seemed to ignore our obligations under the United Nations charter. Does the Minister accept that the UN human rights sub-committee has underlined the Chagos islanders' citizenship rights under the charter?

Although I could raise many other issues concerning the Chagos islanders, I have sought only to highlight the islanders' main concerns, which my hon. Friend the Member for Linlithgow and I have pursued both in an Adjournment debate and with Ministers. In the 1960s and 1970s, this country did a terrible wrong to those people by forcibly removing them. Earlier this year, in Paris, I spoke to a Chagossian family about the removal: the woman described what it was like to be dragged from her home as a child and shipped off to Mauritius, a huge distance away. She told me she felt a burning sense of anger and injustice at her removal and at the fact that she has not been able to return.

I think that we should applaud the Chagos islanders for the very peaceful and responsible way in which they have pursued their case. They have won their High Court case, and surely it is now time to settle the score. We should let them go back, give them the support that they need and recognise their children as British overseas citizens. That is what the Bill is about. I hope that, in his reply, the Minister will be able to help us on those points.

I shall deal briefly with two other points concerning overseas territories. I have frequently raised in the House the issue of Antarctica, and I was very active during the passage of the Antarctic Minerals Act 1989 and the consideration in Committee of the Antarctic Act 1994. In an intervention, I asked the Minister to confirm that, as there are no permanent residents in the British Antarctic territory, it is very unlikely that the Bill will apply to people living there. However, should anyone become permanently resident there, presumably the Bill will apply to them. The legal problem is that the Antarctic territories are a British claim and are not recognised by anyone else as a British territory. Indeed, most of the British claim is overlain by the claims of other countries, notably Argentina.

Will the Minister comment on that situation? It could be argued that those who spend a considerable time at a British research base might be entitled to claim that they are normally resident there. Equally important, will the Minister say whether there is a ratification and implementation process to establish a secretariat and protect Antarctica as a world park and as a place of peaceful scientific research, rather than as a place for exploration and the exploitation of mineral resources?

The Bill's inclusion of the British sovereign base areas in Cyprus raises some interesting issues. I think that Cyprus is the only place in the world where Britain has sovereign base areas in a national area. As the areas are surrounded by Cyprus, there is clearly a great deal of traffic between Cyprus and the base areas. What will happen to the British overseas citizenship that has been granted to the relatively small number of Cypriots on the bases if a future Cypriot Government decide that the sovereign bases should close and become part of Cyprus's national territory?

One previous President of Cyprus was persuaded that the bases should become part of Cyprus, and I am concerned that the citizenship issue could cause enormous future problems. I should therefore be grateful if the Minister will clarify the issue. Despite that dilemma, however, I generally welcome the Bill.

4.16 pm

Mr. Michael Trend (Windsor): I welcome the Bill, which all hon. Members agree should have been introduced years ago. I think that it is fair for me to say that the Bill has been a long time coming from the current Government because one was never introduced by the Government whom I supported. I very much regretted the omission at the time.

The Bill gives British citizenship to the inhabitants of the remaining overseas territories, comprising about 200,000 people. I have no quibble with the Bill's title; the new name overseas territories is a better general description than dependent territories, although, as I shall explain later, some of those territories are still highly dependent on us. We must not lose sight of that fact with the change of name.

The Bill puts an end to a long period of shameful inactivity on the international status of the citizens of those former possessions. My interest in the subject—like that of the hon. Member for The Wrekin (Peter Bradley)—comes in part from a constituency case involving nationality. The case took years to resolve and, like the case cited by the hon. Member for Erith and Thamesmead (John Austin), involved a visa for a spouse who wished to travel in Europe. Although successive Ministers oozed sympathy at us, it seemed that nothing could be done about it. It was eventually resolved, for which I am grateful, but I suspect that that was only because Ministers had already decided to change the law.

As we heard, the Bill was preceded by a White Paper, "Partnership for Progress and Prosperity", which is a good document that raises many interesting and important citizenship issues. However, many of the questions asked in the White Paper are not answered in the Bill. We could avoid the problem that we have seen in the Chamber today, of hon. Members wishing to speak more broadly on those issues, by ensuring that the House is able regularly to discuss and debate the affairs of the overseas territories. Will the Government consider that proposal? May we have at least an annual opportunity to discuss and debate in Parliament the affairs of our new co-citizens?

The idea of an annual report on those affairs was suggested in the other place. Such a report would be helpful, as it is very difficult for Back-Bench Members to draw together information and views from around the world. If the Government do not agree to that proposal, would it not be possible for a Select Committee of the House to put aside one sitting per year to call representatives from the territories to give evidence? I have the honour of serving on the Public Administration Committee, and we have an annual appointment with the ombudsman and the Cabinet Secretary. We regard it as our job to maintain a strict programme of keeping in touch with those individuals.

Will the Minister say whether the rules of the House allow us to call witnesses from the overseas territories to the United Kingdom? Such meetings could coincide with those of the Overseas Territories Consultative Council. As I understand it, that council meets annually in London, but I would be grateful if the Minister could confirm that.

The Bill addresses the question of citizenship. It says that it gives British citizenship to the former British dependent territories citizens, but that is not quite right. In fact, it gives those with British dependent territories citizenship the right only to a modified form of British citizenship—as most people would understand that term.

Unlike other European countries, we have not gone the whole journey with overseas citizenship. The inhabitants of overseas territories will still be a different class of citizen from those of us who live here. They will not have representation in the British or European Parliaments and will not enjoy the same benefits as those who live in Britain. They will not, as overseas citizens of other EU countries can, participate in the full democratic process of the country of which they are citizens. That is despite the fact that the British Government have imposed upon the territories European social legislation, sometimes against

[Mr. Michael Trend]

the wishes of local populations. For a Government who say that they want to get rid of dependency status, one can scarcely imagine an act more likely to underline where ultimate power really lies.

It seems to me that the Government have been trying to have it both ways. On the one hand they have insisted on certain requirements to bring the territories into line with our national law and then, on the other, they have refused to extend certain benefits and duties that we regard as essential parts of citizenship. I fully understand—and the point has been made frequently today—that some territories do not want to enter into such a relationship, but some may. Why can we not ask each of the territories what they think, perhaps in a referendum?

The White Paper raised questions about the rights and responsibilities of citizenship, which this Bill fails to answer satisfactorily. I hope that later in the Bill's progress through the House we can attempt to amend it so that the Government will have to explain why, henceforth, there will still be two classes of British citizens. I hesitate to say that the inhabitants of the overseas territories will be second-class citizens, but in some important respects that will be the case for inhabitants of some of the poorer territories.

Present-day British citizens in the United Kingdom understand that while we have obligations to the Government, the Government have obligations to us. This understanding will not be available to the individuals entitled to British citizenship under this Bill, but it is the basis on which trust is built up between the citizen and the state.

Indeed, to move for a moment from the general to the more particular, that is why the Government are currently in deep trouble with the people of Gibraltar. Whatever the Foreign Secretary says, he no longer enjoys the trust of the local people. If we really mean to guarantee the legal rights of Gibraltarians, what on earth have we got to discuss with the Spanish Government? The Government are clearly trying to tell the people of Gibraltar that they must alter their view on sovereignty. They are trying to put aside the fundamental principle of self-determination; and they are failing in their duty of trust.

I do not know how this will appear to those in the other overseas territories affected by the Bill. What will British citizenship mean to them if they see that it is a negotiable concept to the British Government? The current negotiations with Spain over Gibraltar are to be deplored; and their timing, in light of the appearance of the Bill, is even more unfortunate. For most people, the ambiguity so beloved of the Government when dealing with questions of nationality causes serious concern. We all need to know who we are, what rights and responsibilities we have and where we fit in. We accept the duties and responsibilities of civic life because we are clear about the duties and responsibilities that the state has towards us.

I know that in replying to a Second Reading debate the Government will not be able to answer all the questions that have been raised, but I would urge the Minister to consider the basic question of the trust that needs to exist between the citizen and the state. Why are we currently imposing obligations upon these new British citizens without giving them a voice here in our British Parliament? Are we prepared to offer them real guarantees? I am thinking of the many guarantees of basic standards of progress and prosperity, to quote the title of the White Paper, which we take for granted.

The Government must not think that I am wholly critical; I welcome many of the developments that are taking place in the overseas territories. After a distinctly wobbly start, the Government have done better with Montserrat and the offer of a new ship or an airport to St. Helena is also to be welcomed. I hope that it will be left to Saints to make this decision for themselves. I appreciate also that some territories will need further work to ensure a brighter future: I am thinking particularly of Pitcairn, which is going through troubled days.

I am concerned, however, by the piecemeal way in which these problems are addressed. There is no clear understanding of what the British Government are responsible for and to whom they are responsible. These matters go to the very heart of the concept of citizenship. In normal circumstances, the Government would be responsible to their electorate in any given territory, but that is not the case here. Nor is it true that, in dealing with the overseas territories, the Government are responsible to the electorate of the territory which did elect it—the voters of the United Kingdom—because the recent changes in the human rights legislation made in the territories were done by Order in Council, through the Privy Council, without any reference to Parliament. In my view, the Bill, to borrow a phrase from the European arena, exposes a serious democratic deficit.

I am aware that new constitutional arrangements are being discussed in some territories, but even under the terms in which the Government are operating their piecemeal policy there are still too many unsatisfactory loose ends. I listened carefully to what the hon. Member for Islington, North (Jeremy Corbyn) had to say about the Chagos Islands. He raised some important questions—some of which I was not aware of—that clearly need answers. For example, I would like the Government to explain why the sovereign bases in Cyprus are outside the scope of the Bill: we are always told that there is a good reason, but I have never heard what it is. I can imagine circumstances and so could the hon. Member for Islington, North in which that could become a serious problem, so I invite the Minister to tell us the reasons for excluding Akrotiri and Dhekelia.

It would have been preferable if the constitutional arrangements for the territories involved in the Bill could have been agreed by now. I would like the Bill to have covered all aspects of citizenship. We need to know if some basic standards will apply across the board. For example, will the right of self-determination, which we have heard about in the context of Gibraltar, be available to all territories? Will it be written into their constitutions? What about the idea put forward from St. Helena about some sort of association with Britain, modelled on the Channel Islands?

I would also like a clearer picture of what responsibility the Government feel for British citizens who, for obvious geographical reasons, have no access to higher education. In another place the Government implied that this could be an area where our universities might help. An uncertain nudge and a wink, however, is no substitute for clearly identifying where responsibility lies. An excellent recent paper to the Overseas Territories Consultative Council by a delegate from St. Helena, the Hon. Eric Walter George, spelled out the problems in the primary, secondary and vocational sectors.

Current UK overseas student rates can cripple the economic and social development of those small island communities. The Government should be more specific. We should be clear about the rights and responsibilities instead of asking people to rely on uncertain discretionary handouts. Generous as they may be, they provide no certainty and no ability to plan for the long term.

The Government should be more specific about the possibility of making special arrangements for training civil servants, people who work in services that are vital to public life and people wishing to attend business courses, who could return to their islands better prepared to boost the local economy. I remind the House that in some of these territories there is, and will remain, a real dependency on us which will not disappear simply because we have changed a word in the description of their relationship to the United Kingdom.

Another question that always arises is whether the British Government have responsibility for defending the territories? To borrow the NATO doctrine, is an attack on one to be understood as an attack on all? Is there a responsibility here, and do we offer guarantees? Those and other questions must be returned to. For the moment, however, I repeat my welcome for the Bill, as far as it goes.

We have heard much today about Lord Waddington, who gave a number of excellent examples of the benefits of the Bill. I was struck by one that has not been mentioned today. Clearly he speaks with deep experience of the subject. He said:

> "When I was in Bermuda I was made acutely aware of the resentment felt by Bermudians who, on travelling to Britain, found themselves waiting in the foreigners' queue at London airport while EU citizens were whisked through immigration ahead of them. In fact, the situation was even worse than that because some Bermudians did find their way into the fast lane—Bermudians with British citizenship or the right of abode in Britain by virtue of ancestry—and they, of course, were white. Bermudians in the slow lane were for the most part black."—[*Official Report, House of Lords*, 10 July 2001; Vol. 626, c. 1023.]

It is clear that the Bill will stop that nonsense—all inhabitants of the overseas territories can now have British passports. That is very welcome.

However, what will Her Britannic Majesty's Secretary of State request and require of

> "all those whom it may concern"

to do for those British citizens? Will the passport state that it does not confer an automatic right to

> "such assistance and protection as may be necessary"

for other British citizens? Will we need to warn our partners in the EU that those passport holders might not be full citizens, so they should be careful how reciprocal legislation is applied in their cases? Will we need to spell out that we have not yet decided the constitutional status of the homelands of those citizens and cannot be sure if we would defend their territories; or that those citizens can be affected by legislation even though they have no representation in the legislative bodies which make it?

In brief, the Bill takes one hugely desirable step in the right direction, but it leaves the way ahead unclear. It will put right a serious error from the past, but it will do little to map out the way ahead. I hope that we can have an opportunity to test those matters further and that the Government will tell us more about how they will bring progress and prosperity to communities whose pride in being British should be matched with an equal striving from us for real partnership with them.

4.31 pm

Mr. Tam Dalyell (Linlithgow): The hon. Member for Windsor (Mr. Trend) referred to Pitcairn in his thoughtful speech. May I ask the first of the questions of which I have given notice to the Foreign Office? Even more remote than the Pitcairn Islands is Henderson island, which is uninhabited, but which has a pristine ecosystem. That ecosystem may be in danger, and I wonder whether the Minister could comment on that?

The second point that I want to make is that, for many years the fount of all parliamentary knowledge on St. Helena was the father of the present Government Chief Whip, my friend the late Ernie Armstrong, who sat in your Chair, Mr. Deputy Speaker, with considerable distinction for a number of years. He recalled that, when he was sent to St. Helena, as Tony Greenwood's Parliamentary Private Secretary, all the inhabitants, it seemed, turned out to welcome his arrival with "God Save the Queen." Things may have changed since then.

Jeremy Corbyn: A lovely man.

Mr. Dalyell: The late Ernie Armstrong was a marvellous man.

My third question is about Anguilla. A fortnight ago, William Whitlock died there. He was the unfortunate Under-Secretary who was turfed off the island with maximum publicity, and his parliamentary and ministerial career suffered accordingly. May we have an update on what has actually happened on that tiny island and on whether it is, in fact, as stable as we would like to believe?

I now wish to ask a number of specific questions on the Chagos. Will the Minister confirm that those Chagos islanders born off the Chagos Islands since 1965 to a Chagos-born mother but not a Chagos-born father will equally qualify for British citizenship? Will he confirm that anyone so born before 1 January 1983 is not a British dependent territory citizen because, before the British Nationality Act 1981, United Kingdom citizenship was inheritable only by legitimate descent through the male line—a piece of gender discrimination remedied with effect from 1 January 1983?

Does the Minister accept that article 73 of the United Nations charter, which requires an administering power to promote, as a sacred trust, the social, political and economic advancement of the population of a non-self-governing territory, is as binding on Her Majesty's Government today as it was when the population of the Chagos were unlawfully removed between 1965 and 1973? What steps do Her Majesty's Government propose to take in furtherance of that sacred trust?

I should like to tell my hon. Friend the Minister that I feel very strongly about that, because it so happened that, in 1969, on the way back from Australia, I went to Mauritius to stay with the Governor-General, a former general-secretary of the Labour party. His name was Len Williams and his wife took me to see some of the Ilois on Mauritius. It was a very sad and moving occasion. Those people, who had come from an archipelago, had

[Mr. Dalyell]

been just dumped in that thriving commercial society. When people see such things, they stay with them and they can feel a bit emotional about it.

Does the Minister accept that the so-called feasibility study, which calls into question the return of the population to the Chagos Islands, is a totally inadequate response to the finding of illegality by the High Court, and a breach of the sacred trust? In particular, why do the Government refuse to enable the Chagos islanders to conduct a reconstruction and rehabilitation study in accordance with the request made to the Secretary of State on 5 October in their solicitor's letter. I associate myself entirely with what my hon. Friend the Member for Islington, North (Jeremy Corbyn) said—those people have their own ideas. They are able people, and they should be brought into the process.

Why have Her Majesty's Government refused to make available the birth records of the Chagos islanders who were born between 1976 and 1983, which were previously lost by the Government but are now located in the registry on the Seychelles—where Chagos islanders are currently forced to live—to enable them to prove their identity and benefit from the Bill?

Does the Minister realise that the failure to make any substantial progress in relation to the Chagos islanders' schedule of requested steps, dated 7 December 2000, for nearly a year was unlikely to persuade that community that it should trust the British Government to act promptly in accordance with English and international law? Does the Minister agree that the Chagos islanders are a community who have been driven to the edge of despair by the immoral and illegal actions of the British Government, carried out on a rather grand scale for 30 years?

A letter, dated 12 October, from the British Indian Ocean Territory states that a visit to the islands was, in effect, refused. Those involved particularly wanted to go on 3 November this year—the date when Chagossians mourn their dead. That had been agreed in principle a year before in the wake of the court judgment. Her Majesty's Government have, however, done nothing to facilitate that visit, and, of course, the events of 11 September were used as a final reason to refuse it. I ask, as does my hon. Friend the Member for Islington, North, whether that is a reason or an excuse. It does not seem immediately self-evident that, although a huge base operates there, those people should be refused something that was agreed in principle.

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Gentleman, but it is not immediately obvious to me how that issue comes within the Bill. I have been very indulgent with the hon. Member for Islington, North (Jeremy Corbyn), and to repeat some of the same issues would stretch too far the boundaries of this debate.

Mr. Dalyell: You have been very generous, Mr. Deputy Speaker, so I simply say that many people are interested in such issues; they are not quite as arcane as might be thought. The Friends of the Chagos—led by the former senior Foreign Office official, Nigel Wenban Smith, with expertise from Professor David Stoddart of the University of Berkeley—ask about the Charles Shepherd report on global warming and the rising sea levels around the Chagos and the changing ecology.

Time is of the essence, so I conclude by pointing out that the U.K. Chagos Support Association and its secretary, Celia Whittaker, are deeply interested in such debates. I hope that the Government will take seriously, as I am sure that they will, the plight of these people.

Andrew Mackinlay: The relevance of my hon. Friend's remarks to the Bill has been questioned. However, when Mr. Speaker was in the Chair, I pointed out that the Bill will make the Chagos islanders citizens of the European Union. If they are citizens of the EU, they will have the additional rights that result from that. Those rights are relevant to this case.

Mr. Dalyell: I do not dispute Mr. Deputy Speaker's ruling, and I recognise that there is a problem of time. However, my hon. Friend is right to say that it is a matter of rights. The European Union should be as involved as the British state.

4.40 pm

Mr. David Chidgey (Eastleigh): I know that time is of the essence and that other Members wish to speak. I therefore wish to make one brief point. Like many Members, I welcome the Bill. However, I have slight reservations not about its purpose but about what it does not include. It is perhaps guilty of sins of omission rather than sins of commission.

The Bill rightly restores to the citizens of the overseas territories the rights that they lost quite unacceptably many years ago. It recognises the UK's responsibilities to its overseas territories which, over the centuries—let us face it—we took possession of for our interests and our commercial and military benefit.

I welcome the fact that the Bill will enable the citizens of the overseas territories to enjoy rights similar to those enjoyed by UK citizens. Citizens of the territories will be able to live and work in the UK if they so choose. That is the first step—but an important one—towards the UK recognising its responsibilities to treat all its citizens equally wherever they happen to be domiciled in the UK's sovereign territories.

The Bill also reinforces the importance of upholding our values and principles even when they might run counter to our perceived short-term interests. In the longer term, defending our values and principles must always be in our over-riding interest. Many Members will recall that point when we eventually debate the Government's proposals for the UK's citizens in Gibraltar. We should defend our values and principles rather pursue our short-term interests.

The White Paper, "Partnership for Progress and Prosperity: Britain and the Overseas Territories" has been mentioned several times. It understandably points out that no reciprocal rights have been considered between the British citizens in the UK and the citizens of the overseas territories. That was a response to the unanimous views of the overseas territories and their concerns about migration. I certainly do not quibble with that.

The total population of the overseas territories is less than 200,000. If all those people were to migrate to the UK, which is hardly likely, they would not have a significant impact on a population of 60 million. Equally clearly, however, the demographic structures of the overseas territories are fragile and vulnerable. Montserrat has a population of 4,500, St. Helena a population of 6,500, and the Pitcairn Islands a population of about 50. Any change in the overseas territories could be traumatic in the face of the influx from the UK that might arise from the introduction of reciprocity. I fully understand that that might be a real problem.

The overseas territories already enjoy significant protection through their own immigration laws. For example, the Cayman Islands have been mentioned a number of times and they have a population approaching 40,000. Only 10,000 of them are "belongers", the indigenous people of the overseas territories who are protected by specific rights. Baroness Amos explained:

> "The Bill will not alter the definition of overseas territory "belongership", which is a concept of territory nationality. That confers the right of abode, voting rights, the right to hold public office and in many cases to own land in the territory. This status is automatically acquired by the indigenous population and normally by those born in the territory to people settled in the territory. Under local immigration laws, "belongership" can be conferred on a discretionary basis on long-term residents who meet certain criteria. None of that will change as a result of the Bill."—[*Official Report, House of Lords*, 24 July 2001; Vol. 626, c. 1871.]

That is the crux of the matter.

The Bill rather skates over the issue of maintaining the rights of all UK citizens equally wherever they happen to be domiciled. Those rights are the human rights that we, as a nation, have a duty to uphold under our international obligations.

The main thrust of my contribution relates to a particular case. The hon. Member for West Suffolk (Mr. Spring) referred to the fate of UK citizens intermarrying citizens from the overseas territories who will become British citizens with the passage of the Bill. I have been contacted by Mr. James Stenning, an industrial chemist who is now training as a lawyer. He is a UK citizen and he met and, after three years, married a Cayman islander, who was at the time a postgraduate law student at Sussex university. They assumed that, on marriage, they would have no problems living in the Cayman Islands, because they are a UK overseas territory. However, when Mr. Stenning arrived in the Caymans with his bride, he was granted just a two-week tourist visa—and that only on the production of a return air ticket to the UK. He is now able to renew his visa on a three-monthly basis, but he is expressly forbidden from working in the territory.

The ultimate irony is that Mr. Stenning understandably considered the option of returning to the UK with his bride and settling here to raise a family only then to run into major obstacles with the UK immigration authorities. Basically, he cannot live and work with his wife in the Caymans, and she cannot live and work with him in the UK.

Fiona Mactaggart: If Mr. Stenning's wife had obtained permission before she left the Cayman Islands, she would be able to live and work with him here.

Mr. Chidgey: I thank the hon. Lady. I know that she is an expert on these matters, but I have described the situation in which Mr. Stenning found himself. I do not know the details of his case law, but that was the position. The real issue is that the Bill removes the obstacle to living and working in the UK.

A former director of the Red Cross in the Caymans, who is now a volunteer in exile, was forced to leave, with his Caymanian wife, to seek work in Bahrain because he could not work in the Cayman Islands. The Bill will allow both Mr. Stenning and Dr. Dobson to settle in the UK with their wives, but surely there is an infringement of human rights if citizens of overseas territories who marry UK citizens are forced into exile for their economic survival.

The White Paper states:

> "Overseas territories legislation should comply with the same international obligations to which Britain is subject, such as the European Convention on Human Rights and the UN International Covenant on Civil and Political Rights."

In Committee in another place, Baroness Amos said:

> "As to human rights, the Bill will fully comply with the United Kingdom's international obligations. The establishment and maintenance of high standards of observance of human rights is an important aspect of our relationship with the territories. The European Convention on Human Rights was extended to the territories in 1953, with their agreement. Since then, the core UN Human Rights instruments have been or are being extended in the same way. Most territories have fundamental rights chapters in their constitution which protect these rights."—[*Official Report, House of Lords*, 24 July 2001; Vol. 626, c. 1870.]

I appreciate from earlier contributions that our overseas territories have made progress on human rights reform, but it is clear that they have some way to go to reform their laws on human rights. The UK runs the risk of being found in breach of its international agreements on human rights. We could well face legal challenge and liability for costs and damages to UK citizens whose human rights we have failed to uphold.

The key consideration is how the Government intend to enforce the suggestions set out in the White Paper on the imposition of UK law on the overseas territories. That is clearly a controversial issue in the overseas territories. What action are the Government taking to persuade and to ensure that the overseas territories enact the necessary reforms in local legislation, especially on intermarriage, so that the rights of all UK citizens in international law are maintained?

4.51 pm

Fiona Mactaggart (Slough): There is a small number of hon. Members in the Chamber, but it is a big issue. We need to recognise that the Bill, which is welcome, deals with one of the most important issues that politicians determine—people's nationality and their citizenship. It is not insignificant that the first thing that Hitler did to the Jews was to remove their German citizenship. That recognised the significance of people's citizenship to their identify.

We cannot be too proud of the history of British citizenship because we have frequently taken the opportunity to narrow the group of people who can share a full identity with Britain. We should be proud that the Bill is moving in the opposite direction and once again widening that family of British citizenship. There has been much criticism, which I share, of the British Nationality Act 1981. In error, I once typed it as the "Brutish Nationality Act", and that is how I always think of it, because it is an accurate description of its effect.

Labour Members should not feel smug, however, because we started the process in the Commonwealth Immigrants Act 1968. I am proud to be the successor to

[Fiona Mactaggart]

Joan Lestor as Member of Parliament for Slough. That Act was rushed through Parliament as a response to the exodus of citizens of the UK and the colonies from repression in east Africa. She was one of the handful of Labour MPs who voted against the Government. I sometimes wish that I had shown her courage in some of our recent debates.

The decision behind the 1968 Act was entrenched in the 1981 Act. The 1968 Act removed the right to reside in and travel to the country of one's citizenship, which is the most important right of citizenship. The European Court of Human Rights condemned that decision as a breach not of article 5, but of article 3, because it amounted to inhuman and degrading treatment by the British Government of the citizens of the UK and the colonies who were not able to travel to the country of their citizenship. Our response was to allow a limited number of people to come to Britain through a scheme granting 5,000 vouchers a year to heads of households who were citizens of the United Kingdom and colonies. That scheme continues today for that handful of people, who are now British overseas citizens, if they wish to exercise that fundamental right of British citizenship, the right to travel to the UK. These are people who have no other citizenship.

Although there is still a worldwide quota of 5,000 vouchers, the average take-up for each of the past five years has been some 200. That is not a proper right. I am representing the relative of a constituent who sought a quota voucher to come to the United Kingdom but was refused one because the British high commission does not believe that she is divorced, despite the fact that she has provided it with her divorce certificate. Because she has no rights deriving from her citizenship, but is merely the beneficiary of a discretionary scheme that is not entrenched in law, there is no way for her to appeal against the high commission's decision. She has had to turn to me to press the high commission to fulfil the obligation that it obviously has to her.

Although we have done the right thing by deciding that, following the slicing up of British citizenship, we should bring some of those slices together, we have failed to grasp the opportunity to extend the process to other people who have one of the residual forms of British nationality which they cannot exercise. Those people whose only nationality is British overseas citizenship or British protected person's status should benefit from a secure form of citizenship. I urge the Minister to find out whether it is possible to take that further step.

It is not only those with British overseas citizenship or British protected person's status who have connections with my constituency. Slough has probably the largest Anguillan community in Britain and a substantial Montserratian community who are directly affected by the benefits of the Bill. Will the Minister give an undertaking that, before commencement, information about how the Bill will work is targeted at those communities? Only three weeks ago, an Anguillan came to my advice centre to ask for help in registering as a British citizen. I was required to tell him that that is not a sensible use of his money at present because when the Bill comes into law he will not need to pay for that process. Citizens of overseas territories who are currently resident in Britain and who wish to become full British citizens need to be informed of the Bill's impact on them.

There has been much talk in this debate about the rights that accrue from citizenship, and it is important that we are clear about the origin of some of those rights. The Conservative party introduced many of the barriers to what they called "benefit tourism", requiring people to be resident here for several years before they could qualify for benefits and education. The Conservatives introduced checks on people's resident status which inhibited immediate access to health care for pre-existing conditions when they were visiting the United Kingdom. We should not take any lessons from Conservatives suddenly seeking to reconnect rights with citizenship. We in this country take the right approach to public services, which is that people's access to public provision depends on their residence here, not on their citizenship. We do not ask people to produce their passport to prove their eligibility to attend school or to receive hospital treatment.

We have a responsibility toward those overseas territories that have no higher education facilities for their residents. There are fewer than 10,000 residents of St. Helena and of the Falklands. The issue is not within the scope of the Bill, but it is covered by the work of the Foreign and Commonwealth Office and the Department for International Development. I hope that the Minister will confirm that within those Departments there is a recognition of the education needs of people in the dependent territories, and that help will be targeted on those people who are least able to access further and higher education and who cannot afford to travel to nearby universities and further education establishments. I hope to hear that schemes will be created to enable such people to benefit from higher education at a price they can afford.

The Bill is an important step. Its message is that whether we are from the overseas territories or born in the United Kingdom, we are British together; it is that we value all sorts of Britishness. I urge the Minister to take a further step—even if he is unable to do so under the Bill, let us not end our journey here. Let us correct the mistake that we made in 1968 and state that everyone who is British is equally British and deserves equal rights.

5.2 pm

Mr. Andrew Rosindell (Romford): I am grateful for the opportunity to speak in this important debate. I am pleased to follow many of those who have spoken, not least the hon. Member for Slough (Fiona Mactaggart). She spoke fluently and I agreed with much of what she said, especially her last sentence. I believe that we—Parliament—have not acted properly in respect of the British citizens of the overseas territories. It is time to treat them as we expect our constituents to be treated—equally. We have not done so and although the Bill goes some way toward achieving that, a great deal remains to be done.

The Bill is long overdue, but Parliament should be doing far more to further the rights of British people who live in various territories around the world, 14 of which the Minister listed. I am secretary of the all-party Gibraltar and Falkland Islands groups, and a member of the St. Helena group, the Cayman Islands group and the Overseas Territories group—I have a special interest in the subject. I speak today to express my belief that it is our fundamental duty to treat all those who are British in exactly the same way. I strongly object to the fact that in our—purportedly—modern and democratic society, we still treat people who are British differently, and in many cases unfairly.

Our overseas territories are enormously important, but they are often forgotten. I am pleased that we are having a lengthy debate today, as it has enabled many of the issues that surround the overseas territories to be explored. I am only sorry that more hon. Members are not present. Our overseas territories are inhabited by people who regard themselves as British—just as we all do—yet they do not all have the opportunity to be legally considered full British citizens, nor are they granted the rights and responsibilities that British citizenship entails.

From conversations with citizens of the overseas territories, most recently with people I met in Gibraltar when I visited the Rock in September to celebrate their national day, I know of their great pride in being British. They do not want to be anything else. We can understand that view. Our constituents would not want to be considered as anything but British, so why should people in the overseas territories? Why should there be any question that they are different from people in my constituency or the constituencies of other hon. Members?

The citizens of the overseas territories do not question their identity and are confused when we do not reciprocate by treating them as British, so I warmly welcome the spirit of the Bill. The measure will rectify the situation, and will extend British citizenship to all who are citizens of the British overseas territories. That move is long overdue and will, I am sure, be warmly welcomed by the people of all those territories.

We have only to consider the history of many of the overseas territories to see their natural links with the people of the United Kingdom. Anguilla was colonised by English settlers from St. Kitts in 1650. That was pointed out to me when I had the privilege of visiting St. Kitts three months ago.

In 1609, shipwrecked English colonists settled in Bermuda. I recently met the new, Labour, Prime Minister of Bermuda and discussed that point with her. Pitcairn was discovered by the British in 1767. Indeed, each of the overseas territories has significant links with and ties to the United Kingdom, deeply rooted in their history. Whenever a referendum is held, such as that in Gibraltar in 1967, the people of the territories vote overwhelmingly to remain British.

Earlier in the debate, much was said about the record of the Conservative Government on this subject. I have not been a Member of Parliament for long, and I was certainly not a Member under the previous Conservative Government, so I shall not defend their actions. None the less, when an overseas territory was threatened and we were put to the test, we had a Conservative Prime Minister—Lady Thatcher—who led the Government and the country in our defence of the people of the Falkland Islands, restoring them to the liberty that they deserved.

I clearly recall, however, that the then leader of the Labour party, Mr. Foot, and many Labour Members were not so enthusiastic about sending a taskforce to defend the freedom of the people of those islands. I am pleased that many Labour Members now share the view of Conservative Members that it is our duty to defend all British people, wherever they are in the world. That most certainly includes the people of the overseas territories.

Several Members made points about St. Helena, including my hon. Friend the Member for West Suffolk (Mr. Spring), and other Members spoke about the people of the Chagos Islands and of the British Indian Ocean Territory. I concur with those remarks. The people of the British Indian Ocean Territory were treated shamefully, and I hope that in years to come—sooner rather than later—the British Government will address that and will recompense them.

The Bill barely breaks the ice as regards treating the people of the overseas territories as fully equal members of our extended British family. The measure makes only a start towards giving the people of the overseas territories the support they deserve; it serves only as a limited statement of our commitment to them. Even though we are extending the hand of British citizenship and telling them that they are legally, as well as emotionally, British, that still does not give them the right, for example, to direct representation in Parliament. I agree with the Minister who, in his opening remarks, said that words such as "colony" are outdated. We should decolonise the overseas territories and treat them as we do our own constituents. They should have votes to elect Members of Parliament and be given the same democratic rights as any British subject, whoever and wherever they are in the kingdom. We should extend the right to vote to all citizens of British overseas territories.

Mr. Wilkinson: I am sorry to seek my hon. Friend's indulgence again, but is it not extraordinary and does it not reflect badly on our country that Gibraltarians are denied the chance to vote in the European Parliament elections, whereas the people of Gaudaloupe have their own Member of the European Parliament? French Caribbeans have representation, but there is no European representation for the European British.

Mr. Rosindell: I thank my hon. Friend and agree with him entirely. The people of Gibraltar are told that they will have the right to vote in European elections, although the British Government have not yet stated how that will manifest itself or how they will be able to vote. I am pleased that a commitment has been made, but the issue needs to be addressed. As my hon. Friend mentioned, France gives the residents of its overseas territories an equal right to vote, not only in European elections, but in French national elections. There is no reason why we should not do the same; we should behave in a modern democratic manner. It makes no difference whether someone lives in Port Stanley or Slough; if they are British, they should have the right to vote.

Fiona Mactaggart: The direction of the hon. Gentleman's remarks makes me anxious. Thousands of people in Slough are not British but can vote in British elections. I am concerned that the hon. Gentleman is trying to attach citizenship to the right to vote in a way that we have never accepted in this country.

Mr. Rosindell: I cannot understand why the point is difficult to grasp. In the democratic modern world in which we want to live, the democratic modern United Kingdom has overseas territories. Geography, to my

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mind, is an irrelevance; what matters is the fact that we are talking about British people who, like those of us in the Chamber and those whom we represent, wish to be treated exactly the same. I cannot understand the problem with giving those loyal British subjects the same rights as we enjoy.

Mr. Nicholas Winterton: In his early days in the House my hon. Friend is playing a leading part, and I agree with everything that he has said. The Bill is about citizenship so, if we have given a commitment to a people to whom we are now giving full citizenship—the people of Gibraltar—and they have the right to vote in a referendum and vote for no association with Spain, is it not obligatory for the UK Government to recognise and accept their decision?

Mr. Rosindell: I hope that it is obligatory. I certainly hope that Ministers will respect the rights of the people of Gibraltar if there is a referendum. I cannot understand why that is even an issue and find it puzzling. Why should there even be a question that the people of Gibraltar would not have that right to self-determination? I have extracts from the United Nations charter of 1945, which make it clear that people of all the overseas territories of the United Kingdom should have the right of self-determination. I find it insulting to the people of Gibraltar that any British Minister should go to Barcelona to discuss the future of Gibraltar, without the agreement of the elected—

Mr. Deputy Speaker: Order. The debate is not about the future of Gibraltar. It is about British citizenship.

Mr. Rosindell: Thank you, Mr. Deputy Speaker. I shall proceed with issues relating directly to the Bill. We are telling residents of the overseas territories that they can travel freely in Europe with the authority of their British status, yet we maintain that they cannot elect a Member of Parliament to Westminster, where decisions relating to the acceptance of Britons' free movement in Europe are debated and decided.

I accept that the Bill is non-reciprocal, for many good reasons. Territories will therefore not become members of the European Union in their own right, but by being more closely linked with the United Kingdom, they will encounter EU regulations and practices, such as customs agreements, which will affect them directly. The most significant issue may be the threat from EU plans for tax harmonisation. My hon. Friend the Member for West Suffolk, the shadow Minister, mentioned that and quoted a memorandum. I emphasise that that is a genuine fear which we should consider.

Evidence shows that the overseas territories will be affected by the European Union, but while Britain supposedly prides itself on democratic governance, the Bill permits British citizens to remain disfranchised, powerless to change the political agenda that affects them because they have no representation in the House of Commons. I am sure that the overseas territories do not want political structures imposed over their existing systems by us or by the EU. That would interfere with their tried and tested systems of government, and I hope that no one seeks to do that. It would also have a serious impact on their local economies, with which we would not want to interfere.

Truly to recognise citizens of the overseas territories as British—as I hope all hon. Members want to—we must do more than grant them citizenship. We must not simply tell them that they can live on the mainland if they want, and leave them to it, occasionally informing them of the latest round of EU rules and regulations that may affect them. That is not how we should treat the citizens of the overseas territories. They must be enfranchised and given a political voice, like every other British citizen. It is unacceptable to me and, I hope, to most of those present, that we claim to believe in democracy, yet we treat one British citizen differently from another. That is discriminatory and should be condemned.

I find the Bill astonishing in one respect, although I shall not deal with the matter in detail. Through the Bill, the Government are attempting to send a message to the people of the overseas territories that they have our full support, and that by making them British citizens, we are recognising them as an integral part of the British spirit, yet at the same time the Government are pursuing an agenda to abandon thousands of fiercely proud Gibraltarians. We in the House must ensure that, regardless of which party is in government, we work to guarantee the rights of the people of all overseas territories. We should not negotiate away their independence, but defend their freedom, sovereignty and rights, just as we all would in a dispute regarding our constituents. I would see no distinction between a resident of Pitcairn and a resident of Portsmouth. Every British citizen should be treated in the same way.

The Bill gives the overseas territories a greater degree of pride in being British, but it does not give them an equal deal. I urge hon. Members to support it, but I also urge the Government to look at the overseas territories again and to do so in a manner that will treat them equally as British, with no strings or conditions attached.

5.20 pm

Andrew Mackinlay (Thurrock): I want to follow on from a point made in passing by the hon. Member for Romford (Mr. Rosindell). Albeit inadvertently, he traduced Michael Foot when he referred to the events of 1982 in the Falkland Islands. I imagine that you, Mr. Deputy Speaker, were present for the debate in which Michael Foot and John Silkin vigorously prosecuted the then Government for their dilatory handling of the Falklands dispute. For the record, one of the hallmarks of Michael Foot is that he does not yield to violence or tyranny. He did not do so in either 1982 or 1938, when other people were appeasing. I wanted to put the record straight on behalf of a distinguished Labour party and parliamentary colleague.

Both Front-Bench speakers referred at some length to the White Paper on overseas territories. I think that my hon. Friend the Minister wanted the House to believe that the Bill represents a substantial commitment on the proposals that the White Paper canvassed. The provisions to grant citizenship to people in overseas territories and to change in statute the term "dependent territories" to "overseas territories" were indeed contained in the White Paper. I give him full marks for that, but the document also contained a hell of a lot more, and the Bill is seriously flawed and deficient because it does not address other fundamental issues, some of which were mentioned by the hon. Member for Romford.

I canvassed proposals in the House by introducing a ten-minute Bill in the last Parliament to deal with the central problem: the severe democratic deficit that exists for these thousands of people who are soon to be British citizens, who are peppered around the globe and whose Parliament is, ultimately, this place. Their Prime Minister is the right hon. Member for Sedgefield (Mr. Blair) and their Foreign Secretary the right hon. Member for Blackburn (Mr. Straw). If the United Kingdom decides to go to war, they go to war too. They do not have the privilege of saying, "If you don't mind, we'll sit this one out." They are committed lock, stock and barrel. Indeed, when such events arise, we invariably discover them, and the Falkland Islands, Gibraltar and all these other archipelagos suddenly become important. I think that the word is "bunkering", but basically, we need them and suddenly remember them.

There is a severe democratic deficit that is yet to be addressed. Hon. Members will see that, in the White Paper, which my hon. Friend the Minister prayed in aid, Baroness Symons, its architect and author, canvassed many ideas. One of them, which would be better than nothing, is the suggestion that the chief Ministers or legislative councils of overseas territories should be able to petition the House from the Bar of the House. Of course, that proposal has long been lost and forgotten.

Personally, I think that there is no substitute for democratic representation in this place for all the people who will become citizens. That happens not only in France, but in Spain, the Netherlands and the United States of America. When the Minister listed the territories, he referred to the British Virgin Islands. Next door to them are the United States Virgin Islands, which have a delegate in the United States Congress. He cannot vote, but he has access. There are comparable arrangements elsewhere.

Sooner or later, we will have to address the matter. If we do not, I shall look forward to the day when two or three of the territories will muster the strength to prosecute Her Majesty's Government with vigour—and they will win. They will do so under human rights legislation and, surprisingly, under European law. A lady in Gibraltar won the right to the franchise in Europe although Home Office and Foreign Office lawyers said that she would not. I predicted that outcome in the House. The Government are often badly advised by Home Office and Foreign Office lawyers, especially on the subject that we are discussing. Sooner or later, we must deal with that.

One of the problems with the House of Commons is the cosy consensus between those on both Front Benches about so many matters. The Conservative Government have acquiesced in or perhaps caused all the wrongs that Back Benchers have mentioned today. For example, hon. Members referred to Lord Waddington, who was beating his breast about how black people from Bermuda had to go through one access channel at Heathrow when white Bermudans went through the other. Yet no one said that he was once Home Secretary. At least, I do not believe that such a comment was caught by the *Official Report*, but I put it on the record now.

I wish to make one other point, only in passing, because it is not relevant to the Bill—I wish that it was. The Conservative Government could have dealt with all the issues that have been canvassed about Gibraltar—you had to stop some hon. Members from getting involved in them, Mr. Deputy Speaker—when Spain acceded to the European Union and to NATO. As on so many occasions, we unhappily have to say of those on both Front Benches, "They're both the same and they're both to blame." The sooner we get the Government out of the legislature, the better. We would thus remove the nonsense of hon. Members who go into opposition pretending that they were not responsible for things that are wrong.

Mr. Nicholas Winterton: The hon. Gentleman is being slightly provocative as usual, but he is fascinating to listen to. On citizenship, I hope that he agrees that some hon. Members from the Conservative and the Labour parties have held consistent views, whichever party has been in government.

Andrew Mackinlay: The hon. Member for Macclesfield (Mr. Winterton) never took the Thatcher or the Major shilling. He certainly will not be offered the Blair shilling; neither, I suspect, will I. Time and again, hon. Members who have been Ministers pretend that they are not guilty. That was evident in a debate on human rights earlier this week. It makes this place nonsensical.

Earlier, I asked the Minister why the Bill and the explanatory notes do not state that granting citizenship to people in the overseas territories means, ipso facto, that they are citizens of the European Union under the Maastricht treaty. Colleagues who are walking encyclopaedias on the treaty agree on that, although we may have different opinions about its work. I welcome the fact that people in the overseas territories will have the right to protection and some consular services that European Union citizens receive from other overseas missions when, for example, United Kingdom representatives are not available. I believe that if the Minister makes lawyers stay late at night and get their books out, they will find that such rights and obligations flow from the measure. That brings us back to whether there is a severe democratic deficit.

I am sure that people in the overseas territories will be able to show that their failure to be represented here is unlawful under human rights and European Union legislation. We must now consider whether they should be enfranchised for the European Union. Of course, the measure does not make the overseas territories part of the European Union, but the people are European Union citizens. That will be tested sooner or later. Through their voting systems, most other European Union countries afford votes to people in archipelagos around the world. I wish that the Government would deal with the matter rather than be dragged, screaming and kicking, to fulfil obvious obligations. I hope that the Minister will at least say that he will ask the Department to reconsider that matter and, perhaps, be proactive, rather than merely pretending that it does not need to be tackled.

The case for the territories to be represented here is overwhelming on moral as well as practical grounds. If we are going to afford these people British citizenship, this place has an obligation to ensure that they have good governance—we had that obligation anyway, but now it has increased.

When you and some of the other hon. Members present entered the House, Mr. Deputy Speaker, a substantial slice of the globe was still made up of colonies, which occupied

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the interests of a large number of hon. Members, who were familiar with those places. Now, the globe is only peppered with those small places and we are not walking encyclopaedias on these issues. Many of us do not have access to the territories. If we do have access, it is on a nice Commonwealth Parliamentary Association visit—those are attractive and worth while.

We do not know whether the stewardship and governance of the citizens that we will create through this measure are good. I am referring in particular to the governors of the territories. I do not mean their local legislatures, as they can throw out the Chief Minister or the Legislative Council. The governor, however, is appointed by the Foreign Secretary. We do not know if the governors are good, bad or indifferent. We have no way of knowing.

I invite the House to consider that that is one part of our Administration that is not under the spotlight of scrutiny. Scrutiny generally is still seriously deficient, but we now have Select Committees, which are looking into every nook and cranny of the Administration. Due to the geographical handicap, however, we do not know if a governor in one of those obscure places is behaving like Terry Thomas in "Carleton Browne of the FO". We have no way of knowing because we do not have colleagues from the territories coming here to ask questions and we do not have access to them as Members of Parliament.

Mr. Trend: As I suggested earlier, perhaps when consultative councils are in London, a Select Committee may be able to interview their members on a regular basis. Also, we may be able to investigate whether people could come here from overseas at public expense—as they will be British citizens—to give evidence to a Select Committee. Does the hon. Gentleman have any views on that?

Andrew Mackinlay: Yes, I certainly do and I am grateful to the hon. Gentleman for asking. I am mindful of the fact that other business has to be dealt with by the House and I do not want to delay it. I have got the signals from the person who is paid a large sum of money not to say anything in this Chamber. I will wind up in a moment. However, this is one of the few occasions when the thousands of people who are peppered around the globe in the territories have their limited day in the court of Parliament. As they cannot be here themselves, I and other hon. Members are obliged to protect and promote their interests.

The hon. Member for Windsor (Mr. Trend) asked me for my view. I regret that my colleagues on the Select Committee on Foreign Affairs declined to consider this matter as a pre-legislative measure. That was a profound mistake. It also raises questions about the volume of work with which that Committee has to deal. If it is engaged with Kosovo and there are other things happening in the world, they cannot be considered simultaneously. Our obligations to people in the territories around the globe are always at the bottom of the pile.

If I cannot persuade the House to enfranchise those people, we should have either a standing sub-committee of the Foreign Affairs Committee to consider overseas territories or an overseas Select Committee to do so—a halfway house should exist at least. If we do not provide for that, we will make profound mistakes. We saw the gross irritation of the people of Montserrat when they had problems. I do not rush to judge whether the stewardship of the Montserrat crisis by the Secretary of State was good or bad, but there was disagreement and those people did not have the right to raise the issue in this place.

I hope that we will see this Bill as the beginning. I also hope that, to whet the Minister's appetite, I can persuade him that he might make a name for himself by enacting legislation that would leave an enduring legacy for our British citizens around the world and which would give them a right of access to put questions here—not questions on Thurrock, Sedgefield or wherever, but on foreign policy, defence and the macro-issues to which they are entitled to answers, as well as issues relating to their constitutions.

This year, we shall be asked to rubber-stamp Orders in Council that will alter the constitutions of some of those places. The best we will get is a one-hour debate and nobody will have considered whether they have approval. In fact, I am so unsure of procedure that I am not certain that they will come before the House at all. The Minister may be able to confirm that we shall soon alter the constitution of the Falkland Islands, and there is an important proposal to alter the constitution of Bermuda by Order in Council. That serious issue needs to be addressed, and it should be dealt with by an overseas Select Committee.

The Minister may think that I am labouring the point about Bermuda, but there is still conscription there and he should consider the fact that the Bermuda Regiment still uses shackles for those who do not answer the call. I do not want to argue about whether conscription is good or bad, but those who do not turn up are not asked to get in a police car—they are shackled. I have had that confirmed in a parliamentary answer.

It is disgraceful that we are not dealing with such issues. We acquiesce by our silence, so the House of Commons must address those problems. Acquiesce by silence I will not; and I tell the Minister that when those people all have e-mail I shall beat the Foreign Office. I shall invite them to tell me what is going on and I shall table parliamentary question after parliamentary question. By attrition, I shall make the Government listen to them.

5.36 pm

Mr. Spring: With the leave of the House, Mr. Deputy Speaker.

May I remind hon. Members why were are here today? The Bill has been comprehensively reviewed and has widespread support not only in the House but in the territories that it will affect. A number of important questions have been brought to the attention of the House and we look forward to the Minister's winding-up speech.

One cannot underestimate the value that our territories attach to British citizenship. The people of Gibraltar not only value their citizenship, as we know well, but have long sought the status that the Bill affords them. The Conservative party supports their right to citizenship just as it passionately supports their right to remain British.

I am sure that I have the support of the House when I say that I hope the Bill acts as a stepping stone to a more equal relationship between Britain and the 200,000 inhabitants of its overseas territories. It lays a platform for an updated relationship, and it contains many positive aspects. On behalf of my party, I reiterate our support.

A number of important and interesting speeches have been made in the Chamber today and, ultimately, this is a cross-party issue. The hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) echoed the views and sentiments expressed in another place by Liberal Democrat spokespersons and, as always, my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) made an eloquent speech. He described the spirit behind the legislation and the importance of the Gibraltarians having the right to vote. He also raised the question of the statelessness of children in British overseas territories—an important issue which I hope the Minister will address. We need to know more about it.

The hon. Member for Erith and Thamesmead (John Austin) made a thoughtful speech that questioned whether the overseas territories would be assured of self-determination should they so desire. He also touched on the importance of Gibraltar and normality of life there. A number of Members on both sides of the House alluded to the discrimination against black Bermudans. We want to get rid of it and the Bill is part of that process.

My hon. Friend the Member for Banbury (Tony Baldry) showed considerable knowledge of the issues. He discussed education—I hope that the Minister refers to it—and made a powerful point about access to tertiary education in this country for people from the overseas territories. He also referred to the contingent liabilities and the reciprocal arrangements between the United Kingdom and the British overseas territories. I hope that the Minister will respond to those important points.

I should like to tell the hon. Members for Islington, North (Jeremy Corbyn) and for Linlithgow (Mr. Dalyell) most sincerely that few hon. Members appreciated the plight of the Chagos islanders until they brought it to the House's attention. We have been moved by their passionate commitment to that cause. It has given all of us considerable food for thought. The House, and especially the Government, will need to consider the islanders' plight, given the issues that the hon. Gentlemen have raised. They have done us a service.

My hon. Friend the Member for Windsor (Mr. Trend) made an original and thoughtful speech. He is a distinguished governor of the Westminster Foundation for Democracy, and knows a great deal about many of the countries with which we have relationships. He made powerful points about the need for parliamentary scrutiny and the possibility of an annual report, an annual debate or a Select Committee. Parliamentary scrutiny would be most valuable in the new relationship that we have been assessing.

My hon. Friend also referred to the importance of Gibraltar and its right to sovereignty and self-determination. He talked about bringing UK law and, by implication, EU law into practice in the overseas territories, and the issues surrounding that.

The hon. Member for Eastleigh (Mr. Chidgey) welcomed the Bill, and made a reasonable point about "belongership." He also talked about the imposition of UK law on overseas territories. The hon. Member for Slough (Fiona Mactaggart), who is obviously knowledgable on this subject, referred to the widening of the family of British citizenship, and I thought that that was an apt description.

My hon. Friend the Member for Romford (Mr. Rosindell) made a refreshing speech. He reminded us that we have defended overseas territories at times of stress. That has been part of the relationship, and he was right to remind us of the deep historical links that we cherish—as the residents of overseas territories cherish their links with us—and of the essence of Britishness in that respect.

That leads me to the point about the democratic deficit, which was made with characteristic effectiveness by the hon. Member for Thurrock (Andrew Mackinlay). I mention in passing—this is only a personal observation—that we could explore this matter as we consider the role of an upper House in this Parliament of ours. I do not think that anyone objectively considers the recent proposals as anything other than a dog's breakfast. We could explore the democratic deficit in the upper Chamber if it is to be substantially directly elected. What is on offer is utterly unacceptable, but the Bill may provide an opportunity to incorporate the overseas territories in some arrangement.

The Bill has also given the House another chance to debate the building of an airport as a long-term solution to St. Helena's transport link problems. A number of hon. Members alluded to that. It would deal with the problem of distance and inaccessibility.

The Bill also gives the Minister a chance to set out his position on the opening of further opportunities for students. I referred to that, and I hope that the Government will look into it. As I said, my discussions with interested parties suggest that there are long-term gains for people receiving tertiary education in this country, given the links that are thereby established.

I hope that hon. Members will agree that addressing those issues would send a message that the Government intend to make the Bill the basis for a real and enduring partnership on a number of levels between Britain and the British territories. Like many hon. Members, I have raised questions in the debate, and we look forward to what the Minister now has to say. We shall pursue these issues in more detail in Committee.

Our aim is to ensure that the Bill best serves the people of the British territories and that it achieves a better relationship, which is what we all want. We welcome the Bill in principle. I wish it fair passage as we consider it and its implications in greater detail in Committee.

5.44 pm

Mr. Bradshaw: This has been an interesting and helpful debate, and I am grateful to all who have taken part. My overwhelming impression is that the Bill commands widespread support on both sides of the House. Its passage will send a welcome message to the people of the overseas territories, who, as I said earlier, have waited a long time for its introduction. I thank Members for their positive comments.

As was said by the hon. Member for West Suffolk (Mr. Spring), many questions have been raised during the past five hours or so. Some were outside the scope of the Bill, so Members will have to indulge me if I do not reply to all their queries; I promise to reply to the rest in writing. I shall not be able to answer many of the questions that were within the Bill's scope because time will not allow it, but they will be addressed in Committee.

Mr. Trend: I know that a vast number of questions have been raised. I believe that before the Committee

[Mr. Trend]

stage in the other place, and indeed before amendments had been tabled, the Minister met interested parties and officials, so that matters that were of no consequence or were susceptible of easy answers could be got out of the way. Will he bear that in mind?

Mr. Bradshaw: I am happy to do so, as are my officials.

My hon. Friend the Member for The Wrekin (Peter Bradley) raised a number of issues. He questioned whether all overseas territories were similarly disadvantaged by the British Nationality Act 1981. I can confirm that those who were previously citizens of the United Kingdom and Colonies—the form of citizenship that then existed—and who owed that status to their connection with an overseas territory became British dependent territories citizens under the 1981 Act. Because they are geographically within the European Union, the people of Gibraltar were in addition entitled to British citizenship by registration if they applied for it. That recognised their freedom of movement within the European Union. The Bill will entitle them automatically to British citizenship. Following the Falklands war, a private Member's Bill was passed giving British citizenship to 400 residents of the Falkland Islands who did not already have it.

The hon. Member for West Suffolk and others asked what progress had been made on human rights in the territories. I am pleased to be able to confirm that considerable progress has been made. We said in the White Paper that we regarded the establishment and maintenance of high standards of human rights as an important aspect of our partnership with the overseas territories. Our objective is that territories choosing to remain British abide by the same basic standards of human rights, openness and good governance that British people expect of their Government. We stated that, specifically, we wanted the abolition of capital and judicial corporal punishment where they were still on territories' statute books, and the decriminalisation in the Caribbean territories of homosexual acts in private between consenting adults.

All our territories have abolished capital punishment for murder. All have abolished it for treason and piracy except the Turks and Caicos Islands, with which we are in active consultation concerning abolition. Judicial corporal punishment has been abolished by both Bermuda and the British Virgin Islands, which were the last territories to do so. Following extensive consultation with the Caribbean territories, private homosexual acts between consenting adults were decriminalised by Order in Council on 13 December 2000.

We are funding a broad range of human rights programmes in all the overseas territories. They include examination of children's, women's and migrant workers' rights.

The hon. Member for West Suffolk asked whether the territories were in breach of the European convention on human rights. All overseas territories have legislation that complies with the convention as it extends to them. The hon. Gentleman and others raised the question of self-determination. It does not feature, being outside the scope of the Bill. As I said in my opening speech, the Bill is exclusively about nationality.

A number of other issues that were raised—voting rights, taxation and education, for instance—are also outside the Bill's scope. There is some confusion over the difference between rights conferred on people as a result of citizenship and rights conferred as a result of residence.

I assure the hon. Member for West Suffolk that, in addition to discussions with the Department for Education and Skills on developing closer links with United Kingdom universities and colleges, we are discussing twinning arrangements and scholarships. I suggest that he and other hon. Members who are concerned about the education issue make their views known to colleagues who are involved in the review of higher education funding. We think that it is very important that educational links between the UK and the overseas territories are strengthened rather than weakened.

The hon. Member for Banbury (Tony Baldry) mentioned the educational rights of young people in the overseas territories. However, as my hon. Friend the Member for Slough (Fiona Mactaggart) pointed out, he seemed to be suggesting that British citizens who reside in overseas territories should have greater rights of access to education in the United Kingdom than young people who are born and bred in this country who do not fulfil the residence requirement. Education funding and the requirement to pay fees are based on a residence requirement; they are nothing to do with citizenship. If the hon. Gentleman's children who are born and bred here left the UK and lived in a non-European Union country for more than three years, they too would not be entitled to the same educational rights as those who had been resident here for three years.

Mr. Wilkinson: This issue concerns hon. Members on both sides of the House. Is the Minister saying that EU citizens have priority and more entitlement to obtain grants for higher education than British citizens who are resident in overseas territories?

Mr. Bradshaw: Their entitlement to education in the United Kingdom is the same as that for all EU citizens, but it is based on residency. The entitlement to education for British citizens, wherever they live, is based on residency, not on their citizenship.

The hon. Member for West Suffolk also asked about the cost of applying for a passport. The cost is the same throughout the territories; it is £46.

My hon. Friend the Member for The Wrekin asked how many overseas territories are in receipt of aid. There are six in total. Montserrat and St. Helena are in receipt of budgetary aid, while Anguilla, the British Virgin Islands, the Turks and Caicos Islands and the Pitcairn Islands receive contributions towards their public finances for specific programmes.

The hon. Member for West Suffolk and other hon. Members sought clarification on the position of an airport for St. Helena. My right hon. Friend the Secretary of State for International Development has assured me that she remains committed to meeting the lowest capital cost option for maintaining access to St. Helena. Consultation is still under way in and with St. Helena on which of the two options—replacement of the ship or an airport—it prefers. The Department for International Development has also agreed to assist the St. Helena Government in seeking funding from other sources to meet the difference in those costs.

Various hon. Members, including the hon. Members for Romford (Mr. Rosindell) and for Windsor (Mr. Trend) and my hon. Friend the Member for Thurrock (Andrew Mackinlay), raised the issue of parliamentary representation. Overseas territories are not constitutionally part of the United Kingdom; they are separate legal jurisdictions. It is therefore not appropriate for them to be represented directly in the British Parliament and to take decisions on British legislation and internal UK domestic matters.

Such an arrangement would represent a move in the opposition direction from the principle in the White Paper, which is that the people of the overseas territories should exercise the greatest possible control over their own lives. It would inevitably mean that they had to accept much greater integration within our Government system than they have at present. The overseas territories have wide autonomy and self-government, and that is more precious to them than any risk of compromising it to gain representation here.

Mr. Rosindell: Why is it not appropriate for British overseas territories to be represented here when the people of the Faroe Islands can send a Member of Parliament to the Danish Folketing and the French overseas territories can send representatives to the French National Assembly?

Mr. Bradshaw: It is interesting that the hon. Gentleman is suggesting that we have a relationship with our former colonies similar to that which France and other countries have with theirs. We have not had a similar relationship historically and we are not changing it. My hon. Friend the Member for Thurrock asked whether it was illegal that there was no parliamentary representation. I am assured by my officials that it is not illegal, but I shall ask them to have another look at the issue.

Andrew Mackinlay: They always get it wrong.

Mr. Bradshaw: Having listened to the debate this afternoon, I do not think that the territories need to worry that their concerns will go unheard. My hon. Friend the Member for Thurrock said that no one was a walking encyclopaedia on this issue. He surprises me, as I think there are several walking encyclopaedias in the House and they have made their knowledge and their care for the territories well known. As my hon. Friend said, he and others regularly raise these issues on their behalf.

The hon. Member for West Suffolk suggested that the territories could have some kind of representation in the other place. That is an interesting idea that he might like to feed into the current discussions on the reform of the second Chamber.

The hon. Member for Windsor and my hon. Friend the Member for Islington, North (Jeremy Corbyn) both referred to Cyprus. The hon. Member for Windsor asked why the Cyprus bases are excluded from the Bill. They are excluded because the treaty with Cyprus provides that they are for use as military bases only and not for the establishment of a wider community.

Mr. Chidgey: I assume that the Minister is about to conclude his remarks and if I am wrong I apologise to him. However, I raised a particular question about the difficulties experienced as a result of intermarriage between citizens of the overseas territories and UK citizens. I hope that he will try to address that before he concludes.

Mr. Bradshaw: I am afraid I am not near the end of my remarks, although I am not sure whether I will be able to respond to the hon. Gentleman; if I cannot I promise to write to him.

All hon. Members feel very pained by the historical treatment of the Ilois, which was referred to at some length by my hon. Friends the Member for Islington, North and for Linlithgow (Mr. Dalyell) among others. Many of the questions that they raised lie outside the scope of the Bill, but I promise to write to them and answer every single one.

One of the issues that my hon. Friend the Member for Linlithgow and others have raised does have a direct relationship with the Bill. It concerns whether children born to Ilois since their exclusion from the Chagos islands will qualify for British overseas territory citizenship. The answer is yes, they will for the first generation. My hon. Friend asked about those born between 1968 and 1983 whose mothers, but not their fathers came from the Chagos islands. We are aware that an amendment has been suggested on this. Although I hear what my hon. Friend says, at this stage I cannot speculate on the outcome of our considerations.

Mr. Dalyell: This is an on-going saga, but attempts must be made to resolve it fairly soon. I understand that the Minister does not have direct responsibility for this and that the relevant Minister is Lady Amos in another place, so I plead with her to get the various officials at least to see the parties involved before things get any more sour than they are at the moment. Jaw, jaw really is better than conflict.

Mr. Bradshaw: I can reassure my hon. Friend. My hon. Friend the Member for Islington, North asked me directly whether my noble Friend who is responsible for this area of policy would be willing to meet those concerned. She has agreed in principle; it is just a matter of fixing dates.

Jeremy Corbyn: In response to my hon. Friend the Member for Linlithgow, the Minister mentioned the proposed amendment. I hope that it is debated in Committee and agreed. He also said that citizenship would be conferred only on the first generation of families who are living outside the Chagos islands. However, they have been outside for so long that there is now a second generation. If we are prepared to recognise the Ilois people and negotiate with them, surely any of their children or grandchildren should be recognised in exactly the same way as the first generation.

Mr. Bradshaw: We are getting into even more complicated territory, which we could explore in Committee if my hon. Friend wants. The crucial advance that the Government have made is the recognition of the right of return. If we extended British overseas territory citizenship to future generations regardless of where people live, when they have been given the right of return, we would cross a number of lines and would create difficulties elsewhere.

Mr. Dalyell: Rather than having an extended period in Committee, would it not be better to hold a meeting to

[Mr. Dalyell]

sort out such things before we get involved in Committee? We are not interested in creating difficulties, but the problem is on-going and real.

Mr. Bradshaw: I hear what my hon. Friend says, and I shall consider doing so if I think that it will help to expedite the matter that he wants expedited.

The hon. Member for Ruislip-Northwood (Mr. Wilkinson) asked whether the non-reciprocity in the Bill had been agreed because of the EU—there was a certain amount of obsession about the EU among Conservative Members—but that is not the case. Neither British citizens from the United Kingdom nor EU citizens will be given rights to go to the overseas territories, and the overseas territories will retain control. The EU is involved because the overseas territories' British citizens will be able to move freely in Europe, but non-reciprocity would apply even if EU citizens were not part of the picture. The small size of the overseas territories means that they could not open their doors to 50 million United Kingdoms citizens, let alone all EU nationals.

The hon. Gentleman also asked what would happen if one of those territories decided to vote for independence in future and whether the House would need to pass separate legislation to settle the nationality issue. He is right—such legislation would be needed.

Some hon. Members have asked why there should be a delay between Royal Assent and the citizenship provisions coming into force. That delay is simply intended to ensure that the practical arrangements, such as those for the acquisition of British citizen passports, are in place at the time of commencement. We will not delay bringing the citizenship provision into force any longer than is absolutely necessary. Indeed, we are already in detailed consultation with the territories on the format and the arrangements necessary to train staff and issue passports.

My hon. Friend the Member for Slough asked what we are doing in advance to inform people of what their rights will be. We have issued a leaflet to all the territories' representatives in London, and I hope that they are distributing copies widely in the territories. I am sorry that I have not been able to address all the questions that have been asked.

Peter Bradley: I am grateful to the Minister for the assurance that he, the Foreign Office and the Home Office will do all they can to ensure that there is no undue delay, but will he confirm that there is absolutely no need to delay commencement until such time as the passports can be issued? In those circumstances, is there any reason why commencement should not take place immediately on Royal Assent?

Mr. Bradshaw: As I have said, there is a practical problem—people will naturally expect the rights to be realised on the date of commencement and we might not be able to do that. However, I have told my hon. Friend that I am discussing the issue with my officials, and I shall try to be as helpful as possible.

Many hon. Members have said that the Bill rights wrongs. My hon. Friends the Members for Slough and for Leicester, South (Mr. Marshall), who is no longer in his place—he told me that he would have to leave early—drew attention to the fact that this is the first nationality Bill for 40 years that does something positive; it gives people something, rather than taking something away. All hon. Members can take pride in the Bill, and I commend it to the House.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

Insolvency

6.4 pm

Mr. Eric Pickles (Brentwood and Ongar): I beg to move,

That the Railway Administration Order Rules 2001 (S.I., 2001, No. 3352), dated 6th October 2001, a copy of which was laid before this House on 8th October, be revoked.

The order seeks to create a new form of insolvency. Although it is largely based on the insolvency legislation relating to the water industry, it purports to be something new. It is uncertain in its objectives and muddled in its thinking and it has generated considerable criticism from the Joint Committee on Statutory Instruments, which has taken the unusual step of issuing a short extract from its 10th report.

The Committee specifically draws

"the special attention of both Houses to these Rules on the ground that their Explanatory Note is incomplete."

It reminds us that the explanatory note states:

"These Rules set out the procedure for the conduct of railway administration proceedings for protected railway companies under the Insolvency Act 1986 and the Railways Act 1993. They apply the relevant rules contained in the Insolvency Rules 1986".

The Committee's view is that

"this note is self-evidently insufficiently informative . . . The Committee accordingly reports the Rules on the ground that their Explanatory Note is insufficiently informative and therefore incomplete."

Mr. Nick Hawkins (Surrey Heath): My hon. Friend has rightly mentioned the Joint Committee's extraordinary decision to draw the House's attention to this matter. Does he believe that the Government's extraordinary omission—one might almost call it a sin of omission—reinforces the point that many Conservative Members have made, namely that the Secretary of State's decisions on Railtrack have been ill-informed, ill-judged, rushed and botched?

Mr. Pickles: I agree entirely. "Ill-informed", "rushed" and "botched" exactly describe what has happened. Because the explanatory notes are so inadequate, I will have to ask in my short contribution 12 specific questions that I would not have been able to ask if the notes on such an important order had been even slightly reasonable. In particular, I shall ask one or two searching questions about the amendment that the Government made to the order.

We want to know how quickly Railtrack will come out of administration and we will try to ensure that it will come out as soon as possible. We want to ensure that it will be able to provide vital improvements to our railway infrastructure but, above all, we need to know why it was thought that Railtrack was unable to meet its obligations. That is far from clear from the order or from the information supplied by the Government.

The Government's information seems to be contradictory. We have almost developed a five-point programme for Government information. The first stage is when someone—for example, the chairman of the Strategic Rail Authority, Railtrack or the Rail Regulator—meets the Secretary of State and the second is when they reach an agreement. The third stage takes place when they produce a version of events and the fourth occurs when it is immediately rejected by the Secretary of State. The fifth and final stage is when those involved denounce each other in the press. Sometimes all the stages in the process occur simultaneously.

I notice that after the much-vaunted meeting between the Secretary of State and the shareholders action group, Mr. Simon Haslam, who chaired the meeting, said that the Secretary of State had said

"one thing to us and something else to the TV cameras".

We are used to that. It is normal for the Secretary of State to say one thing to the television cameras, one thing to the Select Committee and another thing on the Floor of the House. I understand he might have an opportunity—

Madam Deputy Speaker (Sylvia Heal): Order. I remind the hon. Gentleman of the narrowness of the debate. We are discussing the process of administration, not what took place before it.

Mr. Pickles: You are right to tick me off, Madam Deputy Speaker. I cannot understand how I allowed myself to be drawn away from this most important order.

Mr. Hawkins: Will my hon. Friend give way?

Mr. Pickles: I do not know; I am in the doghouse. I can give way only if my hon. Friend does not tempt me from the subject of the debate.

Mr. Hawkins: I assure my hon. Friend that I will not tempt him to incur the wrath of Madam Deputy Speaker. Although this is a precise order on the process of administration, does he think it remarkable, given the history of the problems that we have set out, that the Secretary of State does not have the courage to come to the House and deal with this important matter?

Mr. Pickles: To be honest, I did not expect the Secretary of State to be present. He is probably going through texts of meetings and crossing things out. I will not stray further, Madam Deputy Speaker, although I hope that you will indulge me on a couple of points, such as the need to assess the background to the order.

Mr. Nicholas Winterton (Macclesfield): I will stick religiously to the document, Madam Deputy Speaker. Paragraph 3.2 of part 3 is on verification, which, to me, means the truth. Is not my hon. Friend trying to get to the base of the problem and the truth of the issue? I am in no way questioning your ruling or observation, but are we not entitled find out the truth behind this administration order?

Mr. Pickles: My hon. Friend has enormous experience of procedures in this place and he sums up the situation. However, I am not going to take Madam Deputy Speaker on, certainly not on a Thursday evening. I respectfully explain that the order relates to affidavits and so on and I will touch briefly on such matters, including the Chancellor's approach to them, but before I do that I shall address matters of substance.

We need to understand what impact the order will have on Railtrack. Ministers have been kind enough to talk to us in the confines of the Lobby because they are unhappy with the Department for Transport, Local Government and the Regions. We understand that the order has cost

[Mr. Pickles]

£100 million to put together, which is to pay lawyers, accountants and financial advisers. We also understand that the Government have promised, in relation to the order and the way in which it comes into operation, £800 million to deal with the day-to-day operation of Railtrack, and that a further figure of £650 million is also to be used.

It is little wonder that officials who helped to draft the order told the *Daily Mail* that they feel like deckchair attendants on the Titanic. They believe that Railtrack is under the control of an independent administration that cannot raise the cash in the City and that hundreds of rail improvement schemes are frozen. We need to discover how those matters will be dealt with in the administration process.

Mr. Hawkins: Does my hon. Friend agree that the problems that he identifies and the views of the officials would become much clearer if the Government were not ignoring their code of practice and their protestations on open government by blocking all the requests that we have tabled for the civil service minutes on the Secretary of State's private meetings on this saga to be placed in the Library and made open to the public gaze?

Mr. Pickles: I agree with my hon. Friend, and he is not the only one complaining; I remind him of the views of the Joint Committee on Statutory Instruments. The Government have paid no attention whatever to rules on openness, yet this most important of statutory instruments breaks new ground in laying down rules on insolvency in the railway industry. We will now have three forms of insolvency: one for the water industry, one for railways and a general set of rules.

I hope that the Minister will explain whether the company will be subject to European competition rules when it comes out of administration. He will no doubt recall that I asked a parliamentary question of his colleague the Minister for Transport and was told in a written answer:

> "The Secretary of State will ensure that any proposals for restructuring the railway industry are compatible with European law."—[*Official Report*, 30 October 2001; Vol. 373, c. 570W.]

Yet we know that that is not the case because the administrators, Ernst and Young, have made two contradictory statements, or rather they have issued a statement and a retraction. It was suggested that because a trust facility was being created, European rules would require commissioners to give permission, by 7 April, for distributions made under the order.

Mr. Don Foster (Bath): Is the hon. Gentleman not aware that the same request had to be made to the European Union for sums that have already been given to Railtrack? There is no change in the procedures.

Mr. Pickles: The hon. Gentleman anticipates my next remark. I am just trying to lay the groundwork.

The substantive point is that we are unclear, from the order and from statements by the Secretary of State, who will ultimately make the decision about a buyer for the company. Will it be made by the administrators or by the Secretary of State? We have had conflicting advice. The hon. Gentleman may have read *The Times* on Monday, which quoted Mike Rollings, a senior Railtrack administrator, saying that the Secretary of State will make the decision, but in the same paper this morning, the administrators disclose that they might try to overrule any decision made by the Secretary of State. These are matters of considerable importance.

If this matter is subject to European competition rules, we cannot have the Secretary of State making decisions like a renaissance prince; we need clear procedures setting out who should make them. If they are to be made by the administrators, that all but puts a stop to the Government's preferred plan of setting up a non-profit company.

Mr. Julian Brazier (Canterbury): I am most grateful to my hon. Friend for giving way generously, as usual. I just thought that he might like to remark that there are now only four Labour Members present—just rising to five as the Deputy Chief Whip sits down—for a debate on a matter of such importance to the country's commuters, rail passengers and pensioners.

Mr. Pickles: My hon. Friend's grasp of arithmetic is as good as ever.

If Railtrack is to come out of administration, could we talk a little about the potential bidders? Might the private bidders include the preferred bidders for the tube public-private partnerships? Will private railway companies in, say, Japan, the United States or France be given an opportunity? Such companies would regard a distress sale as a highly attractive opportunity. We also need to know whether Railtrack itself will be able to make an offer—to buy itself out. Under the order, what sort of long-term financial support do the Government intend to give to Railtrack and its successor? That is of considerable importance.

We have a series of questions. Under the licensing agreement between Railtrack and the Rail Regulator, even on the most optimistic estimate that the Government have produced so far, a compliance statement will be needed toward the end of March. We and most people in the industry believe that Railtrack's network management statement is now all but finished. We need to know whether, before the company comes out of administration, a railway network management statement will be put out by the company. That would normally be produced in conjunction with the Government. What provisions have they made in that respect?

Let us consider last year's compliance statement and the failure to fulfil condition 7. The Rail Regulator was not satisfied with last year's compliance statement. Will Ministers say whether the regulator still has the power—my reading of the statutory instrument is that he does—to withdraw the licence if he is unhappy with the statement? To put it in simple terms, it appeared to me when I watched the Rail Regulator's appearance before the Select Committee that he was feeling a little bruised and somewhat resentful: withdrawal of the licence may well be Mr. Winsor's revenge on the Government. How do they intend to deal with such an eventuality?

We have a series of technical questions about the order, and I apologise to the House for having to go through them. Had the explanatory notes been clearer, I might not have needed to ask them.

The first question is, can the Minister give the House an assurance that the rules that were laid before Mr. Justice Lightman on 7 October contained the signatures of the

Lord Chancellor and the Secretary of State by way of concurrence? One might consider the answer self-evident, but the Government have made an amendment to the regulations—hon. Members should turn to page 36—and the only reasonable explanation is that there was some sort of defect in terms of the signatories. Why was the correction on page 36 of the rules relating to dates of signing and the names of the signatories of both the Lord Chancellor and the Secretary of State made?

On what date was that correction printed and published by The Stationery Office? The correction itself simply states "October 2001". What was the exact date? Why did the Lord Chancellor and the Secretary of State decide to make the order on 8 October, to bring it into force on 7 October—the same date as the petition to the court and the administration order itself—and to lay the rules before Parliament on 8 October, after the court had ordered the administration of Railtrack plc? On what date was the hearing before the court set down?

Does the hon. Gentleman accept the criticism made by the Joint Committee on Statutory Instruments on Tuesday 20 November when the Committee reported the rules to both Houses? Does he accept the Committee's view that the Lord Chancellor's explanatory note is "self-evidently insufficiently informative"? Can the Minister explain which companies are affected by the rules and give a broader indication of the provisions that have still not been included in the Lord Chancellor's memorandum to the Joint Committee of 19 November?

Does the Minister agree that the policy reasons given by the Lord Chancellor's Department in its memorandum to the Joint Committee of 8 October—which infringes the requirements of statutory instrument practice—do not adequately explain in the public interest the failure to comply with proper procedure?

Will the Minister give the House his justification for presenting rules that alter the Insolvency Act 1986 in its application to Railtrack plc? Will he explain to what extent the contents of the affidavit presented to the court, the form of the petition, the filing of the petition and the choice of those who were able to appear before the hearing are consistent with the normal rules in administration procedure?

I am embarrassed at having to put those questions, but if the Secretary of State had obeyed the rules, we would not have to undergo the tedium of asking so many questions. We are about to dispose of Railtrack plc with only three or four lines by way of explanation, so we have to take up valuable time to debate them on the Floor. However, I am still encouraged, so I shall continue.

Will the Minister inform the House why creditors and others adversely affected by the rules were treated in a manner different from that normally applied under the insolvency procedures? Did any official consult the Strategic Rail Authority or the Rail Regulator about those rules?

We have been presented with an inadequate set of papers. The documents are technically and financially flawed. Their content is dubious and they are clueless as to the future: in other words, situation normal in the Department for Transport, Local Government and the Regions.

6.27 pm

Mr. Don Foster (Bath): I am not sure whether I should begin by declaring an interest. Indeed, I suspect that all Members should declare the same interest, if the recent report in *The Sunday Times* is correct. It stated that as a result of the order the MPs pension fund has suffered to the tune of £400,000, so I declare an interest, just in case I should.

I hope that I shall not end up in the doghouse like the hon. Member for Brentwood and Ongar (Mr. Pickles) because of some of his earlier remarks, although having listened to his subsequent remarks, I think that the hon. Gentleman would be put in the doghouse by anybody who was looking forward to the cut and thrust of debate on this issue. None the less, although it may not have been an exciting speech, the hon. Gentleman put several important and significant questions.

I look forward to some detailed answers from the Under-Secretary of State for Transport, Local Government and the Regions. As the debate began so late in the day, I am sure that the hon. Gentleman will have been fully briefed on those points.

Perhaps it would be helpful to begin by reminding ourselves of exactly how we got into this position. On 7 October, the Secretary of State—

Madam Deputy Speaker: Order. It might indeed be helpful, but it would be entirely inappropriate.

Mr. Foster: Madam Deputy Speaker, if you will allow me about 30 seconds, you will see the complete relevance of my comments to the order.

On 7 October, the Secretary of State petitioned a High Court judge to put Railtrack into railway administration, specifically under section 60 of the Railways Act 1993. The order is based on the 1993 Act, section 59(2) of which states:

> "The purpose of a railway administration order"

is

> "the transfer to another company, or (as respects different parts of its undertaking) to two or more different companies, as a going concern, of so much of the company's undertaking as it is necessary to transfer in order to ensure that the relevant activities may be properly carried on".

It is clear that a function of the administrator, as a result of the order, is to ensure the continued smooth running of Railtrack's operations so that all the requirements under the network licence pending transfer are met.

It is legitimate to discuss what has happened since the order was introduced and consider whether or not Ernst and Young are delivering the best value and quality service for passengers. Will the Minister explain why, in the six-week period following the administration order, according to the latest figures, there has been a 26 per cent. increase in delays on our railways? It is important for him to explain why, following the order, there has been a significant apparent reduction in investment in a range of improvements to which Members representing many different constituencies had been looking forward. If I were speaking purely as a constituency MP, I would press the case for the improvements to Freshford railway station that we have been waiting for. That is a specific example of the investment that now appears to be held up because of the administration order.

[Mr. Foster]

It is important to remember that section 59 of the 1993 Act states that the administrator has the task of acting

"in a manner which protects the respective interests of the members and creditors".

Will the House bear that phrase in mind? The duties and responsibilities of the administrator are to protect

"the respective interests of the members and creditors".

The Act does not say that the administrator is responsible for protecting the interests of the Secretary of State; it certainly does not say that he is responsible for protecting the respective interests of the travelling public and the taxpayer.

Having suggested that I am going to be a little critical of the way that things are going, I shall put firmly on the record my belief that the Secretary of State was right to introduce the order. If there were a Division tonight, I would recommend to those of my hon. Friends who might be around that they should join the Government in the Lobby, but we may not get to that. Nevertheless, the Government were right to introduce the order; Railtrack was in a mess and the travelling public were not being best served by its activities.

Mr. Pickles: Why does the hon. Gentleman think that Railtrack was insolvent?

Madam Deputy Speaker: Perhaps I can save the hon. Member for Bath (Mr. Foster) from getting into the doghouse by asking him not to reply.

Mr. Foster: I will do everything that I possibly can to stay out of your doghouse, Madam Deputy Speaker, and shall merely refer the hon. Gentleman to the speech I gave in the House on 13 November, when I gave an answer to that very question. In that speech, I made a point relevant to the order. Some confusion has arisen as a result of the Secretary of State's initial failure clearly to distinguish between Railtrack plc, which is being put into administration, and Railtrack Group, which is not. I criticised the Secretary of State on 13 November for not being clear enough about that. It is not easy to make even the simple distinction between Railtrack plc and Railtrack Group, as the administrator, Ernst and Young, is finding out.

We understand, although we have not been officially told, that Ernst and Young is earning £500,000 a week for its activities. It was interesting that the firm's first action on being appointed administrator was to ask the Secretary of State for an extension of time to carry out the work. It has been told that it can have six rather than three months to do it, but there are many in the City who suggest that the firm will be at it for much longer than that. The comment of the hon. Member for Brentwood and Ongar about the amount of money being made from the exercise is a point well made.

There is huge confusion even now about Railtrack plc and Railtrack Group. It is difficult for Ernst and Young, as administrator, to sort that out. Railtrack Group has a large number of component parts. Perhaps the Minister can clarify one example. Railtrack (Spacia) Ltd. is the United Kingdom's largest small business landlord, with 22 million sq ft of property, which it leases. It is part of Railtrack Group, but its assets—the properties that it leases out—belong to Railtrack plc. I am not sure whether the properties belonging to Railtrack (Spacia) Ltd. are covered by the administration order, as Railtrack (Spacia) Ltd. is in Railtrack Group, which is not in administration, yet it can succeed only if the properties, which belong to Railtrack plc, are available to lease.

Mr. Andrew Turner (Isle of Wight): Would the hon. Gentleman be surprised to know that the Government appear to have learned from the difficulties of introducing the order, if the *Evening Standard* today is anything to go by? It states:

"The private sector taking over large sections of the Tube . . . will be safeguarded against major financial risk if things go badly wrong".

The Government are clearly determined not to repeat the experience.

Mr. Foster: I take note of the hon. Gentleman's comments. I shall deal later with the financial arrangements proposed as a result of the order.

I have a further example to illustrate the potential confusion facing the administrator. Can the Minister tell us anything about the demise of Totaljourney Ltd.? Totaljourney Ltd. is part of Railtrack Travel Ltd., which is within Railtrack Group, but on 15 November it ceased to operate. Was that the result of the work of the administrator, or was a decision made to close the company down because it was not working well?

I seek an assurance from the Minister in respect of the operation of the order and of the administrator. I understand from the media that the administrator is planning to hive off the IT activities within Railtrack plc. We use the name "Ernst and Young" as shorthand for the administrator, but in fact the firm is Cap Gemini Ernst and Young. Cap Gemini is a major IT firm. I hope that the Minister can give us an assurance that there will be no conflict of interest between the administrator hiving off to a potential bidder the IT activities of Railtrack plc, and the administrator itself, which has a particular interest in that area.

Mr. Pickles: I agree entirely with the hon. Gentleman. The order shows that those issues are exclusively in the hands of the administrator. The Minister is impotent in the matter. He can do nothing about it.

Mr. Foster: I am rather hoping that the Minister will demonstrate that, before the administrator was selected and the appointment made, assurances about those very matters were sought from the firm that was chosen. I hope that we will get a positive answer on that point.

I want now to focus specifically on the question asked by the hon. Member for Brentwood and Ongar about who will make the decision on the future organisation of Railtrack. I asked the Secretary of State that question on 13 November, but I did not get a very clear answer. Of course, he could have given me such an answer, because it was there for all of us to see in black and white, in schedule 7 to the Railways Act 1993, on which the order is based. Paragraph 2(2) of that schedule states that the scheme

"shall not take effect unless it is approved by the Secretary of State".

That makes it absolutely clear that it is the Secretary of State who has the power to make the decision. I note that he also has the power to modify a scheme before approving it. If that is the case, will the Minister tell us why a number of newspapers, including the *Financial Times* of 12 October, have been indicating that there is a possibility of the train operating companies having some sort of veto? I would certainly be interested to know whether he believes that that is the case.

Let me turn to the crucial issue. The Secretary of State has asked the administrator to consider a range of different options for the future. He has made it absolutely clear that that is the case, but the problem for the administrator is that, while he has asked it to make a range of proposals, he has at the same time employed an organisation to prepare an option that he wants to put forward: the company limited by guarantee. How it can be that one body, the administrator, is charged with considering the range of options and making a proposal to the Secretary of State, while he is employing yet more people to develop a particular model that is based on what he says that he wants: the company limited by guarantee? We all know that it is the Secretary of State who is going to make the decision. Presumably, he will decide on the model that he wants anyway. So, I simply fail to understand, on the basis of the order, what is going on and why Ernst and Young is spending all its time in discussions with the train operating companies, WestLB, Barclays, Citigroup, Alchemy, Nomura and many others. The matter becomes almost inexplicable in relation to what Partnerships UK is going to do, other than effectively make the decision itself in its recommendation to the Secretary of State.

Finally, as I said, the Secretary of State has asked Partnerships UK to develop a solution that is based on his requirement for a company limited by guarantee. However, Partnerships UK is a body in which there are a number of different partners, and 49 per cent. of it is owned by the Treasury. Thus, the Treasury holds 49 per cent. of the shares in the body that will provide the new solution. Furthermore, we know that, while the work has been developing, it has had its hands in the whole issue. I know that the Minister is not responsible for Treasury matters, but given the significant involvement of the Treasury in this matter, will he explain why it has refused to give evidence to the Transport Sub-Committee of the Select Committee on Transport, Local Government and the Regions? I agree with the press report published by that Committee, which states that that refusal is disgraceful.

Although I am delighted that the order was made to get us out of the mess that Railtrack had created for the travelling public, I believe that a large number of questions need to be answered. We look forward with great interest to hearing the Minister's attempts to provide those answers.

6.44 pm

Mr. Nicholas Winterton (Macclesfield): I had prepared a major speech for the debate after spending considerable time trying to digest such a complicated document. I am pleased to follow the hon. Member for Bath (Mr. Foster), but I regret that he took so long to make his remarks because we have limited time in which to discuss the important order. I want to give the Minister an opportunity to respond in full to the many important questions that have been posed. I shall therefore disregard my speech and speak almost entirely as a constituency Member of Parliament.

I was deeply concerned to hear from the hon. Member for Bath that the parliamentary pension fund may have suffered to the tune of some £400,000 through Railtrack's failure and the Government's actions. I shall make no more of that. I am approaching retirement age, but I have no intention of retiring from the House in the foreseeable future. I hope that I shall continue to get my constituents' support.

The hon. Member for Denton and Reddish (Andrew Bennett) urged me to raise a specific constituency point. Many hon. Members who are present are worried about the modernisation and upgrading of the west coast main line. It is crucial not only to hon. Members' ability to get to the House, but—

Madam Deputy Speaker: Order. The hon. Member has been present throughout the debate and is aware of the constraints on it and its narrowness.

Mr. Winterton: As ever, I am grateful for the courtesy that you show to hon. Members, especially to me, Madam Deputy Speaker.

How will administration affect the investment that was planned and scheduled for the west coast main line? It is crucial to the economic potential and success of the north-west. How will the Railway Administration Order Rules 2001 that we are considering tonight, albeit too briefly, affect the line?

There was a partnership between Railtrack, Virgin Trains and Macclesfield borough council to find the necessary further investment for Macclesfield station and upgrade it to fulfil the requirements of my constituents, who use the rail service.

Mr. George Osborne (Tatton): I use Macclesfield station twice a week; many of my constituents use it because it is the main—

Madam Deputy Speaker: Order. The hon. Member tempts his hon. Friend to go down a route that he would prefer not to use.

Mr. Winterton: I thought that I had gone down that route. I do not know whether that was a coded message, but I shall take it.

I appreciate that the Minister wants eight to 10 minutes to wind up, but I hope that he can deal with my points and perhaps help other hon. Gentlemen who have not been able to speak. [HON. MEMBERS: "And Ladies."] And hon. Ladies, although I am concentrating on investment in the west coast main line, which does not affect my hon. Friend the Member for Maidenhead (Mrs. May), who is present. However, she and her constituents are clearly affected by rail investment.

I have great regard for the Minister and his endeavours to deal with matters that hon. Members have raised. If he can give me an answer, I shall not try to divide the House at the end of the debate. The Minister is now giving me his attention again. If he can deal with the simple questions that I put to him, I hope that hon. Members will agree, albeit reluctantly, to the administration order.

6.49 pm

Mr. Mark Field (Cities of London and Westminster): I thank my hon. Friend the Member for Macclesfield (Mr. Winterton) for ensuring that I have at least a couple of minutes. I realise that he had to give up his long speech. As my parents-in-law live in the constituency of my hon. Friend the Member for Tatton (Mr. Osborne), I have also used the west coast main line. I fear that that is the last time it will be mentioned tonight.

This situation is something of a mess. A number of questions need to be answered before we give our consent to the administration order, as the hon. Member for Bath (Mr. Foster) and my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles) pointed out.

I wish briefly to discuss two minor issues. The notion that the 71-page document that we are discussing would take a week to prepare is sheer nonsense. Anyone who has worked in the City of London, as many hon. Members have, will realise that these are boilerplate documents that can be turned round in hours in a global financial world.

Part 5 of the order deals with the role of the administrator. On the one hand the Secretary of State and the Minister have insisted that shareholders will not get a penny from the taxpayer. As a number of speakers have pointed out, however, the administration structure is an extremely costly exercise and will remain so. Apparently, Ernst and Young, the administrators, are getting in excess of £500,000 per week. The lawyers, bankers and various other consultants seem to be engaged in a process that resembles an inversion of Christ's miracle of the loaves and fishes.

A vast amount of public money is being frittered away and, meanwhile, what will be happening to the railways? How will Railtrack's statutory duty continue to be fulfilled? Even in the past six or seven weeks it has seemed that the answer to that question is: "not terribly well". Delays are up by about 30 per cent. throughout the country.

I hope that the Minister will also be able to explain to some extent the slashing of the various investment programmes that has taken place, many of which were under way in the first half of this year. Obviously, I would be interested to hear some up-to-date details in that regard.

No blame should be attached to the administrators. They are dealing with the paraphernalia of a very complicated process, not least in the document itself. The patience of shareholders and passengers must fast be running out with this whole circus, in particular as it will career on for at least six months or so. As there are only eight minutes left, I will give the Minister a full opportunity to answer the various questions raised in the debate.

6.52 pm

The Parliamentary Under-Secretary of State for Transport, Local Government and the Regions (Mr. David Jamieson): I am delighted to be able to respond to this debate. When the hon. Member for Brentwood and Ongar (Mr. Pickles) was speaking at the beginning of the debate, his hon. Friend the Member for Surrey Heath (Mr. Hawkins) intervened on him, using the words, "ill-informed, rushed and botched". I thought for a moment that we had got off the subject and were talking about the privatisation of the railways in the first place.

As I have such a regard for the hon. Member for Macclesfield (Mr. Winterton), I will respond to his questions. I can assure him that investment in the west coast main line will be going ahead. I can also assure him and the hon. Member for Tatton (Mr. Osborne)—they will be on the platform at Macclesfield station together—that they will be able to continue to use that line and that the improvements will be taking place.

I shared the concern of the hon. Member for Macclesfield about what the hon. Member for Bath (Mr. Foster) said about our pension fund. The hon. Member for Macclesfield is perhaps a little nearer the time when he will be drawing his pension than the hon. Member for Bath and I.

Andrew Bennett (Denton and Reddish): I am sure that my hon. Friend could please the hon. Member for Macclesfield (Mr. Winterton) by telling him that they could rename his station "Macclesfield International".

Mr. Jamieson: I thank my hon. Friend for that suggestion.

Mr. Pickles *rose—*

Mr. Jamieson: I will not give way to the hon. Gentleman for a moment. I have only been on my feet for two minutes. He spoke for 23 and I stopped counting his questions when he got to 50. I will now attempt to answer some of those questions.

We should put on record why the order is being made and what the provisions are. The railway administration provisions of the Railways Act 1993, as amended by the Transport Act 2000, can be applied in the event of insolvency of what is termed "a protected railway company" carrying out "relevant activities", or if anyone applies to wind up such a company. That, of course, was embedded in the 1993 Act.

A "protected railway company" is a private sector operator with a passenger licence, or a network, station or light maintenance depot licence, and its relevant activities are, as appropriate, the carriage of passengers or the management of the network, station or light maintenance depot described in the licence. It is important to place that on record. It is also important to note that the provisions thus cover, among others, the 25 train operating companies as well as Railtrack.

Although firmly based on existing administration procedure, the key difference in the railway administration process in the 1993 Act is that, although the relevant company must be managed by a special railway administrator in such a way as to protect the interests of members and creditors, he must also ensure—this is the important point—that the company's activities continue to be carried out while it is in administration until it, or an appropriate part of it, can be transferred to another party who will similarly ensure continuation of those activities.

In simple terms, that means that while the primary duty in a non-railway administration is protection of the interests of the creditors, there is in a railway administration an equal duty to ensure that the train services, or at least the network, are kept running.

I am sure the House agrees that ensuring the continuity of train services, including those on the west coast main line, which the hon. Member for Macclesfield

(Mr. Winterton) mentioned, must be vital to any railway administration process. *[Interruption.]* Now he is not listening to me, but I see that he has other interests. The hon. Member for Congleton (Mrs. Winterton) may be telling him that his tea is ready. It is a rare moment in the House when the hon. Gentleman blushes, but I seem to have succeeded.

I was waiting for the hon. Member for Brentwood and Ongar to say what he would have done in circumstances similar to those we found ourselves in during September and early October. *[Interruption.]* Well, he had 23 minutes to tell us, but he did not do so. He may tell us in another debate. He used a nonsensical expression, saying that hundreds of schemes would be frozen. I can tell the House that that is untrue. I shall deal with other points he made.

Mr. Graham Brady (Altrincham and Sale, West): Will the Minister give way?

Mr. Jamieson: Will I give way? Oh no.

The hon. Member for Brentwood and Ongar asked whether the Secretary of State was bound to choose his own proposal. As set out in the legislation, the decision to approve any transfer scheme suggested by the administrator must be taken by the Secretary of State. I hope that that clears the matter up for the hon. Gentleman. He asked about European Union competition laws. I assure him and the House that the successor company to Railtrack will be selected in compliance with EU laws.

As always, the hon. Member for Bath made a thoughtful contribution. *[Interruption.]* If the hon. Member for Brentwood and Ongar stops interrupting and allows me to do so, I may get to some of his other questions. I have not finished with him yet and I assure him that the sting is in the tail of the debate.

The hon. Member for Bath rightly said that the order allows the smooth running of the company. That was ignored in the debate, so he was right to make the point. It would be in nobody's interest if things did not run smoothly and properly. He asked specific questions about Railtrack's Spacia company, which deals with advertising signs. It is not in administration, but all its dealings will lie with the administrator until Railtrack's future is decided.

The hon. Gentleman also asked about the dips in performance. Those are generally expected at this time of year, as performance is lower. Obviously it is too early to say whether going into administration—

It being Seven o'clock, the debate stood adjourned.

Temporary Classrooms

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Stringer.]*

7 pm

Mr. David Heath (Somerton and Frome): I am grateful for the opportunity to raise the issue of the replacement of temporary classrooms. Indeed, I have raised it before. I cast my mind back to June 1998, when I introduced a Bill that would have placed a duty on the Secretary of State to report to Parliament on the number of temporary classrooms in current use, and to lay plans for their replacement. I would not say that, had that Bill found sufficient parliamentary time to progress, it would have by now cured the problem across the country, but had there been a five-year renewal plan, as I envisaged, we would at least be substantially along that path.

I raised the matter in 1998, when I had been in the House for only a year. I had clear recollections of my time as a county councillor. For the previous 12 years I had tried desperately to wrestle with the problems of funding for education, and it seemed to me that this problem should have been high on the in-coming Government's list of priorities.

At that time, 25,000 temporary classrooms were in use across the country. I should be most grateful if the Minister gave me the up-to-date figure. I suspect that it is slightly lower now, as there have been some welcome changes in capital funding that will have had an effect, but I am sure that it is still a substantial number.

I know the number of temporary classrooms in use in Somerset. Even after the new deal for schools, we still have 618 temporary buildings in use, which represents 818 teaching places, as the jargon has it—or classrooms, in other words. So 818 classes of children are being taught in temporary classrooms. Although the county council is still making progress with replacement, it is desperately slow. I am advised that this year the total of 618 temporary buildings will be reduced by six: five classrooms and a toilet block will be replaced with permanent build.

Some people would have us believe that this is not a genuine problem, and that children prosper. Clearly, they often prosper even in temporary classrooms, because some of them are well kitted out, if not by the basic structure of the building, then by the efforts of the teacher and the children. I have visited many temporary classrooms that are a joy. The children's work is on display, and a pleasant environment has been created.

People also argue that it is necessary to have temporary classrooms because of fluctuating school rolls. I agree that a small number are needed at the margins to cope with fluctuating rolls. Some say that it is not the environment in which children are taught that is important: it is the quality of the teaching, and there is some truth in that. A good teacher is the first component of a good class in a good school. However, I still believe that the environment in which our children are taught and in which we ask our teachers to work is important.

The problems with temporary classrooms are manifest. They are cold in winter and hot in summer. They often have windows or flat roofs that leak, and they are subject to structural failure as they get older, whereas purpose-built, masonry construction usually is not. They put

[Mr. David Heath]

constraints on the children and on the teaching, because they are remote from the main school buildings. Some things are inherent in good teaching practice, such as allowing children to circulate freely from their base classroom to other classrooms, to other parts of the school and to resource centres, without having to go through the rigmarole of putting on their coats and hats and going out into a cold winter's day. That is an important consideration.

As for local education authorities and, indeed, governing bodies, it is important to bear in mind that they are expensive. It is very expensive to run temporary buildings. Heating and maintenance must be paid for, as must keeping the buildings in an adequate state of repair. There is also the problem of vandalism: wooden huts seem to be a magnet for every teenager with a grudge against the local education establishment. Such establishments are easy targets. All those factors make temporary classrooms more expensive to run than their purpose-built equivalents.

We should not neglect the aspirations of governors. We ask people to give up an enormous amount of their time, and to put enormous effort into building school communities—building schools of which communities are proud. They have aspirations for their schools, and their aspirations will not normally include seeing substantial parts of those schools accommodated temporarily in a sort of shanty town. That does not give a good impression of a school, and does not help it to attract pupils. I share the governors' aspirations for permanent, proper, purpose-built accommodation.

We need only think of our own working lives to realise that we would not put up with such arrangements. When there was a lack of accommodation for Members of Parliament, there was no suggestion that we erect a camp of portakabins across the road. No: we had Portcullis House built, at enormous expense—and very good it is too, but what is good enough for MPs is surely good enough for our teachers and children. We ought to have a sense of proportion.

We speak of temporary classrooms as though they were there for a couple of terms and then disappeared. As the Minister knows, the reality is very different. Classrooms described as temporary have been there for more than 40 years, and are well past their design life. In Somerset, 75 per cent. of our temporary classrooms are beyond their design life.

There is a strange nomenclature—a strange jargon—relating to temporary classrooms. "Horsas" have a design life of 10 years. "Elliotts" have a design life of 20 years. "Post panel"—usually "Prattens" in Somerset's case—have a design life of 25 years. All those design lives have being exceeded. The "Horsas" are probably the oldest of the lot, with the shortest design life. Children are being taught in classrooms which, although described as temporary, were used by their parents and, indeed, their grandparents.

Some of these very old classrooms are in a parlous state. Somerset recently conducted a survey of 150 of the oldest and poorest-quality temporary classrooms, and found that 25 urgently needed massive treatment if they were to remain in use. Replacing them with permanent accommodation would cost between £2 million and £2.5 million—but that is not available, and the local education authority will be unable to provide such accommodation. As usual, it will be a case of "make do and mend". There comes a point, however, at which that can no longer be done. I am told that 14 temporary classrooms in Somerset will need what is described as "propping or scrapping" if they are to keep going. That in itself will be expensive: it will cost £23,000. But what does that mean in practice?

I have visited the North Cadbury school many times and know it very well. It is a delightful school in a delightful village and is doing wonderful things with its children. However, 100 per cent. of its pupils are being taught in its four temporary classrooms, one of which is among the 14 that I have just described. Although all the classrooms are elderly and past their lifespan, that one classroom is more than elderly: it is at the point of dropping dead. It is an Elliott classroom and its central beam is collapsing. To make it safe, so that the school can continue operating for the rest of this winter, a hydraulic beam will be installed.

Can hon. Members imagine teaching a group of children in a classroom that has a hydraulic beam supporting the centre? It does not sound conducive to good teaching practice, and I do not know how the school will deal with it. If I were facetious I might say that the teachers may be able to disguise the beam as a Christmas tree for the next month or so, and then perhaps to paint it to resemble a maypole. It is not a proper way of providing an education for those children, but the alternative would be to take the classroom out of use entirely, the consequence of which would be that 25 per cent. of the school's available teaching space was gone. That clearly cannot happen. Moreover, one of the other classrooms is shipping water. The school governors tell me that they do not blame the local education authority, but they desperately need something to be done to solve their plight.

The school governors are doing a marvellous job of investing in information technology, as the Government want them to do. However, they have to place those computers in which they have invested heavily in wooden classrooms that have very little effective security. Even if they were in perfect order, the classrooms would be almost an invitation for someone to take the computers in the next school holiday. The school governors feel let down by a system that does not allow necessary capital investment, and they are not alone in that. I could cite schools across my constituency that are in the same position.

Milborne Port school, for example, which I visited a few weeks ago, has argued for years about the proportion of the school that is in temporary accommodation. Its governors would dearly love to do something about that. Trinity school, in Frome, is one of the most effective schools in my constituency, winning plaudits all round for the quality of its teaching. It has some new building in progress to extend its classrooms, to meet the requirements, but it also has four or five temporary classrooms. I could cite many other examples.

Do those facts suggest that Somerset county council is a bad education authority? I do not think that it is, and no objective test shows that it is. Somerset county has always prioritised education spending, sometimes with great difficulty given the formula against which—not with which—it works. The Government's current distribution formula ensures that every child in a Somerset school receives £1,500 less per year than every child in a school in a leafy London suburb. I think that, in terms of the value that we place on our children, that is a continuing crime.

Somerset county council does it best, but it has simply not had the latitude in capital spending to enable it to make a difference. The Government have made a difference since they were elected; I shall not disguise that fact. When I was chairman of the Somerset education authority, which covers the whole county, we had authority to spend a maximum of £750,000 on the replacement of building stock. There was no way in which we could properly replace building stock with that laughable sum.

Then we had the new deal for schools, and in subsequent years the capital programme increased to £2.5 million, and then to £5 million, which was extraordinarily welcome. However, there is a £25 million backlog in essential repairs and maintenance. I am sure that a similar situation prevails in many other local education authorities.

The Government also introduced the asset management plan process, which is wholly welcome. It is a significant improvement in the way we identify need and the Government attempt to address it. Let me say in parenthesis how grateful I am to Ministers for recognising the concern of LEAs when designing the sufficiency element of the asset management plan in respect of so-called doughnut schools—schools based on the 1970s doughnut design—which would have faced extraordinary difficulties had the Government kept to their original plan.

Looking at the situation nationally, the Local Government Association contrasts the £174 million in 2003–04 to achieve suitability of classrooms with the £500 million requirement for both 2003–04 and 2004–05 identified from the asset management plans. The basic problem is the incompatibility of so many of the Government's policies, some of which are their own and some of which were inherited. Emphasis is correctly placed on class size reduction—I have absolutely no quarrel with that—but trying to manage that within the framework of a limited capital programme, with the exigencies of parental choice on top, means that policy collisions will be inevitable. There is a policy of IT investment, yet there is a lack of suitable premises. There is a policy of encouraging sports education, but again a lack of premises that would allow schools to put that policy into action.

There is heavy reliance on the private finance initiative, yet I am not convinced that it can deliver in this matter. The Minister may tell me that I am wrong, but it is extremely difficult to envisage a lot of disparate sites spread across a local education authority being dealt with by a single PFI programme that would provide for the replacement of temporary classrooms. Even if it did, it is inconceivable that an LEA such as Somerset would be able to make the necessary revenue payments to make a PFI scheme of that kind work effectively.

We have made progress and I am grateful for it. I am not taking credit for it because of what I said in 1998; I know that it has been a priority for the Government, but a lot more needs to be done. I urge on the Minister a national programme of renewal of the temporary classrooms because, in my view, the teaching environment matters. It is something that we owe our teachers, our children and our school governors. However, it is not the only requirement. We need good teaching, a good curriculum and an adequate environment—whereupon, as has been shown time and again, the children will respond. We should do our best for our children, and at the moment many of our school buildings can be described only as second best. I ask the Minister to consider what he can do in order to further these very necessary plans for renewal.

7.18 pm

The Parliamentary Under-Secretary of State for Education and Skills (John Healey): I congratulate the hon. Member for Somerton and Frome (Mr. Heath) on securing the debate and I pay tribute to him for his concern, which is well established and based on a very detailed knowledge of the circumstances in his area. I looked at the ten-minute Bill that he introduced in June 1998, setting out many of the problems that we faced at that time. Like him, the Government believe strongly that schools must have suitable accommodation in order to be able to deliver the national curriculum. Teachers must be in a good environment where they can teach effectively and, most importantly, pupils must have classrooms where they can learn.

The hon. Gentleman raised his concerns in 1998 and I am glad that he welcomes the changes that have been made since then and acknowledges that, since the Government were elected in 1997, they really have made a difference. Our strongly held view is that school buildings must be improved, and that has been part of the basis of the greatly increased capital investment that we have made in schools since we came to office.

It is worth reminding ourselves that in 1996–97, the last year of the previous Government, central Government support for schools' capital investments was only £683 million, and it had been around that level for many years. That level of investment barely covered the need to provide additional new school places in response to population growth. It did not meet the repair and condition needs of schools that had accumulated during two decades of neglect and inadequate funding; nor did it address the problems of improving and modernising an ageing school estate to meet the teaching and learning needs of the new century.

As the hon. Gentleman acknowledged, in 1997 we inherited a schools estate that was seriously decayed and increasingly unsuited to the task of educating our children because of that underfunding. We have made much progress since 1997. In our first four years in office, we made available a total of £5.3 billion for capital investment in schools. That has allowed us to tackle the worst of the backlog of school repairs, including the replacement of many of the worst decayed, time-expired temporary buildings, which the hon. Gentleman has mentioned.

In November 1999, as part of that programme, the Chancellor in his pre-Budget report made the then unprecedented move of introducing a capital initiative devoted entirely to removing the worst temporary classrooms. Some £43 million of ring-fenced new deal

[John Healey]

money for schools was made available to local education authorities, specifically so that they could replace temporary classrooms in poor condition with permanent classrooms. That sum was later increased to £150 million. In total, that enabled the removal of 1,500 of the worst temporary classrooms in our schools. In particular, Somerset took advantage of additional opportunities during the four rounds of the new deal for schools to remove some of the temporary classrooms in the county.

As the hon. Gentleman did not acknowledge in this debate, but will know, there have been a number of successful projects in the county, including four in his constituency. At Trinity Church of England first school in Frome, construction work is being carried out to replace a temporary classroom and enlarge three other classrooms. There are similar projects at Wincanton community primary school, Christchurch in Frome and Horsington primary school. The pupils and staff at all those schools are benefiting from comfortable, well designed, permanent buildings.

I hope that the hon. Gentleman will agree that the Government have given the issue high priority in our first four years in office. Under the capital investment programme for schools, we can do a great deal more nationally. We are now providing £8.5 billion in capital over the next three years to improve and modernise school buildings. This year, the figure is £2.2 billion—three times the total in the last year under the Tories. By 2003-04, the total will be £3.5 billion—five times as much as the Tories invested in their final year in office. That is the largest sustained programme of investment in our schools estate for the past 50 years. That investment will enable authorities and schools to make real progress in modernising their buildings, so that they are fit for the curriculum and student needs of the 21st century.

The hon. Gentleman was right to acknowledge the value that temporary classrooms can have. If they are modern and in good condition, they can be useful in certain specific circumstances. For example, they can allow schools and local authorities to cope with sudden, unexpected and perhaps short-term bulges in pupil numbers. They can also speed up the consolidation of multi-site schools on single sites. They can help schools that are unfortunate enough to be damaged by fire, arson attack or other major disruption. They can enable schools with very poor building conditions to be redeveloped without having to close while that work is going on.

Many schools have found that temporary classrooms have other uses. They are frequently used outside normal school hours for the functions and activities that the schools want to run. Although many schools have had permanent classrooms built, they seem rather reluctant to give up the temporary classrooms. The Department regularly receives representations from schools that have had permanent classrooms built, objecting to our removing the temporary accommodation. Temporary classrooms can be useful if they are in good condition and if they are indeed temporary.

The Government have recently introduced two major changes to the system for allocating capital investment in schools. The first is a move from a programme that was essentially bid based to one in which allocations are based on a formula and on a comprehensive survey of the conditions of school buildings throughout the LEA area. The second major change is that most of the decisions have moved from national level to the local LEA. As the hon. Gentleman pointed out, at the heart of that new system is the asset management plan prepared by the LEA in close consultation, and normally after detailed discussion, with schools, teachers, governors and others in the area.

The asset management plan is the basis for allocating resources for basic need work. It is based on forecast growth and capacity constraints in a school, and it is also the basis for allocating resources for improving conditions and modernisation work, based on pupil numbers and the priority that the plan assigns to conditions in the school. That is the old new-deal-for-schools bidding programme transferred to the local level and rooted in the asset management plan.

The hon. Gentleman spoke with knowledge and passion about his local schools. I appreciate the problems that temporary classrooms cause, because many of them are shared in my constituency. They make it difficult to move children around the school. They are often too hot or too cold at precisely the wrong time of the year and one cannot use temporary classrooms for certain things, such as creating social areas, in the same way as one can use permanent buildings.

I have two words of advice for the hon. Gentleman in an attempt to help him and the schools about which he is concerned. The principal step that they must take is to raise the issues with the LEA and with the asset management forum in the context of the plan in the Somerset area. No doubt they will do that with the support of the local Member of Parliament, who has strong connections with the school committee chair, Councillor Cathy Bakewell MBE. The asset plan provides the basis for assessing the condition of the classrooms, making decisions on priority, planning the work and allocating resources for all the local area. The Somerset asset management plan promotes the removal of temporary classrooms as a priority, and I know that the LEA is planning to add to the money that we can provide centrally for the programme.

My second point is that, despite the changes, the Department for Education and Skills retains small-scale programmes that are bid based. In particular, the targeted capital scheme may interest the hon. Gentleman. He and the schools in his area may find it worth examining. It allows for building investment to deliver educational benefit; it does not deal specifically with the problem of poor conditions in schools. However, if the hon. Gentleman wishes, I am happy to ask my officials to discuss the details of the scheme with him. After he has talked to the schools, they can determine whether it might be suitable to bid on that basis.

The hon. Gentleman may also want to consider a private finance initiative. Some 33 deals have been signed, with a value of more than £850 million and covering 450 schools. Not one deal has been used for, or has led to, the installation of a temporary classroom. Again, he may wish to discuss that point with his LEA.

Temporary classrooms in poor conditions simply do not provide a good learning environment. The Government are determined to improve conditions in all our schools and we have made a great deal of progress in replacing temporary classrooms with well designed permanent facilities. The unprecedented planned increase in capital investment this year and over the next two years will speed up the process across the country and in the hon. Gentleman's constituency and county.

Question put and agreed to.

Adjourned accordingly at half-past Seven o'clock.

House of Commons

Friday 23 November 2001

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Orders of the Day

Age Equality Commission Bill

Order for Second Reading read.

9.33 am

Ms Candy Atherton (Falmouth and Camborne): I begin by pointing out some facts that may bring home to hon. Members what my Bill to establish an age equality commission is about. As I stand here as a woman in her mid-40s, I have been termed a young thing—

Mr. Desmond Swayne (New Forest, West): Hear, hear!

Ms Atherton: I thank the hon. Gentleman. In the world outside, however, I am deemed an older worker. That speaks volumes about this place and about the world of work beyond these walls. In the House, the average age of Members of Parliament is 52, an historic low. We are probably the most protected older workers in the country.

If hon. Members were to be faced with unemployment, they might not find it easy to walk into a new job when they reach more senior years. Millions of our fellow citizens discover that every year. Some 2.8 million people between 50 and the state pension age are unemployed. Almost a quarter of men in their 50s have left the labour market. The cost to our economy of age discrimination in employment is estimated by the Employers Forum on Age to account for some £31 billion a year. Tackling age discrimination would have clear benefits for the economy and for business.

The issue is about not only employment, but health care and access to services and training. It is about cultural life, volunteering and participating in society as a whole. It is also particularly about financial services—the arbitrary rip-off of older people by companies to pump up the premiums.

I wish to see an age equality commission established to look at all those issues. Its members would be appointed by the Secretary of State and it would monitor existing and future legislation. It would advise Government, business and public and voluntary sectors on issues relating to age discrimination. It would evaluate existing measures and schemes and suggest improvements or wholesale change.

The world—the first world, in particular—is waking up to the issue. The bubbling pension issue in Europe is well known. In this country, the phrase "ageing population" is now entrenched in our political discourse. By around 2030, half the population of western Europe will be over 50. Population estimates suggest that the 55 to 64 age bracket will form the largest sector of the work force in 2026. Every four years, life expectancy increases by one year.

Mr. Swayne: Will not the very force of the statistics that the hon. Lady is citing provide the market imperative against age discrimination?

Ms Atherton: I beg the hon. Gentleman to listen to a little more of my speech to hear the arguments on why the market has not so far worked for older people.

Academia recognises the issue; this year, Oxford university has set up the Institute of Ageing, with the support of Help the Aged and its international sister organisations. Next year, the second world assembly on ageing will take place in Madrid. The Government also recognise that something needs to be done. As my right hon. Friend the Prime Minister has put it himself:

> "The Government firmly believe that age discrimination is unfair and makes no economic sense for business or society."—[*Official Report*, 31 July 1997; Vol. 299, c. 493W.]

To that end, the Government have produced the life begins at 50 programme, the performance and innovation unit report "Winning the Generation Game", the passport 50-plus guide, the new deal for 50-plus and the better government for older people programme—a bookcase of literature recognising the problem.

Importantly, the Government have also recognised that age discrimination is an issue that goes beyond simply employment. The national service framework for older people makes it clear that it aims

> "to ensure that older people are never unfairly discriminated against in accessing NHS or social care services as a result of their age."

It continues:

> "In some health and social care services, older people and their carers have experienced age discrimination in access to and availability of services."

That is absolutely true.

When the steering group of the better government for older people initiative published a report in 2000, it noted that the projects were undermined by a lack of legislation. It stated:

> "We believe there is a strong case for legislation against all forms of unfair age discrimination and call on the Government to bring forward proposals to that end."

The report called for legislation to be wider than that governing employment and urged the Government to bring forward proposals in the next Parliament. In the Government's response, "Building on Partnership", they indicated that they would

> "tackle discrimination against older people and will continue to act to combat it wherever it is found".

We are now in the next Parliament, and I am delighted to offer the Government a means to this end.

Age discrimination pervades all aspects of our society, including goods and services. There is a widespread culture of discrimination which holds back individuals and society.

Mr. Swayne: Does the hon. Lady agree that such discrimination also relates to the Government? I draw her

[Mr. Swayne]

attention to the hon. Member for Great Grimsby (Mr. Mitchell) when he said of the Government and their formation:

> "I came back to find that I am indeed part of an excluded generation—the rising-60s. To paraphrase Wordsworth in 'The Prelude': 'Bliss was it in that dawn to be alive—but to be old was something of a disadvantage.'"—[*Official Report*, 16 May 1997; Vol. 294, c. 305.]

Ms Atherton: I do not wish to comment on the remarks of my hon. Friend the Member for Great Grimsby (Mr. Mitchell), but many of us find that we are becoming older workers.

Age is the one major area of discrimination that the country has yet to tackle. We have worked on race, sex, gender and disability—most of those issues are already the responsibility of commissions. Age is the great omission yet it affects us all—I hope.

We must accept that we have failed to tackle the problem effectively. However, we must recognise that this form of discrimination does not have the same profile as race or gender, for instance. This means that we will have to play catch-up. I believe that we should have acted sooner, for this delay presents problems. We cannot run before we can walk. Although I want to see action and results, punitive regulation at this stage may not be the answer. There is a need to educate, spread best practice and consider the many options to tackle age discrimination wherever it is found.

Linda Perham (Ilford, North): Does my hon. Friend agree that there is also evidence of discrimination against younger people? It is not just a question of getting voted off first in "The Weakest Link". Has she considered extending the remit of her Bill to include all age groups?

Ms Atherton: I have considered extending it to younger workers, but as older workers face discrimination, the Bill focuses on them.

I believe that a commission can offer many answers. It would provide the Government with a rich font of expertise and research to deliver for older people. The seventh report of the Select Committee on Education and Employment on age discrimination in employment found a

> "lack of robust statistical analysis"

on the issue. I like to think that the Bill would provide what the Select Committee was looking for. Its report goes on to say:

> "Only if there is robust information on the prevalence of age discrimination can effective policies to combat it be designed and properly evaluated. The Government should commission research accordingly."

A commission would assist the Government, bringing together policy strands and Departments to focus attention on this outstanding problem.

Since taking up this issue, I have discovered just how many Departments it affects and how many Ministers have responsibilities in this area. The Minister replying to the debate has responsibilities for employment at the Department of Trade and Industry. The Department for Work and Pensions has an obvious role, and the Minister for Pensions has made an important and valued contribution. The Department of Health, the Department for Education and Skills, the Department for Culture, Media and Sport and the Department for Transport, Local Government and the Regions also have a role. The list goes on.

Let me personalise my point by considering a man of 55, excluded from the labour market or perhaps denied access to skills training or promotion. His end of working life crisis may mean long-term unemployment or a reliance on temporary or low-paid work. It also means 10 years or so of his failing to make pension contributions or arrangements for his future security. The effect is obvious.

It is no accident that studies have proved that relative standards of income and wealth are more polarised in people's fifties than in their thirties. Almost half of those excluded from the labour force rely on benefit. The direct cost to the public finances is estimated at around £5.5 billion. The cost of getting old is becoming a significant barrier to social inclusion and good health. A man in his 50's who is unemployed is twice as likely to suffer from respiratory illness or depression. Around half of all those claiming incapacity benefit are over 50. For some, this is a matter of life and death.

Tackling pensioner poverty is a cause close to the Government's heart. It would be easier to address that problem if people could lead a full working life of opportunity up to retirement. The Government's new deal for the over-50s offers a start. Initiatives must tie in with local employers' needs. The regional development associations and learning and skills councils have a role to play in that.

Age discrimination remains a root cause of economic inactivity, health inequalities and long-term social problems. It affects all Government policy and the work of nearly all Departments. At times, such discrimination is bizarre. One of the original inspirations for my Bill was a vet in Cornwall, Mr. Noel Stuart. He contacted me because he and others were being prevented from helping out at the height of the foot and mouth crisis, despite all their qualifications and wealth of experience—not least in knowing where the farms were, unlike some of those who were flown in from abroad. Mr. Stuart, who is also a part-time lollipop man, had his lollipop taken away when he reached 70 years of age. He did not have a good birthday.

Many hon. Members will have read in this week's press that Britain's leading heart surgeon, Sir Magdi Yacoub, has been told by his hospital trust that he must retire, despite being considered to be at the peak of his powers and having performed more operations than any other surgeon in the world.

When we face skills shortages, what is more absurd than writing off people on the ground of age alone? Given that we have an ageing but increasingly active population, this is becoming a farce.

Ms Julia Drown (South Swindon): My hon. Friend talks about the dignity of older people. Does she agree that the Bill would also be a big boost to their families, to the carers of those who are a little more vulnerable and to those who volunteer to work with older people?

Ms Atherton: I agree with my hon. Friend. Volunteers, carers, the wider community and the families of older people would all benefit from the expertise that a commission could provide.

Let us consider the evidence. B&Q found that, "You could do it if you B&Q it", whatever one's age, and that mature employees could offer skills and experience that made them an essential and highly productive part of the work force. Back in 1989, B&Q decided to dispel the myth by opening up a store staffed entirely by people over 50. Over the next six months, monitoring showed that profits were higher, staff turnover lower, the skills bases increased and customer satisfaction increased. B&Q has now gone further in updating its retirement policy by allowing employees to review their working life and decide what is best for them with reference to safety and their own situation. One employee in Swindon has now reached 86, and proves his worth, I am sure, on a daily basis.

The problem of age discrimination in employment is complex, and I am sure that that will be one of the first issues addressed by the Minister. However, that does not mean that it cannot be tackled. There is a positive consensus on this. The Trades Union Congress and Confederation of British Industry recognise the debilitating effect of discrimination in employment. There is a genuine business case to be made for action and a commission can make that case. Because of demographic change, the problem can only get worse and a commission can be a means to publicise the issue, educate business and prepare society as a whole for the changes to come. The time is right to take action. The problem is made more complex by the link between employment and financial services. One of the problems facing older workers and their employers is that the costs of insurance can rise. That is particularly true for the voluntary sector.

My hon. Friend the Member for Conwy (Mrs. Williams) cannot be here today, despite her support for the Bill. She raised with me the particular question of volunteers, so often the mainstay of charities. To work, however, they need insurance, and this can be an obstacle. Some charities are forced to turn away volunteers because they cannot get the necessary cover. It is especially important because while by 2006 there will be legislation to tackle age discrimination in employment, that may not apply to the voluntary sector.

My legislation, article 13 of the EC treaty and the equal treatment in employment directive are certainly a step in the right direction, and the Government put much energy into negotiation of the directive. However, like many pieces of legislation that originate in Europe, implementation of much of the detail can be left up to member states. I very much hope that the Government will implement it in a way that is effective and serves its defined purpose. I know that consultation on the implementation of article 13 is imminent, and while the Government already have an age advisory board looking into this question, what better means than a commission to aid this process? It would play an invaluable role in preparing us all for this legislation.

As I have said, my legislation on employment will not be enough. A study for the Joseph Rowntree Foundation showed that anti-ageist employment legislation in other countries was far more effective when working in conjunction with other policies. That is why there must be a comprehensive step forward which can consider a variety of solutions through legislation and otherwise.

Arbitrary discrimination in financial services is one of the most galling forms of discrimination for older people. One case brought to my attention was of a man whose car had broken down but he could not hire another, even in an emergency, because he was over 75. My own mother's travel insurance doubled overnight when she reached 70. I accept that there must be a gradual change, but such arbitrary jumps in the space of 24 hours are hard to take. I am aware of older people being denied access to telebanking or other modern innovations. I think that this is on the spurious, patronising grounds that they will not understand or will not be able to cope. I gather that one bank offers free insurance with a credit card as an incentive, but not, I gather, if someone is 65 or older. Such decisions are probably being made by smart-suited 20-somethings without the vision to look beyond the stereotype.

Only the other week, I read of a new generation of surfers in my home county of Cornwall riding our wonderful waves in their 50s—"the silver surfers." But these same people are denied the chance to do their banking when surfing the net, despite the fact that, according to Microsoft, over-50s are signing onto the internet at twice the rate of those under 30.

We now reach 50 with a healthy expectation to reach 80, but the doors of opportunity, in the workplace and elsewhere, are being shut in our faces. We know the excuses—that the market will regulate itself. There are companies that specialise in providing insurance or services to older people, but we know that that cannot be guaranteed. We also know that industries can rip people off. That is why in Ireland, the Equality Authority can investigate whole industries to root out discrimination. And that is why such a commission is needed in this country.

A commission would help the Government to co-ordinate policy making; it would also focus our society on the need to deal with this problem. It is a philosophical argument whether legislation reflects or leads society's attitudes. I would say that on the issue of discrimination above all we recognise where Government and the law can make a difference. On race, gender and sexuality, there has always been a need for legislation to help undermine prejudice and intolerance. I say that with great certainty as a woman Member of Parliament.

Changing attitudes to ageism is all the more necessary because it lags so far behind other discrimination in terms of public awareness. An evaluation of the Government's existing code of practice flags up how unrecognised age discrimination is by both employers and employees compared with other forms of discrimination.The Carnegie Trust has already used research by the Employers Forum to show that only 25 per cent. of employers knew of the Government's code and only 4 per cent. were aware of its purpose.

One of the main arguments that I have had since I took up this Bill was about whether we should have one all-embracing commission to deal with all forms of discrimination. There are models for this, such as that in Northern Ireland, which is favoured by some in business and elsewhere, but I believe that we need an age discrimination commission here for us in this country, and I commend the Bill to the House.

9.55 am

Mr. Edward Leigh (Gainsborough): I warmly congratulate the hon. Member for Falmouth and Camborne (Ms Atherton) on her good fortune in drawing

[Mr. Edward Leigh]

such a high place in the ballot and on the skilful and committed way in which she moved the Second Reading of her Bill this morning. I am sure that the whole House will want to congratulate her.

I declare a personal interest. Having attained the age of 51, I fall within clause 2's definition of an older person.

Mr. Swayne: Shocking.

Mr. Leigh: It is written that

> "The silver-haired head is a crown of glory".

The Book of Proverbs obviously had my hon. Friend the Member for New Forest, West (Mr. Swayne) in mind.

Regard for age is a sign of a civilised society. Those who are elderly and have experience of life deserve respect. Those who have the wisdom that is born of the years deserve to be listened to. The hon. Member for Falmouth and Camborne has done a service to the House in bringing the matter before us for debate. If her intention is to encourage people to have more regard for age and experience, her aim is entirely laudable, and is one that I and the whole House will share. Sadly, respect for age is not so great now as it was in the past; the House has a right to be concerned about that.

We all know that having dealings with older people can be enriching for younger people. I am aware of a group of teenagers from one school who became involved in a local scheme to fit security locks to the windows of elderly people living in nearby council houses. The practical benefits of increasing home security are obvious, but perhaps more beneficial were the relationships that the young people developed with the older people. Long after the locks were fitted, some of the young people maintained friendships that they have continued to enjoy.

We all know that there is discrimination in some aspects of employment, but from a purely commercial point of view, discriminating against older people is pure folly. Young adults do not have the experience of those who are older, and the hon. Member for Falmouth and Camborne has rightly mentioned the example of B&Q, which makes a virtue of employing older people because they bring people skills and expertise to the job. We are all aware of some worrying examples of discrimination in the NHS.

The hon. Member for Sutton and Cheam (Mr. Burstow) mentioned on 15 May 2000 the case of Mrs. Marge Terry, a 91-year-old whose stay in hospital was characterised, according to her daughter, by neglect. Bedside tables were left dirty and sticky; bins were unemptied; medical records were badly maintained; and she was left in bedclothes soiled with blood. She waited four days to see a doctor after developing a serious chest infection and a further two days for an X-ray. Staff failed properly to assist her with eating, and even with the administration of medication. After four weeks in hospital, Mrs. Terry died. The NHS has rightly apologised for her appalling treatment, and the whole House should unreservedly condemn any organisation that holds older people in less respect or fails to give them the care they need.

The House is united on those points, but what should be done? Is the Bill the right way to address the problem of lack of respect for age? I do not believe that it is the way to achieve the hon. Lady's laudable aims. Laws should be made only when they are necessary to achieve a result, and when they can achieve that result. I fear that the Bill fails the second test.

It is good that we are holding this debate and that we raise these issues. That is our responsibility, but not all the problems in society can be addressed by legislation. Surely the House must be able to recognise a problem—in this case, a serious problem in society—and draw attention to it, but without concluding that it must always legislate.

Mr. Win Griffiths (Bridgend): I hope that the hon. Gentleman will develop that argument. He says that the Bill does not address the laudable aim that he supports. Why is that, and what would he propose to ensure that we achieve the objectives of my hon. Friend the Member for Falmouth and Camborne (Ms Atherton)?

Mr. Leigh: That is precisely what I hope to do in the next five or 10 minutes.

The answer to the problems of age discrimination is not further heavy regulation to enforce equality. A commission for age equality would simply be a statutory busybody. Its job would be to argue for more legislation and regulation.

Dr. Desmond Turner (Brighton, Kemptown): Following the hon. Gentleman's logic, are we to assume that he would advocate the abolition of the Commission for Racial Equality?

Mr. Leigh: No, I would not advocate the abolition of the Commission for Racial Equality. There is a difference, as I shall explain later in my remarks.

Jim Knight (South Dorset): The hon. Gentleman suggests that the measure will impose extra regulation on business. In essence, the Bill would set up a commission to advise the Government and society about a problem whose existence the hon. Gentleman acknowledges. The commission would then point out whether regulation for, or self-regulation by, industry was necessary. The measure does not propose a great regulatory burden.

Mr. Leigh: The whole raison d'etre of the commission, if it is to have any point at all, is to lobby the Government to exercise their powers of compulsion. The commission would fail to justify its existence if it did not do so. It would result in more regulation and compulsion and would not further the interests of elderly people.

I can illustrate that point with an example given by the hon. Member for Falmouth and Camborne. She said that during the worst of the foot and mouth crisis, vets aged over 70 were told that they could not assist because they were too old. She went on to explain, however, that the rule was subsequently changed so that they were allowed to help. Surely that proves that a commission such as she proposes is unnecessary. It appears that pressure and old-fashioned common sense were enough; the unreasonable age restriction was removed without the need for a statutory commission.

Mr. Roger Berry (Kingswood): Does the hon. Gentleman recall that he deployed the same arguments to oppose legislation to secure civil rights for disabled people? Given that his Government then introduced such legislation, has he changed his view on that matter?

Mr. Leigh: I have not changed my view on that matter. There is a regrettable tendency for the House to identify problems of discrimination. Discrimination is wrong. Discrimination on the grounds of religion, race, disability or age is wrong, but I am prepared to have the courage of my convictions and point out to the House that sometimes the best way to remove ills in society is not necessarily through legislation. That is my view, and I believe that it is important that someone puts it forward—although it may sometimes be politically difficult to do so.

The case to which I referred shows the way forward.

Several hon. Members *rose—*

Mr. Leigh: I should like to make a little more progress. Many Members want to speak, so I do not want to hog all the time.

Pressure from the public and from politicians, combined with sound reasoning and common sense, should ensure that, where change is needed on policies and practices that disadvantage older people, change is made. Pressure comes through naturally in society. Good sense asserts itself. We do not always need statutory commissions.

Ms Debra Shipley (Stourbridge): The hon. Gentleman says that the whole House agrees that something is wrong. There are many examples of that, and numerous Bills have been introduced, yet it astounds me that the opinion of some people in business, health, leisure facilities and a range of activities has not been changed to the point that they adopt good practice so that they do not discriminate. Surely, as legislators, we have a responsibility to society to require them to adopt good practice; we should legislate and impose our values. As the hon. Gentleman has said, we have good, shared values.

Mr. Leigh: That would be correct if we were identifying an obvious evil to which society and the marketplace were obviously failing to respond. However, I hope to show as I develop my remarks—if I am allowed to do so—that society and the marketplace are responding to the evil of age discrimination. They are responding because it is evidently against the good interest of many companies to discriminate against older people. Good sense asserts itself in society.

As I was saying earlier, the commission's whole reason for existence will and must be to lobby the Government to exercise their powers of compulsion. A commission will naturally look for ways to justify its existence. It will always be able to come up with schemes, proposals and plans for new legislation. Why else need it exist? The likelihood is, however, that those schemes will merely consume time and public money without really dealing with the problem.

Organisations such as Age Concern, the Association of Retired and People over 50 and Help the Aged, as well as providing practical assistance to older people, play a major role in campaigning on their behalf. Such organisations can continue to work on specific cases, where tailored solutions can be negotiated to benefit older people, but wide-ranging statutory intervention is not the answer.

In the NHS, major issues relating to mistreatment of the elderly are the responsibility of the Secretary of State for Health. If there is a problem, that is his responsibility. Surely he does not need a commission to tell him that there is a problem. He simply needs to ensure that staff in hospitals are instructed to ensure adequate cleaning and high-quality care for all patients, irrespective of their age—that relates to the case of Mrs. Terry and others. Where that is not done—regardless of the age of the patient—those responsible must be disciplined. It does not take an age equality commission to work that out: the Secretary of State is already responsible. He has all the powers at his disposal to sort out the problem.

Ms Atherton: The hon. Gentleman cited various organisations that represent older people. Is he aware that all those organisations are calling for an age equality commission?

Mr. Leigh: I should be amazed if they were not. They are campaigning organisations, so they would naturally support such a proposal. I was not suggesting otherwise. I was pointing out that they are effective campaigning organisations; they are having an effect. They are changing values in society and in the marketplace, so I doubt that it is necessary to create a statutory commission to put their ideas into effect.

Peter Bottomley (Worthing, West): The House will understand my hon. Friend's point about the law helping things to be effected rather than always guaranteeing that they will happen. In the same way, many things are crimes, but a third of young men have been convicted of criminal offences by the age of 30, so legislation is not always totally effective. Under clause 1(2)(b), the commission would comment on proposed legislation, so his argument could be used to justify the commission and to ensure that, when Ministers propose legislation, they take account of the needs of the elderly. For example, instead of requiring elderly people to requalify for driving licences, why not wait until they are just as dangerous as they would have been when they passed the test at 17?

Mr. Leigh: I have often had doubts about allowing people to drive at the age of 17, but I shall leave that to one side.

Clause 1(2) is interesting—I was about to deal with it—because it would allow the commission to advise the Secretary of State on all matters relating to age discrimination. It states that the commission should scrutinise any proposed legislation and that it could advise the Secretary of State to issue detailed guidelines on schemes to be imposed on

> "businesses, voluntary organisations and public sector organisations".

It could also propose policies on age issues not just for employment, but for

> "the provision of goods and services"

and even

> "in the wider community."

So the commission could propose intervention in the nooks and crannies of everyday life. It could propose new legislation and regulation for every aspect of

[Mr. Leigh]

society—even private contracts would come within its purview. I seriously question whether that would improve the lot of the elderly.

The hon. Member for Falmouth and Camborne did not deal with the point that, in the same way that the Equal Opportunities Commission has to act to defend the interests of men, the age equality commission would have to act to defend the interests of young people. If the provision of goods and services were to be within the commission's remit, it would come under pressure to end the cut-price deals available to pensioners because such deals inevitably discriminate against those who are young.

For example, tourist venues often offer low entrance fees to old-age pensioners and those aged over 60, and there is nothing wrong with that—indeed, I welcome it—but surely it is discrimination. That could come to an end if age equality legislation covered the provision of goods and services.

A young man could launch a test case against English Heritage. Its annual membership for those aged over 60 is £20 a year; for those under that age it is £31 a year. The young man could bring a test case and argue that he was discriminated against purely on the basis of his age. No doubt he would win that case because he was being discriminated against on the basis of his age.

Mr. Barry Gardiner (Brent, North): The logic of the hon. Gentleman's argument escapes me. Surely if he is saying that that is a clear case of discrimination and that the commission would point it out, he should support a commission that would stop such discrimination. If the discrimination were against younger people, it should end, just as though it were against older people.

Mr. Leigh: With respect to the hon. Gentleman—I do hold him in very great respect—he does not understand what the Bill would achieve. Surely if the Bill were to achieve anything, we would have to introduce more rigorous legislation to end discrimination against people on the ground of age. If we introduced such legislation, young people would inevitably bring test cases to argue that they were discriminated against precisely for the reasons that I have given: many cut-price deals, especially for tourist venues, are available only to older people.

To counter the inevitable absurdity created by age equality legislation, it would no doubt be proposed that positive discrimination should be required. No one could deny that, and it would create the very serious difficulties that I have mentioned. That leads me to question whether the cure offered by the Bill would end up being worse than the disease.

Saga is a holiday company that provides services exclusively to those over 50—a marvellous arrangement—yet legislation that outlawed age discrimination in the provision of goods and service could catch that company. No one has instructed those who run our historic houses to offer reduced admission for OAPs; they have decided to do so themselves. A commission was not needed to instruct them to reduce admission charges for older people.

The marketplace—I hesitate to use that word—has acted in a way that benefits older people. Over the years, Saga has decided to reduce the age limit for those who can benefit from its holidays—at one time it was over 60; now it is 50. Legislation did not require Saga to make that change. Such decisions are best left to individuals and companies.

I am very concerned about the idea of the commission leaning on the Secretary of State and urging him to pass new laws on age discrimination, especially if its mandate is as wide as that suggested in the Bill. Such a commission would be a statutory busybody, looking for ways to interfere. It would spend its time telling the Secretary of State how to make new laws on age discrimination. It would tell him how any new laws that he proposed might affect age discrimination. It would write endless guidelines for him to foist on business, voluntary organisations and the public sector. It would meddle with the market in the kind of draconian ways that—dare I say?—only well-meaning liberals can dream up.

In my view that heavy-handed, top-down approach to delicate social issues just will not work, especially when it involves new legislation. Such a law would be a clumsy instrument, which could not cope with all the particulars of life. The law can never be drafted to take account of the possible exceptions and qualifications that accompany the basic principle of respecting age. That is my point. We have the basic principle that we should respect age. We cannot devise legislation, however well meaning, to take account of all life's complexities to implement that respect properly.

Ms Drown: Is the hon. Gentleman perhaps implying that the House should never pass any legislation? *[Interruption.]* The hon. Gentleman laughs, but perhaps that brings into question why he is here in the first place. No one would argue that those discounts should end, and I hope that no hon. Member would argue that children should be allowed to become soldiers, for example. Age barriers are not the issue. Is not the distinction one between good legislation and bad legislation? Should it not be within our capacity to produce legislation that is not top heavy? The hon. Gentleman is absolutely right to say that we need to ensure that legislation is not too burdensome or top heavy, but is it not right that if we could create the right remit for the commission we would serve our constituents well?

Mr. Leigh: There always has to be a balance. Of course, sometimes the House has to legislate, but dare I say that the House legislates too much? One of the things I have tried to do, especially on Friday mornings since I have been a Member of Parliament, is to try to stop the House regulating so much that it defeats its laudable aims.

Mr. Paul Burstow (Sutton and Cheam): I have listened to the hon. Gentleman developing his argument and he is doing the House a service by providing a clear and stark difference between the Bill's proponents and those who do not support it. He referred specifically to relying on the good common sense of employers to employ older people, but can he tell us over what period he would seek to evaluate whether that common sense had made a difference and at what point legislation would be necessary?

Mr. Leigh: That is an unanswerable question, so perhaps the hon. Gentleman has made a very skilful intervention. I do not know the answer, but we have to take a common-sense point of view. Clearly, if there were an obvious evil in society, if the huge proportion of companies were making no progress on the matter, if people were being thrown out of their jobs cruelly and unnecessarily at the age of 55 and if no company was introducing proposals to employ older people, perhaps the House would come to a view. It would, however, have to come to a carefully considered view and introduce legislation to ensure that the House's aim of combating age discrimination was met without imposing heavy and unnecessary burdens on business; otherwise, it might defeat its laudable objectives.

Mr. Kelvin Hopkins (Luton, North): The hon. Gentleman suggests that generalised burdensome legislation would be introduced. However, surely the purpose of the Bill is to advise the Government on specific legislation on specific problems. Each problem will be considered carefully and our Government would certainly not introduce legislation that had not been fully thought through and that was not carefully targeted. *[Interruption.]*

Mr. Leigh: The hon. Gentleman has a lot of faith in government, but the House has already given its reaction to his view. Let us consider what the commission would do. Clause 1(3) offers the prospect of its inventing lengthy, costly and time-wasting consultations, and clause 1(5) would enable the Secretary of State to spend taxpayers' money on staffing the commission. The powers that would be given to the commission are wide ranging and vague.

There is another problem with the Bill. Its drafting is unclear and imprecise. Even the definitions of equality and discrimination are confusing and do not appear to draw on any existing definitions of the concepts.

Richard Ottaway (Croydon, South): There is another problem and I would be interested to learn how my hon. Friend would tackle it. My constituency is in south London where there is full employment. Many elderly people want to work, but some employers have a mindset that means they do not employ elderly people. If we stick to the principles that my hon. Friend has enunciated, that mindset will never be addressed. How does he think that it could best be addressed?

Mr. Leigh: Not through a statutory commission is the short answer. The mindset of a statutory commission is always geared towards introducing new regulations and new legislation.

My personal philosophy is to approach society's problems by arguing that we must eventually rely on people's innate good sense to come to the fore to address any evils that exist. I do not believe that one cures evils in society—particularly those that are difficult to identify—specifically by legislation. It is not the right vehicle. If my hon. Friend disagrees with me, I am sorry.

Dr. Phyllis Starkey (Milton Keynes, South-West): The hon. Gentleman has made great play of the need to use common sense and practical experience to deal with discrimination. I invite him to consider the gender balance as represented by the Conservative and Liberal Democrat Members present and to compare it with the gender balance among Labour Members. Can he then say that it is perfectly acceptable simply to rely on the good sense of people in political parties to arrive at a better representation and that legislation is not necessary?

Mr. Leigh: It is a matter of great sadness to many of us that more women are not selected as Conservative candidates. Unfortunately, the women who dominate selection procedures often discriminate against women candidates. *[Interruption.]* I am sorry, but it is perfectly true. My personal view—I do not want to expand on this because you would rule me out of order, Madam Deputy Speaker—is that the use of quotas is the wrong way to deal with the problem. I believe in equality of opportunity, not in enforcing quotas on selection committees or anyone else.

Mr. Andrew Rosindell (Romford): My hon. Friend the Member for Croydon, South (Richard Ottaway) made a serious point about the employment of elderly people. Does my hon. Friend the Member for Gainsborough (Mr. Leigh) agree that perhaps a better way of approaching that problem is to use the tax system to price older people back into work by allowing them to pay reduced taxes? That would price people back into work rather than allowing discrimination to continue.

Mr. Leigh: That may be a possible way forward.

Let me briefly consider the American experience, because it is quite interesting. The Bill proposes that the age equality commission should advise the Secretary of State on issues, guidelines and perhaps legislation; but, in the next five years, there may be European Union intervention on the matter. The United States has had an Act outlawing discrimination in employment since 1967 when Congress passed the Age Discrimination in Employment Act.

The jurisprudence surrounding the 1967 law is described by Richard Epstein, professor of law at the university of Chicago, as complex and formidable. He is a leading critic of the use of the blunt instrument of the law to deal with delicate matters of discrimination. He has criticised the decision of Congress to pass the Act and said that before passing the Bill:

> "Congress made no effort to understand the business reasons for practices that it rendered illegal. Instead without asking why, it offered only the blanket judgment that discrimination on the basis of age is 'arbitrary' and should for that reason be forbidden. The upshot of its position is that categorical judgments are thereby rendered illegal, and firms are now required, under a presumption of distrust, to make individualised decisions about ability independent of their knowledge of age."

I believe that older people make a unique contribution to the work of any employer, and this is my answer to the point made by my hon. Friend the Member for Croydon, South (Richard Ottaway). Employers that pass over superior older workers in favour of inferior younger ones are simply putting themselves at a disadvantage. Intelligent employers will realise that and will amend their practices accordingly.

Of course, we must be realistic. Some employers will always persist in bad practice in this sphere, just as they will always persist in bad practice in others. However, in the market as a whole, the pressure to provide the best products and services is the most effective pressure that can be brought to bear. I apologise to the House for giving such a classic Hayekian analysis of the situation.

Peter Bottomley: When I was the Minister responsible for health and safety, I discovered that it took 200 years

[Peter Bottomley]

from the time it was found that vitamin C helped people to avoid scurvy to the time that people were required to feed crews on ships with the food that prevented it. Is 200 years the sort of period that my hon. Friend has in mind?

Mr. Leigh: That is a singularly inappropriate example. As it happens, I know a bit about naval history. Following the experience of Captain Cook, it is remarkable how quickly good practice spread throughout the fleet. I apologise for digressing, but I was asked about this. It was obvious that scurvy was a fatal disease that seriously inhibited the fleet's ability to sail around the world. Sailors were therefore given lemons, and that good practice spread like wildfire throughout the fleet. Legislation might not have been passed. The 18th century House of Commons did not operate like that. The hon. Member for Falmouth and Camborne was not here at the time of Pitt, the Earl of Chatham, to suggest that there should be a scurvy quality commission or something of the sort. We did not need it.

Mr. Hopkins *rose—*

Mr. Leigh: I am enjoying myself so I shall give way again.

Mr. Hopkins: The hon. Gentleman keeps making the point that we do not need legislation to encourage good practice. However, there are many examples in recent decades in which legislation has made a significant difference. For example, the legislation on the compulsory wearing of seat belts and crash helmets and the serious laws restricting drinking and driving have saved countless thousands of lives. Even though it is rational to wear a seat belt or a crash helmet and not to drink and drive, people still did not wear them or continued to drink and drive. I am afraid that the law was necessary to make people act sensibly.

Mr. Leigh: Even if that were true, there must be a difference between matters such as the wearing of seat belts or a crash helmet, which relate to health and personal safety, and seeking to impose a whole new series of burdens, controls and regulations on the wider business community. If people wear seat belts or crash helmets, it as certain as night follows day that they are safer. It is not immediately apparent that legislation such as this Bill necessarily improves matters. Leaving aside the fact that it would impose an extra burden on business, it is not obvious that it is the right thing to do.

Mr. Mark Prisk (Hertford and Stortford): Does my hon. Friend agree that drink driving laws were on the statute book for more than 10 years before the statistics reflected the fact that it had become socially unacceptable to drink and drive? Is it not that model to which we should be looking, in which each individual plays a role in changing what is acceptable? Simply passing laws is not the best approach.

Mr. Leigh: It is dangerous for the House to get ahead of public opinion. Of course it has to lead public opinion, but to get too far ahead and to impose its will on a society that is not ready for it can cause distortions and difficulties and does not necessarily meet the laudable aims that we want to achieve.

Mr. Edward O'Hara (Knowsley, South): On public opinion, is the hon. Gentleman aware of the Age Concern Gallup poll which shows that 73 per cent. of the public agree that it should be illegal to discriminate against someone because of their age? As for burdens on business, did he not hear what my hon. Friend the Member for Falmouth and Camborne (Ms Atherton) said about the B&Q experience? It makes eminent business sense to employ older people.

Mr. Leigh: Exactly. I do not know whether the hon. Gentleman heard me say that it makes eminent business sense for B&Q and other companies to employ older people because they are wiser, have better people skills and are more experienced, but it is not necessary to legislate to achieve that laudable aim.

Dr. John Pugh (Southport): I am trying hard to understand the hon. Gentleman. He said that it is the duty of the House to lead public opinion, but that it should not be ahead of public opinion. I find it difficult to understand how it is possible to lead without being ahead. Perhaps he can clarify that.

Mr. Leigh: The hon. Gentleman is making a semantic point; he knows perfectly well what I am trying to say. The House cannot get too far ahead of public opinion.

There has to be a balance. Some employers, possibly for good business reasons, have younger staff. Others, for equally good business reasons, have older staff. Within that system, individual cases of disappointed expectations, such as those cited by the Bill's supporters, are not necessarily a condemnation of the marketplace as a whole. Workers tend to move to jobs where they are most highly valued. Those employers who refuse to employ older people because they do not value them are missing out, and employers who value older employees will benefit instead. That freedom of contract should not be interfered with in the blunt way that anti-discrimination provisions do. If the law interferes, it will not succeed in doing everything that proponents of such legislation might wish.

Even after 30 years of the United States Age Discrimination in Employment Act, the law does not guarantee every worker a job with the employer of his or her choice at the desired wage. That is not possible, but it is the implied wish of those who support such anti-discrimination measures. The more the state attempts to achieve that, the more intrusive and coercive its attempts will become.

Mr. Swayne: It would have been legitimate for the hon. Member for Falmouth and Camborne (Ms Atherton) to introduce this measure so that we could scrutinise and weigh up whether it would achieve its objective. What she has done instead is to come up with the idea of handing over the task, which is rightly the task of Members of Parliament, to a commission that will lobby, agitate and introduce legislation. She thinks that our role should be done by someone else—the great and the good, the big cheeses or whoever—but is not that an attempt to do us out of a job?

Mr. Leigh: I agree that society as a whole can right some of the wrongs. Members of Parliament and campaigning organisations can help. It is not necessary to have a statutory commission.

It is also important to recognise that employers may impose age restrictions for good reasons, such as health and safety, or for reasons relating to service targets that are essential to the survival of that firm. There may be good reasons for practices that some people say are based in discrimination. If such restrictions are justifiable, they should not be interfered with. It is also important to recognise that some age restrictions may be so self-evidently sensible that they have to be imposed even though the same restrictions will eventually affect those who impose them.

Age discrimination is not like sex or race discrimination. A man cannot become a biological woman and women of one race cannot become people of another race, but all young people become old people. Either the restrictions that employers impose make sense, in which case they will be prepared to submit themselves to the same restrictions when their time comes, or they do not, in which case the employers should recognise the need for change.

Respect for age is important both morally and practically. The House is doing society a service by continuing to draw attention to examples of injustice suffered by older people, and we should continue to do so. Legislative intervention, however, is not the answer. In particular, an age equality commission would be ineffective and possibly damaging because it would be unlikely to recognise the complex and varied reasons why age sometimes requires different treatment. Some suppliers of goods and services discriminate positively in favour of elderly people, providing price discounts and special services that are not available to young people. Other service providers may impose upper age limits for good health reasons. I am afraid, therefore, that I cannot support the Bill. I hope that my hon. Friends will also oppose it.

10.36 am

Linda Perham (Ilford, North): I congratulate my hon. Friend the Member for Falmouth and Camborne (Ms Atherton) on introducing the Bill. I welcome the age equality commission, which will advise the Government on age discrimination issues in relation to older people. In particular, I welcome the provisions in paragraphs (c) and (d) of clause 1(2) on the commission's role in preparing detailed guidelines on the implementation of schemes to address age issues for businesses and voluntary and public sector organisations, and the promotion of equal treatment for the provision of goods and services.

I am especially pleased to contribute to the debate because I am secretary of the all-party group on ageing and older people and a founder member of a group called Equal Rights on Age, formed three years ago by Members of Parliament and age campaigning groups including Age Concern, Help the Aged, Association of Retired and Persons over 50, the Carnegie Third Age Programme, Third Age Employment Network, trade union representatives, academics and journalists.

In February 1998, my Employment (Age Discrimination in Advertisements) Bill led to the introduction of a code of practice on age diversity in employment and to the Government requiring that Employment Service jobcentres should no longer accept upper-age restrictions on vacancies notified by employers. That Bill was the ninth attempt in 15 years to get an age discrimination measure on the statute book. Since then, there have been five attempts, including two by my hon. Friend the Member for Scarborough and Whitby (Lawrie Quinn), to introduce an age equality commission.

As my hon. Friend the Member for Falmouth and Camborne said, age discrimination could affect any one of us and it is just as dehumanising and offensive as another form of discrimination. It should never be assumed that because someone has reached a certain age they are unable to perform a task or to carry on working and that they are inferior to younger people.

Our own and past ages bear compelling witness to the achievements of older people. Sir Winston Churchill, one of my predecessors in part of my constituency, became Prime Minister at the age of 65, which is still the retirement age for men. Queen Elizabeth I, one of our most successful and popular rulers, was in her 70th year when she died. Two of our distinguished female parliamentarians, my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) and Baroness Boothroyd, have passed their 70th birthdays. There is also that other battling baroness, Barbara Castle, who is 91. Two recently retired colleagues, Sir Edward Heath and Tony Benn, both of whom served more than 50 years in this place, are 85 and 76 respectively. There are 343 Members who are over 50, including me, and I understand that there are six whose age could not be determined. Perhaps they would not give it away.

Members may recall the recent national outrage at the suggestion that Jimmy Young should stop spinning discs and interviewing the great and the good because he is 80. For those of us who were let off early yesterday evening, the rock star Mick Jagger was in a television documentary about his life. He is 58 and still singing, rocking and rolling and living life to the full.

On a more serious note, a constituent rang me yesterday to say that his daughter's consultant psychiatrist can no longer treat her, as he must retire at 65, and my hon. Friend the Member for Falmouth and Camborne referred to Sir Magdi Yacoub having to retire this week. The Third Age Employment Network reports that the three leading New York firemen who gave their lives on 11 September were 71, 63 and 54.

A report entitled "Third Age Entrepreneurs", published in August by Barclays, found that 15 per cent. of all business start-ups in England and Wales are by people over 50, which represents a 50 per cent. increase in the past 10 years. Of those business people, 17 per cent. made the move because of redundancy. Millions of ordinary people in all walks of life are, like them, struggling to seek and keep work.

When I introduced my Bill almost four years ago, with the enthusiastic support of Age Concern, I received hundreds of letters from people who felt that they had been discriminated against because of their age. Some upper limits were as low as 30 and some job age ranges were advertised arbitrarily as 25 to 40. That still happens today. The Chartered Institute of Personnel and

[Linda Perham]

Development survey of January 2001 said that almost a quarter of workers surveyed agreed that employers are not interested in recruiting or promoting people over 40.

A report published this summer, commissioned by the Department for Education and Employment and entitled "Age Diversity—Summary of Research Findings", found that nine out of 10 older people believe that employers discriminate against older people in at least one aspect of employment. The summary outlines preliminary findings from four research projects to evaluate the impact of the code of practice on age diversity in employment.

Clearly, I welcome the introduction of the code of practice as a result of my Bill. There is evidence that it has had an impact, and the departmental submission to the Education and Employment Committee report of February 2001 refers to

> "promising signs of change with more companies orientating their policies towards age diversity"—

and

> "The proportion of companies taking age into consideration when selecting the best candidate for a job had almost halved just six months after the code was issued".

In evidence to the same investigation, Age Concern said that

> "the Code of Practice has had an important role in changing the behaviour and attitudes of employers".

On making further progress in tackling age discrimination, although I regret that the Labour Government have not carried through declarations made in opposition by the Minister for Pensions and others, I welcome the initiatives undertaken in the past four years to improve the lives of older people and, in particular, to address employment and health discrimination on the ground of age. Some were mentioned by my hon. Friend the Member for Falmouth and Camborne.

The age positive campaign, which started this summer, aims to change attitudes to help employers to recognise the benefits of an age-diverse work force. The age advisory group was set up last year and the better government for older people programme aims to increase access to education, information technology, libraries and other resources.

The new deal for 50-plus has been introduced, the inter-ministerial group on older people has been set up, and the project on active ageing led to the publication in April 2000 of "Winning the Generation Game: Improving Opportunities for People Aged 50 to 65 in Work and Community Activity". It made 75 recommendations, including establishing a champion for older people—that is my right hon. Friend the Secretary of State for Work and Pensions—and affirming that age discrimination legislation must be introduced if the code of practice is shown to be ineffective. The national framework for older people addresses age discrimination in health and social care.

In my years of campaigning on age discrimination, and despite the Government's achievements for older people, I am still persuaded that legislation is the only answer. I know that the Government want to consult widely with employers and others on implementing the European Union equal treatment in employment directive, which must be put in effect by December 2006, but I agree with Age Concern that an age equality commission, which the Bill would establish, would take UK legislation beyond the directive's stipulations and address age discrimination in all its forms. The commission could act as a regulatory body.

There are examples of equality commissions in countries near and far, including Ireland, the United States, Canada, Australia and New Zealand. When I visited New Zealand on a Commonwealth Parliamentary Association delegation last year and met representatives of the Human Rights Commission, I was struck by how far behind we are in legislating on age discrimination. New Zealand passed a human rights Act in 1993 and it covers discrimination in the provision of goods and services—an issue to which the Bill refers.

I welcome the Government's commitment, announced in a written answer on 21 November, to issue two consultation documents on combating age discrimination to prepare for the EU directive, but I hope that the Bill will be given a fair wind. The Government obviously think that they need time to address the issues, but time is not on the side of older people. We need the commission now.

10.47 am

Richard Ottaway (Croydon, South): I congratulate the hon. Member for Falmouth and Camborne (Ms Atherton) on choosing this subject and the effective way in which she introduced her Bill. Like the hon. Member for Ilford, North (Linda Perham), I have introduced such a Bill—it was one of the 15 she referred to.

I do not have any trouble with a group of people sitting around and advising the Government on age discrimination, so I disagree with my hon. Friend the Member for Gainsborough (Mr. Leigh), who is a political and personal friend. We have disagreed on that approach for the past 25 years. The hon. Member for Falmouth and Camborne has introduced the Bill to set up a commission to advise the Government on helping aged people, but, for reasons that I shall describe, as the years go by the tables will turn. Employers will approach the commission, rather than the other way round, and say, "Give me the aged." That is why I must part company with my hon. Friend the Member for Gainsborough.

I have no doubt that there is a problem, as 40 per cent. of the country are aged over 50 and a wealth of talent out there is being ignored. Teachers, dentists, professionals, engineers—you name it—in their 50's and 60's could make a huge contribution to the British economy. The nation has invested in that talent and wealth of expertise over the years, but it is not being fully developed.

As I said in my intervention, we cannot rely on market forces. I gave the example of south London, where there is full employment. Employers tell me that their biggest problem is that they cannot get the skills they want, yet we know that such people are out there. There is a mindset that must be broken.

This morning, I picked up the weekly law supplement in *The Times*, which, I am told, is the best place for lawyers to find a job.

The average lawyer qualifies at about 25. Eighty per cent. of the jobs in the supplement call for lawyers with fewer than five years' qualification. That means that 80 per cent. of the jobs advertised in one of the nation's leading law supplements are seeking people younger than 30. As a lawyer, I know that there are many other professional people who could make a huge input. However, they are not even being sought. At the same time, they are needed. That is the mindset that has to be broken.

Civil servants are obliged to retire at 60. Firefighters must retire at 55. There are good reasons for these retirement ages, but there must be flexibility. As the author John McLaren wrote in *The Sunday Times* last weekend, many people have a surge of energy in their mid-40s. They make some money and go into semi-retirement, and suddenly in their 50s they discover that they are bored and want to return to the workplace.

I query whether the commission is needed in the way in which it would be set up because it is just dawning on the developed world, including the G7 countries, that there is a rapid growth in the ageing population and a shrinking of the younger population. That must be coupled with the fact that pension systems throughout the developed world are failing. All the major political parties hang on to the notion that somehow we can still give a funded pension to elderly people. When the Conservative party raised the issue at the general election, saying, "I am not sure that the system is working", we were attacked politically. However, we may have made good sense politically.

I do not think that the pension system, as it is structured, can continue in the United Kingdom for much longer. Private pensions are failing. We have the debacle of Equitable Life. I was listening to people on the radio this morning who have company pensions that are not fulfilling the promises that were made about them by their employers.

At the same time, life expectancy is increasing. When that is set against failing pension provision for the elderly, a shrinking working population and an increasing elderly population, it is clear that something must be done.

The next society in which we shall work will be technology based and borderless. It is easy to send out technology. Work will be mobile, even now people can sit in different places to do their work. There will be two groups—the committed under-50s and part-time, mobile, flexible and knowledge-society workers who are older than 50.

Unless there is a body that addresses the moving patterns of society and the way that we work, we shall get things wrong. We live in a fiercely competitive society. Other countries will not sit back and accommodate us. As I have said, we are borderless. We must produce the best out of our work force.

The debate is useful. If there is not a commission, an organisation or a group of people that asks Ministers how their legislation addresses changing employment patterns in our society, we shall be at a disadvantage. For that reason, I hope that the Bill is given a fair wind.

10.54 am

Mr. Roger Berry (Kingswood): It is a pleasure to support the Bill that has been introduced by my hon. Friend the Member for Falmouth and Camborne (Ms Atherton), who I congratulate on her speech and on leading a campaign that has massive support both inside the House and outside.

As always, I am struck by the arguments deployed by the hon. Member for Gainsborough (Mr. Leigh). When the case was put for legislation to address discrimination on the ground of race, it is interesting that we were told to leave the matter to the free market, to education and to persuasion. When the argument was advanced that legislation should be introduced to prevent discrimination on the ground of gender, again we were told to leave the matter to the free market, to education and to persuasion. More recently, I recall clearly the argument about discrimination on the ground of disability. We were told by the hon. Gentleman that we should leave the matter to the free market, to education and to persuasion.

We cannot leave everything to the free market if we wish seriously to represent our constituents in this place. If the free market solved all the problems to which I have referred, there would never be a successful legal challenge to discrimination on the grounds of race, gender and disability. If the free market is so wonderful, why is it that there are successful legal challenges under the legislation that the House has put on to the statute book?

It is also said, "All right, drop the argument about the free market. Education and persuasion will prevail." That means that we cannot legislate and we must try merely to persuade people. The House has spent many years trying to change things merely by education and persuasion, initially in terms of race, gender and disability. We came to the conclusion that that was not enough. Therefore, the House decided to legislate.

I tell the hon. Member for Gainsborough that legislation on disability has been the major impetus for further education and persuasion throughout the country. Anyone who believes that the progress that has been made in recent years to tackle discrimination on the ground of disability could have come about without legislation, which a Conservative Government were forced to introduce, is seriously misled.

Mr. Peter Duncan (Galloway and Upper Nithsdale): Does the hon. Gentleman accept that we are trying to achieve change? The codes of practice that were introduced in 1999 represented an attempt to create change. The following evidence was given to the Employment Sub-Committee when it conducted an inquiry:

> "The wave 2 survey indicates some promising signs of change with more companies orientating their policies towards age diversity."

Does that not indicate that there is change on the way?

Mr. Berry: I entirely agree that such measures are helpful and have been helpful. That is in stark contrast to leaving things to the free market, which the hon. Member for Gainsborough was talking about. However, I shall argue that we need to go further.

The House has legislated to tackle discrimination on the grounds of race, gender and disability, and I am convinced that it will legislate to address discrimination on the ground of age. It is no more justifiable to deny someone a job, for which they have the necessary skills and experience, on the ground of age rather than on the basis of race, gender and disability.

When we talk of equal opportunities, we are not saying that people should be given unfair advantages. We are saying that unfair disadvantages should be removed. The argument is as powerful in terms of age as it is in relation to race, gender and disability.

[Mr. Berry]

There is overwhelming support for the Bill in the House. My hon. Friend the Member for Ilford, North (Linda Perham) has campaigned effectively on the issue for many years. She said that there have been 14 previous attempts to introduce a private Member's Bill to deal with it, one of which was her own. Last year, there was a vote on the issue. My hon. Friend the Member for Scarborough and Whitby (Lawrie Quinn) introduced the Age Discrimination Bill, to which the Bill before us bears a remarkable resemblance. Only a few words differ. The Bill is an important improvement on its predecessor but essentially the proposal is the same. On 12 July 2000, the House divided on Second Reading of the Bill of my hon. Friend the Member for Scarborough and Whitby, with 190 Members voting in favour and seven against.

Kali Mountford (Colne Valley): Name them.

Mr. Berry: The two Members who were Tellers for the Noes were in the Chamber this morning, and I think that it is legitimate to refer to them. The first Teller against was the shadow Leader of the House, the right hon. Member for Bromley and Chislehurst (Mr. Forth), who is not in his place. The other Teller for the Noes was—surprise, surprise—the hon. Member for New Forest, West (Mr. Swayne) who intervened on my hon. Friend the Member for Falmouth and Camborne at the beginning of our debate. Those Tellers counted the votes of the seven Conservative Members who voted against the Bill that was introduced last year. However, 190 Members voted for it.

I checked the names of Members who sponsored that Bill 12 months ago. I am heartened because, of the seven Labour Members who did so, six are now Ministers or Parliamentary Private Secretaries. That is an extremely good omen, although not necessarily, I suspect, for those of us who are sponsoring my hon. Friend's Bill. I am sure that the Government want to give the Bill a fair wind, given the strength of support for similar proposals in the past. Early-day motion 178 has been tabled on the issue; it is one of the most popular early-day motions before the House in this Session, and was signed by 157 Members, 118 of whom are Government Members.

The Bill has cross-party support, and I pay tribute to the Conservative Members who back its proposals, notwithstanding the opposition of the hon. Member for Gainsborough, the shadow Leader of the House and the hon. Member for New Forest, West. I acknowledge and welcome Opposition support, but I draw the Minister's attention to the substantial support of Government Members, of which he is well aware.

Mr. Leigh: Is that a threat?

Mr. Berry: I never ever threaten people, and certainly not in public.

The Bill also enjoys substantial support from organisations and individuals outside the House. Reference has been made to Age Concern, which supports the Bill, as does the Association of Retired and Persons over 50, Help the Aged and the National Pensioners Convention. Not surprisingly, the Lobby to End Age Discrimination supports the Bill. Clearly, such an organisation would do so; it held a seminar in the Palace of Westminster last year, in which Members from all parties participated. The seminar was part of the continuing campaign to secure action in which many of my hon. Friends have been involved.

The Bill is popular because it is necessary. Like every other Member, I have constituents over 50 who have difficulty finding or retaining a job, and find it hard to hire a car and access credit and other services. It is not just that they have difficulties; they believe that those difficulties arise because they suffer discrimination on the ground of age. They are right; the evidence is plain for all to see. In March this year, as has been said, the Education Sub-Committee produced a report on age discrimination. The submission from the then Department for Education and Employment drew attention to a survey conducted six months after the code of practice was issued, which found that one in five older people believed that they had suffered discrimination in their current job or a job application because of age.

If one in five people believed that they had suffered discrimination at work on the grounds of race, gender or disability, we would not be having further debate on the matter in the House. When one in five people believe that they are suffering discrimination on the ground of age, the House must respond seriously and effectively. In their submission to the Select Committee, the Government pointed out that in the past 20 years employment of the over-50s has fallen dramatically—a point made by my hon. Friend the Member for Falmouth and Camborne in her excellent opening speech.

Few of the over-50s who find themselves out of work say, "This is good; I think I'll retire." The evidence is that many people are leaving work involuntarily before the state pension age. In 1979, 84 per cent. of men aged between 50 and the state pension age were in employment; by 1997, that figure had fallen to 67 per cent. Did people have a sudden urge to retire early? Did they suddenly find themselves with riches and opportunities beyond their wildest dreams so that millions of them left employment early? No, that was certainly not the case for the majority of people. Last year, the proportion of men aged between 50 and the state pension age in employment rose to 69 per cent. because employment is rising and, thanks to Government policy, there is a favourable environment. The situation has improved a little, but the trend over the past 20 years is plain for all to see. Notwithstanding the fact that the economy is now performing well, older people who wish to work are being denied that opportunity.

Discrimination is morally wrong, and is bad economics as well. Discrimination on the ground of age robs us all of the enormous economic and social benefits of age diversity. Reference has been made to the Employers Forum on Age, an independent network. As my hon. Friend the Member for Falmouth and Camborne said, it estimates that we could be losing about £30 billion-worth of output and income as the result of age discrimination. I must advise the House that the forum is not a small, little-known, ineffective and unrepresentative organisation. I see that our free marketeer is no longer with us.

Mr. Gardiner: He is sitting in the Gangway next to me; my hon. Friend has convinced him to join us.

Mr. Berry: Never have I had such success in a debate; I shall keep the hon. Member for Gainsborough here. The private sector knows that age discrimination is economically inefficient. There is a massive list of companies that support the Employers Forum on Age, including Sainsbury's, BAE Systems, HSBC bank and the Nationwide building society. The forum is not a fly-by-night or unrepresentative organisation; it represents British business and the public sector. Many local authorities support it, as do public sector bodies and Government Departments. When such an organisation says that we are throwing away £30 billion a year as the result of age discrimination, we should take that seriously, even if, just for a second, we have to question our faith in an unfettered free market.

It is wrong that for both moral and economic reasons we allow age discrimination to continue without adequate address. I pay tribute to the Government for taking action; they have done more on the issue than any previous Government. The 1999 voluntary code of practice and the Government's commitment to the EU directive are welcome. Taking five years to introduce legislation to tackle age discrimination in employment is certainly better than no commitment at all, but it is not the best that could be done; five years is a long time to wait when one is on the receiving end of discrimination. Moreover, the Government currently have no clear proposals on discrimination in areas other than employment.

In conclusion, I am sure that all Members agree that discrimination is wrong. To deny people employment or access to services simply because they happen to be of a particular race or gender, have a disability or are of a certain age is unacceptable in a society that says that it is committed to human rights. We therefore need legislation to tackle age discrimination. However, the admirable Bill presented by my hon. Friend the Member for Falmouth and Camborne does not go as far as that. It asks the House to show that it takes the problem seriously, to establish an age discrimination commission to advise Government and move on from there. The Bill has my full support, and I am sure that, with only one or two exceptions, it will have the full support of the House.

11.10 am

Mr. Paul Burstow (Sutton and Cheam): I am delighted to follow the hon. Member for Kingswood (Mr. Berry), who is a highly regarded campaigner on disability rights and on anti-discrimination more generally. He makes a powerful case for the Bill, which I and my party support. The initiative of the hon. Member for Falmouth and Camborne (Ms Atherton) in presenting the Bill does the House a service and does a great service to the many in our community who face age discrimination in the workplace and beyond.

I shall set out the issues and recap some of the points made in the debate. In the next 25 years, the number of people aged 50-plus in this country will rise by 6 million. I have an interest to declare, as do many other hon. Members: in that period, I will become one of those 6 million people. Hon. Members should bear that figure in mind during the debate.

Over the past 20 years, the number of men between 50 and state pensionable age who are out of work has doubled. That is not a matter of choice. As the hon. Member for Kingswood said, it has not come about because people are suddenly blessed with ample resources, allowing them to enjoy a life of unfettered leisure; quite the contrary. It is the result of ageist assumptions that lead employers to cast their older staff on to the scrap heap.

By 2020, 1 million more over-50s will be thrown on to the scrap heap, unless Parliament takes action now. It is those millions of individuals whose potential has already been stifled and those whose potential will be stifled in the future who should be the cause of concern for the House, and lead us to introduce legislation to deal with discrimination on the basis of age. That is why the Bill should get a Second Reading today.

Further delay and half-hearted consultation over the coming months and years is not good enough. Parliament should send a clear signal to the Government, to employers and to the people that there can be no place in our society for ageism, which denies people their dignity and liberty and makes no economic sense. Even the hon. Member for Gainsborough (Mr. Leigh) accepts that it is folly not to employ older people.

It has been estimated that age discrimination in the workplace costs our economy £16 billion a year. The Employers Forum on Age believes that the figure could be as high as £26 billion a year. The cost to the taxpayer, in terms of lost income tax and other tax revenues and extra benefits paid out, is put between £3 billion and £5.5 billion a year. What a waste of people, talent and public resources.

Although I shall focus primarily on age discrimination as it impacts on older people, and there is, perhaps, a tendency for it to be couched in those terms, we must recognise that there are aspects of discrimination that affect not just the older members of our society, but the young. In framing anti-discriminatory legislation, the House must address that.

Ageist language permeates our society. For example, talk of demographic time bombs ignores the fact that the age shift that we think will occur in the future has already occurred, to a large extent. The time bomb has already exploded, but we seem to be coping with a much larger elderly population. Another example is talk of bed blocking, which too often victimises the person in the bed, as if it was their fault that they have become a delayed discharge statistic.

We Liberal Democrats believe that there should be comprehensive age discrimination legislation on the statute book as soon as possible. The Bill will not deliver that end, but it is an important milestone. I hope that the House will allow it to make progress today and in future.

As we heard from the hon. Member for Falmouth and Camborne, the Bill establishes an age equality commission to monitor existing and future legislation and advise the Government, business, the voluntary sector and the wider public on issues relating to age discrimination. I see the commission in much the same light as the commissions that already exist to deal with disability rights, equal opportunities and racial equality.

An age equality commission with the powers and resources necessary to back individual older people—to be in their corner and on their side—would give them the ability to seek redress and to challenge discrimination in the workplace and in their everyday lives. Everyone deserves to be treated as an individual. It is important to bear in mind that there is no such thing as a typical older

[Mr. Paul Burstow]

person: each of us is unique. There is no such thing as a typical disabled person. There is as much difference between a 20-year-old and a 40-year-old as there is between a 60-year-old and an 80-year-old, yet all too often, in the delivery of service and so on, we bracket people together.

We rely too much on people's date of birth, which can blind professionals and others to their uniqueness. For example, it can lead to arbitrary decisions about access to health care. In the case of not-for-resuscitation orders, it can determine who lives and who dies. The hon. Member for Gainsborough spoke about the NHS and quoted an example that I presented to the House some years ago. I welcome the fact that through their national service framework, the Government are tackling age discrimination in the health service. Audits have been undertaken and we await the outcome. It remains to be seen whether the voluntary approach will be adequate in the NHS. I hope that it is successful, but it may not be.

In the past, the House has taken steps to outlaw discrimination on the basis of gender, race or disability. Those laws have played a crucial part in changing attitudes in our society. They set a benchmark against which behaviour could be judged. They may not have changed society as much as we would have liked, but law can make a difference by setting the tone and clarifying the direction in which we wish to travel. On age discrimination, the Government have clung far too long to the idea that a voluntary approach through a code is the way to deal with it.

On the horizon is article 13 of the EU directive on equal treatment in employment, which provides a touchstone to which we can refer. It must become part of our law by December 2006, but I hope that action will be taken sooner. Why should we have to wait five more years before older people have the law on their side? Why limit the law to employment?

The present Minister for Pensions was keen to send a positive message back in 1996, when he was shadow Employment Minister. He said:

> "The Labour party's position is quite clear. . . an incoming Labour Government will introduce comprehensive legislation to make age discrimination in employment illegal."—[*Official Report*, 9 February 1996; Vol. 271, c. 618.]

Quite right, too.

What happened? In government, Labour had second thoughts. Rather than legislating, the Government opted to tread the path of the voluntary code. Although we have heard some suggestions that the code is working, the evidence that I have read so far suggests that it has worked, at best, at the margins. The Government's own research casts doubt on its effectiveness. Surveys found little or no change in employment policy among the employers surveyed.

Dr. Pugh: My hon. Friend made the point that the scope of age discrimination stretches wider than employment. Does he agree that there have been clear instances of age discrimination in some public bodies? I refer him to Merseyside police authority, whose staff have to withdraw at the age of 70.

Mr. Burstow: One of the issues that will have to be addressed is why we use someone's date of birth as the criterion to determine their competence and what they can contribute to society. Someone's date of birth is not an acceptable basis for such judgments, and my hon. Friend makes a good point in that regard.

I want briefly to quote from the final report that the Government have published on the outcome of the third wave of the roll-out of their voluntary code. The passage is telling and addresses a point made by the hon. Member for Ilford, North (Linda Perham), who has also been an effective campaigner on these issues. It states:

> "The information gathered in this research project suggests that although the concept of a voluntary Code is seen as a step in the right direction it is felt that the government needs to do much more to raise awareness of the Code and to change entrenched attitudes. It is expected that the Code will eventually become law, just as other types of discrimination legislation has. The main criticism levelled at the Code is that it will not have sufficient impact on its own and not in its current voluntary state. The fact that there is not general awareness of the new Code is taken as evidence of this."

The report elaborates on the view that the code is not widely understood and appreciated by the very people who need to use it and who should follow it in the workplace. It seems at times that Ministers are wont to say that the Government are not enthusiastic about legislation as it will impose extra burdens on employers, as the hon. Member for Gainsborough implied.

There is concern that employers do not want the legislation, but research evidence does not support that contention. In 1999, a survey of members of the Institute of Directors found that six in 10 were in favour of legislation on age discrimination. Earlier research by the Institute of Management found that eight in 10 of its members favoured the introduction of such legislation. Even the Federation of Small Businesses said that it would support legislation as long as it was simple and clear.

So, why the reluctance to introduce that legislation? We have already seen that the voluntary approach is not enough in the workplace. Indeed, the hon. Member for Croydon, South (Richard Ottaway) gave ample evidence about the operation of age bars in respect of job vacancies in the legal profession. Such an approach is also not effective in health care. Indeed, there is an overwhelming body of evidence to show that ageism is rife throughout society—in the national health service, employment, social services, media and even the Government's approach to recruiting more vets, as the hon. Member for Falmouth and Camborne described.

In his foreword to "Winning the Generation Game", the Prime Minister said:

> "I hope that our actions as a Government will also promote a wider change in attitudes."

Yet, the solutions that have been advanced appear to contradict what Departments have been doing. What have they done so far? Not a lot. "Winning the Generation Game" is an excellent report that does a very useful job in illuminating the issue. It calls for a

> "change in culture—to raise expectations of older people and stop making judgments based on their age rather than their true value and potential."

It goes on to state:

> "The Government can take a lead in stimulating this change. First, through its words, it can prominently set out the case for valuing the skills and experience of older people in work and beyond. Second, through its actions, the Government can show that it means what it says: by accepting that age discrimination must be tackled,

with legislation needed unless a voluntary code produces demonstrable results; and by taking steps as an employer to retain older Civil Servants and to give them flexibility in their working lives."

Those are very fine words, but where is the delivery? A series of written answers to questions tabled by the hon. Member for Falmouth and Camborne demonstrate that there is still a gap between that very fine rhetoric and the reality. In fact, the gap is a chasm, because no Department that replied to those questions indicated that any action would be taken before 2006. Instead, we are offered the prospect of more consultation.

Ms Atherton: I am very pleased to have the hon. Gentleman's support. I wish that some more Liberal Democrats were present to support the Bill. Is he aware that I had great difficulty in tabling the questions to which he refers, as the Table Office could not identify which Departments and Ministers were responsible?

Mr. Burstow: That is a very fair point. I think that the hon. Lady was present at a reception hosted by Help the Aged earlier this week, at which the Minister for Pensions shared with those present information about the members of his inter-ministerial group. Perhaps we now have a list of Ministers whom we can tackle and target to encourage them to follow the innovation unit's recommendations, especially in respect of the civil service.

In 1997, the position was clear. An incoming Labour Government were committed to introducing comprehensive legislation on age discrimination. It is a question now of whether the Government have gone far enough to put their house in order in relation to the performance and innovation unit's recommendations on changes in practice in the civil service, and of whether the Government are walking the walk in putting their own voluntary code into practice. I hope that the Minister will tell us a bit more about where the Government have got to in respect.

It is also worth considering evidence from abroad. The example of the United States shows that age discrimination laws can have a significant impact and substantially increase employment rates in respect of older workers. Legislation in Australia, Canada and the USA has had a substantial effect on discriminatory practices in relation to advertising vacancies, selection and promotion.

I want the UK to leapfrog the USA and other countries that have already introduced legislation and to introduce a new standard. Given the ageist assumptions in our employment practices, health service and many other aspects of life, it is time that comprehensive legislation to tackle age discrimination was put on to our statute book and enforced. It would have a positive impact. For example, it would address growing concern about the way in which we treat elderly people in our society. The absence of anti-discrimination legislation in respect of age, when it exists for gender, race and disability and will soon apply to sexual orientation and religion, downgrades for many people the importance that we should attach to age discrimination.

As a Liberal Democrat, I should like to repeat the view that we set out at the election—

Dr. Pugh: Speaking also as a Liberal Democrat, I point out that the hon. Member for Falmouth and Camborne (Ms Atherton) said that there were not so many of us here today. Does my hon. Friend agree that a higher percentage of the Liberal Democrat party is probably present than of the Labour party?

Mr. Burstow: The House has heard my hon. Friend's point. I took the comment of the hon. Member for Falmouth and Camborne in the spirit in which it was intended and moved swiftly on.

Although the hon. Lady did not accept the case for an integrated approach involving a single commission, a powerful case was made persuasively to the Employment Sub-Committee, which should be considered and form the basis for legislation. A single equality Act should codify and reform the 25 measures that are already on the statute book and enable us to meet our obligations under the EU directive. Such legislation would reduce the volume and complexity of existing UK legislation and regulation—perhaps addressing some of the concerns raised in the debate—focus on diversity and allow inconsistencies to be tackled across existing legislation and equality commissions. From the point of view of business managers, it might also save parliamentary time by combining debates and scrutiny of a single Bill rather than the several Bills that will be necessary if the Government adopt a piecemeal approach. Over time, we should move to a single integrated commission for equality issues. I understand that the Hepple report, which investigated the matter and was canvassed with the Confederation of British Industry, the Trades Union Congress and most of the existing commissions, carried much favour and support, albeit qualified in some quarters, as a sensible template to be followed for developing equality legislation in our country.

The hon. Lady is to be congratulated on promoting the Bill. I hope that the Government will give it the time it deserves in the House and that we will have the opportunity to explore in Committee the many issues it raises. I hope, therefore, that it will receive its Second Reading.

11.28 am

Dr. Phyllis Starkey (Milton Keynes, South-West): I should like to add my congratulations to those already expressed to my hon. Friend the Member for Falmouth and Camborne (Ms Atherton) on choosing this very important topic as the subject of her private Member's Bill. I guess that I should also declare an interest. I was elected to the House at the age of 50. I am immensely grateful that, despite the fact that my constituency has one of the youngest populations in the UK, it had the good sense not to exercise any age discrimination in the 1997 or 2001 elections. I think I was just the oldest candidate on both occasions, so I am extremely grateful to my constituents for showing the way forward for the rest of the UK.

Several hon. Members have pointed out that age discrimination, especially in employment, is not only unfair to individuals but a waste of valuable experience and expertise. I shall not enlarge on that, except to mention a specific case that I tackled soon after being elected in 1997. I was approached by a constituent who works for the security service in the House of Commons and was about to be turfed out of his job because of an age bar. I am pleased that I, like several other hon. Members, made representations to the then Home Secretary, my right hon. Friend the Member for Blackburn (Mr. Straw), who removed the age bar.

[Dr. Phyllis Starkey]

I am pleased to say that my constituent continues to work here and greets me cheerily in the morning when I arrive at Portcullis House. His case shows that age bars are always wrong. They are a crude measure, which suggest that at a certain age all individuals lose the ability to do their jobs.

Some jobs, such as that of an airline pilot, require acute eyesight or quick reactions. It is important that people's ability to do their job is tested regularly to ensure that they can perform their tasks safely, but it is not right to try to achieve that by saying that at a certain age people suddenly go to seed and have to be removed. That is relevant in the case of Dr. Yacoub.

Ms Drown: My hon. Friend suggested that a way forward might be for all constituencies to elect the oldest candidate. I hope that her view is closer to mine: a Chamber such as ours should represent a wide group of ages. Does she believe that we have achieved that?

Dr. Starkey: My hon. Friend slightly misinterpreted my comments.

Ms Drown: I thought that I might have done. I am pleased to hear that.

Dr. Starkey: I said that I was pleased that my constituents had set aside the age of the candidates and judged us on our merits and, clearly, those of the parties we represented. It meant that I was elected despite being the oldest candidate. I do not think that I said what my hon. Friend suggested, but I believe that the House should be more representative of the population in every way, including in gender, ethnicity, age and experience. We are a long way off that, but closer to it than in the past.

I shall not say more about the way in which current practices discriminate against individuals and are often not in the best interests of employers in the private and the public sector. However, I echo the comments of the hon. Member for Croydon, South (Richard Ottaway) about employers' mindsets. My constituency is similar to his in that it has full employment and employers often find it difficult to fill vacancies. Nevertheless, many employers in my constituency have the mindset that older workers should not be considered, and seek younger workers from elsewhere instead of taking account of the breadth of experience in the local work force.

I want to make two points that have not yet been mentioned about employment practices and older people. First, it is important that employers make conditions more flexible. Many older people have experience to offer and want to continue to work, but perhaps want to reduce their hours. The sort of measures that are mentioned in the context of women with family responsibilities—greater availability of part-time jobs, more openness to job sharing—are also applicable to older workers.

There is no reason not to consider job-sharing opportunities for older employees. An employer can get two experienced people who wish to work, but do not want to do so full-time because they want more leisure to enjoy their lives. Such measures, which are often relevant to young women with children, are also applicable to a wider range of workers, especially the elderly.

Secondly, age discrimination militates against those, especially older woman, who have tried to improve their skills and change their career. They have missed out on educational opportunities because of discrimination in the past. They may have chosen to stay at home—or, indeed, had no option but to stay at home—and not had the same opportunities as men of their age to develop career skills and progress up the employment ladder. They may have been employed in low-paid, relatively unskilled jobs. When their children have grown up and left, they go into education. Many of them study with the Open university, which is based in my city. They upgrade their skills and wish to return to work and have a fulfilling career, but find that they are badly discriminated against because they are entering the work force aged 50 or older.

It is important to take into account the need to encourage women and men to upgrade their skills, invest in greater education and training at any stage in their career and for them to feel that they will be welcomed back into the work force and that their investment in improving their skills will be recognised. They should be able to contribute and not be written off as too old to make a valuable contribution. I therefore commend the Bill to hon. Members and hope that the Minister will respond to it positively.

11.36 am

Mr. Mark Prisk (Hertford and Stortford): I commend the hon. Member for Falmouth and Camborne (Ms Atherton) on promoting the Bill, and do so not least as someone who was brought up in the Camborne and Redruth area. I am delighted that a representative for the area has taken such an initiative. I feel a slight twinge of envy as a new Member who did not do so well in the ballot, but I congratulate her on her success.

The hon. Lady is right to raise the issue of age discrimination. We should recognise the way in which society has changed. I am now the tender age of 39, going on 40, and in those years we have developed a youth culture. All too often, the media portray a negative image of those who are 55 or older. The image may be intentionally humorous, such as that of Victor Meldrew, but it is nevertheless negative. Youth and new things are viewed as good whereas experience and historical matters are perceived as bad. That culture and attitude are at the heart of the subject that we are discussing.

I commend the hon. Member for Falmouth and Camborne for promoting the Bill because irrational discrimination, whether against age, colour, creed or race, is wrong and should be tackled. I regard myself as a meritocrat. Decisions, whether they are about parliamentary candidates or someone's job, should always be based on the individual's qualities and suitability for the role. They should never be based on an irrational method of trying to choose between one person and another. The merit of the individual and suitability for the role should always be paramount. It is therefore right to raise the matter in the context of the workplace.

There is in my constituency an excellent charity that tries to tackle the problem. Based in a church hall in Bishop's Stortford, Kickstart is an excellent agency that helps those who face the type of discrimination that we are discussing. In my visits to the charity, I learned how often larger corporations use euphemisms such as "restructuring" and "downsizing" when they are in fact removing more expensive senior employees and replacing them with cheaper, younger members of staff. That is wrong. I also learned that such discrimination is not applied solely to those whom the Bill addresses—those aged 50 or more. As one who is 39, going on 40, I was worried to learn that it is used against those who are in their 40s.

I have focused on two aspects of the Bill. I hope that the hon. Member for Falmouth and Camborne will understand that my aim is to scrutinise, not to oppose. The first aspect I want to question is the definition of discrimination set out in clause 2, which states:

> "'discrimination' means—
>
> (a) the denial or removal of rights customarily held by persons residing in the United Kingdom, or
>
> (b) the creation of additional conditions that must be satisfied before rights customarily held by persons residing in the United Kingdom are granted".

My concern is that that differs sharply from definitions of discrimination in existing legislation: for example, the Race Relations Act 1976 focuses primarily on "less favourable treatment". Why is there a different definition?

I raise that question because if two different definitions of discrimination are on the statute book, problems of enforcement arise. If it is desirable that we establish a single equality commission, there is clearly a danger in having two different definitions.

Ms Atherton: The hon. Gentleman is right to raise that complex issue, which I look forward to exploring in more detail in Committee. It is properly a Committee matter, whereas we are currently discussing the broad principles of the Bill.

Mr. Prisk: I fully respect that. I just wanted to put the point on the record so that we could explore it in Committee at the appropriate stage of consideration. The definition is clearly at the heart of the Bill.

My second question, which has been touched on by my hon. Friend the Member for Gainsborough (Mr. Leigh), relates to the applicability of age equality, defined in clause 2 as:

> "the absence of discrimination on the basis of a person's age".

That definition does not specifically refer to those aged 50 or more, so there a danger that the Bill might be applied to those aged less than 50. That is another issue that must be explored properly in Committee.

Ms Atherton: I refer the hon. Gentleman to the fact that under the heading "Interpretation" the Bill states:

> "'older person' means a person who has attained the age of fifty."

That is a clear definition.

Mr. Prisk: That does indeed define "older person", but "age equality" is defined as I stated, and a question mark hangs over how the two terms relate to each other.

Jim Knight: The Bill starts by saying that it is a Bill to

> "Make provision for the establishment of an Age Equality Commission to advise the Government on discrimination issues in relation to older people."

That clearly sets out the purpose of the Bill, which goes on to define "older person". I do not think that there can be any doubt.

Mr. Prisk: I am concerned about the fact that the definition of "age equality" does not appear beneath that of "older person" and that there is potential for conflict. However, if no such potential exists, I am happy.

I am a small business man, so my second concern relates to the employment aspects of the Bill. It is right to introduce the Bill because it helps us to identify a major problem for our competitiveness: the potential loss of experience and skills from our work force. However, the hon. Member for Falmouth and Camborne should recognise that the burden of new regulations tends always to fall disproportionately on the smallest businesses. Small firms—those with, say, between one and four employees, such as local newsagents and post offices—are the ones that often find the burden of regulations and compliance most onerous.

It is always the law-abiding firms that make the effort to comply, whereas those who are happy to ignore the law seek to avoid provisions such as those set out in the Bill. My concern is that we may become frustrated that the Bill does not appear to be achieving our aims and that we pass further rules, regulations and laws. The law-abiding will try to keep up, but those who are never prepared to support such legislation will continue to try to find a way around the measures. I wonder whether legislation is the best means of dealing with those who deliberately discriminate on the basis of age.

When introducing her Bill, the hon. Lady rightly said that we need to change minds and attitudes. However, I echo my hon. Friend the Member for Gainsborough in asking whether new laws are the best way to achieve such changes. The drink driving laws were mentioned: it is true that those laws were in place for 10 years before a noticeable change in behaviour occurred. Only when drink driving became socially unacceptable—when it was generally acknowledged that it was wrong—did a significant and rapid change occur. I am not entirely convinced that changing the law will, of itself, solve the problem.

I have reservations about the details of the Bill and I am concerned that the definitions it contains may conflict with existing legislation. I also have reservations about its impact on small businesses. Overall, however, I support the aims of the hon. Member for Falmouth and Camborne, because discrimination is wrong. It is wrong morally, it is wrong for business and it is wrong for our society. For those reasons, I commend the purposes of the Bill.

11.47 am

Mr. Edward O'Hara (Knowsley, South): I, too, congratulate my hon. Friend the Member for Falmouth and Camborne (Ms Atherton) on introducing the Bill and on her extremely effective presentation.

The Bill is not a Bill for older people—it is a Bill for all the people. It is rare that I agree with the hon. Member for Gainsborough (Mr. Leigh)—sadly, he is not in his place to witness this rare occurrence—but I did agree with him when he said that the one inescapable fact is that all young people become old. I am reminded of the joke about the young lad who meets an old feller in the street. He looks at him and asks, "How old are you?" The old

[Mr. Edward O'Hara]

feller says "I'm 88." The young lad says, "I don't want to grow up and be 88 like you", to which the old feller replies, "You will when you're 87." To put it more soberly, let me quote Horace, who wrote:

> "Eheu fugaces, Postume, Postume, Labuntur anni, nec pietas moram rugis et instanti senectae adferet."

Which translates as "Alas fleeing Postumus, the years glide by, nor will piety bring a delay to wrinkles and advancing age." We all get old eventually, and there is nothing we can do about it.

Horace's words about pious efforts not being effective illustrate the words of my hon. Friend the Member for Falmouth and Camborne, who amply demonstrated that in all sorts of areas Government exhortation has been seen to require the support of legislation and, in many cases, of a statutory body to enforce that legislation. The Commission for Racial Equality and the Equal Opportunities Commission are examples of such bodies. Several hon. Members have mentioned that some political parties have acknowledged the need for active intervention to achieve gender balance in their representation in Parliament. Legislation on disability that was first ventured by the last Conservative Government needed strengthening by the first Labour Administration of 1997. There is ample evidence of discrimination on grounds of age, across a wide spectrum. Mention has been made of the NHS and certainly the national service framework recognises the problem of discrimination on the ground of age across the service. The jury is out on how effective the national service framework will be in eliminating that discrimination, and an age equality commission might be able to do some useful work in that area.

My hon. Friend the Member for Falmouth and Camborne mentioned age discrimination in financial services, giving the example of her mother. We could all add our own examples. The debate has concentrated on employment, and there are welcome indications from the Government that more than exhortation may be needed in the shorter, rather than the longer run to enforce their pious exhortations not to discriminate on grounds of age in employment.

The implications underlying age discrimination are that older people are less worthy, deserving, capable and valuable. They are certainly not less worthy or deserving. As the hon. Member for Hertford and Stortford (Mr. Prisk) pointed out, it is wrong in principle that people should be discriminated against on the ground of age. We are all equally valuable, young and old alike. Moreover, older people have their deserts because of their contribution to the common wealth and to the opportunities now being made available to younger people, from which older people are too frequently excluded.

Older people certainly are not less capable. For a second time in this debate, I can agree with the hon. Member for Gainsborough—this is indeed a rare occasion—who accepted the B&Q experience. It can make sense to employ older people. They are not less valuable and they bring to their work maturity, experience, people skills and stability in their personal lives. Older people are not distracted from their work, as some younger people can be, by difficulties in their personal lives. Older people also often have a greater commitment to work than younger people, not least sometimes because they appreciate the fact that they are being employed in their more advanced years.

An age equality commission would address a need, but it is not a heavy-handed proposal. The Bill says that the commission would monitor and advise the Government and other agencies on age discrimination. The commission would serve the interests of those who suffer from discrimination and it would serve the nation, by ensuring that it does not lose the valuable resource of older people, who are healthy, active, still of working age and anxious to give of their efforts to the labour market. After all, older people are healthy and active for longer than has been the case in the past, a demographic fact with which the labour market has not yet caught up.

Older people are often dependent on benefits because they are prematurely and involuntarily unemployed. Many would rather be in work and self-sufficient. Nothing could be more in line with the mainstream thinking of the Government than the argument that people should have every opportunity to be self-sufficient, responsible for their own lives and able to work to achieve that.

The proposal for the establishment of an age equality commission is modest, but eminently sensible. I hope that the Government will look favourably on the Bill and give it the time it needs. I commend it to the House.

11.55 am

Mr. Andrew Rosindell (Romford): I commend the hon. Member for Falmouth and Camborne (Ms Atherton). The intentions behind her Bill are right, although I have some concerns that I shall outline. I entirely support the comments by the hon. Member for Kingswood (Mr. Berry) about discrimination not only being wrong in principle but making no economic sense. That is true.

The older generation in this country are people who deserve better. They fought for this country, they have paid taxes all their lives and worked hard for a long time. They deserve better than they are getting today. However, we should be careful how we approach the issue. It is not necessarily always the best approach to introduce more legislation or to set up more self-perpetuating quangos, but more needs to be done to enhance what we do for our senior citizens.

I am a strong supporter of our senior citizens and have a lengthy record of campaigning for a better deal for them. In my constituency of Romford, in the London borough of Havering, I have worked closely with local organisations such as the Havering Pensioners Forum, the Association of Retired Persons and a new group, established two years ago, called Havering Action against Home Closures. Several council-run residential homes in the borough are being closed and I have worked closely with all interested parties, including the groups I have mentioned, to fight those proposals.

As I said in my maiden speech, only four months ago, the older generation, especially in my constituency, are suffering at the hands of a Labour council determined to close the residential homes I have mentioned. As we all know, such closures, in turn, create bed-blocking problems in the NHS. My constituency contains two excellent residential homes, Marks Lodge and Hampden Lodge. Both are threatened with closure under the Labour council's proposals. The hon. Member for Hornchurch

(John Cryer) has an Adjournment debate on the issue later. That policy is unacceptable, and I will certainly campaign alongside the older people—

Madam Deputy Speaker: Order. The hon. Gentleman must address his remarks to the Bill rather than to the issues to which he has been referring.

Mr. Rosindell: That is what I now propose to do, Madam Deputy Speaker.

I fear that the measures in the Bill would give no guarantees and offer no practical solutions to many other issues identified by countless reviews and investigations by charities and organisations suggesting that the older generation is a victim of widespread discrimination. I accept that such a commission would, as the hon. Member for Falmouth and Camborne says, seek to create a lobby and pressure for measures that would alleviate many problems facing the elderly population, and that is an honourable intention. However, I question the added value that a new quango would bring to the situation.

Ms Atherton: Is the hon. Gentleman aware that the Bill refers to the over-50s, and that its brief goes wider than he appears to believe?

Mr. Rosindell: Yes, I am aware of that. I am not sure whether it means that my comments are not relevant to the situation. I understand that the commission would focus on people over 50. I am simply saying that the creation of another quango—another body to interfere—is not necessarily the right answer. I agree with many of the points of my hon. Friend the Member for Gainsborough (Mr. Leigh).

It is difficult to find a single document on the subject that does not already demonstrate how the elderly are treated differently in terms of the job market, access to health care and travel insurance, to name just a few examples. None of those groups is shy in putting forward its ideas on how issues can be resolved. Considering that our very large civil service is more than able to consult them, I am puzzled as to why we need to spend yet more taxpayers' money on yet another body to tell us what existing structures should be competent enough to work out for themselves. Indeed, we in this Chamber are elected to represent our constituents and to raise these issues. I do not believe that it will help to create yet another body of bureaucrats to speak up for the older population when that is what we are elected to do. The commission is unnecessary if Members of Parliament do their jobs properly.

One area in which there is a clear need for urgent action, however, is the national health service. The number of people who write to me and come to my weekly surgeries to complain about the national health service is staggering, something with which I am confident every Member in this place is all too familiar. It demonstrates the depth of crisis and disarray in the health service.

What most disturbs me and should, I believe, concern every Member of the House is the attitude seemingly shown towards our old folk. It is all too common to hear of elderly patients being treated as if they were second-class citizens. I find that utterly unacceptable and shameful. For example, Age Concern reports that it receives a call a month from people reporting how their clinical notes, or the notes of ageing relatives, were marked "not for resuscitation".

Dr. Pugh: Is the hon. Gentleman aware that, as I understand it, Age Concerns supports the establishment of the commission as proposed in the Bill? If the hon. Gentleman is quoting Age Concern as an authority in one case, why does he not accept its views on other matters?

Mr. Rosindell: It is absurd to think that every Member would agree with every point made by every outside organisation. Age Concern may support the creation of a commission, but I question whether that would solve the problems that Age Concern wants to be solved. However, Age Concern makes many sensible, relevant and logical points, and I agree with it on this issue.

Surveys have revealed that elderly people suffering from serious conditions wait longer than 24 hours to be given a bed. Of course, under this Government that scenario is not unique to older people, but even if the health service really cannot cope with every case, it must surely be accepted that the elderly, who are undeniably more frail than younger people, deserve a quick admission when seriously ill. Yet time after time they are treated as if the wait will make no difference.

This is a disgraceful state of affairs that demonstrates the inherent ageism in the national health service's attitude. Such ageism prevents and blocks those who have dutifully paid their taxes and national insurance contributions all their life from gaining access to the quality of care they so rightly deserve. But the question must be what a commission would do to solve that problem. Surely the treatment of elderly patients by the NHS is a matter for the Department of Health and the NHS to resolve, and for us as Members of Parliament to take up. Of course the commission could come up with new ideas and strategies, but at the end of the day it all comes down to the running of the health service.

Travel is another area in which we can help the older generation in a practical way. In London, the freedom pass allows pensioners to travel free on London buses, underground and trains. That scheme is superb and should be extended beyond the boundaries of Greater London into Essex—indeed, why not to the whole country? That is something practical that we can do to enhance the lives of the older generation.

Job market issues are relevant to what we are discussing today. With 2.8 million people between 50 and the state pension age not in work, the public purse is clearly suffering. Older people are a magnificent resource, with experience and years of knowledge. We should encourage them and give them opportunities that they are currently denied. My hon. Friend the Member for Croydon, South (Richard Ottaway) alluded to that.

When people reach the age of 50 they are blatantly not ready to be placed on the scrapheap and branded unsuitable for work. Many of my constituents of pensionable age or, indeed, over 50 say they feel that they have been placed on the scrapheap. That is wrong. We should use the power that we have in this place to encourage and help the older generation back into work. They are a tremendous resource of which we should make use.

However, I challenge the basis on which supporters of the Bill think that the scenario should be changed. All the regulations, directives and campaigns in the world can

[Mr. Rosindell]

focus on encouraging employers to take on people over 50, but there is only a limited pool of jobs. If the sort of campaigns and regulations that a commission would predictably propose were implemented—regulations that simply focused on the status quo—we might end up with lower unemployment in the older age categories and higher unemployment across other age groups.

Dr. Starkey: Will the hon. Gentleman give way?

Mr. Rosindell: I would like to make a bit more progress. I will give way in a moment.

The problem will not be solved through regulation. No market is helped by regulations. The problem is one of long-term unemployment, which can be solved through competent economic policies that leave the market free to grow. In order to become more prosperous, businesses look to expand and take on more staff. A better way to help the older generation into work is to use the tax system. Reducing taxes for older people is surely a better way to encourage them and price them back into the job market.

Dr. Starkey: The point that I wanted to make was relevant several sentences back. The hon. Gentleman said that if more older people were employed, there would inevitably be unemployment for younger people. How does he reconcile the scenario outlined by the hon. Member for Croydon, South (Richard Ottaway) and which exists in my constituency, where we have essentially full employment and labour shortages, with his notion that that is a zero sum gain and one cannot help the elderly without creating a disbenefit for the young?

Mr. Rosindell: I am suggesting that we would disadvantage certain groups of people by implementing the Bill. There are other mechanisms that we could use to allow older people greater opportunities to work. I have already cited the tax system as an example, and I hope that proposal will be considered.

The Bill identifies undesirable practices—especially the problems in the treatment of elderly people by the NHS. However, the Bill would be enormously costly to implement and the establishment of yet another bureaucratic commission—a quango—might not yield any tangible results. A commission sounds most impressive, but I urge Members to think about what it would actually do that could not already be undertaken by our civil servants on a case-by-case basis.

The Bill would be a blank cheque for endless reports, with no guarantee of real change and no recognition of the different issues that affect older people. If we are to treat our old folk with the respect and dignity that they deserve, we must accept that a single commission will never solve all their problems. Each case must be dealt with individually, in the most appropriate manner.

12.11 pm

Dr. Desmond Turner (Brighton, Kemptown): It is a great pleasure to support the Bill promoted by my hon. Friend the Member for Falmouth and Camborne (Ms Atherton), which is in the best tradition of private Members' Bills. It addresses the type of social issue that Governments rarely have the time to get round to, but is rightly discussed in this place. There is a remarkable degree of cross-party unity on this issue—with certain less than honourable exceptions.

If hon. Members were to propose that discrimination on the grounds of gender, race, religion or even age was reasonable, everybody would howl them down. We all know that such discrimination is unacceptable. Age discrimination touches all our lives—whether we are young or old and whatever our creed, race or sexuality.

Only one thing in life is as certain as getting a bit older and that is getting even older—if death does not get to us first—so we all have a distinctly vested interest in the measure, even if it is only self-interest. I shall thus declare my interest, because I seem to be on the Saga mailing list as well. We all have a strong interest in the topic.

Other countries and cultures respect and treasure older people and look to them for wisdom and for the benefit of their experience, but in this country we are all too ready to treat older people as dotards, or perhaps even to categorise them as "older folk"—as they apparently do in Romford. As a result, we get many things wrong. We set arbitrary ages for retirement from work, paying no heed to people's ability to perform their jobs.

Individuals differ enormously in the way that they age. Some people are perfectly capable of carrying on their job or profession well past an arbitrary retirement age of 60 or 65—although it was probably right to draw the line under the working lives of some judges as they approached the age of 100. By and large, competence and ability should determine when people stop work. If they want to carry on working and are capable of doing so, and if there is work for them to do, it is in their interest and in society's interest that they should, so we need to be much more flexible, as that would be of vast benefit to the nation.

An obvious example is the health service, where we have critical recruitment and retention problems with nursing staff and related professions. Those problems will not get any easier, because a very large percentage of those who are in service at the moment are nearing their arbitrary retirement age, but many of them might want to continue to work. It would be very much in the interests of their service if they were able to do so; otherwise, we shall continuously run to stand still in trying to staff the health service.

Health services are also notorious for discriminating against older people. Labelling a patient with the words, "Do not resuscitate" should be a criminal offence. Human life is uniquely valuable whatever our age—young or old. No one should think himself able to decide whether to take a life or death decision such as that. That is playing God, just a little, and it should be outlawed.

In fact, in the examples that I have given, a commission would be cost-effective. It would cost a little to run—a trivial amount in terms of administrative expenses—but the possible economic return to the nation would justify its cost probably several hundred times over.

Of course, ageism or age discrimination goes on in this place. A large percentage of Members were elected for the first time after they had reached the age of 50, but I cannot think of anyone—I am open to correction—from that category who has been appointed to a Government post under either party, yet this group of people must, by definition, contain a great many very talented individuals, with a wealth of experience, who could fill ministerial posts with distinction, but they will never get the opportunity. So we need to look at ourselves and the ageism and age discrimination in our own institution.

Mr. Gardiner: Give him a job.

Dr. Turner: No, I am not seeking ministerial employment—the Whips would not allow it.

We, as politicians, should also keep very firmly in mind the fact that more than 35 per cent. of the electorate are either over or rapidly approaching retirement age—the grey vote. That is a powerful political force, which we ignore at our peril. Those people are much better at turning out to vote than younger electors. Turnout among the over-50s is very much higher than among any other group. If only for political self-interest, they need to be treated with great respect, and I mean respect as opposed to the way in which Governments sometimes treat them—as a group that has to be kept sweet. There is a very big difference. That is why an age equality commission could play a vital role.

I do not agree one iota with the hon. Members for Gainsborough (Mr. Leigh) and for Romford (Mr. Rosindell). Their touching faith in the market will not bring dividends to anyone. There is no evidence of a widespread uptake of what one might describe as the B&Q philosophy in British business. Change will not happen overnight or in our lifetimes; we could wait centuries before the message about ending ageism is turned into practice.

The hon. Member for Romford thinks that we have enough civil servants and Departments to tackle the problem issue by issue. We certainly have enough of them but, if that approach were effective, we would have seen the results already and we would not be here debating the continued existence of ageism; the fact that we are shows why we need a commission.

Everything that the hon. Members for Gainsborough and for Romford said emphasised in my mind the argument and the justification for a commission. It would create a focus for dealing with age discrimination. It would draw together the activities of Departments, civil servants and Ministers and make them think about co-ordinating their activities and their legislation so that they end age discrimination for the whole population.

I have no difficulty in supporting the principles enshrined in the Bill. I hope that the Government will support it; one of the best things that they could do is create an age equality commission. I commend the Bill to the House.

12.22 pm

Andrew Selous (South-West Bedfordshire): I am pleased to be called in this important debate, particularly as I was one of the signatories to early-day motion 178.

We rightly have legislation that outlaws discrimination on the grounds of race, disability, gender and creed, so why not have legislation that outlaws age discrimination? I have been struck by the comments of friends from the United States of America. When they look at some of our job advertisements, they feel the same horror that we would feel if an advertisement said that it wanted a white male. The level of discrimination that they see in our job press is equivalent to that.

Although I will not dwell on it, there is discrimination at the other end of the age spectrum. As a country, we send people to fight for our armed services, perhaps to be killed, at the age of 17, but we do not allow them to vote.

The cost to the economy of discrimination against older people is huge. A Help the Aged report published in September shows that 85 per cent. of people over 50 believe that there is discrimination. A report from the Employers Forum on Age in April 2001 estimated that the cost of ageism in terms of lost gross domestic product was £31 billion. I note that the Bill has the general support of the Institute of Directors and the Federation of Small Businesses, so it appears that employers' organisations do not oppose it.

This summer, when foot and mouth was raging and we were desperately scouring the country for vets, was it not ridiculous that a vet was turned down simply because he was 70? Many of my constituents will be deprived of the services of the world-famous surgeon, Magdi Yacoub, of Harefield hospital purely because he has reached the age of 67. That is an anomaly given that other parts of the national health service allow people to work until they are several years older than that.

Mr. Dillamore senior is a counter-example of that. He is an owner of Dillamore's, the fine furniture store on Leighton Buzzard high street, and has just retired from the business at the age of 98, as I found out during a constituency canvass in Linslade last week. Older people contribute hugely to our economy.

On insurance discrimination, I am a former insurance underwriter, although I worked in the reinsurance market. It is wrong that the premiums for car and other forms of insurance increase at certain age limits. That is a result of the increase in telephone-based insurance systems, which do not involve underwriting. Instead, insurers follow a rigid guideline and people's ages automatically push them into a higher premium category. That is not underwriting, which is what I was trained to do, in which a proper risk assessment is carried out. There is no reason why older people with a good risk record should be penalised. That is poor underwriting and does not make sense. We heard how charities and voluntary groups are unable to get people to work for them because of the prohibitive cost of insuring them.

It must be sensible to have a flexible retirement age as our population increasingly gets older. I feel strongly that it is grossly unfair that people have no right to claim unfair dismissal if they are over 65. My mother-in-law, a widow who receives only a small pension, recently went through that experience. As she was older than 65 she had no grounds to contest her employer's decision to make her unemployed, which is unacceptable.

I associate myself with the remarks of the hon. Member for Brighton, Kemptown (Dr. Turner), who mentioned the "Do not resuscitate" notes that have been placed on several elderly NHS patients in recent years. That is also unacceptable. However, the problem is wider than that. The upper age limit on clinical trials for cancer sufferers is often 75, so older people are denied the best forms of treatment. Delays in hip fracture operations severely harm the elderly because of the pre-operative procedures that they have to go through. Evidence also shows that dialysis treatment for kidney patients discriminates on the basis of age.

[Andrew Selous]

I wholeheartedly support the establishment of an age equality commission. I note that it was a Labour commitment as long ago as 1996, before it came into government in 1997. I hope that the House will pass the Bill and that the Government will not rely on the European Union to legislate, which sadly is often the case, because we would have to wait another five years for that, which again is unacceptable.

I accept that the law on its own will not change attitudes. Social attitudes must also change over time, but the Bill is needed because the problem is large. If existing structures, Departments and hon. Members have not managed to solve it, an age equality commission would give a healthy prod in the right direction. I am pleased to support this important Bill, which I hope will proceed to Committee.

12.29 pm

Jim Knight (South Dorset): I am pleased to support the Bill, having tabled early-day motion 178. I am also pleased to support it because I am a personal friend of my hon. Friend the Member for Falmouth and Camborne (Ms Atherton). We met almost 10 years ago, fighting the good fight for our party in Westbury in Wiltshire. It was not an easy task. I also got to know her father, Denis, at that time, and he is a good advertisement for the Bill. He bore a remarkable resemblance to Father Christmas, but he was also an active pensioner—active in walking his dog, in going down the pub, in work as a journalist and in supporting his daughter in her career. He is a good example of how able many elderly people in our society are and why we should take action to avoid discriminating against them.

I am also keen to take part in the debate because there is a tradition of Members of Parliament for South Dorset speaking on age discrimination. I dug out the record of a debate on the Employment (Upper Age Limits in Advertisements) Bill introduced by my hon. Friend the Member for Walsall, North (David Winnick) in 1996, during which my predecessor went with the arguments proposed by the hon. Members for Romford (Mr. Rosindell) and for Gainsborough (Mr. Leigh). I am sure he would agree with the hon. Member for Romford, who said that no market is helped by regulation.

My predecessor said to my hon. Friend the Member for West Ham (Mr. Banks):

> "The hon. Gentleman is wrong in believing that there has been any advantage from the legislation on sex discrimination."

In another intervention, my hon. Friend asked whether capitalism had

> "always been colour blind, when slavery used to underpin capitalism".

My predecessor replied that

> "clearly capitalism was at least employing and utilising those people."—[*Official Report*, 9 February 1996; Vol. 271, c. 580-81.]

I must reassure the House that I do not agree, and I have great pleasure in supporting the Bill. With a majority of just 153 and more than 21,000 constituents aged over 60, plus many aged between 50 and 60, I have a self-interest in doing so, although I am only 36.

One of many constituents who got in touch to ask me to support the Bill sent an e-mail last week. She is a remarkable person who has done a huge amount to help others into work. She is self-employed and she worked for Weymouth college in attracting a £3.5 million European social fund grant to south and west Dorset. It is the largest ESF grant awarded anywhere in my region, but her e-mail said:

> "If I were not self employed I could have been put out to grass by now!"

That £3.5 million investment in my constituency would not have happened if she had been employed and discriminated against as a person over 60.

On Saturday, I was given a tour of Swanage, another part of my constituency, by a retired constituent who wanted to show me some excellent work being done by volunteers. I was taken to the look-out over beautiful Swanage bay and the Isle of Wight beyond to see the tremendous work that retired people do voluntarily to look after the shipping that passes Swanage on the south Dorset coast.

My constituent took me on to Durlston country park, where I saw the tremendous work done almost exclusively by volunteers to sustain a superb attraction that draws many hundreds of thousands of people to my constituency every year. They see the beautiful countryside and spot dolphins from the cliffs around Swanage. In my constituency there are many examples of how important elderly people are in supporting our society, which reinforces my belief that we must liberate them and allow them to make a contribution. Any discrimination should be stopped.

My final example is from my time as an employer before being elected to the House. Our small company in Westbury, Wiltshire, always advertised vacancies in local jobcentres first, so unemployed people usually applied. I received an application from a chap aged over 50 who had been made redundant and believed he was on the scrap heap. We gave him a chance. He became our accounts manager and he still works there. He is the most loyal, the most committed and, in many ways, the most important part of our team in sustaining morale and paying our wages. He is certainly a valued employee at my former company. He genuinely believed that he did not have a chance of obtaining another job. The fact that he was given that chance makes him the most valued of our employees.

The principle of tackling age discrimination has been well argued. My hon. Friend the Member for Kingswood (Mr. Berry) advanced a powerful argument in support of the Bill.

I remind the House of the findings of the Employers Forum on Age. Its research found that a tenth of people between the ages of 45 and 54 believed that they had been rejected for a job in the past 12 months, and that age discrimination costs the United Kingdom at least £16 billion a year. The economic arguments are overwhelming for taking action to tackle age discrimination.

Given that the European equal treatment directive has to be enacted by 2006, it is sensible to establish the proposed commission to advise, to receive evidence and to present arguments so that we secure legislation and implement the directive in the best possible way for the UK and its economy.

I hope that the House will support the Bill and allow it to proceed to its next stage.

12.36 pm

Mr. Gregory Barker (Bexhill and Battle): I join those who have commended the hon. Member for Falmouth and Camborne (Ms Atherton) for bringing forward an important measure that affects an important section of society to the Floor of the House.

My constituency includes Bexhill, and because of that I represent one of the oldest constituency populations in Great Britain. Bexhill is therefore no stranger to prejudice against the elderly. We are tired of constantly being on the receiving end of bad jokes about the elderly. We are especially fed up with the one about Dover for the continent and Bexhill for the incontinent. We would like to see much more done to talk up the positive role that elderly people play in the United Kingdom, not least because the population of Bexhill is very far from retiring.

Bexhill has a highly active elderly population, and not only politically. Many of my supporters, who played a crucial role in securing my return to Parliament, are in their 60s and 70s, and some are in their 80s. They are doing great work for me and for a wide range of voluntary and charitable organisations. The members of the generation who fought and won a war and are now in their 70s and 80s still give freely of their time, effort and experience to their local communities. The public-spirited approach that many senior citizens have in my constituency is something that we would all do well to emulate. I agree with the hon. Member for Brighton, Kemptown (Dr. Turner) that competence and ability, not age, should be the key criteria for assessing a person's fitness to do a job.

Even in Bexhill, which is to grey power, perhaps, what Hollywood is to the film industry, ageism rears its ugly head. Numerous charities and voluntary organisations have a mandatory retirement age. Individuals have a great deal to offer the voluntary sector, but that sector imposes the age for retirement rather arbitrarily. It seems extraordinary that at the age of 80, for example, one will be deemed not fit to work in a voluntary capacity in a hospital or a charity shop in Bexhill. However, at the age of 87, one would be considered quite fit to play a central role in a broad-based coalition Government for the future governance of Afghanistan. I welcome the role that King Zahir Shah will play in bringing peace to that country. He certainly would not be the first octogenarian to play an important international role. We all appreciate the part played by Nelson Mandela; before him, Winston Churchill and even Gladstone played important roles in their 80s.

The Government have introduced proposals on reforming the House of Lords; I hope that the proposal to impose an age limit of 75 on Members of the upper House will be consigned to the scrap heap. Elderly people bring important wisdom, consideration and experience to the legislative process. It is lamentable that Members of Parliament tend to leave the House earlier and earlier; the House of Lords is improved by the age and experience of its Members.

I should like to make a few remarks about the NHS. Four and a half years after Tony Blair said that he had 24 hours to save the NHS, there is still a huge amount of age discrimination.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I should remind the hon. Gentleman that it is not in order to refer to a Member of Parliament by name; that should be done by reference to his constituency.

Mr. Barker: Thank you, Mr. Deputy Speaker; I stand corrected.

Age discrimination is rife in the NHS, as hon. Members, including my hon. Friend the Member for Romford (Mr. Rosindell), have said. It is a matter of record that elderly people are being left to die, as has been highlighted by Age Concern. They are being left on trolleys and are missing out on cancer treatments. Elderly patients are being refused dialysis and elderly people are at greater risk of hip fractures. Last year, an Audit Commission report revealed that 43 per cent. of hospitals had to cancel hip replacement operations for "unacceptable reasons", such as a lack of properly qualified staff. In some hospitals, one operation in five had to be cancelled for those reasons. The report stated:

> "Cancelling operations is particularly risky for elderly patients since repeated starvation prior to anaesthesia can lead to dehydration and nutritional problems and increase the likelihood of complications and poor recovery."

The elderly are not just suffering medically in the NHS, but are suffering as a result of provisions on bed allocation and nursing aftercare. In East Sussex, the social services sector is in crisis, largely as a result of the financial state of affairs that the county council inherited after four years of a Lib-Lab pact which ran down the reserves. As a result, bed blocking is a frequent occurrence and a serious problems for both hospitals in my constituency.

In conclusion, while I share the concerns of my hon. Friend the Member for Gainsborough (Mr. Leigh) about the introduction of more legislation and the establishment of more commissions, in this case the Bill is sufficiently important to warrant a Report stage and I am happy to support it.

12.44 pm

Mr. Mark Lazarowicz (Edinburgh, North and Leith): I, too, congratulate my hon. Friend the Member for Falmouth and Camborne (Ms Atherton) on introducing the Bill, not least because it allows the House to demonstrate clear cross-party support for it. I hope that the Government will take that on board in due course. I congratulate my hon. Friend on the effective campaign that she and those backing her have waged throughout the country to draw attention to the Bill. I was contacted by Age Concern Scotland, whose headquarters are in my constituency; its representatives met me and explained why they supported the Bill. I know that there is support for the principle of the Bill throughout the United Kingdom.

We heard earlier from a number of hon. Members that the Bill was the 15th private Member's Bill on the subject to come before the House in less than 20 years. Whatever the eventual outcome of the measure, I hope that across the political spectrum hon. Members will accept that, notwithstanding the useful voluntary initiatives that have taken place, particularly in the past few years, it is a criticism of our system of parliamentary procedure and parliamentary democracy that a proposal which has received overwhelming support in the House and in the country almost every year for the past 20 years should not find its way on to the statute book and should make so little practical progress. I hope that those on the Treasury Bench will bear that in mind.

I have no doubt that there is a strong case for tackling discrimination based on age. A particularly bad example of age discrimination is that practised by employers who

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discriminate against existing employees as well as potential new recruits on the basis of age. As we heard, such discrimination is unfair to the individuals concerned and can also be self-defeating for the business involved and damage the economy.

My city is one of many places in the country which, thanks to the policies of the Government, now has low levels of unemployment, by and large. It is crazy for employers to rule out potential employees on the basis of age. Employers with a positive attitude to older workers, such as B&Q, which has rightly received praise in the debate, are reaping the benefits.

My hon. Friend the Member for Falmouth and Camborne referred to the gentleman in her constituency who worked as a lollipop man and had been required to retire at the age of 70. I am glad to say that in such matters my local authority has a more enlightened attitude. In Edinburgh lollipop men and ladies are not required to retire at any specific age. They can serve as long as they meet the necessary medical requirements and pass a medical test.

Rev. Martin Smyth (Belfast, South): How far is discrimination against workers who have reached the age of 70 due to the fact that insurance companies are not prepared to cover such people to provide information or do voluntary work?

Mr. Lazarowicz: The hon. Gentleman makes a valid point. I am sure that in many cases, that is the underlying reason.

In my city, if the requirements of sight and hearing are met, a person can work as a lollipop man or woman until any age. I recall that last year I attended a presentation ceremony for someone who had just retired as a lollipop man at the age of 87. He was replaced by a youngster of 76, who would no doubt serve for many years to come. In so doing, those individuals were enjoying their work, contributing to society and helping to meet the shortage of workers in an important social sector.

I support the proposal for an age equality commission. I accept that there are complexities in the issue of age discrimination. There are undoubtedly problems relating to insurance. The range of premiums may well reflect factors that should justifiably be taken into account. However, as the hon. Member for South-West Bedfordshire (Andrew Selous) pointed out, in many cases discrimination in insurance means that a blanket discrimination is applied, with no objective, logical justification.

The approach that could usefully be followed is the one adopted in the disability legislation, whereby if there is objective justification for some form of differential treatment, that can be applied, but where there is no justification, discrimination becomes unlawful and should not be allowed. That seems a sensible way forward.

I will not say that I am sympathetic to the points made by the hon. Member for Romford (Mr. Rosindell), who is no longer in the Chamber, but I can see merit in some of them. He drew attention to the danger—as he would see it—of having too many commissions and statutory bodies. I had better not speak about him for too long while he is absent from the Chamber, but I suspect that he is against almost any commission or statutory body. I certainly do not share that opinion, but none the less I think that there may be a case for considering in due course how to tidy up the various commissions and bodies that are designed to promote equality in this country—a possibility that my hon. Friend the Member for Falmouth and Camborne did not rule out.

I have no doubt, however, that the proposed age equality commission is at this stage the right way forward to highlight a form of discrimination which, as has been pointed out, affects many people in this country. The beauty of the proposal is that it allows a flexible response to the problems that arise from age discrimination. As those problems can express themselves in many different ways, the flexibility of my hon. Friend's approach should commend it to the House.

I want to make one final point about the Bill in relation to Scotland, to which it would apply. It must do so, as equal opportunities legislation is still a reserved matter. I have no doubt that there is support for the Bill in Scotland, as there is in the rest of the UK. However, given that some related legislation is devolved to the Scottish Parliament—legislation on education and health, to name but two areas, is devolved—it would be necessary in due course to make provision to allow representation of appropriate Scottish bodies on the commission. Such provision would also be necessary to ensure that what the commission did fitted in with measures that applied in England, Wales and the rest of the UK. Of course, I make those points not to express any opposition to the Bill, but to highlight a matter that should be taken up in Committee or elsewhere, whatever future form the measure takes.

I have no hesitation whatever in supporting the Bill. I commend it to the House and I hope that the Government will accept the spirit of what it proposes.

12.52 pm

Mr. John Whittingdale (Maldon and East Chelmsford): I join other hon. Members in congratulating the hon. Member for Falmouth and Camborne (Ms Atherton) on her good fortune in coming third in the ballot for private Members' Bills and on the way in which she has presented her case to the House.

A number of speakers have pointed out that age discrimination has occupied quite a bit of the House's time in recent years. Three Bills have been introduced on the issue in this year alone and one was introduced in each of the previous five years. It is worth noting that two of those Bills were introduced by Conservative Members, five by Labour Members and one by a Liberal Democrat. None of them proved successful, but their introduction indicates a widespread desire, which extends across all parties, to see a debate on the issues that the Bill raises.

However, there is another reason why it is very important that we should reconsider age discrimination. Almost exactly a year ago, the European Union Employment and Social Affairs Council adopted the equal treatment in employment directive, which will prohibit discrimination in employment on a number of grounds, including age. Member states have until 2 December 2006 to implement the provisions on age and disability. I am slightly surprised that no more of our debate has concerned the EU directive. It has been mentioned by a number of hon. Members, but it is a looming presence that we cannot ignore.

The directive is wide ranging and will cover selection, recruitment, working conditions, training opportunities, promotion and employment benefits. Only the armed forces are specifically exempted from it, although it will not cover membership of occupational pension schemes. It will reverse the burden and proof in civil cases of alleged discrimination so that when an allegation is made, it will be up to the employer to show that discrimination has not occurred.

There has been an obligation for a year to introduce legislation on age discrimination. There has been no shortage of employment law proposals, which include consultation documents on part-time work, fixed-term contracts, parental leave entitlements and dispute resolution. Next Tuesday, the Employment Bill, a major measure, will be considered on Second Reading. However, the Government have been largely silent about age discrimination, apart from an explanatory memorandum in January from the then Department for Education and Employment. It stated that the directive required legislation and that the extended implementation period until 2006 will allow time for research and widespread consultation with employers, individuals and expert groups to clarify the differences in treatment on the ground of age that are justified and those that are not.

It is a pity that, apart from establishing a working group, nearly a year has passed and the consultation process has barely started. I am pleased that the Minister said that the Government intend to publish proposals for a first round of public consultation in the next few weeks. I am sure that he will give details of that shortly. However, much time has already been lost.

Several hon. Members said that the Select Committee on Education and Employment usefully dealt with the issue. It produced a helpful report, which drew attention to the difficulty of determining the extent of discrimination in the work place on the ground of age other than through anecdotal evidence. It pointed out that although it may seem that discrimination is taking place on the ground of age, there may be other underlying reasons. For example, a higher proportion of the work force aged over 50 may have worked in traditional heavy industries, which have experienced more redundancies. That may have had a greater impact on those people. The Select Committee accepted that discrimination existed and called for further research, which I support.

The Select Committee highlighted two valuable points, which I endorse. Some of the contributions have dealt with them. First, discrimination against employees because of age is likely to lead to economic inefficiency. Those who use age criteria to judge individuals' ability will have a narrower choice of applicants from which to recruit. Those who judge individuals on their ability, not according to their age, are likely to manage resources more effectively by minimising staff turnover. They are better able to build a flexible work force and they will have access to a wider range of experience. Their work force will be better motivated if employees do not believe that they are necessarily reaching the end of their employment. Increased productivity will mean that their costs are reduced.

Those clear advantages, which most hon. Members accept, inevitably lead us to ask why employers have not recognised them more widely. Hon. Members have pointed to the shining example of B&Q. Why is Government intervention necessary? I favour a voluntary approach, which would educate employers, rather than compelling them through the blunt instrument of anti-discrimination legislation.

My hon. Friend the Member for Gainsborough (Mr. Leigh) made a powerful and persuasive case. He explained why legislation involves dangers and that it is much better to focus on the market to achieve greater efficiency through ruling out discrimination. The previous Conservative Government mounted several campaigns to educate businesses about the advantages of employing older workers and the Government have continued that practice. They adopted a similar approach through the voluntary code of practice on age diversity. None the less, I accept that progress has been disappointing. My hon. Friend the Member for Croydon, South (Richard Ottaway) mentioned specific areas where not nearly as much progress as we would like has been made.

The second reason why age discrimination is damaging is demographic: we have an ageing population. Currently, about 35 per cent. of our work force is aged over 45, but in 10 years time that proportion will have risen to 40 per cent., so it is essential that we make full use of the abilities of older workers. That will have implications for retirement ages, which I shall discuss shortly.

As I have said, there are dangers in adopting a statutory approach. When the Education and Employment Committee carried out its investigation, it received evidence from several business organisations. The Confederation of British Industry pointed out that there is considerable uncertainty about what constitutes unfair treatment. Detailed guidance is needed to give employers certainty and there must be a long lead time before legislation comes into effect if widespread compliance is to be achieved.

It is self-evident that some occupations demand a high degree of physical fitness and that, similarly, physical risk factors escalate significantly with age. Examples cited by the CBI include aircraft pilots, divers and offshore riggers, and I would imagine that firemen, who have been mentioned several times today, fall into the same category. Those much higher actuarial risks are likely to affect employers' liability both for insurance and for health and safety requirements.

The CBI rightly points out the danger that legislation will leave employers vulnerable to high levels of costly—and potentially spurious—litigation. One of the main purposes of the Employment Bill, which is to receive its Second Reading on Tuesday, is to reduce the number of cases that go unnecessarily to employment tribunals, but if it is passed, the Age Equality Commission Bill will create a new cause under which employees can take a case to a tribunal. In the evidence to the Select Committee, it was pointed out that it is extremely difficult to show that age discrimination has not occurred—indeed, anyone leaving a job could claim that age discrimination had played a part, whether they were replaced by a younger worker or an older one. Age discrimination is likely to be thrown in among all the other causes under which cases are taken to tribunals.

There are many unanswered questions: for example, will it be fair to offer seniority-based pay, or to offer more attractive redundancy packages to older workers? The Institute of Directors has pointed out that the provision in the directive for prohibiting apparently neutral provisions, criteria and practices that are likely to affect adversely a

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particular age group is likely to entail costs for business. Some of the practices that may be prohibited are not at all obvious. It has been suggested that graduate recruitment schemes, recruitment by word of mouth, and advertising in particular places or publications may be held to be indirectly discriminatory. Most of us will be familiar with the "milk round", whereby employers go to universities specifically to recruit graduates. That, too, might be ruled to be indirectly discriminatory on the ground of age.

There are doubts about the effectiveness of existing anti-discrimination legislation. The United States of America, France, Canada, Finland, Spain, Australia and New Zealand have age discrimination legislation, but only in America and New Zealand are unemployment and inactivity rates for the over-50s lower than in this country. Clearly, more research is needed.

It is extremely likely that employer-imposed compulsory retirement ages will become unlawful unless they can be objectively justified. The evidence to the Select Committee states that that will be the case. I am strongly in favour of promoting flexible and phased retirement ages—indeed, the demographic factors that I have mentioned make them essential—but I note the view of the CBI that employers would strongly oppose a ban on contractual agreements to retire. Such matters should be left to negotiation and agreement between employer and employee.

During the debate, my hon. Friend the Member for Bexhill and Battle (Mr. Barker) made an interesting observation about whether the Government's proposed age ceiling for membership of the House of Lords would prove to be discriminatory under the terms of the directive. I am sure that the Government will examine that issue.

Many questions urgently need to be addressed. Every single one of the employers organisations has called for consultation and clarity. That is one reason why I welcome the opportunity that the Bill has given us to have an informed debate. It might be helpful to establish a body such as the hon. Member for Falmouth and Camborne suggests. I have not always been a great fan of commissions, and I share some of the reservations that were set out by my hon. Friend the Member for Romford (Mr. Rosindell). However, an advisory body might be able to bring about the national debate that is needed and could prove valuable. That view is shared by Help the Aged and Age Concern, and—like most hon. Members here today—I have been approached by Age Concern in my constituency to support the Bill.

I have focused on the employment aspects, but the Bill covers other aspects, some of which have been mentioned in the debate. I am sure that we all share the views of the hon. Member for Brighton, Kemptown (Dr. Turner) about evidence of age discrimination in the NHS, and the appalling stories of "Do not resuscitate" notices. Nobody could condone that.

My hon. Friend the Member for South-West Bedfordshire (Andrew Selous) made a helpful contribution on the issue of insurance, bringing in his expertise in that area. In some areas, insurance may be more expensive for older people. In the case of health insurance, there may be good reasons for that, based on actuarial calculation. It is undoubtedly the case that the average cost of health care for someone over 50 will be higher than for someone under 50. Indeed, the cost continues to rise as people grow older. In some markets, it is cheaper for older people to obtain insurance. For example, some motor insurance schemes are targeted specifically at older people who are less likely to have accidents. I suspect that older people would not wish to have such schemes ruled illegal under anti-discrimination legislation.

The whole issue raises huge questions and we have had the chance to mention some of them today. The need to address the issue is urgent, because we are not alone in considering it. It has already been covered by a European directive and we are under an obligation to legislate soon. I hope that the debate will have served to illuminate some of the issues that have been raised. I also hope that the debate will continue in Committee. It is important that we have a full discussion of all the issues raised and, for that reason, we do not intend to stand in the way of the Bill being given a Second Reading.

1.8 pm

The Minister for Employment and the Regions (Alan Johnson): I congratulate my hon. Friend the Member for Falmouth and Camborne (Ms Atherton) on her colourful speech. She has a talent for dealing with serious issues in an interesting way. Indeed, she set the spirit for what has been an excellent debate. Sometimes these debates do not get the attention that they deserve outside the House, but today has been the House at its best. The debate has covered lollipop men, silver surfers, a history of scurvy in the Royal Navy and Horace quoted in the original—of course, I must tell my hon. Friend the Member for Knowsley, South (Mr. O'Hara) that most hon. Members did not need the translation, because we understood it perfectly well. My hon. Friend the Member for Falmouth and Camborne did the House a service not only by raising the issue, but by doing so so effectively.

We have had excellent, wise and sagacious contributions, including that from my hon. Friend the Member for Ilford, North (Linda Perham), who has a long history of involvement with the issue. We had a passionate speech from my hon. Friend the Member for Kingswood (Mr. Berry) who made the point that several of the Back Benchers who supported two ten-minute Bills on the issue last year have become PPSs or Ministers. The inference was that that could be the way up the promotional ladder. I point out only that both those Bills failed, which is probably why my hon. Friends were promoted so soon afterwards.

My hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey) made an excellent contribution. She raised the crucial issue about people approaching retirement age who may want the same access to flexible working and reduced hours that we intend to introduce into the Employment Bill for parents of young children. We have also had excellent contributions from my hon. Friends the Members for South Dorset (Jim Knight) and for Edinburgh, North and Leith (Mr. Lazarowicz).

By and large, this very interesting debate has not involved any political posturing and has been the better for it. The hon. Member for Gainsborough (Mr. Leigh) was, as always, entertaining. He was courteous in putting forward arguments that were not shared by other right hon. and hon. Members, and spoke with his normal clarity and panache.

The hon. Member for Croydon, South (Richard Ottaway) made an important contribution. I know that area of London well, and the problems that he described are very real. There is very low unemployment, yet people cannot get work for no other reason than their age. The hon. Members for Hertford and Stortford (Mr. Prisk), for South-West Bedfordshire (Andrew Selous) and for Bexhill and Battle (Mr. Barker) also made important contributions. The hon. Member for Romford (Mr. Rosindell) broke what I thought was becoming a consensus and made some rather unnecessary political points. However, he does come from the same region as Ipswich.

The hon. Member for Maldon and East Chelmsford (Mr. Whittingdale) raised some points that I hope to address, together with the essential points made by my hon. Friend the Member for Falmouth and Camborne. I will try to cover all of them in the course of my remarks, pointing out the Government's concern on the issues and how we intend to tackle them.

Sadly, all too many people fail to appreciate the seriousness of age discrimination and the damage that it can do. We often fail to realise how conditioned we are in our perceptions of older people—our upbringing, culture and the prevailing media images all conspire to create a stereotype, and discrimination feeds on stereotypes. The Government are strongly committed to tackling unjustified discrimination. Our record shows that we have taken action over the last Parliament to demonstrate that commitment through some important steps.

The minimum wage, for instance, was a vital step for all low-paid workers, especially women, which narrowed the pay gap by a full two percentage points in the first year of its implementation. That was the first progress on low pay that had been made for many years. The national child care strategy has created places for 700,000 children, thus helping parents in the work place. The new deals to help the young and long-term unemployed, lone parents and disabled people into work have made an important contribution. We created the Disability Rights Commission to promote and enforce civil rights for disabled people.

We implemented the recommendations of the Stephen Lawrence inquiry to improve the way in which police deal with race and race crime. We have amended the Race Relations Act 1976 to prohibit race discrimination in the exercise of any public functions not previously covered by legislation, and to place a new statutory duty on public bodies to promote race equality.

We have introduced a common age of consent for gay people and heterosexuals. We have changed the immigration rules to allow long-term unmarried couples of different sexes or the same sex the same right as married couples.

The hon. Member for Maldon and East Chelmsford asked what we had been doing ahead of introducing the European directive regarding age discrimination. We have introduced the code of practice on age diversity in employment and the new deal for 50-plus, which is a voluntary programme to help the unemployed and the economically inactive back to work. We are taking forward the recommendations of the PIU report "Winning the Generation Game", which was published in April 2000, and included the collection of examples of good practice by employers adopting flexible retirement policies, which may be widely disseminated.

We have also introduced the age positive campaign and the inter-ministerial committee for older people—so we have not been inactive.

In its most pernicious form, age discrimination scars the lives of countless older workers. It costs British industry untold amounts—the figures were quoted in the debate. Especially set against the context of the current demographic trends, it is a waste of potential that this country cannot afford. We all have a common interest in ensuring that all, regardless of age, are able to contribute effectively to the economy, for the economy's sake as well as their own.

There are almost 19 million people aged 50 and over in the United Kingdom. They account for 40 per cent. of the adult population. There are almost 6 million people aged between 50 and state pension age in employment, but 30 per cent. of that age group are not economically active. Failing to make full and effective use of that resource is not the only problem. According to the Employers Forum on Age—an august body; some of the companies associated with it were mentioned by my hon. Friend the Member for Kingswood—18.5 million people feel that they have been discriminated against on the ground of age in one or more aspects of their life. Eight million people have experienced age discrimination in employment.

It is all too clear that employers do their business a disservice by excluding otherwise meritorious candidates solely on the ground of their age. Such practices have a devastating effect on people's lives, and that is what we are determined to tackle.

A large part of the problem is the tendency to think of age in terms of outdated and inaccurate stereotypes. Unlike in other areas of discrimination, differential treatment based on age is often not based on hostility or ill feeling, but misconceptions about older workers abound, and the outcome for the victims is just as bad. That point was made eloquently by my hon. Friend the Member for Knowsley, South.

Older workers are said to be slow to learn new skills, stubborn and inflexible, to cling to outmoded working practices and to take more sick leave. Surprise, surprise, none of the research supports those stereotypical views of older workers. They turn out to be more reliable on average than their younger counterparts. They are less likely to change employers after a short time. They are good at learning new skills. They are reliable and effective workers who turn up on time.

Moreover, the negative stereotyping ignores the benefits that older people bring to the work force. They bring a better balance and continuity and a more representative work force profile that reflects companies' customer base. They bring a stronger skills base and higher levels of experience.

Prejudice and culture are not remedied by legislation alone. In June 1999, the Government launched the code of practice on age diversity in employment along with supporting guidance for employers and illustrative case studies. The voluntary code sets the standard for non-ageist approaches to recruitment, selection, training and development, promotion, redundancy and retirement. We are also embarking on an age positive campaign to

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promote the code strongly through advertisements, awards, initiatives, events and project work with small and medium-sized businesses.

Those initiatives have met with some clear success, but equally clearly they were not sufficient in themselves to tackle the problem. That is why we decided last autumn to throw our weight behind the EU employment directive that commits all EU member states to the introduction of legislation to outlaw age discrimination in work and training. I was pleased to be able to play second fiddle to my right hon. Friend the Member for Dulwich and West Norwood (Tessa Jowell), who was then the Minister for Employment, Welfare to Work and Equal Opportunities. It was not a decision that required qualified majority voting; it required unanimity. I do not know what the difference would have been had the Opposition been in power, but we were pleased and proud not to use our veto and to sign that directive.

We are determined to press ahead with our campaign, because we believe that legislation alone is not enough, and I shall discuss that in a moment. Experience abroad, in countries such as the United States and Australia, where age legislation has been in place for some time, strongly suggests that the effectiveness of such legislation is greatly helped when it operates in conjunction with other policies—such as age positive initiatives—to promote equal rights and to educate employers about their obligations as well as their rights.

The Government have committed themselves to bringing in new legislation to outlaw age discrimination in the workplace and in training. As the hon. Member for Maldon and East Chelmsford pointed out, that is at the heart of this debate. I shall outline our plans for the implementation of that legislation.

Last November, the European Council of Ministers agreed the employment equality directive. It will require all 15 EU member states to introduce legislation prohibiting direct and indirect discrimination at work on the grounds of age, sexual orientation, religion and disability. We welcomed the directive from the outset; it is an important step in ensuring equal opportunities for all workers, whether in this country or elsewhere in the EU.

However, legislating against age discrimination is highly complex—as, I know, many Members on both sides of the House appreciate. There are many complicated and sensitive problems that we must address and resolve so that the eventual legislation is practical and helpful to employers and employees. In particular, the directive recognises that differences in treatment on the ground of age can sometimes be justified. For example, it may sometimes be necessary to make special provision for younger or older workers in order to protect their safety and welfare.

The challenge in implementation is thus to identify which types of different treatment are acceptable and which are not. That clearly requires sensitive consideration, in the light of responses to consultation. The EU recognises the complexity of the issue and, for that reason, the directive allows member states up to six years to implement its age discrimination provisions.

The Government intend to take full advantage of the time allowed, so as to develop clear and workable legislation. We thus do not anticipate that new legislation will come into force sooner than 2006, although we aim to have the legislation and its accompanying guidance in place well before then, so that businesses, employers and others have sufficient time for preparation.

We realise that the problem of age discrimination is not confined to employment, but legislating on age in employment is a significant undertaking and we need to allow time to get it right. At this stage, we are not persuaded to move at once to extend the scope of the legislation in order to cover goods and services as well as employment. It is likely that demographic and economic factors will provide powerful incentives for shops and service providers to change discriminatory attitudes to customers. There will simply be too many older customers for businesses to ignore them or treat them in a cavalier fashion.

Future consideration of legislation on goods and services would pose some complex questions. For example, would it be reasonable to outlaw specialist services aimed at particular age groups, such as holidays for younger or older people? That was one of the examples given during the debate. Should insurance companies be able to make reasonable adjustments in their premiums to reflect actuarial calculations? How would we deal with special concessions to pensioners? Travel, television licences and winter payments come to mind.

Mr. Burstow: Some Members will be disappointed to hear that goods and services are not to be included in the process at an early stage—not least because the Disability Rights Commission Act 1999 offers such a good template. Will the Minister tell us why the EU directive requires delivery of legislation in respect of sexual orientation and religion by 2004, but age by 2006? Would it not make more sense to introduce the provisions at the same time, so that Parliament could debate a comprehensive measure in the round, thereby addressing all the issues—including goods and services—sooner rather than later?

Alan Johnson: The date for the other two issues is 2003, not 2004. The feeling was that age discrimination is particularly difficult to deal with—indeed, we are further behind in relation to age than in relation to the other areas. That is one of the essential points made by my hon. Friend the Member for Falmouth and Camborne, which I shall come on later, and it is the reason for the different time scale. I shall deal with the point that the hon. Gentleman makes in a second.

In our view, the problems that I have outlined reinforce the importance of focusing first on getting things right in relation to employment and building firm understanding and support for the necessary changes. Of course, hon. Members and others will say that legislation should be all-embracing in its scope and that having to wait until 2006 is too long. The Americans, for example, have had their Age Discrimination in Employment Act since 1967, with subsequent laws extending and amending the scope of the legislation. However, even now, US federal law does not extend to goods and services.

Although the American experience can provide us with useful lessons, experience from abroad also suggests that there are no easy off-the-peg solutions. The path to legislation, and the legislation itself, differs from country to country. Overseas experience suggests that age discrimination law evolves over time. Another clear message from overseas is that solutions that fit particular experiences need to be found. That view is reflected in the EU directive. Recital 25 of the directive refers to the fact that provisions on age discrimination may vary in accordance with the situation in member states, and that is our view.

This is a complicated issue and we need to get it right. As I have already said, we have to tackle hearts and minds while developing proposals for legislation. It is not a question of persuasion or legislation; an effective strategy requires both. That is why we propose to consult widely, and why we aim to raise awareness and promote understanding of the issues throughout the period leading up to implementation.

As a first step, therefore, we shall shortly launch a consultation on how discrimination in the workplace on grounds of age, religion and sexual orientation can be made unlawful. The current plan is to publish the consultation document on 13 December—just a few weeks away. Those involved in that consultation will consider whether goods and services should be covered and whether we should have a separate age commission. We shall seek the views of employers, employees, organisations and expert groups.

We do not expect to resolve everything to do with age all in one go. The difficulties and questions that we have to consider—for example, redundancy, recruitment, promotion, training and retirement—cannot be resolved quickly. We shall, therefore, consult again on further age proposals next year, when we have evaluated the responses to the first consultation.

Of course, we have already had the benefit of the age advisory group's valuable expertise. The group includes representatives from industry, unions, employers organisations and key interested parties. I cannot mention them all, but they include the Trades Union Congress, the Confederation of British Industry, Age Concern, the Institute of Management, the Employers Forum on Age and the Society of Chief Personnel Officers.

Mr. Burstow *rose—*

Alan Johnson: Let me turn now to the issue at the heart of the debate: the provision of advice and support on age discrimination and the proposal to establish a new equality commission to help tackle age discrimination. That might cover the point about which the hon. Gentleman wants to intervene.

As we implement the directive, we shall certainly need to consider how advice, support, and guidance in respect of all three new equality strands—religion and sexual orientation, as well as age—should be delivered to those who need it. It will have to be delivered in a way that people find easy to use; it has to be accessible and coherent.

The Government accept that age is behind the starting line in respect of measures that already tackle discrimination. In respect of race, sex and disability, we have the Commission for Racial Equality, the Equality Opportunities Commission and the Disability Rights Commission, which perform a key role in the provision of advice and support. It does not follow, however, that—as we introduce new laws giving protection from discrimination on the three new grounds of age, religion and sexual orientation—we should set up another three commissions, making six in all. That is an option, which has been powerfully argued by my hon. Friend the Member for Falmouth and Camborne, but it is not the only one.

The EU employment directive does not require new commissions for any of the new grounds. We will need to weigh the merits of calls for a single commission to cover all grounds of discrimination, as in the United States where the enforcement of the Age Discrimination in Employment Act rests with the Equal Employment Opportunity Commission.

Rev. Martin Smyth *rose—*

Alan Johnson: This might be a good time for the hon. Gentleman to intervene, because we can also learn from our experience of the Equality Commission for Northern Ireland. That single body was created to exercise functions formerly carried out by three commission bodies and the Northern Ireland Disability Council.

Rev. Martin Smyth: What evaluation is now taking place of the outworking of the Equality Commission for Northern Ireland? Even though it may have different offices dealing with different aspects, it is much more reasonable to have just the one commission.

Alan Johnson: The hon. Gentleman makes an important point. We shall use that pertinent example in our deliberations.

A single commission could provide a number of benefits. It would be a single point of contact for employers and employees as well as for members of the public. It would be also able to tackle multiple discrimination such as might have been experienced by an elderly black women or a disabled young man. It would help to create cohesion and aid compliance with co-ordinated enforcement action across all areas of discrimination and it could provide a more effective use of resources and expertise.

As the debate has demonstrated, however, the arguments are not one-sided. To what areas of discrimination should a single commission give priority? For example, those such as my hon. Friend the Member for Falmouth and Camborne and others who want an age commission would argue that a single commission would lose focus, with age being only one of a number of issues that a commission would tackle. We could also argue that the Disability Rights Commission is bedding down and that it is the wrong time to include it in an overall commission. We recognise those finely balanced arguments. That is why we want to consult.

Although I understand the concerns of my hon. Friend and the age lobby, it would not be right for us to commit to an age commission now and in isolation. We are just about to embark on a major consultation exercise on the implementation of new legislation. We need first to examine the requirements of all equality grounds in the round and to consult widely and to come up with proposals in the light of that consultation. That does not rule out special arrangements for age. We recognise that special factors are unique to this particular strand, but the decision should not be taken at this time and with sole reference to the issues surrounding age discrimination.

[Alan Johnson]

The Government do not want the Bill to go to Committee because we cannot commit ourselves to establishing an age commission—let alone one that does not cover young cover people in the way that we are obliged to by the European directive—or any other arrangements for commissions until full and proper consultation has been carried out and all the options have been considered in the round.

Our age discrimination legislation, which will be developed in consultation with all the interested parties, will cover people in employment and training—young and old. We shall take into account the views expressed in the debate and we shall continue to consult and listen to what organisations, such as Age Concern, the TUC, the CBI and others, say about the commissions.

The age advisory committee will also have a role. The Government cannot, however, make a commitment to establish an age commission or provide other arrangements for commissions at this stage. I hope that on the basis of my remarks my hon. Friend the Member for Falmouth and Camborne will withdraw the motion and focus her considerable expertise and strong and passionate advocacy on the consultation that is due to commence within the next few weeks.

1.35 pm

Ms Atherton: With the leave of the House, I shall respond to the debate, which has been excellent.

I welcome the support that the Bill has received from hon. Members on both sides of the House. It is clear that there is much support for action to be taken and I thank hon. Members for contributing to the debate. I also thank the Minister for the powerful case that he made on why I should not proceed with the Bill. I am pleased that the Government are making strides forward and I urge further strides in the future. I beg to ask leave to withdraw the motion.

Hon. Members: No.

Question, That the Bill be now read a Second time, *put and negatived.*

Copyright, etc. and Trade Marks (Offences and Enforcement) Bill

Order for Second Reading read.

1.36 pm

Dr. Vincent Cable (Twickenham): I beg to move, That the Bill be now read a Second time.

I am grateful—indeed, relieved—to have the opportunity to hold a Second Reading debate on my Bill. It is essentially the same Bill that was introduced in April by the hon. Member for Ellesmere Port and Neston (Mr. Miller). None the less, I appreciate that the House will want all the arguments properly heard, debated and scrutinised, and I shall approach our deliberations in that spirit.

I congratulate the hon. Gentleman on the way in which he introduced the original Bill. I appreciate that he has now taken Trappist vows of silence and will not be able to speak in the debate, but when he initiated the process he built a substantial cross-party consensus, which I have endeavoured to continue, as reflected in the eclectic nature of the sponsors.

I also congratulate the Alliance Against Counterfeiting and Piracy, which did much of the background work on the Bill. It represents a large number of entrepreneurs, large and small manufacturers, retailers and creative artists, whose livelihoods depend on the defeat of counterfeiting and piracy. I have an indirect interest in that my eldest son is an opera singer and I am looking forward to the days when he can rely on income from his recordings rather than on my parliamentary salary.

I acknowledge the role of another key organisation, the Federation against Copyright Theft—FACT—which is located in my constituency. It has the important function of working with the police and trading standards officers to plan the raids that are crucial to the enforcement of action against copyright theft.

I will set out what the Bill would do and why it is necessary, before dealing with a few of the technical points which would be more appropriately covered in Committee, if we reach that stage. The Bill is comparatively long and complex, but the principle behind it is simple. The complexity is due to the need to make a large number of insertions in existing legislation. The aim is to stop criminals from thinking that copyright crime is an easy option.

It is also important to understand what it does not do. The Bill would not create new criminal activities; essentially, acts that are not criminal will not be criminalised by the Bill. It aims to rationalise existing legislation and would achieve three objectives in particular.

First, the maximum penalty for involvement in copyright theft would be extended from two years to 10 to bring copyright legislation into line with trademark legislation. There is no logical reason for two sets of intellectual property law to impose different criminal sanctions, so the Bill would align and harmonise those.

Secondly, the powers of search would be strengthened, and the prosecuting authorities and the police would be able to use them to secure evidence for a criminal prosecution. Thirdly, the power of forfeiture would be strengthened, again to bring copyright legislation into line with trademark legislation. The Bill would harmonise different aspects of intellectual property law, but it would harmonise upwards and reinforce sanctions against criminal activity so as to acknowledge the subject's importance.

Why is the subject important? First, copyright theft operates on a large scale and the industry estimates that £9 billion a year is involved, although the explanatory note refers to £8 billion. The sums are large and that money would otherwise accrue to creative artists, entrepreneurs and workers in industries that produce goods legitimately.

The nature of the modern economy is such that, as we move further from traditional agriculture and metal bashing, more and more national wealth is created through knowledge-based industries and creativity. It is important that that is properly rewarded and that property rights are respected. That is the underlying basis for the concern about such large-scale theft.

A supporting reason why the subject is important is consumer protection. There is a popular myth that a cheap Harry Potter video at a car boot sale is an attractive purchase, but a lot of practical experience shows that consumers are exploited by counterfeits, which can be dangerous. There are many recorded examples of perfumes and skin creams being adulterated, of cheap toys disintegrating in the mouths of toddlers and of substandard audio and video recordings ripping off the consumer. The Bill would protect not only property rights, but consumers.

Richard Ottaway (Croydon, South): There is a Chanel factory in my constituency. We in south Croydon are only too aware of not only substandard goods, but complete fakes. The hon. Gentleman may come to trademarks, but does the Bill address imitation goods?

Dr. Cable: Yes, it relates entirely to that issue. Fakes are part of counterfeit. Indeed, Chanel perfumes are a commonly quoted example, and a haul from a particular raid included Chanel bottles filled with an unmentionable yellow liquid. Various people were duped into buying that fake product, so the hon. Gentleman's concerns are valid. They are covered by the Bill.

The Bill is important for another powerful supporting reason, which does not relate to theft from the entrepreneur or the creative artist. There is also theft from the taxpayer. It is estimated that the Treasury loses about £1.5 billion a year in tax that would otherwise have been paid. We all seek the nirvana in which we finance increased public services without increasing tax and such measures are an important step along that road.

The final major argument in respect of the need to strengthen the law is that much evidence suggests that organised crime, not just petty Del Boy operators, is moving in on a large scale. The National Criminal Intelligence Service has highlighted the involvement of drug barons in copyright theft and pirating, which are considered low-risk occupations because the penalties are relatively small. Such people undertake large-volume activity to recycle the proceeds of other criminal ventures. So, there is a law-and-order reason as well as commercial and consumer protection reasons why the Bill is necessary and desirable.

It is a general principle that we should take strong action against copyright theft, but the Bill is important for other reasons. First, the existing law is a mess. There is a patchwork of inconsistent pieces of legislation. We have the Copyright, Designs and Patents Act 1988 and the Trade Marks Act 1994, which specify different penalties for no obvious reason. It is important that legislation reconciles and harmonises.

Secondly, it is important that we have legislation that makes criminal sanctions effective deterrents. Various cases have gone through the courts in recent years, including Regina *v.* Watson, where the Crown prosecuted a major criminal. About £350,000 of taxpayers' money was invested in that prosecution. The offender attracted a penalty of two years imprisonment, which was subsequently reduced to one year. Those who monitor the industry record that the same pirates are back in court time and again. As I have said, it is a relatively low-risk occupation with short sentences.

Mr. Barry Gardiner (Brent, North): Will the hon. Gentleman tell the House how the maximum sanctions that he is proposing compare with those for other crimes? Recently, for example, a case was highlighted in the newspapers, where a sentence of only seven years was imposed for child abuse, which was disparaged. Will he comment on comparable maximum sentences?

Dr. Cable: My brief is somewhat narrow. I am trying to achieve some consistency between different types of theft, and especially different types of property theft. The hon. Gentleman may well be right that horrendous crimes are being committed elsewhere, the sentencing for which is entirely inadequate. I am sure that there are many opportunities for him to introduce a private Member's Bill or to take another legislative approach designed to address anomalies. I can attack only on a limited front, where there is a serious anomaly.

The Bill is important for transparency. It is possible for the authorities to proceed with prosecutions against those who commit copyright theft. That can be done by using the law in an indirect way. If two or more people are involved, the charge of conspiracy to defraud can be invoked. There are some who have argued that we do not need to change the law because it is possible to find some existing power under which sanctions can be imposed. That is an unsatisfactory way to proceed. The approach is cumbersome and costly, and often it does not work. There is an enormous inherent advantage in having a law that is clear, open and completely honest in what it is designed to achieve.

I have outlined some practical reasons for bringing the Bill forward now. Counterfeit theft takes place on a large scale and it seems that it is increasing. It is a serious threat that has been identified by the criminal intelligence authorities. The legislation that I am proposing will introduce clarity. It will make criminal sanctions effective and it will introduce greater transparency into the law.

There are a few technical points, which perhaps will be best pursued in Committee. However, I shall refer to them in passing because the Bill deals with a dense area of legislation. Hon. Members may be troubled by that, or will be curious.

The hon. Member for Brent, North (Mr. Gardiner) touched on sentencing. I stress that the sentence of 10 years imprisonment is the maximum. A sentence of such severity would rarely be invoked. The problem of someone being sentenced to 10 years imprisonment for

[Dr. Cable]

the sort of crime that we are discussing and someone else receiving a lesser sentence for child abuse would probably not arise. It is important to have deterrent powers, and the 10-year sentence is consistent with that for other intellectual property theft.

I should say more about search warrants and search powers. There may be some sensitivity in the House about human rights in this connection. We must move carefully before additional search powers are granted. However, the Bill is quite tightly drawn. There is not the remotest prospect that the proposed legislation could be used, for example, to search a house because an individual is using a counterfeit product. That is certainly not the intention; the Bill clearly rules it out. A magistrate or a Scottish sheriff would have to demonstrate an intention to engage in substantial commercial counterfeiting operations, and that would be the basis for a search warrant. The legislation has been tested against human rights law. We should remember that people whose intellectual property is stolen have human rights, which must also be embodied in legislation.

There are complex provisions on forfeiture, which is largely a matter of legislative tidying. Different pieces of legislation relate to copyright, creative performative rights and the specific problem associated with decoding devices used to access satellite television; separate legislative provision is required for that. Separate clauses in the Bill relate to Scotland which, again, is a tidying-up operation. Intellectual property law is a reserved power, but Scotland has its own criminal system and the legislation must reflect that complexity.

Mr. Gardiner: I have been trying to interpret clause 5, which deals with forfeiture, but I am in some difficulty. It states:

> "A court may infer for the purposes of this section"—

meaning for the purpose of forfeiture—that such an offence has been committed in relation to any infringing copies or articles if it is satisfied that an offence has been committed in relation to any infringing copies or articles "which are representative of" the infringing copies or articles. I do not understand why the court can infer that forfeiture applies if such items are only representative of the infringing copies. Will the hon. Gentleman clarify that?

Dr. Cable: I do not think that I can clarify it to the hon. Gentleman's satisfaction. To his credit, he has immersed himself in the detail of the Bill, and I honestly cannot answer his technical question. However, if the Bill goes into Committee, I undertake to address his intelligent and helpful point, which he has clearly thought through. If necessary, amendments would have to be tabled to deal with any anxieties that he may have. I respect the point that he made.

To conclude, I hope that the House accepts that the Bill is a useful and practical piece of legislation to deal with a genuine problem. I hope that I will have leave to take it into Committee.

1.52 pm

Mr. Chris Bryant (Rhondda): For two years, I worked for the BBC as head of European affairs, and spent most of my time dealing with the European copyright directive. I am therefore an amateurish expert on copyright, particularly its application to broadcast media. I am sure that in the next year we shall look at incorporation of the copyright directive in United Kingdom law, so the Bill is particularly useful and timely. By its nature, copyright is a creature of legislation. Before 1709, there was no such concept as copyright in UK law other than the right given to publishers, as opposed to authors, for their books not to be copied by other people. In 1709, the Statute of Anne gave copyright to the author, rather than the publisher; that copyright applied to the work, rather than the book itself.

The Bill is important. The advent of the computer or, for that matter, that of the photocopier in, I think, 1949, has made it far easier for people to copy and the general public to get used to copying without considering that they might be stealing from somebody else. If that is the case, it is all the more important to give stronger teeth to the law that provides back-up and essential support to copyright owners.

Mr. Gardiner: Is my hon. Friend aware that each year many children go into music exams, play their pieces, and are told by the examiners at the end that they will not receive any mark because they have used copyright music? The entire examination is invalidated. It is a great testimony to the boards of music that they take so seriously the infringement of the copyright of the music publishers that they refuse to issue a grade to the student, who must resit the exam at a subsequent date.

Mr. Bryant: I thank my hon. Friend for that intervention. I was not aware of the recondite matter of music examinations. I never got very far with my cello lessons.

My hon. Friend's remarks help to underline the fact that in any delineation of copyright, the private, economic and moral rights that adhere to the copyright holder, and the criminal sanctions that apply to those who infringe copyright, it is important for us to bear in mind the rights-holder's interests and to allow fair dealing exemptions, as has been the practice in British common law.

For example, much of the discussion on the continent in recent years has been about whether, when one is filming for the news outside the Lloyd's building, there should be an exemption for the copyright building, which is shown on the news. In other countries in Europe, there is no exemption for such buildings, and in theory, the newscaster must get permission from the copyright owner—the architect who designed the building—before it can be shown on the news. Most of us in this country would consider that a rather foolish way to proceed.

The concept of copyright in English common law is very different from the droit d'auteur under the French Napoleonic code, which affects most of the rest of European law on the matter. We need strong sanctions in this country, which has founded most of its industrial success over the past 250 years on the ability to create new ideas, patent them, take them forward into the marketplace and build financial value out of creativity. That is why I welcome the Bill.

Already, in some of the press coverage of the Bill and in television discussions about it, it has come across strongly that the process of protecting the rights of copyright and patent owners needs to be strengthened, and that the process of copying and the buying of cheap goods from a street stall on a Friday afternoon—rip-off or fake goods—is not in anyone's interest, other than the thieves. The Bill will play an important role in transforming public perceptions about rights-holders.

There are many rights-holders who still have a complicated relationship to copyright. I shall give a small example. A designer of theatre sets would usually keep the copyright for ever. For instance, the designer of the set for "Les Miserables"—however one wants to pronounce that—

Mr. Peter Luff (Mid-Worcestershire): The Glums.

Mr. Bryant: I thank the hon. Gentleman.

The set designer has retained his copyright throughout, and made a significant amount of money. That is not true of rights-holders who provide sets for television programmes.

There are many areas in which copyright still has to be reformed and in respect of which we must consider more closely the process whereby an individual earns his money. In the end, that is what we are talking about: people spending often vast amounts of money, time, and creative and physical energy to produce ideas that can be brought to a market. Stealing that intellectual property should be a crime that receives the full sanction of the law. The legal sanctions that are currently available are too limited—the problem that the Bill would help to remedy—and are difficult to impose, for the simple reason that it is hard for the police and relevant authorities to pursue people who are infringing the copyright of others.

I should like to make one final point that is important in terms of the public perception of what is happening. People should not start to worry about suddenly being unable to record a television programme that is broadcast on a Monday and then watch it on a Wednesday. The copyright directive, which we will doubtless incorporate into law in the next 12 to 18 months, and also other provisions in current UK law, make it clear that there should be a fair-dealing exemption, just as there are exemptions for research, private study, the reporting of current events and so on. It is important that fair-dealing exemptions remain in place and that we do not take those rights for granted. We must not only pursue them, but ensure that those who have brought to the world their great ideas and imaginative creations are given an opportunity to earn a decent crust from doing so.

I should add that it is, in many ways, no surprise that Trollope said that if one takes away from English authors their copyright, one takes away from England its authors. That is true of every single one of the industries that are affected by patent and copyright law. If one takes away the sanctions that they require and which the Bill would enhance, one takes away their opportunity to earn an honest crust.

2.2 pm

Mr. Peter Luff (Mid-Worcestershire): It is a great pleasure to make a brief contribution to the debate and to see in the Chamber the hon. Member for Ellesmere Port and Neston (Mr. Miller), who promoted a similar Bill in the previous Parliament.

I entirely agree with everything that has been said so far. I rise to speak because my constituency is the home of the European Leisure Software Publishers Association, which is situated in the village of Offenham. I have had regular correspondence with the association over the years. It has been lobbying actively for the introduction of a Bill such as this, so it is a pleasure briefly to express my support in the House.

We are told that the Alliance Against Counterfeiting and Piracy estimates that UK industry loses almost £9 billion a year—a figure that has been mentioned—at a cost to the Treasury of £1.5 billion in receipts. This is, therefore, a private Member's Bill that seems not to spend money for the Government, but to raise it, which is unusual. A third of the losses to which I have referred occur in the interactive leisure games software industry, at a cost of some £3 billion a year. As the Alliance Against Counterfeiting and Piracy says:

> "With losses of this magnitude, there is a possibility that innovation could be stifled. Why should a business pay millions of pounds to research, develop and market a new product only to find that the expected profits are wiped out by counterfeiters, pirates or producers of look-alike goods?"

That is absolutely right.

The UK electronic games market, which is of particular interest to me, has recently seen huge growth in the UK. Of course, there is enormous British innovation in that industry, which, I am told, has grown by some 111 per cent. in the past three years—a surprisingly accurate figure. As it costs some £2 million to produce a top-selling interactive programme, one can see how much more growth could occur in that market if the Bill were enacted, so I very much hope that it reaches the statute book.

However, we are considering the interests not only of the industry, but of consumers and the general public. ELSPA, the organisation in my constituency, has said that, in 80 per cent. of the raids that it has carried out in the past year, evidence was found of additional crimes ranging from fraud and drug-running to prostitution and child pornography.

I especially welcome the fact that the Bill matches trademark law, and that infringements will therefore no longer be a low risk option for organised crime. Hon. Members should be pleased about that. The former Royal Ulster Constabulary recently arrested three suspects, who were in possession of thousands of pirate videos and CDs. They believe that the Real IRA used counterfeiting as a major source of funding. The Bill has major, wide implications and I hope that it will reach the statute book as quickly as possible.

2.5 pm

Mr. John Whittingdale (Maldon and East Chelmsford): I warmly congratulate the hon. Member for Twickenham (Dr. Cable), not only on his result in the

[Mr. John Whittingdale]

ballot but on the subject that he has chosen for the Bill. If I had been as fortunate as him, I would have seriously considered introducing such a Bill. The best help that I can give it is to be brief.

The Bill will offer significant extra protection to the creative industries. In this country, we have an extraordinarily good reputation in those industries. I have an especial interest in the music industry, which has not always had the recognition that it deserves for its contribution to our economy and our country. Its economic value is approximately £4.6 billion and we have long been successful in it. If we consider the charts or record sales in almost any country in the world, British acts feature at the top.

It has occasionally been reported that I have an interest in rock music. To give one example, I like Iron Maiden, not only because of its admirable name but because of its music. There are people in Japan whose knowledge of this country and impetus for learning English is based on support for a British band such as Iron Maiden. In garages, sheds and barns in every constituency, young people are making music, hoping to become successful musicians one day. They can do that only if the record industry continues to thrive. The Bill offers it extra protection, which it badly needs.

The British film industry is worth approximately £3 billion. It is successful at making widely recognised movies, such as "The Full Monty" or "East is East". Major films such as the "Star Wars" series, "Saving Private Ryan", "The Mummy" and the Harry Potter film were made in this country.

My hon. Friend the Member for Mid-Worcestershire (Mr. Luff) mentioned ELSPA. Like me, he is the father of young children and I am sure that he is familiar with games such as "Tomb Raider" and "Quake". I have been known to assist my son in playing them.

All those industries make a major contribution to our economy and are under threat. The music industry estimates that copyright theft results in 1.8 billion units of pirated material on the global market. Almost a third of CDs are pirate copies. That does great damage to many firms that are involved in marketing intellectual property. My hon. Friend the Member for Huntingdon (Mr. Djanogly), who is unfortunately unable to be present, has drawn my attention to two firms in his constituency. The Producers is based in St. Ives and says that it has lost £1.5 million through counterfeiting. Just Flight is also based in St. Ives and has lost £1 million due to counterfeiting.

It is normal practice in debate for hon. Members to refer to their constituencies with pride. However, I read an item in my local paper with no pride. It gave an account of a raid that took place on a chicken shed outside Maldon a few months ago. It led to the discovery of a pirate CD factory with 50,000 CDs and 200,000 pieces of forged art work. The person responsible was prosecuted and was recently jailed for 21 months. I derive no pleasure from one of my constituents being sent to jail, but I welcome such a sentence because it may increase the recognition that such activities constitute theft. The hon. Member for Twickenham was right to state that fact clearly. Intellectual property is as valuable as material property and it deserves the same protection.

My hon. Friend the Member for Mid-Worcestershire rightly pointed out that it is not only small-scale enterprises in chicken sheds that are involved. Organised crime is heavily involved and even terrorists now see the enormous sums that can be made from illegal counterfeiting activity. There is a need for increased protection and the hon. Member for Twickenham has made a powerful case for tightening the law. We, the official Opposition, fully support his Bill and I hope that it will pass on to the statute book in due course.

2.10 pm

The Minister for Employment and the Regions (Alan Johnson): The Bill is before the House for a second time. I was not present for its first appearance, although my Parliamentary Private Secretary, my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) was, as it was his Bill. I am pleased to be here today to confirm that the Government continue to lend their full support to the measures in the Bill. We are grateful to the hon. Member for Twickenham (Dr. Cable) for introducing it in this Session. He is the father of an opera singer, and if we are declaring our interests I should say that my eldest son wasted his degree by becoming a musician, recording engineer and contracted songwriter, so I know all about the issues.

The previous Bill, unfortunately, failed through lack of time. To make sure that that does not happen today, I shall confine my remarks to specific issues. First, I want to make it absolutely clear that the Bill is designed to deal more effectively and appropriately with those who use the results of other people's creativity and investment deliberately and without permission with the intention of making money for themselves. It is directed against those who use property—intellectual property—that does not belong to them for profit and in the knowledge that doing so is wrong.

The effect of that theft on the owners of IP rights is clear. The hon. Member for Twickenham, my hon. Friend the Member for Rhondda (Mr. Bryant) and the hon. Member for Mid-Worcestershire (Mr. Luff) have explored the wider effects. Consumers are often cheated, although we sometimes have a hard job convincing them of that. Jobs in legitimate businesses, from high street shops to big manufacturing plants, are put at risk, are lost or are simply not created in the first place. I suspect that examples of that can be found in the constituencies of the majority of MPs.

Perhaps most alarming are the links between IP crime and serious organised crime, which are becoming more and more apparent. The latest threat assessment from the National Criminal Intelligence Service noted that more than two thirds of the organised crime groups reported to be involved in IP theft were known also to be involved in drugs trafficking. Furthermore, groups involved in organised immigration crime are known to use illegal immigrants as cheap labour working in sweatshops producing counterfeit goods.

IP crime is neither a victimless crime nor one committed by lovable rogues. We cannot cheerfully ignore it. Tackling IP crime opens up the possibility of having an impact on serious crime in general in the UK. By investigating the selling of fakes in street markets, law enforcers may uncover much other wrongdoing, from VAT fraud to drug dealing. We must therefore provide law enforcers with the tools they need to do that work effectively, where they deem that to be appropriate.

The Bill rightly addresses some of the inconsistencies between related provisions in the current law that was set in 1988 on copyright, and in 1994 on trademarks. Perhaps there are ways around the loopholes that the Bill would close, but it remains an extremely useful measure in terms of making the job of enforcers, especially the police, easier and making the law more transparent. Greater transparency will provide clearer deterrence and it might convince some of those who regard IP crime as a soft option not to engage in it.

The Bill is not over-ambitious for a private Member's Bill. Despite its apparent complexity, no part of it is not more or less copied from provisions already in IP law. In many ways, it is fair to regard the Bill as a harmonising measure that equalises criminal provisions between trademark law and copyright law where differences make no sense.

Of course, not all cases of IP crime are equally serious and it is certainly not possible to argue that all cases of trademark theft should attract the current maximum penalty of an unlimited fine and/or up to 10 years in prison. However, in the most serious cases, in which industry may have lost millions of pounds, consumers may have been badly deceived by fakes and there may have been wider effects on society, that sentence might be justified and should be available as a sentencing option. We cannot justify the continuation of the much less severe maximum penalty for a copyright offence, which is currently a fine and/or a maximum term of imprisonment of only two years. Copyright theft can be just as serious as trademark theft. There is no justification for the difference.

There is already a provision permitting the police to seek search warrants if they have reasonable grounds for believing that some of the copyright offences have been or are about to be committed, so applying that more widely across IP offences makes sense, too. Copying the existing, useful trademark provisions on forfeiture of illegal goods that have been seized during an investigation into the copyright and related areas is also worth while.

In supporting the Bill, the Government have carefully considered its human rights implications. We have taken advice on that very important matter and believe the Bill to be compatible with the European convention on human rights. Its provisions provide a balanced and acceptable solution to the problems of IP crime.

All those in the public and private sectors with an interest in fighting IP crime are collaborating more and more closely. Relevant issues are discussed at a strategic level in the Counterfeiting and Piracy Forum, which brings representatives from the private and public sectors around the same table with the Government. Earlier this year, the Government supported the signing of a memorandum of understanding between all the public sector enforcement interests—including the police, Customs and trading standards officers—and industry bodies active against IP crime on behalf of their members. We will continue to explore and facilitate co-operative and closer working where we can.

Mr. Luff: Can the Minister give the House an idea of the Bill's implications for the single market? Are there any European implications of which we should be aware before giving the Bill a Second Reading?

Alan Johnson: Not as far as I am aware, but if that statement turns out not to be true when inspiration hits me in a few moments time, I will write to the hon. Gentleman.

Raising public awareness about the effects of IP crime is an extremely difficult job and we are under no illusion that success will be easy. We have supported several awareness-raising activities, including the launch last year in north-west England of a Crimestoppers campaign against counterfeiting. That limited campaign had some lasting effects on public perceptions, and led to an increased number of reports of criminal activity. We are pleased, therefore, to support the launch in early December of a national Crimestoppers campaign. After a launch event in London, there will be a rolling programme of regional events that will, we hope, attract the public's attention.

That activity will continue regardless of the fate of the Bill. The Bill delivers a useful rationalisation of the law applying to IP theft, and the support of the House today will play a significant part in raising awareness of the crime, which certainly is not victimless. A judge sentencing two Russian criminals in London earlier this year for an operation involving significant counterfeiting of CDs, linked to credit card fraud, said that it was a

"sophisticated, well organised and well planned fraud".

The Bill will play a part in helping to fight such crimes.

Thinking on my feet, as always, and unconnected with this piece of paper that has been passed to me, I have realised that the Bill raises no EU obligations. The EU is considering IP enforcement issues, but no firm proposals have yet been made. I hope that I have avoided the need for a letter to the hon. Member for Mid-Worcestershire.

In conclusion, the Government support the Bill and all the rationalisations that it will introduce. We hope that other Members will do likewise. IP crime is an important issue that needs to be treated more seriously. It is as bad as other crimes in that general area. I know that many members of the public do not feel harmed by IP crime because they like the idea of a bargain. However, IP crime is not about bargains; it is about criminals and serious harm to us all. It is a crime that is almost certainly committed in every constituency in the UK. That is why we must give the Bill a Second Reading. I reaffirm the Government's intention to continue to offer it support in its later stages.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

Relationships (Civil Registration) Bill

Order for Second Reading read.

2.21 pm

Jane Griffiths (Reading, East): I beg to move, That the Bill be read a Second time.

Mr. Deputy Speaker (Sir Alan Haselhurst): The hon. Lady should say "now".

Jane Griffiths: Now.

Mr. Deputy Speaker: Perhaps I should explain. I am now calling the hon. Lady to move the Second Reading of her Bill if she so wishes.

Jane Griffiths: Thank you for your guidance, Mr. Deputy Speaker.

Since I sought leave to introduce the Bill in this House on 24 October last, there has been considerable publicity surrounding the issue that it addresses. Some of it is intended, I suspect, to misinform right hon. and hon. Members about the nature of the Bill. I have seen letters from certain organisations stating that it relates to gay marriages. It does nothing of the sort—it is not about marriage and would have no effect on the institution of marriage.

Mr. Michael Fallon (Sevenoaks): Would it not have assisted in clearing away some of the confusion surrounding the Bill if its terms had been more clearly defined? For example, it is rather unusual to have "registrar" defined, but not "relationship". Perhaps if the hon. Lady had defined the kind of relationship that she wanted to cover, it might have been easier for those of us who take an interest in the Bill to be clear about what she was trying to change.

Jane Griffiths: I am sorry that the hon. Gentleman has not understood the terms in which the Bill is couched. I believe that the term "relationship" is quite clear as the Bill has been drafted.

The Bill would introduce legal protection for people who live in partnerships with each other, especially at times of bereavement when they suffer inhumane, unfair and degrading treatment. If they have suddenly and tragically lost their life partner and are prohibited from registering the death, they may have to seek out their partner's sibling, for example—whom they may not have been in contact with for many years or at all—to ask them to do so. They become a non-person, despite having shared their partner's life, home and probably finances for many years. That is unjust and unfair in the 21st century.

The Bill would rectify that position and give legal protection so that if people choose to take on the rights and responsibilities of sharing a life with another person, they can register that choice. That will confer on them certain legal protections in terms of inheritance, pensions and insurance.

I have had discussions with serving police officers in the Thames Valley police about pension rights. They pay 11 per cent. of their salary into the police pension scheme. As I understand it, it would take legislation to alter the way in which the scheme is run, but at present some 1,500 Thames Valley police officers are unmarried. A large proportion of them will not marry, for many reasons that it would take too long to discuss. None the less, all those officers must pay 11 per cent. of their salary into the police pension scheme. When they die, their pension dies with them. They may be sharing their life with someone, but they have no opportunity to give their surviving partner the proportion of their pension that people who are married can give.

Mr. Chris Bryant (Rhondda): I am sure that my hon. Friend is aware that one of the early things that we did in this Parliament was to rectify the situation for ourselves. Does she believe that the Bill will help the rest of the country to move in a direction for which we have already legislated for ourselves?

Jane Griffiths: I was coming to that. We must consider how it looks to the outside world if Members of Parliament vote to alter our pension scheme so that we can give some financial security to a partner who may not be married to us, yet deny that opportunity to others outside the House.

The vast majority of public sector pension schemes do not offer that protection to their members. Private sector schemes often do, but it is easier for them to alter and develop the way in which they are conducted because they have trustees who can agree such matters. Schemes such as the police pension scheme require a rather larger move to be altered. The Bill seeks to rectify that position. Under the Bill, all pension schemes would have to provide the opportunity of pension protection within three years for their members.

Bereavement may happen suddenly, and serious illness may happen unexpectedly. People who live together usually make provision for each other by making a will so that the property that they share is available to the surviving partner, but it is not possible for people who are not married to make that provision in full in every way.

I do not intend even to discuss the institution of marriage. People marry for a great many reasons—religious, emotional, or because they wish to make a public commitment to the world. However, there are people who cannot marry for legal reasons and people who choose not to marry for other reasons, perhaps based on previous life experience. In Thames Valley police a high proportion of the officers are in that position.

An officer spoke to me yesterday and said that she was married to another police officer. They had decided to get married because they wanted pension protection. She did not feel very good about that. She felt that it was the wrong reason for marrying; that she had sullied the institution of marriage by marrying for that reason. I seek to remove the pressure on people who may share their lives together so that they may choose to marry—most couples do at some point—unfettered by the fear that one's surviving partner could be made homeless due to inheritance tax or would not have a right to their pension if they did not marry. Many pressures and difficulties would apply to unmarried partners that do not apply to married partners. The reasons for marriage should not be financial—they should not be mercenary. The reasons that people marry should be emotional and may be religious, depending on the faith of the person.

My wish to introduce the Bill was inspired by—

Mr. Deputy Speaker: Order.

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed on Friday 10 May.

Remaining Private Member's Bill

HEALTH (AIR TRAVELLERS) BILL

Question proposed, That the Bill be read a second time.

Hon. Members: Object.

Debate to be resumed on Friday 25 January.

Residential Care Homes (Essex)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Stringer.]*

2.30 pm

John Cryer (Hornchurch): May I begin by thanking you, Mr. Deputy Speaker, for selecting this subject for debate? I also thank the Under-Secretary of State for Health, my hon. Friend the hon. Member for Salford (Ms Blears), who will respond to the debate. Ministers must feel that they have drawn the short straw when they have to reply to the Friday afternoon Adjournment debate, so I thank my hon. Friend for being here.

My main aim in this debate is to consider the loss of local authority beds, delayed discharge, and high bed occupancy—especially in the acute health economy—in the boroughs of Barking and Dagenham and of Havering, and their relationship to the operation of the national health service throughout our area. I am glad that my hon. Friend the Member for Dagenham (Jon Cruddas) is in the Chamber. This is an enormous issue for the areas that we represent.

I shall quote from the Treasury Minute on the first report of the Public Accounts Committee 2000-01 "Inpatient Admission, Bed Management and Patient Discharge in NHS Acute Hospitals". It states:

> "There is a clear relationship between high bed occupancy and the risk of cancelling elective admissions. This risk becomes very pronounced at occupancy levels above 83 per cent. Bed occupancy rates in hospitals ranged from around 50 per cent to 99 per cent in 1997-98. The average across all hospitals was 81 per cent."

On 17 October, my right hon. Friend the Secretary of State for Health gave evidence on the same subject to the Select Committee on Health. He said:

> "What you cannot do is provide the optimum levels of emergency care or shorter waiting times in hospital unless outside the hospital you have a social care system that is operating more effectively and in cooperation with the local health service."

On 24 October, he said:

> "We have commissioned research from York University which the Committee can see, which indicates that if you get occupancy rates in excess of 82 per cent you start getting a higher level of cancelled operations taking place at the last minute . . . What we have been looking at very closely is what we can then do to get occupancy levels down from around 89 or 90 per cent at the moment across the NHS . . . The problem is that it"—

the hospital sector—

> "becomes less efficient the more you get above 82 per cent"

bed occupancy rate.

That is clear. Occupancy rates of more than 82 per cent. diminish the efficiency of the sector and create other problems across the health economy.

Oldchurch hospital is a big accident and emergency hospital that serves my area, as well as that of my hon. Friend the Member for Dagenham and several other hon. Members. A press release issued recently by Barking, Havering and Redbridge Hospitals NHS trust stated that the bed occupancy rate is currently running at 97 per cent.

Jon Cruddas (Dagenham): Does my hon. Friend agree that the problem affects not only his constituents in Hornchurch and Havering but those in Barking and Dagenham? Recent figures that I have received from the trust show that 54 of the 154 delayed discharges, or

[Jon Cruddas]

blocked beds, affected Barking and Dagenham constituents. Does he agree that the consequential effects of the problem are so great—the cancelled operations and the implications for the functioning of the accident and emergency centre—that urgent action is needed from the Department of Health, local authorities and the trust itself?

John Cryer: Yes, I agree with my hon. Friend that that is a problem right across the health economy.

Delayed discharges are a problem in our area, partly because its population is, on average, one of the oldest in any Greater London borough. In fact, Havering might have the oldest population of any borough. Barking and Dagenham also has an elderly and ageing population. Barking, Havering and Redbridge Hospitals NHS trust issued a press release on 12 November. It uses the term "bed blocking"—a phrase that I detest. I prefer to use the phrase "delayed discharges", which is far more accurate and sympathetic. Nevertheless, it uses that phrase and says:

> "We currently have 160 beds 'blocked' which means we have 160 people who are medically fit for discharge but cannot return to their own homes. This may be that they are unable to look after themselves or require support to undertake tasks essential for daily living, such as cooking."

So there is clearly a high level of delayed discharges.

I should mention the fact that the Government made £500,000 available to the London borough of Havering so that it could deal with delayed discharges and try to get people back to their homes, or at least into accommodation elsewhere. I pay tribute to the Department of Health for making that money available to the local authority. I have lobbied it for that money in the past, as have other people and bodies. However, that money will not solve the kind of long-term problems that we have in Barking, Havering and Dagenham.

Undoubtedly, we do not have the necessary residential care capacity, either in the public or private sectors. Havering council is presently engaged in a programme of closing care homes in my constituency and throughout the borough. For example, The Grange—a residential care home for elderly people in the Romford constituency—has just closed with the loss of 37 beds. Maybank Lodge is a very fine home in my constituency. The people who live there are very happy, as are those who go to the day centre there, but it is facing closure with the loss of 43 beds. Only two people—Vic and Edie—still live there, and they are determined to stay there as long as they possibly can. They have been to court to try to save the place that they have regarded as their home for some years.

More closures are scheduled. I have always disagreed with the policy of closing local authority care homes. I have campaigned against it and made my views absolutely clear in my constituency, in Havering and on the Floor of the House. One of the key factors in the home closure programme is the appalling level of the standard spending assessment handed out to Havering, year after year. That is not the current Government's fault; it is a historical fact that goes back at least to the fall of the poll tax and actually to the 1950s and 1960s.

In fact, under this Government, the settlements given to the local authority have been much more generous than those given to it when the Conservatives were in power. Nevertheless, when starting from a low base, even if a borough's settlement is increased by a high percentage, it still does not help a lot because it is continually playing catch-up with neighbouring boroughs. Boroughs with a similar socio-economic mix as Havering tend to get a much better SSA. That plays a key part in the destruction of care homes in the London borough of Havering.

There is no evidence—certainly not in our borough—that the private sector has anything like the capacity or ability to provide the necessary care for elderly people. In fact, some private care homes have closed.

I was very pleased that in the trust's recent plans for a new Oldchurch hospital, which will be built on a site opposite the existing hospital, the number of beds was increased by 60, although the original proposal contained a cut in bed numbers. That decision was reversed following a long-standing campaign for a new hospital carried out by myself and others.

The trust is consulting on the provision of 83 intermediate care beds, and I would appreciate it if my hon. Friend could comment on the status and role of those beds. Their provision is comparatively recent—they have come in in the past few years—so how does she see them interplaying with acute beds and other sectors of the local health economy?

However, the increase in the number of acute beds and the introduction of intermediate beds over the next few years will not compensate for the loss of beds in the care sector. In the next few years, Havering could face a crisis in long-term care for the elderly. Will my hon. Friend say something about that?

When we came into office in 1997, we faced an invidious position in respect of long-term care for the elderly. I would argue that probably the first big privatisation post-1979 was that involving long-term care for the elderly. In 1970, long-term care beds in the NHS outnumbered those in the private sector by two to one. By 1990, the position had been reversed: beds in the private sector outnumbered those in the NHS by two to one. By the time that we came to power in 1997, long-term care beds in the NHS had virtually been obliterated. During 18 years of Tory Government, the number of beds overall in the NHS was cut by a third and many of them were in the long-term care sector. We have had to live with that inheritance and we shall have to live with it for some time to come.

Given an ageing population and all the problems in the health sector, many of which we inherited, delayed discharge is clearly a national problem. However, from what I glean, it appears that Barking, Dagenham, Havering and Redbridge—the health authority also covers the London borough of Redbridge—is the worst area in Greater London for delayed discharges.

The key factor is to provide even more resources. Although the Government have provided additional resources for coping with problems in the health economy, we need more resources to go into long-term care for the elderly and into acute and intermediate beds. I hope that my hon. Friend will say something about that.

I also hope that my hon. Friend will say something about the royal commission on long-term care for the elderly. It made some constructive suggestions on how we could resolve the problems, so perhaps she will comment on them.

2.42 pm

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): I reassure my hon. Friends the Members for Hornchurch (John Cryer) and for Dagenham (Jon Cruddas) that there is almost nothing that I would rather be doing on a Friday afternoon than replying to this debate. The issues that they have raised are extremely important for hundreds of thousands of people throughout the country, and not just those in their constituencies. It is right that we should debate them.

My hon. Friends have highlighted the need to try to ensure that we have a seamless system so that we can effectively treat people—particularly elderly people—in the right place, at the right time and with the right kind of care. Therefore, making the connection between acute care, residential care, intermediate care and care at home is one of the biggest challenges facing us and everyone in the health service, social services, local government and the sector as a whole.

My hon. Friend the Member for Hornchurch pointed out that the issues relate to the whole system of health care. The problem of elderly people being kept in hospital for far too long is not only bad for them—instead of being in acute hospitals, they should be in residential care or supported at home—but it affects our ability to carry out elective care to ensure that people's operations are not cancelled and that they take place on time.

Furthermore, at the front end of the hospital system, the problem means that people who need care in accident and emergency or casualty departments are unable to be assessed and cannot find a bed because people at the other end of the hospital are kept in for far too long. Therefore, we should not view the issue in isolation. We need to put all the solutions in the right place.

Mr. Andrew Rosindell (Romford): Will the Minister give way?

Ms Blears: No, I want to finish my response.

We need to ensure that a proper system is in place.

My hon. Friend the Member for Hornchurch is also worried about the capacity of residential beds, especially in his community. The overall number of care homes in England is falling. There is concern about capacity across the country which is having an impact on hospital discharges. Providers of residential care places are worried about the level of fees that are paid to them. Some care homes have had to close, which is another problem that we face. I hope that I can reassure my hon. Friends and deal with the local matters that they raised.

The Government reached an agreement on 9 October with local social services departments. Building capacity and partnership in care is a concordat between the national health service and the social care system to discover whether we can put in place longer-term measures to increase the capacity of residential care in our communities. It is not good enough to have an on-the-spot purchasing policy. The system needs to be sustainable so that authorities can plan provision over years instead of facing the vagaries of the market.

The agreement sets out a range of principles and practices on how to build capacity and to make the fees that are paid to care home owners adequate so that they can continue to provide care. It will also consider how we can involve nurses, residential care workers, home care workers and people who work in sheltered housing in the system so that we provide the right care for people in the right place at the right time.

An important aspect of the agreement is its ability to be dynamic and flexible so that as circumstances change the contracting arrangements between local authorities and the residential care sector can change as well. My hon. Friend the Member for Hornchurch concentrated on the number of beds. That is a crucial issue, but we need to be innovative and creative in providing extra capacity. It is not simply a case of providing beds in residential care homes or hospitals. We need to put in place many more domiciliary care packages to provide hospital treatment at home. The vast majority of elderly people want to live independently in their homes if they can manage to do so. We have not been quick enough or creative enough in recent years to put in place extensive support packages that enable people to stay at home. Obviously there comes a time in people's lives when that is no longer possible and we have to ensure that good residential care is available, but we can find greater capacity by being more creative with our schemes.

Many authorities are thinking of setting up "fall" clinics that offer advice to elderly people on simple aids and adaptations to their homes, such as rails to ensure that they do not fall down the stairs. If an elderly person has a fall, they are far more likely to suffer a fracture and to be admitted to hospital where the institutional surroundings make them more dependent, which puts them on a vicious spiral that robs them of their ability to care for themselves. If we stop the fall occurring, we not only prevent the system from incurring huge costs, but improve dramatically that elderly person's quality of life. We need to do far more in terms of outreach teams and helping people to survive in their own homes.

We have provided £300 million over the next two years to tackle delayed discharges. It is a cash-for-change programme. The money comes with a commitment to change the way in which we have acted. Both my hon. Friends recognised that we have been in this situation for a number of years and the stop-gap mentality cannot continue. The systems that we put in place have to take us forward. The £300 million for delayed discharge is in addition to £900 million that has been earmarked for the rapid development of intermediate care, such as step-up, step-down facilities, so that people who do not need intense acute care have access in the community to more appropriate treatment. Sometimes people need nursing care rather than acute intervention. As my hon. Friend the Member for Hornchurch said, that sector is new, but it is growing at a tremendous rate.

Of the £100 million allocated this year, we have focused £47 million on the 55 councils that need most help. We recognise that some local authorities have a big problem, but we want to help every authority, so the remaining £43.5 million is being distributed to the other 100 councils on the basis of the standard spending assessment. A balance is being struck: we have allocated disproportionate amounts to the places with the greatest problems to try to bring them up to speed, but we are providing support for everybody because we know that there is a problem nationwide.

I agree entirely with my hon. Friend about the phrase "bed blocking". It is not one that I want to use, as the problem involves people being delayed in hospital. We

[Ms Blears]

must never forget that they are real people; they are not simply the occupants of beds. My hon. Friend is right that many hospitals are running at 97 or 98 per cent. capacity and the fact is that, once such a rate is reached, the knock-on effect on trolley waits and cancelled operations becomes all too apparent.

For the past 30 years or so, the received wisdom has been that we need fewer NHS beds. About 40,000 were lost in the last years of the previous Administration, but we are reversing the trend completely and this is the first year in which the number of general and acute beds has risen. The NHS plan sets a target to increase the number of general and acute beds by 2,100 by 2004. The latest figures, published this September, show that we are a third of the way there—an increase of more than 700 general and acute care beds in the past year.

We are beginning to turn things around, recognising that we need to increase capacity, and my hon. Friend generously acknowledged the increase of 60 beds at the new hospital that will be built at Oldchurch. I understand that there will also be an extra 19 beds at the King George hospital, which is exploring a new clinical model for organising its services and will be able to achieve extra capacity.

As both my hon. Friends are aware, a share of the extra £300 million to tackle delayed discharges has been received by Barking and Dagenham and by Havering. Barking and Dagenham got £480,000 and Havering received an additional £555,000, so almost £1 million is going into that community. It will have a significant impact on the ability of social services to purchase additional care and reorganise the way in which they support people through outreach teams, help at home, working with sheltered housing and working with all the other partners. I acknowledge that my hon. Friend the Member for Hornchurch thinks that even more resources are necessary, but we have an extra £200 million to spend next year from the £300 million in total and I hope that it makes a significant impact on the problems there.

Recognising that this is a whole-system problem, not simply one of delayed discharges, the Government are trying to tackle the difficulties at every stage in the hospital system. We have allocated extra funds to the NHS locally, so Barking, Havering and Redbridge Hospitals NHS trust received £254,000 in October to tackle longer waiting lists and ensure that, by next March, nobody has to wait more than 15 months for an operation.

That money is being used to fund extra theatre lists in the trust, and orthopaedic and ophthalmic patients have been transferred to the independent sector to create and free up capacity so that more people can come in for elective operations and there is no problem of cancelled operations, which devastate the patients concerned. Often they have been prepared for surgery, but suddenly the operation is cancelled. We are absolutely determined to try to ensure that that does not happen.

We also allocated £50 million at the beginning of November to reduce occupancy and trolley waits. Barking, Havering and Redbridge Hospitals NHS trust received £490,000. It has used £400,000 for patients requiring joint replacement and surgical work, so again capacity is increased and people get through the system more quickly. It has also commissioned 25 additional step-down intermediate care beds on the Harold Wood site. Patients waiting for discharge from the Oldchurch hospital site can be nursed in those beds, freeing up an extra 25 beds in the acute hospital to ensure that elective admissions get through as well.

I am sorry that I am citing rather a long list, but the Government have been extremely active recently in all the areas that I have mentioned. The most recent allocation of money from the centre was to reform emergency care. We issued a reform of emergency care strategy. That was a £50 million package to get additional nurses into A and E, and to provide a better assessment system to enable people to get through the system more quickly. The local trust will receive £154,000 this year to provide additional nurses for the two A and E departments. A further £632,000 will be provided next year, to try to ensure that patients in A and E receive the right care at the right time in the right place.

If we can get streaming systems into A and E departments that ensure that patients are dealt with by the appropriate level of staff—people with simple needs can be dealt with by nurses, and people with complex matters can be dealt with by consultants—we will be able to reduce waiting times. That will enable us to ensure that we increase capacity for elective operations, get people out of hospital more quickly once their need for acute care has been dealt with and then get them into residential care. We shall then see a flow of people through the system, with no one waiting any longer than is necessary at any stage of care.

Mr. Rosindell: Will the Minister give way?

Ms Blears: No. I have a few more comments to make and I am not in a position to give way to the hon. Gentleman.

My hon. Friend the Member for Hornchurch mentioned that Havering council is undertaking a review of its care homes. I know he is concerned about doing that. It is clear that it wants to ensure that in future it is able to meet care standards and to provide the highest quality care for local people, with privacy and dignity. I understand that it will establish four new resource centres that will be capable of meeting people's care needs—there will be not merely accommodation but activities. The centres will try to ensure, however, that people are looked after properly in the community.

I understand that the council is developing innovative packages of care for local people. It is being creative and imaginative in trying to ensure that people are given a reasonable quality of life in residential care. Many of us have visited care homes, and I am sure that some of us have expressed concern on occasion that sometimes there is little activity for people in such settings. We should ensure that people are engaged in proper activities. It is crucial that they should be able to get out and about and live a full life.

In some areas, bed occupancy in care homes is extremely high. I am aware that in London and the south-east there is a shortage of care home accommodation. I understand that nationally there are still some vacancies in the care home sector. The picture is not uniform. However, I am aware of the stresses and strains on residential care in some areas. That is why discussions have been taking place with providers to try to ensure that we can pay them the appropriate sums and give them the certainty that they can plan their provision so they can look forward to a future in which they can provide high quality care for local people.

I am encouraged that last year about 5 per cent. more households received intensive home care packages, compared with the previous year. That tells me that we are beginning to see a shift from simply residential care to supporting people at home. In many instances, it is intensive care. For example, it is possible for a home-care worker to be arranged to visit someone perhaps three times a day, six days a week for four weeks, to try to ensure that someone who has had a fracture is given intensive support when they first go home. That will enable that person to re-establish their routines, including cooking and shopping. Such individuals will be able to begin to look after themselves again.

It is crucial that the workers who help the elderly in such circumstances try to ensure that they get those elderly people to regain their self-confidence. Often, after an elderly person has had a fall, there is a loss of self-confidence and he or she no longer wants to venture out. Eventually, it is necessary for the individual to go into residential care because of what has happened to them. That is not necessarily the result of illness or physical things that go wrong.

It is vital that we try to ensure that elderly people, as far as possible, are encouraged to retain their independence. We must try to give them as much choice as possible in determining how and where they receive care. We are able to pursue a range of initiatives because we have put extra funding into the system to try to ensure that we do not have one size that fits all. We want elderly people and their families to be involved in considering options and in making decisions that are right for themselves.

We will probably see a reduction in reliance on traditional care homes. There will probably be a move towards domiciliary care packages and independence. We have a hugely challenging agenda. I have tried to set out the considerable amount of extra resources that the Government are providing in all stages of the care system and all stages of NHS care.

The motion having been made after half-past Two o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at Three o'clock.

House of Commons

Monday 26 November 2001

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

DEFENCE

The Secretary of State was asked—

Far East (British Internees)

1. **Mr. Kelvin Hopkins** (Luton, North): For what reason British civilians interned in the far east during the second world war and accepted as British at the time of internment have not been granted compensation. [15074]

10. **Mr. Austin Mitchell** (Great Grimsby): For what reasons he changed the criteria for eligibility for compensation for civilians interned by the Japanese in the second world war from being British and holding British passports at the time; and how many applicants have been excluded on the basis of the subsequent changes. [15083]

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): The ex-gratia payment scheme for former far east prisoners, which I announced in the House on 7 November last year, covered various British groups, including civilians who were interned by the Japanese. The eligibility criterion for civilian claimants under the scheme is that they were British subjects whom the Japanese interned, and who were born in the United Kingdom or had a parent or grandparent born in this country. That criterion was clarified earlier this year, but there has been no change in the intended scope of the scheme. Holding a British passport, either then or now, was never a criterion for eligibility under the scheme.

As of 11 o'clock this morning, a total of 22,738 claims had been paid. Of the civilian claims that have been rejected on the grounds of nationality, 324 have been rejected from UK addresses, and 778 from overseas addresses.

Mr. Hopkins: I thank my hon. Friend for his answer. May I draw his attention to the case of my constituent, Dr. Mark Erooga? Dr. Erooga was naturalised in 1940, swore allegiance to the sovereign, served in the Hong Kong defence reserve and was interned in 1941 when working at Kowloon hospital. After the war he worked in the national health service from its inception until his retirement. Does my hon. Friend agree that Dr. Erooga deserves to be compensated like other internees?

Dr. Moonie: Clearly, I cannot agree with my hon. Friend. However, if he sends me details of his constituent's case, I shall be happy to look at them and to write back to him on the subject.

Mr. Mitchell: Although it is good that the British Government have accepted what was the moral responsibility of the Japanese Government, in paying compensation to those people, does my hon. Friend accept that, at the time, it was said that the compensation would be paid to

"surviving British civilians who were interned by the Japanese in the Far East during the Second World War"?

The war pensions policy unit confirmed that that meant people who were British citizens at the time. The reason for their internment was that they were British citizens, so it is wrong subsequently to introduce concepts such as patriality or a blood link, which did not apply at the time—because those people were British citizens then—and on that basis to fail to pay the 700 to 800 people—it is only 700 to 800—who were entitled. Many of them are deeply shocked and upset to be told now that, having been interned by the Japanese for being British, they are no longer regarded as British. Is not that a debt of honour that should be paid?

Dr. Moonie: Given the number of people who have been paid, I consider that the debt of honour has indeed been discharged. May I point out to my hon. Friend that it would have been easy for us just to have accepted the criteria that were used in the 1950s to determine who was to be awarded compensation as a result of moneys paid by the Japanese? Had that been the case, many fewer civilians would have been included than have been under this scheme. To allow an association going back to grandparents, which even in the case of the youngest claimant takes their claim back to the 19th century, is a fair recognition by the Government of whether people are entitled to be compensated under the scheme.

Tim Loughton (East Worthing and Shoreham): The Minister will know of at least two of my constituents who have been refused claims for ex gratia payments: Mrs. Drina Leeson, who was interned as a child in Singapore where her father died, but who lost her documents while fleeing from the Japanese; and Mrs. Doris Pyett, separated from her parents, interned at the age of seven in Singapore and whose stepmother received compensation, even though she did not marry Mrs. Pyett's father until 1947, yet Mrs. Pyett did not receive compensation. Why are they and hundreds of others British enough to have been imprisoned by the Japanese as enemies of the emperor, but not enough to be acknowledged by the British Government? Is not the most hurtful consequence that people who have lived all their lives as British are suddenly, in their twilight years, told that they are not British?

Dr. Moonie: They are not, of course, being told that they are not British: they are being told that they are not eligible for this payment, which is a quite different matter.

I will restate what I said earlier. The Government have been exceptionally generous over the inclusion criteria for the scheme. We have no intention of amending them.

Sir Patrick Cormack (South Staffordshire): Could I ask the hon. Gentleman, who is a reasonable sort of chap, if he will pause for a minute and realise that, by taking that obdurate line, he is tarnishing a record for magnanimity that he established when he announced the scheme? Will he take out his history book and read what Lord Palmerston said at the time of the Don Pacifico incident, and make his abiding watchword, "Civis Britannicus sum"?

Dr. Moonie: I would be more inclined to accept that lesson—indeed, I have already seen the quote in question—from an Opposition Member if those on the Opposition Benches had not been quite so obdurate themselves over many years in refusing to make any kind of payment whatever. It is a bit thick for Opposition Members, who supported previous Governments, to complain now about a scheme which is, quite frankly, exceptionally generous. I am sorry that the scheme cannot cover all those who consider themselves eligible for it, but we had to draw the line somewhere, and I stand by that decision.

Mr. Andrew Dismore (Hendon): May I remind my hon. Friend of the case, about which I have written to him, of Mr. Isaac Abraham, who was a British subject interned by the Japanese at the age of nine? He came to the United Kingdom in 1949 and worked for 30 years as a teacher in Britain. He was arrested by the Japanese, as were the rest of his family and other constituents of mine, because the British consul gave their details to the Japanese so that they knew whom to round up. He feels extremely cheated by this retrospective rewriting of nationality laws. In fact, if his family had collaborated with the Japanese, they would have been guilty of treason; they feel very hard done by. Bearing in mind the number of representations from both sides of the House today, I ask my hon. Friend to take another look at this very serious issue, especially as, so far, about one in three of the potential claimants have been excluded.

Dr. Moonie: As I have already said, if a parent or any grandparent had been born in this country, they would be eligible. We have rightly widened the criteria from those that were used in the 1950s, and it would not be proper to go any further than that.

Dr. Julian Lewis (New Forest, East): Why does this Minister always end up having to defend the indefensible? Is not it a fact that if those people were British enough to suffer by being interned, they are British enough to be compensated for being interned?

Dr. Moonie: No, I regret that that is not the case. I have allowed a sufficient line of consanguinity to take as many people as possible into the net. Many people may have been classified as British who will not qualify for the payments. As I have said, a line had to be drawn somewhere, and it was drawn in the correct place.

Peter Bradley (The Wrekin): Even if the Minister is resolute in not taking criticism from Opposition Members, I hope that he will be more sympathetic to the pleas from Labour Members. Will he confirm that, in his statement of 7 November last year, he offered no qualification in the definition of "British" that he described then? In answer to a parliamentary question that I asked, he confirmed that

> "to be eligible for the ex-gratia payment civilian claimants must have been British at the time of internment."—[*Official Report*, 31 October 2001; Vol. 373, c. 748W.]

Indeed, no further clarification was offered in the advice leaflets that the War Pensions Agency issued at that time. Does he not agree with me and many hon. Members on both sides of the House that, to fulfil both the letter and the spirit of the very welcome statement that he made last November, he should include that small but important group of people who were much wronged by the Japanese and who look to this Government at least to acknowledge their suffering in the second world war?

Dr. Moonie: Well, I am afraid that I shall be just as obdurate to my hon. Friends as I have been to Opposition Members. I consider that the scheme's boundaries have been set fairly, and I do not intend to change them.

Afghanistan

2. **Miss Anne McIntosh** (Vale of York): If he will make a statement on the role of the Royal Navy in the recent actions in Afghanistan. [15075]

The Secretary of State for Defence (Mr. Geoffrey Hoon): The Royal Navy has been involved from the outset, alongside United States forces. Royal Navy submarines fired a small number of Tomahawk land attack missiles on 7 and 13 October. An amphibious task group—led by the aircraft carrier HMS Illustrious, converted for helicopter operations—has remained in the region since the end of Exercise Saif Sareea 2, with a Tomahawk missile-armed submarine presence. United Kingdom forces, including elements of 40 Commando Royal Marines, embarked with the task group, have also been deployed at the military airfield at Bagram, some 30 miles outside Kabul.

Other forces, including Headquarters 3 Commando Brigade and 45 Commando Royal Marines, were brought to very high readiness from 17 November, for possible deployment to Afghanistan against a range of contingencies. That was a sensible precautionary measure, taking into account what was a very fluid situation. In the light of developments since, and given the more encouraging position on the ground, I have today decided to relax the notice to move of the bulk of those forces. Leading elements of 2 Para and 16 Air, Assault Brigade and key enablers will remain at 48 hours notice to move. The remainder of those forces will revert to their previous, still high, readiness state and will be able to move within one week.

This move is a measured response that affords maximum flexibility of response. It will enable us to sustain a significant capability over the long haul, while reducing the immediate strain on our service personnel.

Miss McIntosh: I welcome that reply. The Secretary of State will recall that, together with two Labour Members, I served on HMS Cumberland last year as part of the armed forces parliamentary scheme. I wish to pay tribute to the members of the dark blues—the Royal Navy and the Royal Marines. He will appreciate, however, that to be kept almost permanently on continuous 48-hour readiness and a state of high alert is a very tall order. Is he able to tell the House why our forces are still on a state of alertness, whereas the United States marines have gone into action?

Mr. Hoon: I have just recognised the importance of maintaining a significant degree of flexibility, but I accept the hon. Lady's point that it is important that we maintain the right level of preparedness according to the needs of our joint rapid reaction force. Even in its normal state of preparedness, that force maintains a level of readiness that very few countries can match. As she said, it is important that we recognise that it is not right to keep elements at a higher state of readiness than we can justify in the light of particular circumstances. We will continue to review those circumstances and take appropriate decisions accordingly.

Mr. John McFall (Dumbarton): I am sure that the Secretary of State will join me in congratulating the work force at HMS Faslane in my constituency who have contributed to the Royal Navy's efforts.

With regard to the city of Kunduz and the al-Qaeda network, will my right hon. Friend confirm that we do not allow the prisoners who have been captured to escape, thereby negating the military objectives? In the same sense, will he also assure us that the prisoners are treated humanely?

Mr. Hoon: The situation in Kunduz remains confused, although the latest reports indicate that the city has finally fallen. We obviously want the minimum level of bloodshed and urge the Northern Alliance to abide by international conventions on the treatment of prisoners of war. However, the foreigners in Kunduz should not be allowed to escape simply to mount terrorist attacks elsewhere. That message has been received loud and clear, and certainly will be acted on.

Mr. Paul Keetch (Hereford): The Secretary of State has mentioned the Royal Marines at Bagram, so will he tell us what measures have been put in place to secure the safety and force protection of British forces? For example, does he intend to increase the marine force at Bagram? Can he tell us exactly what the mission of the Royal Marines based there is? Are they likely to be used in support of US marine operations?

Given the reports over the weekend about some British casualties in Afghanistan—the Secretary of State will know that I spoke to his office about that this morning—is he able to tell the House any more about that?

Mr. Hoon: Certainly, we keep under constant review the question of force protection for members of Her Majesty's armed forces at Bagram. That is very high on Ministers' agendas and something that we keep under constant review.

The Royal Marines' mission has not changed since they first went there. It is to secure the base and ensure that there are opportunities for those conducting diplomatic and humanitarian missions to use the airstrip should that prove necessary. Indeed, yesterday, the RAF facilitated flights from Bagram for members of the Northern Alliance who were on board and heading for the talks in Bonn. Therefore, the United Kingdom played a significant and very visible role in ensuring that those talks can take place.

As far as casualties are concerned, I will deal with that matter in due course.

Mr. John Smith (Vale of Glamorgan): Further to my right hon. Friend's reply and in view of what took place on 11 September, has he had an opportunity to make an assessment of the rapid reaction capability of some of our NATO allies and of our ability to respond in future to acts of mass terrorism?

Mr. Hoon: There are clearly a range of capabilities within NATO forces. For example, forces in the United Kingdom and, for that matter, the United States are available at very low levels of notice and are in high states of readiness. This country has benefited from the results of the strategic defence review, because many of the decisions required on notice and readiness were taken as part of the SDR and as part of the process that continues to ensure that we have rapidly deployable forces. It is something that we want other countries that do not necessarily have that level of readiness to be able to emulate.

Mr. Bernard Jenkin (North Essex): I am sure that the whole House will wish to extend sympathy, if it is needed, to any British soldiers who have been injured. We await further news on that with trepidation.

I reiterate the support of Her Majesty's Opposition for the Government's policy of standing shoulder to shoulder with the United States in their objectives of removing the Taliban, destroying al-Qaeda and continuing the pursuit of bin Laden and his associates. May I welcome the decision to stand down the forces who it is not necessary to hold on 48-hour standby? That will be a disappointment to the forces concerned, but a considerable relief for their families. Will he clarify a comment made by the Leader of the House who put it on the record yesterday that

"there has been no situation in which we have put British troops into the ground civil war"?

Will the Secretary of State confirm that British troops are indeed on the ground, assisting the Americans with search and destroy operations?

Mr. Hoon: I can confirm that British forces are on the ground in Afghanistan, working alongside United States forces, and I will explain a little more about that in due course.

Mr. Jenkin: We appreciate that the situation remains fluid and the Secretary of State needs to maintain flexibility, but is he able to clarify plans for the contingent of Royal Marines at Bagram? There are reports that he is receiving advice that he must either reinforce that contingent or withdraw it. I note that 2 Para are remaining in readiness. Which is it to be?

Mr. Hoon: I encourage the hon. Gentleman not to believe the kinds of reports that appear in the newspapers, which seem to be the source of his information. Those reports are not true. That contingent of Royal Marines will remain there while they have a useful a job to do, which I set out in response to an earlier question, and while they are safe to do it. That is the position today.

Mr. Jenkin: I am grateful for the Secretary of State's clarification. There is now every confidence that Afghanistan's role as a sponsor for international terrorism will be successfully concluded. There are, however, other threats from other organisations that have grievances, the motivation, the money, the means and the capability to pursue international terrorism. The Government set out their wider objectives, which are:

> "to do everything possible to eliminate the threat posed by international terrorism . . . to deter states from supporting, harbouring or acting complicitly with international terrorist groups".

How will those wider objectives now be pursued and will the Government maintain a united policy with the United States?

Mr. Hoon: The Government have worked closely with the United States and other members of the coalition since 11 September. That is why, as the hon. Gentleman's question implies, it is important not solely to concentrate on the military response, but to recognise that a range of action has been taken against international terrorism, including financial measures, measures to ensure that terrorists cannot take advantage of our rules to allow free movement across international boundaries and measures to track down individuals in particular and bring them to justice if appropriate. A range of measures has been taken across the international coalition since 11 September. Obviously our military response has concentrated on Afghanistan. As I said previously, that sends a clear message to any other country that might be tempted to support or condone terrorism about the action that is likely to result unless they back off.

Mr. Tam Dalyell (Linlithgow): What guidelines have been given to our forces to try to find the hordes of opium that are said to be in the possession of both the Taliban and the Northern Alliance? Is due account taken of the fact that the farmers will be deciding whether to sow crops of poppy, because it would be highly desirable to give them an incentive to sow something else?

Mr. Hoon: British forces are not there to track down hordes of opium, but they are there to destroy support for terrorism and the al-Qaeda organisation, which has extensive involvement in drug smuggling. There is little doubt that in tracking down al-Qaeda and destroying its facilities we will in the process also destroy its ability to supply drugs into this country and elsewhere.

Saif Sareea

3. **Mr. Graham Brady** (Altrincham and Sale, West): If he will make a statement on Exercise Saif Sareea 2. [15076]

The Minister of State for Defence (Mr. Adam Ingram): The objectives of Exercise Saif Sareea 2 were to deploy and sustain a major joint force across strategic distances, and conduct combined war-fighting training in a testing desert environment. As such, it was a major test of many of our joint rapid reaction forces. Overall, our initial judgment is that the exercise has met its aims most successfully.

Mr. Brady: Can the Minister confirm that a year ago the Secretary of State pressed for the cancellation of Exercise Saif Sareea 2? Was that not because he knew then that severe resource constraints would highlight serious shortcomings in the readiness of tanks, armoured vehicles, helicopters and communication equipment?

Mr. Ingram: The short answer is no, but it is worth while explaining that when any major exercise of this nature is being planned, there should be a full examination of its likely cost implications. I am sure that the hon. Gentleman would expect that of the Secretary of State and others involved in making those judgments. He should have listened to the earlier answer; a decision was made to go ahead with the exercise, and it has proved successful.

Syd Rapson (Portsmouth, North): The Defence Committee, of which I am a member, is taking a great interest in the lessons to be learned from the exercise in Oman. However, all that effort could be wasted if nothing is learned, which was the case after the Gulf war. I hope that my right hon. Friend will ensure that lessons are learned, rather than ignoring them as the previous Government did.

Mr. Ingram: My hon. Friend knows how comprehensive that exercise was, and we are aware that many lessons are to be learned from it. We are beginning to collate all the information so that we can do that, and ensure that we achieve our overall objective of building on the success of all aspects of the strategic defence review.

Mr. Gerald Howarth (Aldershot): I am sure that the House will be reassured by the Minister that the Secretary of State did not plan to cancel Exercise Saif Sareea, which has been extremely effective. It went to the very heart of the services' intentions, which is to train for operational capability, as the Chief of the Defence Staff said. Will the Minister tell us, first and foremost, what lessons have been learned so far? I realise that we are to have a meeting tomorrow to discuss this matter in more detail. Will he also give the House an assurance that money will be made available to ensure that there are further such exercises, because they are extremely valuable for operational training to ensure that our troops are able to meet the demands placed on them by Ministers in situations such as that in Afghanistan today?

Mr. Ingram: I agree with the hon. Gentleman's latter point. We learn a lot from live exercises, and major exercises of this nature provide extensive lessons. I know that the hon. Gentleman will recognise that we should take time to analyse all the information, find out how we can build on success and identify any major shortcomings or weaknesses and develop them into strengths. I look forward to meeting the hon. Gentleman and his colleagues tomorrow to examine the details that he has learned from the exercise, and I am sure that it will help with our examination, which will benefit future exercises.

Mr. James Gray (North Wiltshire): Will the Minister take this opportunity to pay tribute to the airmen and women of RAF Lyneham whose Hercules aircraft played a key role in Exercise Saif Sareea, and who pride themselves on being the first into, and last out of, every operation, wherever in the world they may be deployed? Did he see the report in *The Mail on Sunday* yesterday, which quoted a senior defence source as saying, about the sale of the base:

> "Part of the thinking inevitably will be the amount of money that can be raised for the Treasury by selling the land for such things as housing"?

Does the Minister feel that, in times of war, it is appropriate to be planning to sell off RAF bases for housing to the highest bidder?

Mr. Ingram: I could have expected that question from the hon. Gentleman if he had been campaigning from the Back Benches on matters directly affecting his constituency. He did not mention Brize Norton or any of the other RAF bases whose involvement in this exercise has also been very helpful. He knows that a review has been undertaken to consider ways in which we can best utilise the available resources. As I explained in written answers and in a letter to him, he and other hon. Members will be advised when that review has been concluded.

Undermanning

4. **Dr. Vincent Cable** (Twickenham): If he will make a statement on undermanning in *(a)* the Army, *(b)* the Navy and *(c)* the RAF. [15077]

The Minister of State for Defence (Mr. Adam Ingram): All three services are challenged by undermanning, with the crucial factor being balance in skills, not merely total numbers of personnel. The requirement in capability may also change over time. Consistent with this the Navy and RAF plan to achieve their manning targets by 2004 and the Army by 2005.

Dr. Cable: Is it not the case that the armed forces are collectively 9,000 short of trained strength? Will the Minister comment on his Department's experience of trying to meet that shortage, particularly in Scotland, and trying to use commercial recruiting agencies to build up numbers? Has that been a success, is it being made permanent and will it be extended throughout the United Kingdom?

Mr. Ingram: The hon. Gentleman alights on a particular scheme; we are currently looking at any number of schemes, including pilot schemes and other more established ones, both to examine ways of being more successful in recruiting across a range of areas and to look at retention strategies. That does not stand still. By their very nature, pilot schemes must be tested on the ground. Lessons will be learned from the experience in Scotland, as they will from other pilot schemes. I know that the hon. Gentleman shares my belief that we should do our best to encourage people to look at the armed forces as a career.

Mr. David Cameron (Witney): When the Minister looks at manning levels in the RAF, can he not go a little further and deny the reports that all three bases, including RAF Brize Norton in my constituency, could close? The report in *The Mail on Sunday* goes way beyond anything that the Department has said. Does the Minister not understand that having a cost-driven, Treasury-led review at a time when British forces are overseas is the height of crass insensitivity?

Mr. Ingram: It is inevitable that we will change the profile of our activity, with new aircraft coming on stream. The A400M, if and when—

Mr. Bernard Jenkin (North Essex): If?

Mr. Ingram: I can deal with the answer, but I am not sure that the hon. Gentleman will gain anything by heckling. Everything must be considered by being examined. The A400M is a certainty for the United Kingdom, and an international programme is also attached to it. A judgment must then be made about which air bases, as referred to by the hon. Member for Witney (Mr. Cameron), will deploy the A400Ms, along with other aircraft. It is not a case of responding to a newspaper article. I hope that the hon. Gentleman accepts assurances from members of the Government, both in written answers and letters, that that is an honest review, which will be subject to the same type of consultation that applies to any other bases that have been subject to reviews both recently and further back.

Caroline Flint (Don Valley): Is not it the case that hundreds of women are on active service in the operation in Afghanistan, including two women pilots? Is that not a good time to talk about the many career opportunities for women in our armed services? We should look at that to make sure that vacancies are filled.

Mr. Ingram: My hon. Friend has makes a very good point. About 300 women in a range of posts are involved in the current conflict in Afghanistan. They are a good example to others and show that women, just as much as men, should consider the armed forces as a career.

Mr. Desmond Swayne (New Forest, West): If at a time when the defence budget is under such manifest pressure—if Saif Sareea teaches us anything, it teaches us that—the Army and armed forces are undermanned by many thousands, what will happen to the budget if the Minister gets anywhere near his target of full manning? Will it be augmented or will there be procurement cuts?

Mr. Ingram: I shall balance all the priorities when the time arises.

North-east Shipyards

5. **Mr. Stephen Hepburn** (Jarrow): If he will make a statement on his procurement plans in connection with north-east shipyards. [15078]

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): The Government are undertaking the largest programme of new warship building in this country for decades. We have already placed orders, or announced our intention to place orders, for 15 new warships for the Royal Navy, and we plan further orders for new aircraft carriers, Astute class submarines, type 45 destroyers, the new surface combatant class, as well as a number of support vessels. It remains our policy that all warships will continue to be built in the United Kingdom; that extensive programme offers the UK shipbuilding industry a solid platform of work opportunities.

Shipyards in the north-east have already benefited from the programme with the contract to build two alternative landing ships logistics at Swan Hunter on Tyneside awarded last December. Swan Hunter is also the lead yard for a further two vessels of that class to be built by BAE Systems at Govan on the Clyde. We fully expect shipyards in the north-east to be in a position to bid strongly for future orders when they are offered for competition.

Mr. Hepburn: The Minister will know that the north-east work force is one of the best in the world, but is he aware that the average age of the skilled worker on the Tyne is 50 and rising? The north-east shipyards are important not only to the economy of the north, but to the strategic interest of the country. Will my hon. Friend use his procurement powers to bring orders forward, and will he make a more detailed statement on the aircraft carrier, which is so important to the north-east and the future of its shipyards?

Dr. Moonie: Yes, we are well aware of the value of military work for the north-east. As my hon. Friend knows, Swan Hunter will be placing a great many subcontracts for the vessels that it is building, and I hope that many of those will be placed in the north-east. Contracts have recently been placed, for example, with Sir Joseph Isherwood Ltd. in North Shields and Imtech UK in Middlesbrough. Although the final choice of supplier rests with Swan Hunter as the prime contractor, we hope that many of those orders will be placed and will help to maintain the skills base.

With regard to the aircraft carrier programme, it is difficult for me to add much to what was said last month. The down selection is continuing, with the competing primes going through assessment work and developing proposals for the final build for the carriers. I shall keep the House informed as soon as we have further information to impart.

Mr. Crispin Blunt (Reigate): Why are the ALSLs—alternative landing ships logistics—being built in Glasgow, when no requirement for them was identified in the strategic defence review? Is not the truth that the ships are part of the Government's industrial and political policy towards Glasgow, rather than a proper part of the defence policy, to make up for the fact that the shipyards in Glasgow failed to win the orders for the roll-on/roll-off ferries?

Dr. Moonie: I must point out that there was a requirement for other ships. We decided to bring the order forward because that was the way we could secure best value for money under our new contracting system, which, as the National Audit Office report indicated last week, is already beginning to pay off very satisfactorily in terms of our procurement programme.

Mr. Jim Cousins (Newcastle upon Tyne, Central): I am sure that the Minister appreciates that Ministry of Defence civilian employment is lower in the north-east than in any other region or nation of the United Kingdom. He also knows, as he has just referred to it, that the design capability for the landing ships about which he spoke exists in the north-east—which, for the benefit of Opposition Members, does not include the city of Glasgow. Will my hon. Friend ensure, by the placing of procurement orders, the continued existence of that design capability in the north-east, whose benefits he has just celebrated and recognised? Unless he offers the basic line of procurement support, that design capability could well cease to exist, to the disbenefit of the north-east and the whole of Britain.

Dr. Moonie: Yes; I am well aware that the north-east is under-represented in terms of Ministry of Defence staff. We have looked into the matter, but I have not been able to identify anything that could conveniently be sent up there. However, that does not mean that we will not continue to look, where possible, to disperse civil servants from the centre to the periphery. The maintenance of the skills base is not just the responsibility of the Ministry of Defence. Nevertheless, the orders for the ALSLs are already in place, and I would expect the north-east to share in the orders to come over the next few years.

Royal Marines

6. **Mr. Ben Chapman** (Wirral, South): If he will make a statement on the role of the Royal Marines in combating international terrorism. [15079]

The Secretary of State for Defence (Mr. Geoffrey Hoon): A detachment of Royal Marines is on the ground at Bagram airport in Afghanistan, and was augmented over the weekend. Operating under US tactical command, they are there as part of a coalition reconnaissance mission to help to secure the airport and make it safe for UN and other diplomatic and humanitarian missions. Although the notice to move of 45 Commando has now been relaxed, 40 Commando Royal Marines remains at very high readiness against possible deployment to meet a range of contingencies.

In addition, British forces have been active on the ground inside Afghanistan for some time. Working closely with US forces, they have been engaged on a range of operational tasks in different parts of Afghanistan. The House would not expect me to go into great detail, but I am confident that it will join me in paying tribute to the professionalism and gallantry of those involved, including the very small number who have been wounded in the conduct of those duties.

Mr. Chapman: Would my right hon. Friend care to comment on the press reports of a rift between us and the Americans regarding the deployment of the Marines at Bagram, as well as on the military objectives of the campaign in general? Does he envisage a long-term role for the Marines in building the peace, as they have done so splendidly in Kosovo?

Mr. Hoon: There is simply no truth in the reports to which my hon. Friend refers. The deployment at Bagram was carried out in close consultation with US forces and, as I have indicated to the House, our troops there are under the tactical command of a US officer. We have worked closely with the United States at every stage of the military operation and, indeed, of the humanitarian and diplomatic operation that is now under way.

Michael Fabricant (Lichfield): My hon. Friend—if I may call him that—the Member for Portsmouth, North (Syd Rapson) and I have the honour of chairing the all-party group on the Royal Marines, which will be receiving a detailed briefing from the Commandant-General of the Royal Marines in January. The whole House is of course invited, but in the meantime, would the Secretary of State care to say whether he feels that there are now sufficient numbers of Royal Marines at Bagram to maintain their safety? What were the original plans for the number of Royal Marines who were to be posted to Bagram? We are told that that number was curtailed because of lobbying by the Northern Alliance.

Mr. Hoon: I have already told the House that my overriding concern is for the safety of British forces deployed in any theatre, particularly in Afghanistan at the present time. I assure the hon. Gentleman that there are sufficient numbers for their safety. That is constantly reviewed and I assure him that we will continue that process. On his further question, there have been no plans to post Royal Marines, as he so elegantly put it, to Bagram airstrip. There was a range of contingencies 10 days ago, when a range of British forces were moved to a higher state of readiness. Those contingencies have changed in that 10-day period. That is why I judge it appropriate to relax, for some of those forces, their present state of readiness.

Macedonia

7. **Vernon Coaker** (Gedling): Which British forces are stationed in Macedonia. [15080]

15. **Ross Cranston** (Dudley, North): Which British forces are in Macedonia. [15089]

The Minister of State for Defence (Mr. Adam Ingram): The UK deployed some 2,000 troops to Macedonia at the end of August as lead nation in Operation Essential Harvest, the NATO operation to collect weapons from the National Liberation Army. This was a time-limited task and those troops all withdrew by 12 October, having successfully completed their mission. The operation has made a significant contribution to the peace process in Macedonia and I congratulate those involved. Currently, about 40 British service personnel are deployed to Macedonia in headquarters roles at the British Embassy and in support of the Macedonian Government.

Vernon Coaker: I join my right hon. Friend in congratulating our troops in Macedonia. Is not one of the lessons of the action that they took there that, in many more such situations, they will have to be involved in peacekeeping missions and in preventing conflict before it breaks out, rather than dealing with the consequences? Will he talk to other countries and international bodies such as the UN about how that might be brought about?

Mr. Ingram: My hon. Friend asks an interesting question. The answer must be that, yes, on occasion, what he describes may well be a requirement of a joint rapid reaction force, but it depends on the circumstances. Clearly, different demands can be made, whether the initiative is UN-led, part of a NATO deployment, or some other type of European deployment that is part of a NATO deployment. What we have achieved in Macedonia, Sierra Leone, Kosovo and Bosnia has shown that we are capable and are getting better. That is why there is always a request for British troops to be deployed: we are good at what we do.

Ross Cranston: I am sure that my right hon. Friend is as concerned as I am about the recent serious ethnic conflict in Macedonia. According to certain accounts, some of that conflict has been stirred up by hard-line elements in the Government, so our presence there has been essential. Am not I right in thinking that Germany now leads that deployment? If that is so, is it not a sign that Germany now shows a more confident, active and mature approach to European defence?

Mr. Ingram: Part of Taskforce Harvest, in which United Kingdom troops were originally deployed, involved France, Germany, Greece and Italy. All provided large numbers of troops. My hon. and learned Friend is right to say that Operation Amber Fox is under German leadership. That shows an increasing involvement of European Union countries as their capabilities build alongside ours. It also shows that they can carry out those tasks successfully.

Sir Sydney Chapman (Chipping Barnet): Will the Minister confirm that the operations in Macedonia were undertaken entirely by NATO personnel and assets? Why, therefore, was it believed necessary to set up duplicate structures under the European security and defence policy? Surely EU military structures were totally unnecessary; establishing them snubs NATO European, non-EU, countries such as Turkey.

Mr. Ingram: The current operation is called Operation Amber Fox. I do not necessarily want to shoot the hon. Gentleman's fox, but he is wrong. No duplicate structures were set up and operations in Macedonia were clearly under the command of and controlled by NATO.

Patrick Mercer (Newark): The Minister knows that operations in Macedonia and now in Afghanistan have placed an intolerable burden on our intelligence-gathering assets, especially the defence intelligence staff and the Joint Air Reconnaissance Intelligence Centre. After much probing in mid-October, several specialist reservists were called in specifically to help those two agencies. Why, several weeks later, is not a single reservist under arms?

Mr. Ingram: I do not accept the premise of the hon. Gentleman's question. There was no intolerable pressure on our intelligence-gathering staff. They have performed their tasks admirably, and provide advice and support to those who make the ultimate decisions about finding answers to difficult and complex problems. A request was made to reservists, and only a few have been used.

International Terrorism

9. **Tony Cunningham** (Workington): What recent discussions he has had with his European counterparts on international terrorism. [15082]

The Secretary of State for Defence (Mr. Geoffrey Hoon): I discussed international terrorism with my European counterparts at the capabilities improvement conference in Brussels on 19 and 20 November. In addition, in the past week I have had separate meetings with several ministerial counterparts, addressing international terrorism among other topics.

Tony Cunningham: I thank my right hon. Friend. Has he discussed with his European counterparts the implications of the action in Afghanistan for European defence—especially, whether it has highlighted the need for European nations collectively to improve their defence capabilities?

Mr. Hoon: I suggested that to my European defence counterparts at the capabilities improvement conference. It is important to recognise that events in Afghanistan have further emphasised the need for European nations to improve their military capabilities. I set out that message at the conference and in a series of bilateral meetings with my counterparts. I am pleased that good progress has been made and that further progress is in prospect.

Mr. Nicholas Winterton (Macclesfield): Will the Secretary of State admit that some of our European counterparts have been far less enthusiastic than us about our campaign against international terrorism? One or two have been decidedly hostile. Does he agree that it is satisfactory that we are still able to make decisions as a sovereign nation to support the United States in its, and our, campaign against international terrorism?

Mr. Hoon: I disagree with the hon. Gentleman. I cannot think of a single European nation that has not been equally enthusiastic in its determination to tackle international terrorism. Many European continental nations have experienced the frustration of not being able to get their forces into the theatre of operations quickly enough to participate. I repeat that our emphasis on European defence is in order to improve European military capabilities. Our European partners share that ambition.

Mr. Brian Jenkins (Tamworth): I welcome my right hon. Friend's answer, but we all realise that we are working in NATO in a day-to-day relationship, and that our NATO partners have certain strengths and skills, because they have had an opportunity to use them that we have not recently had. Are those skills available to all partners in NATO, and are they being rolled out across the NATO theatre?

Mr. Hoon: A range of capabilities is available to NATO countries. One of the advantages for the United Kingdom is that we have been able to build on the work conducted through the strategic defence review process. It is important that other countries recognise the need to be able to deploy their forces rapidly into potential theatres of conflict. That is accepted across the board by our NATO partners and by EU countries, and it underlies NATO's work on the defence capabilities initiative and on the European Union headline goal process.

Mr. David Laws (Yeovil): Will the Secretary of State tell us whether his recent discussions with his European counterparts reviewed the number of coalition casualties sustained in the conflict so far? In particular, will he tell us whether any of the British casualties have been evacuated back to the United Kingdom?

Mr. Hoon: There was no discussion of casualties at the meetings. The British casualties have been evacuated back to the United Kingdom.

Armed Forces Medical Staff

11. **Laura Moffatt** (Crawley): If he will make a statement on the recruitment of trained medical staff to the armed forces, with particular reference to the fields of orthopaedics and anaesthetics. [15084]

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): We have acknowledged that there are serious manpower shortages in a number of areas of the defence medical services, including orthopaedic surgeons and anaesthetists. To improve the situation in the short to medium term, we are seeking to recruit fully trained individuals, particularly in the critical shortage areas. A number of recruiting advertisements for general practitioners were placed in professional journals earlier this year, and advertisements for anaesthetists were placed somewhat later. The response rate has been promising, but it is too early to comment on the success of these initiatives.

Laura Moffatt: I am pleased that there are initiatives to assist the armed forces in recruiting the people that they need. Does my hon. Friend agree that the most important issue is the quality of the partnerships between the two organisations under pressure: the NHS staff and the medical services? Will he assure us that those partnerships are of high quality, that they are able to act flexibly, and that they are used often to ensure that they are put to good use in getting people into the services?

Dr. Moonie: Yes, I can give my hon. Friend that assurance. Our hospital units have been up and running now for several years. It is fair to say that, in the initial stages, there were some difficulties in marrying the two cultures. I am happy to tell my hon. Friend that co-operation between the NHS hosts and their military counterparts in these units is now very good, and we are beginning to benefit from the synergy between the two organisations. This will be of particular benefit as we attempt to train the number of specialists that we shall need over the next few years, to meet the undoubted shortfalls that we have at present.

Mr. Peter Viggers (Gosport): It is not recruitment that is the problem, but retention of trained service personnel in the medical field. That situation has been made far worse—even disastrous—by the stated closure of the Royal Hospital, Haslar, in my constituency, leading to a shortfall of about 75 per cent. in some key faculties. Has the Minister seen a document called "Strategic Vision", an agreement between the Ministry of Defence and the national health service, which confirms the future of Haslar hospital for the next seven years? Does he accept that, if the hospital were to be confirmed on a permanent basis, it would help him to retain the medical staff that he needs?

Dr. Moonie: I have to tell the hon. Gentleman that Haslar can exist at present only as part of the medical services provided in Portsmouth. When the new hospital is built in six or seven years' time, with sufficient capacity for both military and civilian use, there will, I suspect, be very little further need for Haslar. I have made it plain to the hon. Gentleman on many occasions that we have an obligation to provide a case mix for specialists, and proper professional training for those at registrar level. Haslar does not provide that on its own, and can exist only as part of the integrated services in the Portsmouth region.

I have also mentioned to the hon. Gentleman before that we shall consider retaining whatever services we can in the south of the Gosport peninsula. I am aware of its isolation and of the need for some form of medical provision in future. That, of course, is not the responsibility of the Ministry of Defence, but I shall certainly do everything that I can to support that aim.

International Terrorism

12. **Mr. Kevan Jones** (North Durham): If he will make a statement on his plans for the future involvement of British forces in combating international terrorism. [15086]

13. **Paul Farrelly** (Newcastle-under-Lyme): If he will make a statement on his plans for the future involvement of British forces in combating international terrorism. [15087]

The Secretary of State for Defence (Mr. Geoffrey Hoon): Given the rapid pace of events, I have concluded that it is no longer necessary for all the units placed 10 days ago on 48 hours' notice to move to remain at that state of readiness. With the exception of elements of 2 Para and 16 Air Assault Brigade and their key enablers, the bulk of those forces will revert to their previous state of readiness and be able to move within a week. Before any decisions are taken to deploy any of those forces to Afghanistan, we shall take account of the situation on the ground, including reports from the detachment at Bagram, the progress of the political process being set in train in Bonn this week, and consultations in the coalition.

Mr. Jones: Following the media reports, particularly in *The Daily Telegraph* this morning, that the United States is to extend the war on terrorism to include possible action in Somalia and Sudan, are there are any current plans for British forces to be involved in such action with the United States?

Mr. Hoon: As I told the House earlier, our military action is focused on Afghanistan, but we recognise that terrorism is a wider problem, which has been addressed since 11 September. That is why we shall continue to take action on the financing of terrorism and the ability of terrorists to develop weapons, as well as on the movement of terrorists from one country to another. That action will continue. Indeed, the military action in Afghanistan will send the clearest message to any state that is tempted to support terrorism.

Paul Farrelly: My right hon. Friend has said that the mission at Bagram is well defined, but there seems to be confusion as to how welcome British forces in and around Kabul are to the Northern Alliance. He will agree that the situation there is far different from that in Kosovo, where there was one well defined enemy rather than many barely distinguishable recent allies who history shows are likely to turn on each other—let alone outsiders—at the drop of a hat. Will he therefore assure the House that British troops will not be committed to Kabul on peacekeeping duties without the agreement of the major Afghan factions, and explain what actions the Government have taken to encourage the United Nations to put together such a force in case it is needed?

Mr. Hoon: That is obviously one contingency of which we shall take account before making any decision to deploy further forces in Afghanistan. It is important that we work closely with our international partners in the coalition and, equally, with the United Nations. The work undertaken to ensure that the representative elements of the Northern Alliance reach Bonn is a visible sign of that.

It is important that the United Kingdom give military support where necessary to the efforts to rebuild Afghanistan.

Sir Peter Tapsell (Louth and Horncastle): Will the Secretary of State ensure that in no circumstances are British forces left as a permanent garrison in Afghanistan? Does he agree that, when we reach the phase of reconstruction and peacekeeping, it will be far more appropriate for the forces employed for those purposes to come from currently non-combatant countries of appropriate Islamic background and to be under the auspices of the UN?

Mr. Hoon: I agree with the hon. Gentleman. The point about a rapid reaction force is that it should be able to get into a potential conflict quickly. Logically, it should also be able to get out equally quickly. That is the lesson of the deployment to Macedonia, where we successfully showed that we could achieve success by limiting our presence to a brief operation, allowing those forces to be used again should the eventuality arise.

Mr. Mark Francois (Rayleigh): Can the Secretary of State confirm whether any units or individuals from the Royal Marine Reserve have been mobilised for service in Afghanistan? If so, are any such personnel serving there?

Mr. Hoon: That is not the position for the moment, but obviously we continue to pay regard to the important role that reserves can play. As the hon. Gentleman will understand from an earlier exchange involving one of my ministerial colleagues, efforts have been made to utilise the skills immediately available from the reserves, and that process will continue as and when we require them.

17. **Mr. Lindsay Hoyle** (Chorley): What progress the British military contribution is making in the campaign against international terrorism. [15091]

The Secretary of State for Defence (Mr. Geoffrey Hoon): The United Kingdom has been involved from the outset in the campaign against international terrorism. The Royal Navy has fired Tomahawk land attack missiles at a range of terrorist and military targets, and the RAF has flown more than 200 sorties in support of United States strike aircraft. The Royal Navy has an amphibious task group in the region, and we have deployed a detachment of Royal Marines to Bagram airfield. As I have also made plain, British forces have been engaged in operations on the ground, working closely with US forces.

Mr. Hoyle: I thank my right hon. Friend for those comments. Does he recognise that we must have the right equipment for the fight against international terrorism, and that rapid deployment capability is one of the main strengths of that? Does he also recognise the need for a heavy-lift aircraft, such as the A400M? Can that programme be brought forward?

Mr. Hoon: No Defence Question Time would be complete without my hon. Friend making his customary contribution on A400M. I am delighted to be able to agree with him yet again.

Points of Order

3.31 pm

Mr. Simon Burns (West Chelmsford): On a point of order, Mr. Speaker. Could you assist the House? As you well know, the Minister without Portfolio, the right hon. Member for Norwich, South (Mr. Clarke), does not have a Question Time slot in the Chamber, so could you arrange for him to be present at Health questions on 11 December? Given his comment over the weekend that the health service under the present Government was worse than it was under the previous Government, it seems that he knows more than the Secretary of State for Health about what is going on in the health service in the real world.

Mr. Speaker: That is not a matter for the Chair.

David Winnick (Walsall, North): On a point of order, Mr. Speaker. As you know, there is a good deal of controversy over the fact that the Parliamentary Commissioner for Standards is not having her contract renewed. The next opportunity to question the Member representing the House of Commons Commission will be Tuesday 4 December, and the question that I have tabled may or may not be reached. Given the controversy and the general feeling, which I have expressed previously, that this person is being sacked because she is carrying out her duties too well, will there be an opportunity for that question and related questions to be answered after 3.30 pm? May I make the point to you, the Speaker of the House of Commons, that there is not much opportunity for Members to ask oral questions on such an important and controversial matter? There may be a case for you to consider whether the question should be answered after 3.30 pm.

Mr. Speaker: I am sure that the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), who answers for the Commission, will consider the point that the hon. Gentleman has made.

Mr. Crispin Blunt (Reigate): On a point of order, Mr. Speaker. We can be pretty confident that we know the answer to a written question tabled by the hon. Member for Preston (Mr. Hendrick), which is due for answer now, because it was given on the "Today" programme this morning. It is about the conversion of a male prison into a female prison, and on the programme we were given the name of the prison that will be converted.

I asked for a statement on the mismanagement of the Prison Service and its inability to cope with a four-year rising trend in the number of women being sent down. That written question has been used as part of a public information strategy by the Prison Service and the Under-Secretary of State for the Home Department, the hon. Member for Stretford and Urmston (Beverley Hughes), who is happily in her place on the Government Front Bench, to put pressure on the judiciary not to send as many women to prison and to change their sentences, despite the fact that they are following current sentencing guidelines. Do you agree with me, Mr. Speaker, that that is a wholly improper use of parliamentary procedure?

Mr. Speaker: A parliamentary question should not be revealed until it has been put before the House. I shall look into the issue that the hon. Gentleman has raised and come back to him.

Mr. Nicholas Winterton (Macclesfield): On a point of order, Mr. Speaker. I am not sure whether I misheard the Secretary of State for Defence during Question Time, but when the matter of casualties in Afghanistan was raised, I thought that he said that he would deal with it at a later date. Casualties are of great importance to the House. I waited to seek to intervene on the matter because I believed that the right hon. Gentleman might have dealt with it at a later stage in Question Time. Have you had any notice from him about when he will make an announcement in the House on any casualties that have been suffered in Afghanistan?

Mr. Speaker: That is a matter for the Secretary of State, who has, I am sure, heard the concerns expressed by the hon. Gentleman.

Mr. George Osborne (Tatton): On a point of order, Mr. Speaker. Will you confirm that the regulation of the hours and working practices of the House are properly a matter for the House? Did you share my surprise on reading first, the headline on the front page of *The Sunday Times*, "MPs set to get four-day week with shorter hours", and secondly, that this is a proposal dreamt up by the Leader of the House? Should not such proposals be presented first not to national newspapers, but to the Chamber?

Mr. Speaker: This is a matter for the House—the hon. Gentleman is right about that—but I advise the hon. Gentleman, as a new Member, not to believe everything that he reads in the press.

Mr. Gerald Kaufman (Manchester, Gorton): Further to the point of order raised by the hon. Member for Reigate (Mr. Blunt), Mr. Speaker. Could any response to his remarks about women's prisons take into account the fact that whatever is wrong in women's prisons today, we are not chaining down pregnant women?

Mr. Speaker: Order.

Orders of the Day

Anti-terrorism, Crime and Security Bill

[2ND ALLOTTED DAY]

[SIR ALAN HASELHURST *in the Chair*]

Considered in Committee.

Clauses 36 and 37 ordered to stand part of the Bill.

Clause 38

RELIGIOUS HATRED OFFENCES

3.37 pm

Simon Hughes (Southwark, North and Bermondsey): I beg to move amendment No. 153, in page 19, line 15, leave out "RACIAL OR RELIGIOUS HATRED" and insert "HATRED OFFENCES".

The Chairman of Ways and Means (Sir Alan Haselhurst): With this it will be convenient to discuss the following: Amendment No. 154, in page 19, line 18, leave out "religious".

Amendment No. 155, in page 19, line 19, leave out from "Part" to end of line 20 and insert—

'"hatred offences" means hatred against a group of persons or individuals defined by reference to their age, disability, gender, race, religion or sexuality.'

Amendment No. 19, in page 19, line 20, at end insert—

'but shall not include hatred of a belief or lack of belief where such hatred does not extend to the person or persons holding that belief'.

Amendment No. 20, in page 19, line 20, at end insert—

'17B Meaning of religious belief

In this part, "religious belief" means belief in a supernatural being, thing or principle and the acceptance of canons of conduct in order to give effect to that belief which are lawful'.

Amendment No. 106, in page 19, line 20, at end insert—

'(3A) In section 18, after subsection (2) insert—

"(5A) No prosecution may be brought under this section solely on the grounds that a person has used words which are expressions of the tenets of any religion or which form part of the rites of any religion.".'.

Amendment No. 156, in page 19, line 21, leave out "racial or religious hatred", and insert "hatred offences".

Amendment No. 157, in page 19, line 35, leave out "religious hatred" and insert "hatred".

Amendment No. 158, in page 19, line 38, leave out "racial or religious hatred" and insert "hatred offences".

Clause 38 stand part.

Clause 39 stand part.

Amendment No. 3, in clause 40, page 20, line 40, leave out "or religious".

Clauses 40 to 42 stand part.

New clause 1—*Abolition of common law offence of blasphemy*—

'1. The following common law offences are hereby abolished:

(a) blasphemy and blasphemous libel;

(b) any distinct offence of disturbing a religious service or religious devotions;

(c) any religious offence of striking a person in a church or churchyard.

2. The following provisions are hereby repealed:

(a) in section 1 of the Criminal Libel Act 1819, the words "and blasphemous libel, or";

(b) in sections 3 and 4 of the Law of Libel Amendment Act 1888 the words "blasphemous or".

3. This provision shall not extend to Scotland or Northern Ireland.'.

New clause 4—*Consultation*—

'Part 5 of this Act shall not have effect until the Secretary of State has conducted a consultation exercise on its proposals with the following bodies, and placed a copy of their responses in the Library of the House of Commons—

(a) The Law Society

(b) The Bar Association

(c) The Justices' Clerks

(d) The Districts Judges (Magistrates' Courts)

(e) The Lay Magistracy, and

(f) The Crown Court Judges.'.

New clause 10—*Consultation (No. 2.)*—

'( ) Part 5 of this Act shall not come into force until the Secretary of State has undertaken a review including consultation with the following bodies and representatives, and other bodies which he judges will be affected by the provisions, and he has published the conclusions of that review—

(a) representatives of recognised faith groups;

(b) representatives of the police;

(c) representatives of lawyers, judges and the lay magistracy;

(d) the Commission for Racial Equality.'.

Simon Hughes: I shall speak to amendments Nos. 153 to 158, which are similar in purport. I shall then make specific reference to new clause 10. The crucial question, however, is whether clause 38 is to stand part of the Bill. My view and that of my colleagues is similar to that of the hon. Member for West Dorset (Mr. Letwin) and his colleagues. No doubt the hon. Gentleman will catch your eye shortly, Sir Alan.

This is the important part of the Bill, which effectively deals with religious hatred. It is entitled "Race and Religion", and it seeks to move the legal protection currently given to those affected by racial hatred into an additional area, that of religious hatred. After making a few general remarks I shall deal briefly with the specifics. I am conscious that the subject is important to the Committee and to the House, and that a wide remit is involved. We have relatively little time to deal with it, however, because we must finish the debate on this part of the Bill by 6.30 pm.

Sir Patrick Cormack (South Staffordshire): Has the hon. Gentleman seen reports that the Home Secretary might be minded to heed the strong feeling in the House that the Bill is not the right vehicle for legislation on this highly sensitive matter? Would it not assist us materially if the Home Secretary told us now that that is correct, so that we could devote more time to the other important aspects of the Bill?

Simon Hughes: The hon. Gentleman provides a timely prompt, as I have seen those reports. I suppose that I am thereby owning up to reading *The Sunday Telegraph*, as other hon. Members do, but I am glad to do so. This morning, I also heard the Under-Secretary of State for the Home Department, the hon. Member for Stretford and Urmston (Beverley Hughes), on the radio. Although she said that the Government had not yet changed their mind, she seemed to suggest that they might be persuaded to do so. I would therefore be very happy to give way to the Home Secretary if he would like to tell us the Government's current position.

The Secretary of State for the Home Department (Mr. David Blunkett): I can do no better than to quote Mr. Speaker's recent words: "Don't believe everything that you read in the newspapers."

Simon Hughes: On that basis, the hon. Member for South Staffordshire (Sir P. Cormack), other hon. Members and I will have to proceed to debate these important provisions.

The provisions seem to deal with three important and clearly interdependent issues: how people worship, how people express their faith and their comments, and how people with no faith comment on faith and on people with faith. They also deal with three freedoms: the freedom of religion and the freedom of expression, both of which are protected in law, and the freedom from discrimination, which is substantially but not completely protected in law.

It is fair to say, as the hon. Member for South Staffordshire said, that the Bill's inclusion of provisions addressing those issues has been the subject of much comment and controversy and considerable concern. Authors and comedians have clearly said that they want to be able to write and speak critically about faith or faiths and about those who profess them. I should think that there is no dissension from that proposition on either side of the Committee. Moreover, adherents of faith want to be able to express and share their faith and seek to win people to it. Other amendments in this group, not least that tabled by the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney), seek to clarify that issue.

Many people of a recognised faith, of private faith and of no faith have expressed concern about the fact that the legislation deals with matters of faith and associates those matters with the concept of terrorism. Their concern is a particularly strong reason why the Government must overwhelmingly convince the Committee of the need to deal with those matters in the Bill. All hon. Members and all corners in British politics have made it clear that, logically, those matters should not be associated even by implication with a war, battle or campaign against terrorism, and that we must make it clear that the legislation is not directed against any particular faith or people of any particular faith.

Ms Diane Abbott (Hackney, North and Stoke Newington): Is the hon. Gentleman aware that the Evangelical Alliance, among other groups, has written to hon. Members to say that although it wants legislation to address those issues, it does not believe that they are appropriately addressed in this Bill? The alliance wants wider debate and properly considered legislation.

Simon Hughes: The hon. Lady is absolutely right. I saw the Evangelical Alliance's very short and straightforward submission, which stated that although it understood the issue and supported the argument, it did not think that it was possible in the time available to do justice to the cause. Moreover, that view is shared by all the representatives of Britain's faith communities to whom I have spoken or whose submissions I have read since we learned that the Government were considering placing such a provision on their agenda.

In recent days, I have not read anything said by the Church or by the Muslim, Jewish, Sikh or Hindu communities that suggests that this Bill is the right place to deal with those matters. I have also had express conversations with those who know the mind of, for example, the General Synod of the Church of England and of the coalition of Muslim groups and they seem to hold precisely the same view. They also seem to have grown stronger in that view in recent days.

3.45 pm

Tony Wright (Cannock Chase): The hon. Gentleman is a lawyer. If he waives his fee for a second, could I ask him a question? If the legislation were in force and someone said, "I hate all religious fundamentalists and all right-minded people should hate them", would they be caught by this provision?

Simon Hughes: It is a difficult question, but I shall seek to answer it; there is certainly no question of a fee. Under the Bill as drafted, the person concerned must have had the intention to produce a consequence, the consequence being that people would suffer as a result of what had been said. There has to be the statement and the consequence. To be fair, the Bill clearly specifies that. The trouble is that it would be a matter for the courts, in each case, to define whether there was the intention as well as the statement. Clearly, that issue must be discussed and sorted out.

The provision cannot go into legislation if there is a doubt about whether certain words or language could be turned into something that would have imputed to them an intention, as opposed to no intention, of a consequence. That is exactly the sort of phrase that does not have an immediate answer, which is why we need to proceed carefully. I will come back to the other arguments that suggest that the wording of the Bill is not clear enough, and which may persuade the Committee about the new clause.

Mr. Oliver Letwin (West Dorset): In order that the debate should proceed from the right position, does the hon. Gentleman agree that the way in which the Bill is drafted means that even if it were not the intention of the person speaking to produce the consequence of hatred, but it was likely in all the circumstances that hatred might follow, that person might be caught?

Simon Hughes: The hon. Gentleman prompts me to deal with a point that I was going to make later—that it is the second linked formulation of the offence that makes it even more far reaching. There is not just an intention to commit an offence, but a likelihood that an offence might be committed, that violence might follow or that there might be the consequence of hatred. That is much more difficult to get right.

I wish to refer to an example in the context of the amendment tabled by the right hon. Member for North-West Cambridgeshire. Jews might say things—or Sikhs,

[Simon Hughes]

Muslims or Christians—that they feel are matters of belief for them. They might say them with the conviction that they are justified in so speaking. They might not intend that their words should incite anybody else to any particular activity. However, it might be said in a way that does incite people to that particular activity. For example, if one went into a mixed-faith crowd and said that Islam was the only true faith and that anybody who did not follow the true faith would not have eternal life and would go to hell, that could be regarded, by definition, as going down the route towards incitement.

Mr. Blunkett: How could it?

Simon Hughes: I am not seeking to exaggerate the import of the Bill. I am not seeking to say that the courts will take a wider interpretation as opposed to a narrow interpretation. But no definition of religion is proposed, and this is not something with which the courts are used to dealing. There are one or two other pieces of legislation where there has been a reference to religion, but that is another reason why we must be careful. We have not specified exactly the meaning of the offence.

Sir Brian Mawhinney (North-West Cambridgeshire): Does the hon. Gentleman acknowledge that it might go further and that in response to his example others may react violently, putting the blame on the statement and arguing "likely effect", and that it would be within the scope of the Bill to do so?

Simon Hughes: I understand that, and others might argue that that justified their reaction or response. To be fair, the commission of the offence could be judged objectively only in terms of what the person accused did. I have not taken six legal opinions, but the advice we have received suggests that judgment would have to be made on the normal interpretation and normal consequence of the words used. Therefore, if someone interpreted such a statement as inciting or provocative, that would not necessarily carry them over the threshold. However, that is not clear.

Some people, including the Evangelical Alliance, say that before we proceed there needs to be a code of guidance and rules about when it would be used. The protection in law—namely, that the Attorney-General would have to authorise prosecutions—is not sufficient at present because we still do not know the context of certain prosecutions. Of course the legislation will be used carefully, but that does not mean it will never be used in a way that people do not expect. For example, the use of the blasphemy law some 15 or 20 years ago, originally in a private prosecution, suddenly invoked legislation where it had not been expected or intended. We must be careful not to go down that road again.

Mr. David Wilshire (Spelthorne): The hon. Gentleman said that no religious group with which he had had contact wanted the clause but then said that there was no definition of religion. Is he aware that there are religious groups—or cults, as some people call them—which privately welcome the clause because it will give them protection while they go on harming other people, which none of us wants? Is not that another reason why clause 38 should be removed?

Simon Hughes: I do not argue with any representations that the hon. Gentleman may have had. I have not had such representations, but I understand the argument. However, the interpretation of "religion" must not cover simply the great world faiths; it must be much more narrowly defined. There is an argument that if there is to be a definition, it should refer to "religion or other belief", not just something that calls itself a religion. It should also cover a lack of religion or belief, because otherwise agnostics or atheists are not treated equally. *[Interruption.]* The Home Secretary asks what I think the clause does. It does not deal with the "or other belief" alternative. Previous legislation has widened the definition of religion to do that. Many people think that is right because some have a strong philosophical belief, although they may not call it a religion.

Mr. Chris Bryant (Rhondda): The hon. Gentleman referred to the blasphemy laws. The common law offence of blasphemy or blasphemous libel specifically tries to identify what religion is or, in fact, what is good as opposed to bad religion. Surely that is the problem with the blasphemy laws and the strength of this clause. It does not define what is good religion and bad religion, but deals simply with the problem of incitement to hatred of people on the basis of their religious belief.

Simon Hughes: The hon. Gentleman may recall from our debates on Second Reading that my party has believed for a long time that the offence of blasphemy should come off the statute book. Therefore, we are sympathetic to the new clause tabled by the right hon. Member for Holborn and St. Pancras (Mr. Dobson). We do not, however, think that the Bill is the right place to do that—in that respect we share the view of the Home Secretary. In a few moments I shall explain our view that there are two main reasons why we should put aside such provisions today, concentrate on anti-terrorism measures, properly defined, and return in a careful and considered way to deal both with offences of religious hatred and discrimination on the one hand and, on the other, with hate offences generally, which do not stop at religion or race.

Denzil Davies (Llanelli): Although I agree in general with the gist of the hon. Gentleman's argument, he might be surprised to hear that, on the question of religion and what it means, British courts have found it easy to define and describe religion. It is defined as a belief in a supreme being or a God and a worship of that supreme being or God. Whether the platonic first cause comes into it may be something for the philosophers to discuss.

Simon Hughes: The right hon. Gentleman is correct. Indeed, the hon. Member for Christchurch (Mr. Chope) has tabled an amendment that would ensure that religion was thus clearly defined. All those facts add to the argument that we need to get the measure right. We need to establish what we think the law currently is and to think about whether it is sufficient; we need to decide whether that law will cover people who proclaim their own faith; and we need to ensure that we are clear about whether we want it to be related to belief in the supernatural. We must also decide whether the law should cover faith—or the lack of it—that has nothing to do with religion.

If people outside this place, or the Government, honestly believe that Parliament can come to a wise judgment on all those matters, and others, in a couple of hours, we are not honouring the many people of much greater intellect, theology or philosophy than us who have been wrestling with those problems for hundreds and hundreds of years.

Mr. Gerald Kaufman (Manchester, Gorton): Is it not a fact that when we talk about religion and knowing what religion is, it is like the famous mot about describing a camel? We may not be able easily to describe a camel, but we know what it is when we see one. Broad definitions are often the best thing in law. For example, until the Conservative Government got rid of the public interest defence in the Official Secrets Act 1911, that defence was an extraordinarily good one, due to the fact that it was not defined. If it had been defined, it is extremely unlikely that Clive Ponting would have been acquitted by a sensible jury after an onerous prosecution. The hon. Gentleman really ought to think a great deal more carefully about that before he proceeds.

Simon Hughes: I do not dissent from the right hon. Gentleman's argument. I do not think that Liberal Democrat or Conservative Members are arguing that one needs a long and complex definition of religion. No one in the debate—

Mike Gapes (Ilford, South): The hon. Gentleman is arguing that.

Simon Hughes: Absolutely not. People are arguing, and we are clearly arguing, that legislation on terrorism is not the place to try to deal with certain matters to do with religion—namely, incitement to religious hatred—or to deal with blasphemy or the much wider issue of the equal treatment of all religions and people of faith. For years, people of minority faiths have been campaigning for a big item on the political agenda: legislation against religious discrimination. It would be much better to deal with all those matters in one go and in one measure, rather than introducing partial provisions in a Bill where they do not belong.

Mr. Kaufman: I shall try not to interrupt the hon. Gentleman again—partly because I hope to catch your eye, Sir Alan, and to speak in the debate. However, the hon. Gentleman is seriously mistaken in his belief that the Bill is not an appropriate vehicle. The package of legislation that the Home Secretary is introducing is a consequence of 11 September. If I am called to speak, I shall attempt to demonstrate why, despite the fact that the proposed legislation is in any case overdue, it is especially necessary as a consequence of 11 September.

4 pm

Simon Hughes: Of course, the right hon. Gentleman may use that argument, and he may not be persuaded by me, but I refer him to the Select Committee on Home Affairs, which addressed this matter last week. That all-party Committee, which is chaired by one of his colleagues, was not persuaded that this was an appropriate time to legislate and warned us not to proceed down that road. The Chairman of the Committee is in his place and can correct me, but I can cite the paragraph of the Committee's advice to Parliament. With respect to the right hon. Gentleman, it is also wrong to say that this matter has been on the agenda only since 11 September. It has certainly been on the agenda for a long time, so to link it with events that occurred on or subsequent to 11 September seems to be entirely inappropriate as well.

Mr. David Cameron (Witney): The hon. Gentleman may not be aware of this, but as I serve on the Home Affairs Committee, I asked the Under-Secretary of State for the Home Department, the hon. Member for Stretford and Urmston (Beverley Hughes), whether the Government had considered the option of abolishing the blasphemy laws. Many hon. Members think that that would be the right way to level the playing field, and she specifically said that, along with the other necessary issues, that would be

"outside the scope of an anti-terrorism bill."

Is not that the point to make? We cannot consider the broad-based solution that many of us want because it is outside the scope of the Bill and, as a result, we should not consider this issue at all.

Simon Hughes: That is a very strong argument, and I want to tell the Committee about the remaining three arguments as to why we ought not to proceed now. First, incitement to racial hatred is already an offence and incitement to religious hatred will be made an offence under the Bill, but, as is made clear in an amendment that my hon. Friends and I have tabled, pressure has been put on Parliament for a long time to legislate and make incitement to other forms of hatred an offence, perhaps on the basis of gender, sexual orientation or other issues. Parliament may decide that it is far better to introduce legislation on incitement to hatred in which the categories are not defined or in which all the obvious categories are listed, rather than legislating in one decade against incitement to religious hatred, legislating in a second decade against incitement to racial hatred and in another decade against incitement to some other form of hatred. There is a strong argument for dealing with all those issues together and at the same time.

The second argument is that hon. Members may think that we will leave ourselves unable to respond to people who are concerned that the law does not protect them, but that is not true. A series of laws already exists on the statute book which forbids inciting people to do various things. Incitement to violence is already illegal, as is incitement to cause criminal damage. The authorities can prosecute people under a realm of offences.

The third reason is that our colleagues have recently set a good precedent. In considering how to respond to the Home Secretary's proposals, the Scottish Executive agreed a fortnight ago that, rather than including such provisions in a similar Bill, they would consult the faith groups in Scotland, the police, the Commission for Racial Equality and the political parties. Although they may wish to legislate and understand the need to legislate, they want to get it right. They want to legislate carefully, rather than legislating precipitately, and they want to take more time than we are being permitted.

Mr. George Howarth (Knowsley, North and Sefton, East): The hon. Gentleman has been generous in giving way throughout his speech, but I wonder whether he can

[Mr. George Howarth]

help me. I listened carefully to the exchange between him and my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman). If a Muslim religious leader were to use religious arguments to persuade a young British Muslim to fight in Afghanistan against whatever troops were there, possibly including United Kingdom troops, on the grounds of religious conviction, would the hon. Gentleman regard that as acceptable?

Simon Hughes: That is a difficult question. It is not acceptable for a British citizen to fight against those fighting in the name of our country who are trying to bring order and democracy to another part of the world. However, we have to examine the language to determine whether someone was inciting someone else. If someone argued from a profound belief that the Koran justified a certain action, he would not be guilty unless he intended to bring about the violent activity that the hon. Gentleman described. However, if that person intended to cause another person to act violently, he would be guilty and he would be caught by an offence that already exists.

My point is that such offences are already on the statute book. First, we have the incitement offences that I have mentioned and we also have the extra offences that Parliament has put on the statute book in the last two years under the Terrorism Act 2000. Certain acts are now offences even if they relate to activities that take place abroad. Therefore, the law provides us with plenty of opportunities to prosecute without the need for this additional offence.

Mr. Gerald Howarth (Aldershot): If the hon. Gentleman's argument is correct, why have none of the Muslim clerics to whom the hon. Member for Knowsley, North and Sefton, East (Mr. Howarth) referred been prosecuted for openly encouraging what amounts to sedition? I suspect that the Government have not taken action because they feel that they do not have the powers to take it.

Simon Hughes: I do not know the factual answer to that question. However, I tabled a question a couple of months ago to ask how many offences of incitement to racial hatred had been prosecuted and taken to court under the Race Relations Act 1976. Before the election in my constituency, there were some marches by members of the extreme right who appeared to me to use language that was clearly an incitement to racial hatred. The answer I received was that, since the mid-1980s, an average of about half a dozen offences had been prosecuted across the whole of England and Wales each year.

That raises a question. Even though the offences are on the statute book, why are there so few prosecutions? Therefore, if we are to legislate for this offence, it has been suggested that we should amend the Bill so that an annual report is made to Parliament to list the decisions of the Attorney-General and explain why he has made them. We would then know whether the law was being enforced adequately.

This exchange has shown that the Committee must consider all sorts of issues. Liberal Democrats believe that the blasphemy law should go and that we should have an equality Act that guarantees all the faiths equality and does not protect only certain faiths from discrimination, as is the case under the current race relations legislation. For example, it protects Sikhs and Jews but not Muslims. Liberal Democrats also believe that, if we were to create an offence of incitement to hatred, it would be better to do so by creating a general incitement offence that covered all the issues, and did not pick off just one of them and legislate for that with the intention of returning to the others later.

The Scots have set us a very good example. They have said, "Proceed gently, don't legislate now, take the clause out of the Bill and return to the issue once the Bill is on the statute book." I hope that we will follow their advice

Mr. Frank Dobson (Holborn and St. Pancras): The hon. Gentleman seems to be suggesting that we have come to a precipitate conclusion in introducing an offence of incitement to religious hatred. Is he aware that the Law Commission canvassed the possibility as long ago as 1985? Sixteen years is a long period for precipitate action.

Simon Hughes: The right hon. Gentleman made that point the other day. In reality, the Law Commission argued for that proposal in a way that suggests that there had been measured consideration. However, it has never argued that the offence should be introduced suddenly in the context of another Bill. It has never argued that the proposal should be linked to anti-terrorism legislation or that it should be dealt with by emergency legislation that is guillotined and timetabled. It has never argued that it should not be dealt with in the context of all the other considerations related to this issue.

Mr. Tam Dalyell (Linlithgow): Some Scots give good advice and some give bad advice.

Simon Hughes: That characteristic can be attributed, without discrimination, to people of every nationality. I note that in this case the approach appears to be based on the common advice of at least two parties in Scotland and, I think, is supported by the other two main parties. That does not mean that it is right, but it has united people there far more than it has here.

Caroline Flint (Don Valley) *rose—*

Annabelle Ewing (Perth) *rose—*

Simon Hughes: I am trying to conclude my remarks, but I will give way.

Caroline Flint: Does the hon. Gentleman agree that when we have previously discussed defining racial hatred as a crime, many said that it was unnecessary because we had enough laws to deal with that problem? Is it not the case that we are going through a period of uncertainty and possible terror in which religion has become an issue? Mosques have been attacked in many constituencies, and in Yorkshire places of Christian worship have also been attacked. It is right that we define that form of hatred in such important times.

Simon Hughes: I respect the hon. Lady's view, but I disagree with her. I have served on Committees and participated in other debates in which we have tried to get hate crimes—religious hate crimes, gay hate crimes and so on—on to the statute book, but the Government of the day have said that the time was not right or appropriate. The issue is not new. I accept the point raised by the hon. Member for Aldershot (Mr. Howarth) and supported by, I think, the hon. Member for Woking (Mr. Malins), from his professional experience. It is not as if there are no laws on the statute book which we could be using.

My constituency has a large community that is made up of minority faiths as, no doubt, does the hon. Lady's constituency. Of course I want to ensure that those people are protected, but that is not what we are debating. I have talked in detail to people from those faiths and asked them what they want and need most to give them the maximum protection. The maximum protection will come from legislation that treats all faiths equally, that does not give protection to a denomination of one faith and that ensures that the law is clear and does not restrict the freedom of speech, as some people fear might happen. There is nothing between us on that, but should we rush through legislation that might be subject to row, division and wrong construction later?

I have asked many people about this problem, as I am bound to do, and few have said, "Let's put this on the statute book now. It's been around for a long time." Let us get it right if we are to legislate. I give the Home Secretary an undertaking that my colleagues in both Houses and I will facilitate time for legislation on such matters in this Session after the new year, provided that we have a proper inquiry first on how to draft legislation so that it receives the widest agreement in Parliament.

Several hon. Members *rose—*

Simon Hughes: I want to conclude my remarks. I hope that the Committee will proceed carefully, listen to the voices outside and follow the example of our Scottish colleagues. I hope that it will at least support our amendment but, if not, that it will make a more effective contribution by removing clause 38.

Mr. Kaufman: I fear that the debate shows all the signs of developing into one of those cosy little discussions in the House of Commons that bear little relationship to the reality outside. What is more, the hon. Member for Southwark, North and Bermondsey (Simon Hughes) is using what Hugh Dalton used to call the doctrine of unripe time, in which all sorts of things need to be done and it is a good idea to do them, but not just yet. My argument is that this is the moment to act. With all respect to the hon. Gentleman, whose sincerity I do not question, when he uses the phrase "those in the minority faiths" he shows how unrealistic the debate is.

The House of Commons should take a look at itself. What does it consist of? It consists overwhelmingly of white Christians. Some people may think, "I am white, and if I were in the Army I would be described as C of E, but I am not a Christian." They may think of themselves as an agnostic, an atheist or a humanist. However, it is very easy indeed for white Christians to say that they are an agnostic, an atheist or a humanist, but although Jews, Muslims or Hindus can decide within their convictions that they are an agnostic, an atheist or a humanist, to everybody else they will still be a Jew, a Muslim or a Hindu.

4.15 pm

I happen to be an observant Jew, but if I were to declare myself an atheist, people who may wish to hate me, apart from any personal dislike of me—

David Winnick (Walsall, North): There would not be many of those, would there?

Mr. Kaufman: Practically none, but one cannot rule out the possibility. Anybody who wished to hate me would still look at me as a Jew. I have experienced anti-semitism in this very Chamber. Alec Douglas-Home, when he was Foreign Secretary and there was a controversy about war in the middle east, said that I was more loyal to Israel than I was to England—something that I do not think could be said about me today. During a heated debate, a Conservative Member for Eastbourne, Sir Charles Taylor, told me to get back to Jerusalem. Whether or not I want to be a Jew, I am a Jew, and because of that, I can be hated as a Jew. My hon. Friends—and many more people outside the Chamber—who are Muslim or Hindu or of other minority faiths can have humanist views but they will be hated outside the House, by those who are inclined to hate them, as Muslims, Hindus or members of minority faiths.

Jon Trickett (Hemsworth): Is not my right hon. Friend confusing ethnicity, in relation to which incitement to hatred is already forbidden in law, with a belief system or religion? It seems to me that it is possible to be a white European Muslim or an Asian Muslim. Jewishness is different, and many people are of Jewish faith and Jewish ethnicity.

Mr. Kaufman: That is the last thing I am doing. After the number of years that I have lived, I am pretty clear about my ethnicity and my religion. I am British; I was born in this country. Heaven only knows what blood goes into the final mix that makes me up. I am not talking about ethnicity. I talked about ethnicity in 1986, when I tried without success to persuade the then Conservative Government to introduce an offence of racial harassment, and in 1994, when I tried again and a later Conservative Government refused.

I know that my hon. Friend's intervention is well intentioned, but there is no confusion in my mind about ethnicity versus religion. I am talking about religion, not ethnicity. Over the years, when I was at school and at other times, I have been the object of anti-semitism, although happily it does not happen very much now. My ethnicity was never the reason for that anti-semitism because my ethnicity is British; my religion was the reason for it.

I ask the Home Secretary under no circumstances to be persuaded to withdraw the measure from the Bill, because it is well overdue. We should legislate against incitement to religious hatred in the same way as this Government, as soon as they came to office, legislated against racial harassment—very belatedly indeed.

Dr. Evan Harris (Oxford, West and Abingdon) *rose—*

Mr. Edward Garnier (Harborough) *rose—*

Mr. Kaufman: I will certainly give way to both hon. Gentlemen, but I shall continue my argument for a moment.

[Mr. Kaufman]

When I intervened on the hon. Member for Southwark, North and Bermondsey and said that the provision was especially relevant to a package of legislation after 11 September, I did so advisedly. A lady in my constituency, whom I will not name as I do not have permission to do so, is a Muslim and is active in Muslim causes in my constituency; she has always taken part in a great many community causes. She is the equivalent of an orthodox Jew; she veils part of her face and will not shake people's hands, but she is an active member of the wider community. On 12 September, she went into a shop in central Manchester, but was turned out and told that she would not be served because she was a Muslim. It is intolerable that people should be subject to that kind of hatred without any recourse whatever to the law.

Mr. Neil Gerrard (Walthamstow): Will my right hon. Friend give way?

Mr. Kaufman: I shall do so in a minute.

Before I represented Manchester, Gorton, I was a candidate for the Ardwick constituency. The Conservative party distributed a leaflet among Muslim constituents saying that I was a Zionist—not to arouse ethnic or racial hatred against me, but to arouse religious hatred; they were trying to persuade Muslims that it was not a good idea to vote for a Jew. The Muslims had a much broader vision than the Conservative party in the Ardwick constituency.

There ought not to be religious hatred in this country, but the fact is that it exists, and we must acknowledge that. The aftermath of 11 September has made that much clearer, but has also meant that it has to be dealt with. Over the years, the Jewish community has witnessed people like David Irving talking about holocaust denial. As Billy Wilder said,

> "If there was no holocaust, where is my mother?"

We have had to deal not only with that but with Jewish cemeteries being desecrated—not because of Jewish ethnicity but because people wish to arouse hatred of Jews. In my constituency and those of a number of hon. Members, we have had to deal with attacks on mosques, which are religious buildings. The Eileen Grove mosque in my constituency was firebombed.

Mrs. Lorna Fitzsimons (Rochdale): As a fellow Greater Manchester MP, my right hon. Friend will know that the British National party has been active in Burnley which, thankfully, we held at the election. The BNP is concentrating on dividing communities by playing on Islamophobia; it is arousing religious hatred among Sikhs and the indigenous white population against the Muslim population, thus using people's religion, not their culture. Will my right hon. Friend comment on that?

Mr. Kaufman: My hon. Friend makes an extremely important point on which I can elaborate. Such is the bigotry, evil and ignorance of people who arouse religious hatred that they have attacked Sikhs because they wear turbans. They think that they are Muslims; so lacking are they in their understanding of Muslims that they believe all Muslims wear turbans. As a result, Sikhs have been victims of religious hatred. The hon. Member for Southwark, North and Bermondsey said that we needed a definition and a much clearer law. Heaven only knows—and the hon. Gentleman made the point inadvertently—our laws against racial hatred are far from oppressive. Indeed, they are rarely used, which is why I asked my right hon. Friend, when he made a statement foreshadowing the Bill, to make sure that the Attorney-General was in charge, because the Crown Prosecution Service cannot be relied on. We have got what I asked for from my right hon. Friend—and, heaven knows, the Attorney-General will not bring random, gratuitous, frivolous prosecutions; there is no doubt whatever about that.

Several hon. Members *rose—*

Mr. Kaufman: I will give way to all those who want to intervene when I have finished this paragraph, as it were.

The hon. Member for Southwark, North and Bermondsey said that the provision would catch comedians. I do not want to get comedians, but I ask the House to consider the matter carefully. Although it would be doing Bernard Manning far too much credit to prosecute him, let us remember the sort of things that he has been saying and doing, including creating a situation in which black people listening to him have to laugh at his jokes for fear of not joining in the joke. Even comedians ought not to believe that they can incite religious and racial hatred and get away with it.

My right hon. Friend is right to limit the provision to the remit of the Attorney-General. Because of that, and because of the good sense of juries—shown, for example, in the Ponting case—we need not fear that militant atheists or humanists will be sent to jail for saying that they are not believers or for disagreeing with believers.

Mr. Gerrard: I thank my right hon. Friend for giving way. May I return to the story that he told about the woman who was turned out of a shop? She was discriminated against on the basis of her religion, but is it not true that the Bill would not deal with that?

Mr. Kaufman: If my hon. Friend is suggesting that the legislation ought to be wider, perhaps he has a point. Let us get the Bill on the statute book; then we can look at the possibility of widening it. The fact that my hon. Friend believes that the Bill is inadequate, rather than too oppressive, is an argument for passing it and building on it.

Dr. Harris: As a non-religious, secular, ethnic Jew, I have been listening carefully to the right hon. Member for Manchester, Gorton (Mr. Kaufman). He said that my hon. Friend the Member for Southwark, North and Bermondsey (Simon Hughes) had a mañana approach to the matter, but that is not the case. A plea for an equality Act with a general hate crime measure was in our manifesto. My hon. Friend has said that we want to consider that as soon as possible, outwith emergency legislation.

Homophobic hate crimes have been occurring for decades and have affected the majority of people who identify themselves as homosexual. There has been no protection. I believe that the right hon. Gentleman will find that he voted against a provision allowing for a homophobic hate crime during consideration of the Crime and Disorder Bill in 1998, and that he did so with his Government, who said that they would introduce such a measure soon. Such things do not happen unless the relevant measures are introduced all together, in a considered way. I urge the right hon. Gentleman to reflect on that approach.

Mr. Kaufman: The hon. Gentleman may call himself, and no doubt he sincerely is, a non-religious, secular Jew, but Hitler would still have put him in an oven.

Dr. Harris: I agree.

Mr. Kaufman: In the same way, the hon. Gentleman may be a non-religious, secular Jew, but he could well be the object of incitement to religious hatred, because those who do not like Jews would consider him a Jew, whether he wants to be one or not.

Mr. Gerald Howarth: I am grateful to the right hon. Gentleman for giving way. He has a fertile imagination. I therefore invite him to imagine being the Attorney-General in whose power it lay to bring actions of the kind envisaged by the Bill. Given the huge range of examples that the right hon. Gentleman has given, extending from clerics to Bernard Manning, does he not envisage courts sitting all day, every day, dealing with his catalogue of complaints about hatred? Can he identify where his priorities would lie were he Attorney-General?

Mr. Kaufman: If I were Attorney-General, it would be a great innovation, as I am not a lawyer. We are not dealing with my predilections, and I would not wish to bring a huge torrent of prosecutions. If we have the provision on the statute book, as I very much trust we will, it will be some protection—not an impermeable protection—to those who are subject to religious hatred. I recognise the hon. Gentleman's decency and sincerity, but I say to him, as I said when my right hon. Friend the Home Secretary made his original statement, that it is very easy to be theoretical if one has not been on the receiving end.

4.30 pm

Mr. Gordon Prentice (Pendle): I want to be clear about where my right hon. Friend is coming from. Many Muslims in my constituency were outraged by the publication of Salman Rushdie's "The Satanic Verses". The book provoked disorder and many people saw it as inciting racial hatred. Am I right in thinking that my right hon. Friend would agree with the prosecution of Salman Rushdie on the grounds that his work produced that hatred?

Mr. Kaufman: To the great misfortune of the entire House, my hon. Friend was not a Member of Parliament when "The Satanic Verses" issue arose. I was an extremely strong opponent of any action against Salman Rushdie—except on literary grounds, as I think he is a very bad novelist; if I have a single achievement in life, it is that I prevented his inclusion on the Booker prize shortlist in the year when I was chairman of the Booker judges.

I do not believe that bigotry should prevent free speech. Salman Rushdie was stating a view of the life of the prophet Mohammed to which many Muslims took exception. I told Muslims who came to see me that free speech required that Salman Rushdie should be allowed to publish his novels without interruption. My good friend Roy Hattersley took the view that the paperback should not be issued—a sort of compromise on his part. The same applies to Martin Scorsese's not very good film, "The Last Temptation of Christ". I disagreed with the Catholic Church when it tried to get that film banned. I was also against the banning of a play about Jews that was shown at the Royal Court theatre. I am strongly in favour of freedom of speech, even though it may offend large numbers of people. That is very different from believing that there is a place on the statute book for a law that makes incitement to religious hatred an offence.

Sir Patrick Cormack *rose—*

Mr. Kaufman: I shall give way to the hon. Gentleman, but then I want to finish, as other hon. Members want to speak.

Sir Patrick Cormack: The right hon. Gentleman is civilised, urbane, witty and sensitive. As he is all those things, he has just given an extremely sensitive and witty answer to the hon. Member for Pendle (Mr. Prentice). However, if we introduce the Bill in its current form and in such precipitate haste, he is likely to be landed with a Dangerous Dogs-type Bill that has been rushed through the House without proper and thorough consideration: a dead letter and a pretty useless measure. I do not necessarily disagree with the right hon. Gentleman in his desire for an effective law. Indeed, I agree, of course, with all that he said about the persecution of the Jews. However, we need to consider a draft Bill in depth and to take our time—and that does not mean taking an eternity.

Mr. Kaufman: As the hon. Gentleman knows, I have a great deal of respect for him, but I must say that I simply disagree with his view, which, again, is based on doctrine of unripe time. If we can get the Bill on the statute book, all hon. Members' wisdom and drafting abilities can be employed in reconsidering it. We know that it will be renewable. It is not the last word, but as a firm interim word, there is a great deal to be said for it.

David Winnick: This discussion almost resembles a teach-in, as we would have called it in the 1960s. Although there may be a case for the measures in respect of Muslims, as my right hon. Friend and others have suggested, did he not undermine his own case when he referred to Jews and anti-semitism? He said that the hon. Member for Oxford, West and Abingdon (Dr. Harris) would have been murdered regardless of his not having a religion. That is a matter of race. It is race that is the subject of discrimination and other such actions, so one would have thought that the proper remedy was to strengthen laws on incitement to racial hatred.

Mr. Kaufman: I disagree with my hon. Friend. The Jews are not a race. Many people believe they are, but they are not. They are a religious group.

David Winnick: No.

Mr. Kaufman: My hon. Friend and I can have a philosophical discussion about the matter outside the

[Mr. Kaufman]

Chamber. When I have been attacked by anti-semites, it has not been for what they regard as my race but because I am a Jew.

David Winnick: Exactly, not because of your religion.

Mr. Kaufman: Yes. I am a religious Jew, but even if I, like the hon. Member for Oxford, West and Abingdon, were not, it would not let me off.

David Winnick: It is a matter of race.

Mr. Kaufman: It would not let my hon. Friend off either.

Mr. Bryant: Surely that shows why the provisions that we are considering are so important. The law has determined that Jews are protected because they are an ethnic grouping or because their ethnicity and religion coincide significantly. However, the protection that my right hon. Friend and the hon. Member for Oxford, West and Abingdon (Dr. Harris) might enjoy is not afforded to Muslims.

Mr. Kaufman: My hon. Friend is right, as I would expect. The law as it stands would protect Elizabeth Taylor, who is a Jew by conversion and a citizen of this country; she is now Dame Elizabeth Taylor. She would be protected under the current legal definition of Jewish, but not if she had been born a Jew and was religious. I have disagreed with one or two hon. Members, but agreed with more. I agree entirely with my hon. Friend the Member for Rhondda (Mr. Bryant) and this therefore seems an appropriate moment at which to sit down.

Sir Brian Mawhinney: I listened with the usual pleasure to the right hon. Member for Manchester, Gorton (Mr. Kaufman), although I did not agree with everything that he said. I hope that he will forgive me if I do not pursue his more general argument about the Bill.

Not least because of lack of time, I want to stick to a narrow point, which I raised with the Home Secretary on 19 November. It dealt with the declaration of the belief systems of Christians, Jews and Muslims. I was prompted to table amendment No. 106 because I believe that the Committee should make a decision about the matter and also because of the Home Secretary's reply.

As *Hansard* shows, the Home Secretary had taken many interventions before mine on detention generally. It was characteristic of his replies that he went to great lengths to try to explain the reasons for his disagreement with those who intervened on him. However, he gave me a short reply; his answer was "unequivocally no." The more I thought about it, the more I wondered whether he had understood my point. I believe that he would have given me a longer answer if he had understood.

I want to explain the importance, in my judgment, of amendment No. 106. On Second Reading, the Secretary of State also said:

> "To be prosecuted, the power has to be used against the perpetration of threatening, abusive or insulting words or behaviour with—this is the crucial phrase—the intention and likelihood that racial hatred would be stirred up."—[*Official Report*, 19 November 2001; Vol. 375, c. 35.]

He referred to "insulting words or behaviour" and to "intention and likelihood".

When I was in Belfast at the weekend, my mind went to the announcement of what we all hope is the permanent resolution of the problems at Holy Cross primary school, where one group of people, plainly on the strength of their religious views, acted in a way that caused a predictable reaction from others of a different religious persuasion. In applying his test of intention and likelihood, would the Home Secretary have judged that the behaviour of one part of the community around Holy Cross school would have been likely to produce the reaction that it did? In other words, would there have been sufficient evidence available to him that he could, without too much doubt, have predicted what the reaction would have been in the circumstances?

The issue is not one of who was right and who was wrong. One of the characteristics of Northern Ireland not much drawn to the attention of the Committee or the House is that, over great swathes of the Province, those who attend Protestant churches and those who attend Catholic churches live together in peace, harmony and good community. There is also, however, plenty of evidence that others do not.

I put it to the Home Secretary that there are fundamental and irreconcilable differences at the heart of the Christian, Jewish and Muslim faiths. Christians believe that Jesus was the son of God—that he was God and man. Jews do not believe that, and nor do Muslims. Both, particularly Muslims, would hold Jesus in high regard—they would refer to him as a prophet—but on the issue of deity, there is a deep divide. Flowing from that, there is a further deep divide about how men and women can enter into a right relationship with God.

It is no secret that I am a practising Christian, but for the avoidance of doubt I state it again. Equally, it is no secret that, in my constituency over the years, I have had excellent relations with all the many immigrant groups that form the community of Peterborough. I have been in mosques and temples, and I am welcome in all the communities.

I do not wish to make a narrow, bigoted point to the Committee. I wish to make a point about the declaration of the fundamentals of what people believe. I have framed my amendment very carefully. It refers to religious belief, but does not specify it. It provides that if someone declares the fundamentals of what they believe and what causes them to move into a mode of worship within that belief system, however that is reflected and defined, that of itself is not an offence.

4.45 pm

I take a slightly less generous view of a minority in our society than does the Liberal Democrat spokesman, for I have experience of people who, for their own malign reasons, use statements as an excuse to create difficulty and trouble. We have seen that all over the country. Indeed, in the urban part of my constituency, a British National party march was banned by the Home Secretary on Saturday, because there was reason to believe that, in some sense, what concerns us today might be played out on the streets of that metropolis.

There is on Good Friday in Peterborough a march of witness of Christians from all denominations, and they have an open-air service in the Guildhall square. As the service takes place on Good Friday, it will not surprise the Committee to hear that the importance of Jesus Christ, who he was and his death are at its centre.

I regret to tell the Committee that I could be persuaded that, among the other groups that live in the city, there may be found enough irresponsible people who, at the edges of that service, might find occasion to behave in an unacceptable and illegal way and that they might blame their being offended on having heard insulting words. Therefore, the person declaring nothing but the central tenets of the Christian faith would be put under the spotlight as having spoken in an insulting way likely to cause offence, even though the consequences were not necessarily the result of what was said.

Mr. Blunkett: I am grateful to the right hon. Gentleman for giving way, because his remarks are of considerable interest. I have considered his amendment closely, but surely his example falls in any case within the definition of the aggravated offence. In other words, the individual committing the offence falls within the definition of "aggravated" on the ground that they would be considered to have acted in such a way on the back of an event that, as it happens, does not fall within the range of incitement. Is it not a fact that his party and, I believe, his Front Benchers favour the aggravated offence remaining?

Sir Brian Mawhinney: I do not want to have a row with the Home Secretary—I am trying to be helpful to the Bill—but I think that he has misunderstood. As I read the Bill, the circumstance that I described would leave the speaker at the service open to the charge of being likely to cause offence by saying something that others, who disagree fundamentally with it, used as an excuse to behave inappropriately.

Sir Patrick Cormack: Is not my right hon. Friend's case made also by reference to the second collect for Good Friday, which is still in the Book of Common Prayer? It can still be said at services and it refers to Jews, infidels, Turks and heretics.

Sir Brian Mawhinney: Over many years in the House, I have learned always to defer to my hon. Friend when it comes to the Book of Common Prayer.

Mr. Garnier: I think that my right hon. Friend's concern would be dealt with by the power given to the Attorney-General to withhold consent to prosecution. I cannot envisage a situation such as that described by my right hon. Friend in which the Attorney-General would permit a prosecution under the Bill. The problem with amendment No. 106 is that, if my right hon. Friend, as a convinced and practising Christian, were to go one Friday evening to Regent's park mosque and interrupt a Muslim service by reciting the creed in the middle of it, he would be outside the realms of prosecution. I am sure that that is not what he contemplates. Although I accept that interrupting a Good Friday service in Guildhall square in Peterborough is theoretically possible, it is unlikely to result in a prosecution. He has opened himself up to the problem of allowing people to interrupt other people's services by expressing their own religious faith.

Sir Brian Mawhinney: I was careful at no point to talk about interrupting the service. I do not agree with my hon. and learned Friend. I want to be careful, not least for the benefit of the Home Secretary, not to make this a Christian point of view against others. I believe, again with regret, that a minority in my community and in communities all over the country may congregate outside mosques after Friday prayers and behave in a similar but reciprocal way, which would put the onus on the Muslim rather than on the Christian.

I am reminded of the fact that the Home Secretary said "no" unequivocally. He was kind enough to say that he thought that I was making a serious point. I can assure him that my concern about the ambiguity and the risk to which I am drawing attention is not unique to me. If he does not intend to accept my amendment, No. 106, I invite him to tell the Committee that he will introduce an amendment in the other place that does in his words what I am seeking to do in mine. I should like him to say that he will accept my amendment, but I do not pretend to have the drafting skills of the Home Office draftsmen available to him. I would settle, as I think would the Committee, for his assurance that the essence of my amendment will be enshrined in the legislation in the other place.

The essence of the amendment is that, if someone in good faith recites the fundamentals of his beliefs, no offence will have been committed, whatever may be the consequences of that recitation. I commend that view to the Committee.

Mr. Dobson: Some of the arguments that have been put in the Chamber and on television and radio about the Government's sensible and timely—if not belated—proposals to make incitement to religious hatred a crime bear a marked resemblance to the arguments that were put in the 1960s when it was proposed that incitement to racial hatred should be made a crime. The same arguments have been peddled: history shows that they were spurious then, and they are spurious now.

In the society that we live in today there are victims of religious hatred and religious discrimination. Muslims in particular are victims of that. It is a safe bet that an hour or two ago some Muslim mother collecting her child from primary school was abused, or possibly assaulted, by some lout because she was wearing a veil that revealed, if that is the right word, that she was a Muslim. Such action is unacceptable, and Muslim people find it unacceptable that they are not protected by the legislation against racial discrimination, because that action constitutes religious discrimination. As my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) pointed out, it is different from what is suffered by people who are Jewish or Sikhs, where religion and ethnicity are combined.

The Muslim religion is being singled out at present, as anyone who knows anything about what the British National party's collection of racist thugs are doing will know. They are saying to other Asian groups, "You Hindus and Sikhs ought to gang up with us and beat up the Muslims." That is effectively the message that they are putting across. It is an effort based on the promotion of religious hatred, and it is time that we did something about it. Indeed, we should have done something about it before now.

Mr. Gerald Howarth: The right hon. Gentleman's case is that a community is being singled out for what

[Mr. Gerald Howarth]

are clearly unacceptable practices. I have received serious representations from members of the Hindu community, who say that it is they who are being persecuted by the Muslims. His implication that only the Muslim community is under threat is simply untrue.

Mr. Dobson: If what the hon. Gentleman says is true, or if the observations of those to whom he says that he has been listening are true, it is equally unacceptable. I believe in equality before the law. The problem is that we have no crime of incitement to religious hatred. I believe that such a provision would make some people safer, and they are entitled to that additional safety.

Some have asked whether it is appropriate to introduce such an offence at this time, and in association with this Bill. The fact is that the incidents that we are discussing have become worse. People are suffering domestic terror all over the country: they are threatened on the street and in their homes.

The hon. Member for Southwark, North and Bermondsey (Simon Hughes) seemed to suggest that because not many people had been prosecuted under the racial discrimination legislation, we need make no effort now to make incitement to religious hatred or religious discrimination an offence. I think that we need to get on with it, as I said on Second Reading. We should not downgrade the impact of what we do in this place: changes in the law affect public opinion.

Ms Abbott *rose—*

Mrs. Fitzsimons *rose—*

Mr. Dobson: I will not give way for the moment.

The introduction of the crime of incitement to racial hatred had an impact on what people said and did. Similarly, in an entirely different sphere, the introduction of tougher laws against drunken driving brought about a huge social change. Drunken driving, which used to be socially acceptable when I was a young man, is now socially unacceptable. We must not underestimate the declaratory effect of changes in the law, which is why I support this proposal.

I have tabled a new clause that is intended to bring about yet greater equality before the law. Its purpose is to end the common law offence of blasphemy, which protects only the Church of England. The law on blasphemy does not protect any other Christian sect from abuse, whereas such abuse could be considered blasphemy if it were directed against the Church of England. Nor does that law offer any protection to any other religious group. As long ago as 1949, Lord Denning described the law as a dead letter, and it is now 16 or 17 years since the Law Commission said that we should get rid of it.

5 pm

If we establish an offence of incitement to religious hatred, and if the Government soon come into line with European legislation outlawing religious discrimination, as I understand that they will—that move is both welcome and overdue—no one will need the protection of the blasphemy law.

Ms Abbott: Will my right hon. Friend give way?

Mr. Dobson: No, I shall not; other hon. Members wish to speak.

My right hon. Friend the Home Secretary has made it clear outside this place that he entirely shares my view and believes that the blasphemy law should be abolished. I therefore urge him to get on with it—he now has the chance. I understand that the Archbishop of Canterbury is against such a move. However, he has a voice and a vote in the House of Lords. Our constitution has never granted the Archbishop of Canterbury a veto on legislation passed by this place. He should do his stuff in the House of Lords if he wants to do something.

I was asked to ring Lambeth palace, and I thought that I would be given full information on its position. As I understand it, the Archbishop's current position is not that we should repeal the blasphemy law, but that, to achieve equality, we should extend it to all other religions. Those who have reservations about the problems caused by introducing a law on incitement to religious hatred and the relevant definitions may think that this legislation is complicated, but they should try to imagine the problems that would be caused by a blasphemy law that tried to protect all religions equally without substantially reducing freedom of speech.

The Government did not intend to use the Bill to repeal the blasphemy law, but, as new clause 1 is very short, I cannot see any reason why we should not get on with it. Let us repeal it. The Home Secretary wants us to do it. Today, we could easily give him the opportunity to do what he wants.

Mr. Letwin: The debate so far has brought out a range of arguments on all sides of this difficult issue. I do not want to bore the Committee by recapitulating the points that the hon. Member for Southwark, North and Bermondsey (Simon Hughes) well made on the unsatisfactory character of trying to legislate on this difficult matter in this context and at this speed, but I do want to dwell on the substance of the issue, and in particular on the words of clause 38.

Notwithstanding the well-intentioned remarks by some Labour Members, we are not dealing with an intention. The Home Secretary's intention is noble and justified: to protect vulnerable religious communities. We are also not dealing with outrages, some of which have been described by both Labour and Opposition Members. The House is united in believing that an effort by a shopkeeper to turn away a Muslim—I speak as a Jew, not as a Muslim—is an outrage. We are at one in believing that that is an outrage and should be outlawed. However, clause 38 does not do that. We are also at one in finding despicable the attacks on mosques and churches. They are not only despicable but dangerous to the persistence of a liberal society in Britain. The clause has no effect on those outrages.

As has been made abundantly clear, we support clause 39, which makes it an aggravated offence if an offence has been committed for a religious purpose. We support that, even in the Bill, because it is relatively uncontroversial in its effect. We are dealing with offences that already exist—as the application by judges has made clear—and we are merely making prison the norm for those offences. That is right where violence, or another offence, has been committed for a religious purpose. What threatens our society is sectarianism, which is worse than the violence or other offence would be otherwise.

Let there be no misunderstanding—there is no serious, legitimate debate in the Committee this afternoon about whether vulnerable faith communities should be protected. They should. There is no debate about whether vulnerable faith communities are insufficiently protected at present. They are. There is no debate about whether we need to take deliberate steps as a Parliament to remedy those deficits. We do. The problem we face—a problem that it is right to face in Committee, if not at this pace—concerns a set of words that, if the Home Secretary has his way, will be a statute; the law of the land. That will be interpreted by judges in ways that none of us can wholly predict and about which the Home Secretary has been almost wholly silent.

There is a problem with those words, on which I and the hon. Member for Hackney, North and Stoke Newington (Ms Abbott)—who, unlike me, is not a Jew, but is black, and with whom I have not always agreed politically—are in agreement. The Committee ought to attend to the fact that some of us, of many different persuasions and backgrounds, have spotted the problem, and the Committee needs to concentrate on that.

Mr. Kaufman: The kind of arguments that the hon. Gentleman is making are almost word for word—certainly sentiment for sentiment—the arguments that were made by Conservative Home Secretaries in 1986 and 1994 when Labour proposed that there should be an offence of racial harassment. On those occasions, the Conservative Government rejected our proposals for the very reasons, and with the same measured phraseology, that the hon. Gentleman is advancing this afternoon. Nevertheless, this Government enacted such an offence in 1998, but all the dreadful, immeasurable consequences about which we were warned by the Conservatives did not come about. If anything, the offence has been sufficiently enforced. As and when the new offence goes on the statute book and is enforced, people such as me will be getting up to say that it is not being used enough, not that it is being used too much or too oppressively.

Mr. Letwin: It is odd that the right hon. Gentleman thinks he knows the argument that I am using, as I had not yet got to my argument against the precise words. However, I can reassure him in advance that it is not the same argument. I happen to be a supporter of the legislation on racial harassment and the measures to aggravate the offence if its cause is religion. The general character of my argument against the words is one that the right hon. Gentleman's speech wholly missed, which is that there is a difference in kind between arguments about religion and statements about race. Until the Committee recognises that difference, it will not make good law.

Ms Abbott: As someone who marched in 1984 and 1986 in support of changing the law on racial hatred, can I say that it is a testimony to the weakness of the drafting of the Bill that hon. Friends who have sought to defend it have wilfully confused racial discrimination with religious discrimination and are obliged to talk about acts of discrimination, whereas the Bill deals with acts of incitement to hatred?

Mr. Letwin: I am afraid that the hon. Lady is entirely right. I wish that I could say otherwise, given the differences that divide us on so many issues.

Let me try to describe what is wrong with the words in the clause. In general, they make a direct analogy between the disreputable attempt to castigate or to incite hatred against people because of something they cannot alter—their race—and the perfectly legitimate interplay of passionate religious debate in this country. Many of us in the House, myself included, deprecate the use of intemperate language in religious debate. In fact, I deprecate the use of intemperate language in debate, full stop.

Mr. Brian Sedgemore (Hackney, South and Shoreditch): Shame!

Mr. Letwin: That is exactly my point. I deprecate the efforts of people on both sides of the political divide to encourage people to hate those on the other side. I do not join in, but it is legitimate political argument. It is part of what the right hon. Member for Manchester, Gorton (Mr. Kaufman) rightly described as free speech in this country. If Labour Members wish to encourage hatred of me as a Conservative, they are at liberty to do so. Indeed, in the case of my right hon. and noble Friend Baroness Thatcher, many of them have done so. I do not think that that is the right way to conduct politics, but I reassure them that I do not wish to put them in jail for doing so.

Religion, like politics, is a matter of argument, and people are intemperate in their expression. Nobody in the Committee is capable of telling us—indeed, the Home Secretary repeatedly fails to tell us—whether the judges will, for example, put in prison a Presbyterian preacher who calls the Pope an anti-Christ, a point raised by my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer). There is a general problem with legislation that could lead to the impairment of impassioned religious debate.

Mr. Bryant: Intemperate discussion in theology is probably no better than in politics. The annual Good Friday march through the soke of Peterborough was mentioned earlier, when Christians from many denominations gather together. Does the hon. Gentleman believe that it should be an offence if it was decided to photograph everyone on the march, find out their names and addresses and then circulate them so that people could visit their houses with violent intent? That is parallel to what is done by the British National party.

Mr. Letwin: Not only should that be an offence, but I am advised that it is one.

The problem that we face with these words is not merely general, it is practical. Several Labour Members have rightly said that we should not conduct this debate in abstraction but should attend to what is going on in the country, and I wholeheartedly agree. These words could unintentionally be counterproductive in inflaming sentiments at a time when the country can ill afford it.

[Mr. Letwin]

The Home Secretary intended, perfectly honourably, that the clause should mainly protect Muslims. However, he has rightly acknowledged that it is the tradition of our law that it applies indifferently and equally to all our citizens. Therefore, the first use of these provisions may not be against someone who is acting illegitimately against Muslims, but may be applied to a Muslim. I beg the Committee to ask itself, will that further the cause of dampening the serious fires that are raging in our country, or will it inflame them? That is part of the problem both of enacting legislation at a time when the country is in some turmoil and of enacting legislation that is ill-considered.

If the editor of *The Muslim News* or one of his writers makes intemperate statements, they may be caught by the measure. In such circumstances, not only will we have an example of the improper curtailment of free speech, but of an action by the state that unintentionally produces the result of further inflaming passions. No one in the Committee can want that result but we have yet to hear the slightest shred of evidence from the Home Secretary that such a result would not follow.

5.15 pm

Mrs. Louise Ellman (Liverpool, Riverside): Does the hon. Gentleman agree that the general drift of his comments—that it may be reasonable to attack or oppose a religion intemperately—is in conflict with his earlier statement that the Committee should take action, which he has not yet defined, to protect vulnerable faith communities?

Mr. Letwin: The hon. Lady and I may simply disagree on the point, but she fails to make the distinction that I make. I do not think that it is reasonable, right or proper for one person to say highly intemperate things about another person's religion, but I make a distinction—the hon. Lady may not—between what I think is reasonable or unreasonable, and what I think ought to lead to people going to jail. The future of free speech in this country rests on that distinction.

If my argument and that of the hon. Member for Southwark, North and Bermondsey is right, what are we to do about the situation? I accept that sensitivities are involved and it is important that both Houses respect them. I accept that merely to remove the provisions from the Bill will cause some of those sensitivities to be damaged, so we do not need merely to remove them—we need collectively, across the parties, to commit ourselves to the early introduction of proposals which can gain consensus, will deal with the whole issue of religious discrimination and religious tolerance, will firmly outlaw some of the outrages that have been described and that are not caught by current legislation, and will do so on a basis that we can be confident will not curtail free speech in this country.

There is a willingness across the parties to engage in that debate. It could be done on a timetable that would permit genuine reflection, and we might get it right. It would of course be an advance—albeit minimal—if the proposition put by my right hon. Friend the Member for North-West Cambridgeshire (Sir B. Mawhinney) were accepted by the Home Secretary. Other amendments might be agreed to ameliorate these clauses. However, the fact is that nothing less than removing them and introducing proper provisions will genuinely solve the problem.

Mr. George Howarth: The hon. Gentleman's argument is predicated on the view that some cases would get as far as the Attorney-General, and that some would then get past him and into the courts that should properly never do so. Does he have so little confidence in the office of the Attorney-General and in the courts as to be certain that they would not act as a barrier? Will not the tests that would be applied weed out the cases that he describes?

Mr. Letwin: We have contemplated those questions in some detail. It is perfectly true that applying the brake of the Attorney-General much helps the clause, but the Attorney-General has to make his decisions on a reasonable basis. He has to look at the words of the clause and consider whether they apply. If there is great public pressure from people who want to use the clause to restrain other religious groups from making the statements that they are prone to make, the Attorney-General may find it very difficult reasonably to resist those calls. If the hon. Gentleman tries to place sufficient weight on the Attorney-General's shoulders to achieve the constraint that he seeks, he may put more weight on those shoulders than they can bear.

Mr. Howarth: I am grateful to the hon. Gentleman for giving way to me gain. Far from supporting the argument used by the hon. Member for Southwark, North and Bermondsey that the clause fails to define what we mean by the word "religion", would not it be better, as the hon. Gentleman is arguing, to define that word simply and allow the courts and the Attorney-General to work on the assumption of the normal understanding of that word, rather than to define it more tightly, as the hon. Member for Southwark, North and Bermondsey argued earlier on behalf of the Liberal Democrats?

Mr. Letwin: I have not made any argument about definition; I am making an argument about what is likely to be the practical effect of the clause and whether that practical effect has a general consequence that the Committee should be willing to tolerate. That is not to do with definitions; it has to do with the fact that it is extraordinarily difficult to disentangle legitimate, though intemperate, religious debate from actions or words that the Committee would genuinely wish to become the subject of imprisonment. If the issue were not so difficult, as with race, we would not have this problem; but it is so difficult that neither the Attorney-General nor the courts can possibly be expected constantly to observe the distinction in a way that will preserve free speech in this country.

Mr. Kaufman: In the hon. Gentleman's response to my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth), he seemed to be entirely unaware of the way in which prosecutions are brought. The police bring cases to the Crown Prosecution Service, but the CPS does not necessarily agree to prosecute because it will bring a prosecution only if it believes that there is a reasonable possibility of conviction. The Attorney-General will deal with that issue even more cautiously than the CPS, so that is my response to what the hon. Gentleman says to my hon. Friend.

When I intervened on the hon. Gentleman earlier, he said that I had done so too soon and that I might not have said what I said then if I had listened to his whole argument. The arguments that he adduces against the proposed new offence continue to be pretty well identical to those used on the Conservative Front Bench against the creation of the offence of racial harassment that we proposed, with the exception that he now proposes a compromise and a consensus with the Government. The Opposition did not do that when in government because they would never have proposed a consensus with those then in opposition. It is very easy for an Opposition to propose a consensus when the Government—

The First Deputy Chairman of Ways and Means (Sylvia Heal): Order. I am sure that the right hon. Gentleman is aware that interventions should be brief.

Mr. Letwin: Thank you, Mrs. Heal.

The right hon. Gentleman was present then, but perhaps I have the advantage over him of having re-read over the weekend what my right hon. and hon. Friends said. If he has done so as well, he will have observed that they did not argue that it was legitimate to make intemperate attacks on people because of their race. I am arguing that although I deprecate those people, it is a legitimate part of free speech for someone to seek to incite hatred against the Moonies because of what they have done to children. I am not saying that people should seek to do so, or that it would be reasonable or morally right for people to seek to incite others in such circumstances; I am saying that they should not be put in jail for so doing. If the clause was correctly interpreted by the authorities, it would tend to have the effect of putting those people in jail because the Moonies would count as a religion. If the right hon. Gentleman refuses to come to terms with that signal difference, he is not doing a service to the Committee.

Mr. Dalyell: Does the matter not depend on who the Attorney-General is? Attorneys-General are human, and some of us would like Attorneys-General to be in the House of Commons rather than in the House of Lords. However, that is another issue. Does the hon. Gentleman think that, for example, Sir Reginald Manningham-Buller would have given the same answer as Sir Michael Havers or Sir Elwyn Jones? The answer is probably not.

Mr. Letwin: As so often, the hon. Gentleman has a long enough historical memory to realise the falsity of the suggestion that Attorneys-General are an undifferentiated species. Of course he is right to say that there would be different judgments. However, beyond that, the Committee surely does not want to bring about a situation in which an officer of the Crown would be called upon to judge what is compatible with free speech in this country. That is so fundamental a judgment that it surely falls to Parliament to construct law that is not so ambiguous that it requires that kind of administrative discretion.

Mr. Mark Francois (Rayleigh): My hon. Friend mentioned the Moonies. Do not such groups have aggressive lawyers at their disposal? If the Bill is passed in its current form, such groups are very likely to use their lawyers to try to prevent their activities from being legitimately criticised.

Mr. Letwin: That is a fear; my hon. Friend is right. Furthermore, under the current circumstances of the nation, I fear that others with evil intent may seek to foster prosecutions of, for example, Muslims. It would be a tragic irony if the Committee and the Government were to create the circumstances that allowed the least reputable elements in our society—those who want to foster disharmony—to be able to do so by means of this clause.

Mr. Wilshire: My hon. Friend cited the case of the Moonies. Does he agree that a religious group that advocates sexual intercourse between adults and young children needs to be hounded by us all rather than protected by this Bill?

Mr. Letwin: My hon. Friend raises another serious problem.

Mr. Blunkett: Let us stop this silliness.

Mr. Letwin: I beg the Home Secretary to consider a distinction. No one is suggesting—least of all me—that it is his intention to prevent sensible people from taking sensible action and making sensible statements about certain sects. Of course that is not his intention. However, I am trying to call his attention to the fact that the clause, as drafted, may have that untoward effect. I do not believe that the House has had anything like the sufficient time to consider whether what I am saying is right or wrong—and the country has certainly not had anything like sufficient time. Rather than rushing into legislation, we need to consider whether these risks exist in practice. I earnestly believe that they do.

Mr. Gerrard: The hon. Gentleman refers to the role of the Attorney-General. Does he accept that the Attorney-General may be subject to considerable political pressures on such issues, especially as the Bill, as drafted, means that it will be possible to be prosecuted for saying things about people anywhere in the world? That is the effect of clauses 36 and 37.

Mr. Letwin: I agree with the hon. Gentleman. I do not suggest that the current Attorney-General would allow himself to be persuaded by such pressures, but the construction of the clause could, over time, have that effect. That would be wrong.

I have said enough, and perhaps too much. It is essential that the Committee divide on these clauses. The Government will try to command their forces to push these clauses through and that is their right as the elected Government. However, I hope that the provisions will be checked in another place and that the Government will genuinely listen to the arguments. Notwithstanding the remarks of the right hon. Member for Manchester, Gorton, I hope that we will have the opportunity to establish a consensus on something that should not be a matter of dispute between the political parties. The harmony of our society depends so completely on achieving consensus on such issues.

5.30 pm

Mr. Blunkett: The debate has addressed the issues directly and sensitively, and I hope it will continue to do so, while exploring the possible difficulties in applying the law. *The Sunday Telegraph* was not correct, and I want to make it clear that I have no intention of

[Mr. Blunkett]

withdrawing the clauses. As I said last Monday and Wednesday, I am intent on listening and responding to positive suggestions on how to improve the legislation.

If a review of the clauses over the next two years would assist and if the two main Opposition parties were genuine in their claims to take that seriously, we would be in business, but we will get nowhere if we are concerned only with referring to the most enormous public kerfuffle, with which I shall deal in a moment, on inserting in legislation something that was intended to be a simple addition to incorporate religion in the incitement to race hate. It is our aim to ensure that the addition is simple and straightforward so that we incorporate a particular aspect that has been debated for a long time—the Law Commission, for instance, has been mentioned in that regard. We are trying to protect those who find themselves less protected under existing legislation than those for whom jurisprudence has determined that their race and religion are covered by the law. It is particular groups, under the Public Order Act 1986 and within public order in general, that we are dealing with today.

Over the past few weeks, and in particular the past few days, I have heard and read enough nonsense about the Bill and its implications to last a lifetime. It seems to go like this: think of an absurd allegation and extend it; add a little bile, print it at great length, watch it expand until people are really worried, and sit back and watch the implications grow; then move on to something else. We saw it last week with clause 17 and we see it in relation to the incitement of religious hatred.

There was tremendous support for including religion in the legislation, which can be checked in the cuttings, until Rowan Atkinson—God bless him—wrote to *The Times*—[HON. MEMBERS: "Oh no."] I suggest that hon. Members go to the Library and take a look at what was said. There was an immediate reaction to the suggestion that the inclusion of religion would preclude those who go about their normal business amusing people from cracking jokes and taking the mickey out of religion. The "Life of Brian", which was used as an analogy at the time, was a good satire on the political left in the 1960s and 1970s and, tragically, on the Spanish civil war to boot. If anyone does not think that to be the case I suggest they take another look at it, and very amusing it was.

Jokes and amusing behaviour, the criticism of people's religion and the way in which people express their religion will not—this is not our intention—fall foul of the measures.

Mr. Sedgemore: The Home Secretary cannot say that.

Mr. Blunkett: I can inform my hon. Friend, who has now entered the Chamber to make my life more miserable, that I am saying that. I am advised by Home Office lawyers that the courts, in their interpretation, will take notice of what has been said, which is why Home Secretaries have to be more careful than sometimes I would wish to be.

Sir Patrick Cormack: I am grateful to the right hon. Gentleman for giving way with his customary courtesy. He must remember that when he made his statement to the House, which was before Rowan Atkinson's letter, some Members, including me, raised legitimate doubts. He must have heard, from all quarters of the Chamber, Members who are serious in intent and genuinely anxious to reach the right solution express their belief that it is a mistake to legislate in this context and at this speed. We are asking him to provide the House with a proper opportunity to consider a draft Bill and to move at a measured pace, so that we can try to put into statute a law that makes sense and is not open to the sort of abuse to which this Bill, enacted in this way, will be.

Mr. Blunkett: I accept that the hon. Gentleman raised those concerns. That was not the point I was making. I was making a point about the general atmosphere surrounding the proposal to insert religion, alongside race, in measures on incitement. The racial aspects of existing laws, including the Race Relations Act 1965, the Public Order Act 1986 and the Crime and Disorder Act 1998, were intended to apply to threatening, abusive or insulting behaviour that is intended to stir up hatred and lead people to take actions against others which, under the Public Order Act, everyone in the Committee would find unacceptable.

We can therefore assure those from the Evangelical Alliance and small religious denominations such as the Plymouth Brethren, who are present this evening, that their proselytising will not be caught by a clause that inserts religion, alongside race, in measures on incitement. Incitement to what? Not only to hate, but to activities that, as defined by the Public Order Act, threaten others.

Denzil Davies: My right hon. Friend will know that the word "incitement" does not appear in any of the legislation. Does he accept that one problem is that section 18(1) of the Public Order Act has two separate limbs? The first refers to intention, but the second refers merely to likelihood. If my right hon. Friend seeks amelioration, and possibly a compromise, would he consider dropping the second limb, so that a prosecution would have to prove intention, which courts can usually do in criminal cases? It would not then be necessary to refer to the second limb, whose scope is much wider.

Mr. Blunkett: We are, of course, talking about an amendment to part III of the 1986 Act. I understand my right hon. Friend's point. It would be easy to drop the second part, but the difficulty is that in such cases we are not dealing with people of good will. We are dealing with, for instance, the British National party. That takes us back to the point made by the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney), who raised serious issues that I intend to try to address. We are trying to deal with those who, understandably from their point of view, would claim that their intention was not to stir up hatred. They would say that they had fallen foul of the law purely by accident, even though their objective, in using certain language in a certain way, was precisely to achieve the goals that we are trying to outlaw this evening.

Mr. Alan Simpson (Nottingham, South): I am sure that the Home Secretary will remember from his years in local government, when he sought to apply race relations legislation to eliminate discrimination and harassment, that real progress was made on legislation that specifically addressed the activities of discrimination, harassment and now aggravated offences. From the legal advice that the Department has given him, I assume he will know that there have been little more than three prosecutions a year on incitement since the 1986 Act was passed. One reason for that is the impossibility of making a sustained case that does not end up discrediting the action itself. Does my right hon. Friend realise that the great strength of what he is doing today is to be found in clause 39, which addresses the gap on aggravated offences? However, he should not extend the nonsense and trap that has caught many of us over the years with clauses 36 to 38.

Mr. Blunkett: I do not honestly believe that many of us have been caught in it. I agree—thank goodness the Committee as a whole appears to agree—that the aggravated offence is correct and should be extended to religion. At least that is progress. I accept that the aggravated offence has been used extensively. Incitement to race hate has not, although eight cases have been agreed by the Attorney-General this year. An important aspect of what we are doing on incitement, not just on race hatred but on religious hatred, was eloquently described by my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) as discouraging people from certain behaviour. The difficulty with the aggravated offence is that we can punish people more severely for having done something with an aggravated element built into it, but by itself that does not discourage people from behaving in a certain way.

It is precisely because we wish to change that behaviour, as has been said in our debate, that we are seeking to extend the relevant provisions. Two factors affected my thinking on whether to include religion—I shall deal in a moment with those who advocated that we do so and still do—the first of which was internal reassurance. Since 11 September, people in this country have had a genuine fear, which was articulated earlier this afternoon, that individuals would seek to attack or abuse people, not because of their race but because they are Muslims. Similarly, there is a fear that those who sought to stir up hate against those whom they described as the infidel were equally untouchable under the existing law.

The second factor was international provision. In the past 11 weeks, considerable attention has been focused on the United Kingdom by other countries, particularly Arab countries. In satellite broadcasts and interviews, it became patently clear that the commitment on religion made on 3 October had a significant impact on people living in and viewing satellite broadcasts in certain countries, including interviewers. They appreciated that that particular change had an impact; they perceived that we were prepared to protect people whom they were told we did not care about and in whom we had no interest because, prima facie, the intention was to damage their religion. Those serious issues deserve serious consideration for the reassurance, resilience and social cohesion of our own community; it is important to be able to contribute to that.

Both those factors convinced me that it was worth making a simple addition. Future interpretation would not be simple, but it would be open to the Attorney-General to deal with it.

That is why I am resisting the amendments that would complicate the situation—for example, by using terms such as "supernatural". To amuse myself over a difficult weekend, I thought how ironic it was for the hon. Member for Christchurch (Mr. Chope) to table an amendment dealing with "a supernatural being".

5.45 pm

Mr. Christopher Chope (Christchurch): When the Home Secretary next comes down to Bournemouth, perhaps he will visit the priory in Christchurch, which is more than 900 years old, and hear about the miracle of the miraculous beam and other great things that went on in Christchurch. He will know that it is a centre of religion.

One of the concerns expressed to me by my constituents is that if they wish to criticise and, indeed, hate those overseas who are persecuting Christians, they will fall foul of the law in this country. I asked the Home Secretary in a parliamentary question whether the law on religious belief would include protection for Moonies, Muslim fundamentalists and those who believe in the teachings of bin Laden. The right hon. Gentleman refused to give a straight answer to that question. Can he clear that up now?

Mr. Blunkett: Let me clear up a number of things. The allegation was made earlier that somehow the clever lawyers of the Moonies would be able to get the Moonies off charges of taking children away from their families and other such activities. That has nothing to do with the Bill or the clause.

Mr. Francois: I thank the Secretary of State for his courtesy in giving way. With great respect, that is not what was said. It was not said that the Moonies would somehow get themselves off; it was suggested that they could use the legislation to blunt criticism of their activities and to silence those who criticised them.

Mr. Blunkett: The Bill does not work that way round. We are dealing with Public Order Acts and incitement to undertake particular actions. The debate is not about prosecuting those who do so, or arguing against or opposing them. There seems to be a considerable misunderstanding about the intention and how the measure will work in practice. Calling the Pope the Anti-Christ does not fall within the definitions that we are discussing.

We are discussing a particular set of actions intended to evoke a particular reaction which, within the law, would lead others to engage in practices which all of us believe are unacceptable. That is the way round it works. I stress that the debate is about the Public Order Acts, not about religion or what people think or say about particular sects or faiths. That is not at stake this evening. For the benefit of the hon. Member for Christchurch, we believe that the subject of amendment No. 19, which, I think, he tabled, is covered by the existing law. If it is not, I am prepared for the matter to be taken up in the Lords.

Mr. Wilshire: May I ask the right hon. Gentleman the same question as I asked my hon. Friend the Member for West Dorset (Mr. Letwin)? If I could demonstrate, as I could, that certain people who are members of the Children of God advocate and take part in sexual activity between themselves—adults—and young children, it is likely that my so doing would cause a breach of the peace because some members of the public could well take the law into their own hands. Why does the Home Secretary seek to protect those people?

Mr. Blunkett: Let us cool it a little. The hon. Gentleman would be suggesting that a group of people were acting not only illegally, but obscenely and unacceptably. By doing so, he would be advocating that the law enforcement agencies start to enforce the law and take action against them. He would provide proof and they would act. If they do not act and he has proof, I invite him to come and see me. I will get our lawyers, the Crown Prosecution Service and the Attorney-General to ensure that we take action. I give the hon. Gentleman that absolute assurance.

Mr. George Osborne (Tatton): The Home Secretary said earlier that one of the Government's intentions was to reassure vulnerable faith groups such as the Muslim community that are currently under-protected by the law. I am sure that he has seen the submission made to the Select Committee on Home Affairs by a number of Muslim organisations, including the Muslim College, the Muslim Council of Britain, the Association of Muslim Schools, the Muslim Parliament and the Union of Muslim Organisations, all of which say:

> "The extension of incitement legislation at this particular time is unlikely to protect Muslims. We have grave reservations about the introduction of legislation at this particular time."

If the measure is supposed to provide reassurance, it is not working.

Mr. Blunkett: That is very good, except that the groups that the hon. Gentleman quotes had not seen the Bill at that time; they have been debating it since. Today, the Muslim Council of Britain issued a statement saying that it "supports the present proposals"—*[Interruption.]* Hang on, I have not even finished quoting the statement. The council supports the

> "proposals to extend the incitement to racial hatred in the Public Order Act to religious hatred and to introduce the religiously aggravated offence."

I very much welcome that statement, which is extremely helpful. I hope that other smaller and less representative groups will also express their support.

I hope that the Committee will also take notice of the United Nations Human Rights Committee, especially as many hon. Members are, perfectly reasonably, always asking those on the Front Bench to take notice of the United Nations in one form or another. It said:

> "The Committee is concerned by reports that, since recent terrorist attacks, persons have been the subject of attack and harassment on the basis of religious beliefs and that religion has been utilised to incite the commission of criminal acts."

It went on to express its hope that government—it uses the term "state parties"—will

> "extend its criminal legislation to cover offences motivated by religious hatred."

So, we are dealing with a little bit of support, as the Home Affairs Committee learned from the Law Commission, the Law Society and Justice.

If we want to bandy about the names of those who are or are not in favour of the Bill, let us bandy about the website of the British National party, which states:

> "Blunkett's proposed new Heresy Law will . . . 'criminalise' efforts to warn the public about the dire threat posed by Britain's Islam."

The BNP's website is not, however, anywhere near as bad as the pamphlet that it has been putting through people's doors. In expressing its view of Muslims, it states that

> "they stand for slaughter, arson, looting, rape of women and the establishment of a Muslim dictatorship."

Those are the sort of views that we are currently having to put up with from organisations such as the BNP. If the Bill would help in any way to ensure that we could take on and defeat such hatred and the sort of disgusting activity that seeks to incite people against each other, I stand guilty of supporting it.

In the end, Parliament can make up its mind. It can determine whether it feels that adding religion to laws on incitement would make a difference and provide just that little extra element in our armoury, first, to discourage people from taking those steps or inciting that hatred, and secondly, to enable us to do something about it. I put it to the Committee that, although it is open to people to proselytise, put down, debate and criticise other people's faith or religious beliefs, incitement to hatred of any sort is unacceptable. We can see from the amendments tabled by the Liberal Democrats that they, too, hold that view. Taking a small step—something to which my right hon. Friend the Member for Manchester, Gorton referred—may not satisfy everyone in achieving what they want, but it is a substantial move towards ensuring that we stop the sort of disgusting hatred that exists around us and that was demonstrated by the words that I read out a moment ago.

Mr. Kaufman: My right hon. Friend has made it clear that objections to the legislation are incompatible. On the one hand, they say that it is inoperable, while on the other they say that it is oppressive. Is not it a fact that the race legislation introduced by Labour Governments has now made it impossible for a politician to make the "rivers of blood" speech made by Enoch Powell? Has not legislation on sexual preference introduced by Labour Governments now made it impossible for the sort of homophobic elements that were so prevalent years ago to exist? Apart from practical application, will not the Bill have an important effect in creating a certain climate?

Mr. Blunkett: I agree with my right hon. Friend, who may not know what my hon. Friends on the Front Bench know: the hon. Member for Aldershot (Mr. Howarth) has tucked into the Bench in front of him, behind the hon. Member for West Dorset (Mr. Letwin), a document whose title is "What Enoch was really saying". It is ironic, therefore, that my right hon. Friend mentioned the "rivers of blood" speech.

Mr. Gerald Howarth: I am delighted that Simon Heffer's excellent article in *The Spectator* has been noted by those on the Government Front Bench. In view of what the right hon. Member for Manchester, Gorton (Mr. Kaufman) has suggested, would he have supported action by the Attorney-General against Enoch Powell if he had today made the speech he made on 20 April 1968?

Mr. Blunkett: Even in Committee, I am not in a position to act as a sort of transmission belt between the hon. Gentleman and my right hon. Friend the Member for Manchester, Gorton. One thing is sure: the Attorney-General will take steps only if he believes that it is the public interest to do so—this is the point of the failsafe in the Bill—and that the offences about which people are worried are not covered.

Simon Hughes: The Home Secretary was right to say that one of the things that we must seek to do is reassure our communities. That must be done at home and abroad. Does he accept that, on the basis of what he has heard, those communities would be most reassured by the following: first, an offence that ensures protection in legislation against all sorts of hate crime; and secondly, the guarantee that discrimination against any faith will be outlawed? In the meantime, we have incitement laws that enable prosecution in relation to many of the offences that he and I would want to pursue, and we could quickly introduce legislation on the wider range of matters, to give greater reassurance, if the Government agreed with the Opposition parties that there should be time for that to happen.

Mr. Blunkett: I should like to make three points. First, I agree that we have laws that can be applied in the generality. Secondly, I do not agree that we could act swiftly on the range of measures that the hon. Gentleman enunciates. They would be deeply complicated and difficult to introduce, which is why they cannot be brought before us quickly. Thirdly, I entirely accept his offer, which was also made by the shadow Home Secretary, to co-operate on a much broader swathe of measures in relation to discrimination, which is extremely helpful.

6 pm

David Winnick: So that history is not rewritten, does my right hon. Friend realise that, to the lasting credit of Quintin Hogg who was shadow Home Secretary in 1968, he criticised Enoch Powell's disgraceful, deplorable, racist speech from the Opposition Front Bench? The then Leader of the Opposition, Edward Heath, sacked Enoch Powell almost immediately. His refusal to tolerate racist, poisonous nonsense did him credit.

Mr. Blunkett: My hon. Friend is right.

I want to consider new clause 1, which my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) tabled. As usual, he put the case well. Let me make the Government's position clear. There is a good case for revising and, indeed, removing existing blasphemy law. However, the Church of England is worried about the way that would fit in with wider changes. I am sure that the Church of England wants to hold a debate through the Board for Social Responsibility and elsewhere about assisting us to achieve a measure that is less anachronistic and more appropriate to the 21st century.

I want to make it clear that there is no question of extending the blasphemy law to all other denominations and faiths. We do not want to do that; we want to find an accommodation and a sensitive way forward when few people believe that the current position can continue. However, many people would worry if change were effected hurriedly. As I have already said, I can justify the changes that we are making tonight on the basis of their impact on specific religions, individuals and groups, and wider perceptions inside and outside this country. I cannot justify removing the blasphemy law on that basis.

Mr. Dobson: I am pleased that my right hon. Friend has said that there is no question of extending the blasphemy law to cover other Christian denominations or other religions. We want to get rid of it. I am at a loss to understand what other measures the Church of England proposes between abolition of its special protection and its extension to every other religion. The simplest solution is to get rid of it.

Mr. Blunkett: My right hon. Friend has done much work on that, and he knows about the previous working group and the result of the debate in the House of Lords, which took place in, I believe, 1995. We are trying to find consensus and provide reassurance for the Church of England. However, my right hon. Friend has done us a service by putting the subject firmly on the agenda and ensuring that it will not simply go away. I assure him that it will not, although I appreciate that he needs no such assurance because he will ensure that it does not. We will find a way forward with the Church authorities that does not cause the Church too much aggravation.

I wish to conclude.

Sir Brian Mawhinney: The Home Secretary has reached the hurdle of responding to amendment No. 106 twice in his speech and been distracted. Perhaps he will make an attempt to jump over it before concluding.

Mr. Blunkett: I am grateful for that intervention. If I was trying to deceive the House, I would say that I had been about to deal with the right hon. Gentleman's point. However, that would be untruthful as the matter had simply slipped my mind.

I went through the amendment earlier today in the Home Office. I am mindful of the issues that the right hon. Gentleman raises. However, we are worried that the amendment would lead people to find ways around his intention, for example by claiming to be religious or by distributing material that purported to be of a religious nature. I am happy to invite my officials to meet him and if we can find a way of expressing what he seeks to achieve, I shall ask Lord Rooker to consider the matter in the House of Lords. The objective is well intentioned and our response is made in the spirit of ensuring that we do not allow loopholes. I am prepared to move forward on that basis.

Sir Brian Mawhinney: I am grateful to the Home Secretary. I tabled the amendment in the spirit in which he replied. I accept the genuineness of his offer, and the opportunity to meet his officials.

Mr. Blunkett: I am grateful for the right hon. Gentleman's response.

Mr. Letwin: I want to put it on record that, notwithstanding our arguments against the clause, the Home Secretary's offer is welcome.

Mr. Blunkett: I am grateful. The hon. Member for Aldershot (Mr. Howarth) was pleased that my hon.

[Mr. Blunkett]

Friends had noticed *The Spectator*. I noted the generous article about the hon. Member for West Dorset in that magazine, and I thought that it was well deserved. That is my piece of patronage for tonight.

There are genuine differences about whether we are taking the correct step. I believe that we are, and that the simple inclusion of religion in a measure advocated so many years ago, debated through the years, and agonised over by so many Home Secretaries is a fair and reasonable step. It will discourage those whom we are trying to discourage. It is fair to monitor the provision's operation and to put it on record that the Government are big enough to try to find out whether the clause works. In that spirit, I ask hon. Members to support the inclusion of religion and to ensure that we make the clause work in the best interests of those whom we serve, and that it is not abused by those who always try to undermine the good intentions of legislation. I ask hon. Members to give the clause a fair wind and their vote.

Mr. Wilshire: I agree with the Home Secretary that we need to do all that we can to eliminate hatred—and the sooner, the better. However, I regret that I do not believe that the clause is the right method of achieving that. It will help religious groups which do a great deal of harm rather than protecting those which do not and which therefore need our help.

When I worked for Members of the European Parliament some 20 years ago, I spent two years researching controversial religious groups. It was challenging and deeply disturbing work. The conclusions that I reached then have not subsequently been undermined. Some are relevant to today's debate.

First, however hard we try, I feel that we must acknowledge that legislation dealing with personal religious beliefs cannot avoid being an attack on somebody's freedom of thought, belief and expression.

The second conclusion that I reached all those years ago, which continues to hold true, is that it is impossible to devise a distinction between what some would call a mainstream and acceptable religion and what others would describe as a weird and dangerous cult. It is interesting that the explanatory notes duck the issue by not even attempting a definition.

Thirdly, most of the public anxiety that we hear about religious groups relates to the impact on others of members acting out their beliefs, rather than of the beliefs themselves. Amendment No. 20, which my hon. Friend the Member for Christchurch (Mr. Chope) tabled, tries to deal with that matter.

Fourthly, the only realistic way in which to move forward when dealing with religious issues is to target unacceptable action and ignore religious justifications. That is the exact opposite of the aim of clause 38. It therefore follows that the wrong that the Bill seeks to set right should not be tackled by religious legislation. We should rely on existing legislation, tightened up if necessary, because it provides ample opportunities to act.

I oppose clause 38 for two reasons. First, as my hon. Friend the Member for West Dorset (Mr. Letwin) said, it has almost nothing to do with the main purpose of the Bill, which is to protect us from terrorism. I accept that the Home Secretary is seeking to address a genuine social problem that needs addressing, but it is a separate issue from terrorism, and we need more than three hours to consider it properly.

Secondly, the clause plays straight into the hands of the perverted and the downright dangerous who justify their actions as part of their religious belief in and worship of a supreme being. Such people and groups will welcome the protection offered by clause 38. Such antisocial groups crave acceptance and respectability, which clause 38 would give them for their religious beliefs, and protection from scrutiny, exposure and criticism, which the clause would also provide.

The Bill will be an invitation to every religious group or cult to claim that it is a mainstream religion entitled to the protection of the law. It would be impossible, however hard the Home Secretary tried, to draw a distinction. The Bill will enable such groups to demand the prosecution—the silencing—of people such as me for denouncing them in the way that they so richly deserve. In case hon. Members think that I am exaggerating, I shall give them an example of what I have in mind.

There is a religious group that calls itself "The Family". It used to call itself "The Children of God". Its origins lie in the American Jesus movement of the 1960s. At the outset, its founder, David Berg, preached a doctrine of rebellion, communal life, rigid discipline and intensive Bible study. So far, probably in most people's book, so good. But, as time went by, Berg developed a doctrine of no action being wrong if done "in the spirit." The result was what I and anyone else who has studied this movement consider to be totally unacceptable sexual, anti-semitic and world revolutionary activity and behaviour. For example, Berg requires his women followers to become prostitutes. Instruction pamphlets that he has written, entitled "God wants me to be a stripper" and "God's whores", make that point, and I have copies, if anyone doubts that they exist. Do we want to protect organisations that produce this sort of material and act out the instructions?

It gets worse. Berg interpreted the New Testament's

> "I will make you fishers of men"

as a requirement for women to have sexual intercourse with potential recruits. He called this "flirty fishing", or "FF" for short, and published a range of pamphlets—pamphlets that I have here—explaining exactly what his followers had to do. I shall spare the House the lurid details—[Hon. Members: "Aah!"]. Hon. Members can read them afterwards if they wish, but I warn them that they might be prosecuted for having them in their possession.

Sir Patrick Cormack: What about you, then?

Mr. Wilshire: Well, the Home Secretary asked me whether I would like to bring some of this material in. I have had this collection of material for a number of years, and various police forces have consulted it with a view to using it to take action against members of the organisation. I should be happy to discuss the matter with the Home Secretary.

Worse even than his encouragement of women members to have sexual intercourse to recruit people, Berg developed dreadful attitudes to children. He encouraged child sex, with experimenting from the age of two or three to full intercourse at the age of 12. He published some quite disgusting pamphlets, such as "My little fish". If any hon. Member is determined enough to see that pamphlet, I can help them out. These pamphlets contain explicit photographs of naked children and naked adults. The Home Secretary will be tempted to say that this has nothing to do with the Bill but, with the greatest respect, it has. I know what the right hon. Gentleman is seeking to achieve, but he will not succeed. He will succeed only in providing protection for people such as members of "The Children of God".

6.15 pm

In my 27 years in politics, I have never before said that I would defy the law, but if the Bill becomes law, I have no intention of ceasing to denounce those who harm others in the name of their god. If a religious group of the sort that I have described—there are others—is denounced by me or others in the way that I have just done, it is hard to see how that would not generate religious hatred against its members and lead some people to take the law into their own hands. Because the justification for those groups' actions is that their religious beliefs require them to behave as they do, they will seek the protection of clause 38 to try to shut me up. As I read it, clause 38 will make me a criminal, but I have to tell the Home Secretary that it will not make me shut up.

Mr. Chris Mullin (Sunderland, South): A number of hon. Members have referred to the report of the Select Committee on Home Affairs. I should make it clear that the Committee did not say that it was against including the clause in the Bill; it said that it was not persuaded. I cannot speak for my colleagues, but, having sat through this debate and listened in particular to the speeches of my right hon. Friends the Members for Manchester, Gorton (Mr. Kaufman) and for Holborn and St. Pancras (Mr. Dobson) and my right hon. Friend the Home Secretary, I am now persuaded that the clause should remain in the Bill. The fact that we shall rely on the Attorney-General to provide a safeguard is the answer to those who say that the measure will lead to a lot of spurious prosecutions. It is probably also the answer to the problem outlined by the hon. Member for Spelthorne (Mr. Wilshire).

I do not think that the inclusion of the clause will make an enormous difference. As the Home Secretary said, it is a small step, but it will send a signal that we take seriously the kind of abuses to which some of our constituents are being subjected. Not to include the clause would send a negative signal, and I shall therefore support it.

On blasphemy, I am afraid that the amendment tabled by my right hon. Friend the Member for Holborn and St. Pancras seems to have fallen victim to the doctrine of unripe time. Were he to press that amendment to a Division, I would vote for it.

Sir Patrick Cormack: I listened with great interest to the Home Secretary, and I have great admiration for him, but I am afraid that, on this occasion, he is wrong, and I beg him to think again. He said two things in his speech that made me extremely concerned. He said—I paraphrase and I hope that I do not distort too much in the process—that, because of the reaction in Muslim countries to the dreadful events of 11 September, and because of the fear among many Muslims that subsequent actions would be seen as a war against Islam, he was persuaded to introduce measures to our domestic law. I hope that that is not an inaccurate prècis of what the Home Secretary said. I think that he is nodding, and I am glad. I do not believe that that is sufficient reason to rush these measures through the House of Commons.

Mr. Blunkett: The hon. Gentleman was not inaccurate, but that was only a partial explanation.

Sir Patrick Cormack: I do not have a long time to make a speech, but that was one of the reasons that the Home Secretary advanced for introducing the Bill.

Mr. Blunkett *indicated assent.*

Sir Patrick Cormack: The Home Secretary is assenting to that proposition as I speak. It is a pity that he was persuaded to act so precipitately in an area of great delicacy. Admittedly, he has heard speeches giving him strong support, but he has also heard dissenting speeches by hon. Members in all parts of the House who are united in viewing with total revulsion any incitement to religious or racial hatred. Of course I share entirely the abhorrence of such attitudes, which were graphically described by the right hon. Member for Manchester, Gorton (Mr. Kaufman), but the fact that I abhor them as much as he does not mean that I want legislation—in this measure against terrorism of all measures—to be rushed on to the statute book. That in itself would send out rather unfortunate signals.

The Home Secretary responded generously to my right hon. Friend the Member for North-West Cambridgeshire (Sir B. Mawhinney), but I ask him to take that a stage further and not insist on these proposals. The Home Secretary should at least give an undertaking not only that he will monitor them but that he may be prepared to withdraw them after listening carefully to powerful speeches made in the other place. The right hon. Gentleman will serve Parliament in so doing.

The Home Secretary made another remark that does not entirely tie in with his determination to press on. He said that he does not want to hurry the reconsideration of the blasphemy laws. I applaud that, but in that case why hurry the Bill through with such speed? It is not central to his understandable and wholly laudable desire to deal with the terrorism in our midst.

I am one of those who strongly support the general thrust of the legislation and I am one of those prepared to support internment without trial, because on this occasion the greater good of the greater number transcends that fundamental belief, which I have always held, that it is better for a guilty person to go free than for an innocent one to be punished.

I do not want a potential terrorist to go free, so I am prepared to give the Home Secretary the benefit of the doubt and support what he says, even though many Members in all parts of the House do not go along with him on that issue. On this provision, however, I beg him to think again. I speak not only as a Member of the House but as the only Member who is an elected member of the General Synod of the Church of England. I know that many, not only in the Church of England but in what are now loosely called the faith communities, share my sense of unease.

[Sir Patrick Cormack]

In seven minutes' time, we shall have had three hours of debate on this exceptionally important subject.

Mr. Bryant: What message would the Committee send to the Muslim community if it decided, at this particular moment, to keep the blasphemy laws and reject the current measures?

Sir Patrick Cormack: In spite of what the Home Secretary read out from the Muslim Council of Britain, many thoughtful Muslims have said that they have grave misgivings on that score for a number of reasons. One is that they will be brought under a Bill specifically to do with terrorism.

I return to the point I was making to the Home Secretary, and ask him to reflect for a moment. Three hours' debate in Committee is not enough. Yes, there will be debate in the other place and, yes, the measure may come back to us, but again we shall debate it under a guillotine. I understand the right hon. Gentleman's desire to get the whole measure on to the statute book. I support him in that, in spite of certain misgivings that I hold and which others hold in greater measure, but these measures are not central to the fight against terrorism.

Why does the Home Secretary not accept that this of all issues lends itself to a draft Bill, which could be considered by a special Committee of the House and, yes, crawled over? I say to the hon. Member for Rhondda (Mr. Bryant) that witnesses could be summoned from the Muslim community as well as from Christian and other faith communities. Let us try to get the Bill right. If we push it through in this form, we shall not do so.

The Home Secretary should think back to one of his predecessors in that high office of state who, appalled by dreadful incidents of savagery by certain dogs, rushed legislation through the House. That Home Secretary sat on my side of the House, but the Bill was one I could not support. It was not a good measure and it did not produce good law. The danger is that we shall produce bad law if we proceed as the Home Secretary would have us proceed. To produce bad law is far, far worse than leaving the law as it is for the time being.

I urge the Home Secretary once more to be prepared to be the big man I know he is and say at the very least that he will not only monitor and reflect on but if necessary withdraw these measures. The Bill will be the better for that.

Simon Hughes: I shall conclude in time for the Committee to allow the amendment to be withdrawn and then to vote on the clause, which is clearly the matter over which there is most disagreement.

We have had a thoughtful debate and the arguments were well put by the hon. Member for South Staffordshire (Sir P. Cormack). I say to the Home Secretary that there is no acrimony between him and the hon. Member for West Dorset (Mr. Letwin) and me, but there is an honest disagreement over our respective proposals. To turn round a phrase that was used earlier, we are discussing not the doctrine of the unripe time, but the doctrine of the inappropriate place. We say that this is not the place to legislate on matters that we cannot deal with properly today.

There is nothing between us in wanting to deal with hostility towards faith communities; there is nothing between us in wanting to end discrimination; and there is nothing between us in wanting to deal with revulsion and hate crimes in our communities.

Mr. Garnier: Will the hon. Gentleman give way?

Simon Hughes: I am afraid that I do not have time.

There are other ways to proceed, however, and those would allow hate crimes generally to be dealt with. Parliament could take time to get the legislation right and Members, if we are to deal with religious matters, could deal with them all together.

The hon. Member for West Dorset is right: there is a huge difference between definition by race, which is unalterable, and arguments about faith, which can be adopted and which is entirely alterable. I hope that the Committee agrees with Members on the Opposition and Labour Benches who believe that we are not ready to legislate. I also hope that the Committee—if not today, then soon—will see the clause removed from the Bill. Then we can all discuss a reasonable compromise between the positions, which is what the Home Secretary wants.

There is a dialogue to be had. We have listened to the Home Secretary's arguments; I hope he listens to ours. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Motion made, and Question put, That the clause stand part of the Bill:—

The Committee divided: Ayes 328, Noes 209.

Division No. 80] **[6.29 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Margaret
Begg, Miss Anne
Bell, Stuart
Benn, Hilary
Benton, Joe
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann

Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Francis, Dr Hywel
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hesford, Stephen
Heyes, David
Hill, Keith
Hodge, Margaret
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Love, Andrew
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morley, Elliot
Morris, Rt Hon Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, Rt Hon Clare
Simon, Siôn
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Truswell, Paul
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Ayes:
Mr. John Heppell and
Mr. Ian Pearson.

NOES

Abbott, Ms Diane
Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Barnes, Harry
Baron, John
Barrett, John
Beith, Rt Hon A J
Bellingham, Henry
Bennett, Andrew
Bercow, John
Beresford, Sir Paul
Best, Harold
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom
Brazier, Julian

Breed, Colin
Brooke, Mrs Annette L
Browning, Mrs Angela
Burnett, John
Burns, Simon
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton–Brown, Geoffrey
Conway, Derek
Corbyn, Jeremy
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Cryer, John *(Hornchurch)*
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Rt Hon Denzil *(Llanelli)*
Djanogly, Jonathan
Dodds, Nigel
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
Garnier, Edward
George, Andrew *(St Ives)*
Gerrard, Neil
Gibb, Nick
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David
Heathcoat–Amory, Rt Hon David
Hendry, Charles
Hoban, Mark
Hogg, Rt Hon Douglas
Holmes, Paul
Hopkins, Kelvin
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McWalter, Tony
Mahon, Mrs Alice
Malins, Humfrey
Maples, John
Marshall–Andrews, Robert
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Oaten, Mark
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Portillo, Rt Hon Michael
Prentice, Gordon *(Pendle)*
Price, Adam
Prisk, Mark
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bu*[illegible]
Rendel, David
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Sedgemore, Brian
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(Mid–Norfolk)*
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tami, Mark
Tapsell, Sir Peter
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Trend, Michael
Trickett, Jon
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George
Younger–Ross, Richard

Tellers for the Noes:
Mr. John Randall and
Sir Robert Smith.

Question accordingly agreed to.

Clause 38 ordered to stand part of the Bill.

It being after half-past Six o'clock THE CHAIRMAN, *pursuant to Order [19 and 21 November] put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clauses 39 to 42 ordered to stand part of the Bill.

Clause 43 ordered to stand part of the Bill.

Clause 44

EXTRATERRITORIAL APPLICATION OF BIOLOGICAL WEAPONS OFFENCES

Question proposed, That the clause stand part of the Bill.

Mr. Humfrey Malins (Woking): I have a couple of questions for the Minister, but I shall be entirely content if he is good enough to give me answers in writing over the next few days. *[Interruption.]*

The Chairman of Ways and Means (Sir Alan Haselhurst): Order. I am sorry to interrupt the hon. Gentleman, but I must ask Members who do not wish to stay for this debate not to engage in conversations, but to leave quickly and quietly.

6.45 pm

Mr. Malins: Thank you, Sir Alan.

I have noted the effects of clauses 43 and 44—particularly those of clause 44, which extends United Kingdom jurisdiction over certain offences to acts committed overseas by a UK person. Opposition Members understand the need for the clauses, but we have a brief query.

We note the extent to which clauses 43 and 44 cover activities of any person within the UK, and of UK persons outside the UK. Can the Minister confirm that clause 44 covers either or both of the following persons? The first is a UK-based foreign national—possibly an EU citizen—with rights to work and live here who, while abroad, commits an act that, if committed by a UK person, would be an offence. The second is someone who, although not a British subject, has exceptional leave to remain in this country, and who commits such an act while on a foreign trip.

We know the position of a UK person outside the UK, and his or her liability. Other people, however, could have rights of abode of one kind or another in this country, and might while abroad commit an offence and then seek to return here. I merely seek clarification of whether such persons will be covered. I shall be grateful if the Minister can clarify that now, but I shall entirely understand if he cannot.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I want to speak to amendments Nos. 51 and 52 later. They have not been called yet.

The Chairman: Order. We are currently discussing whether clause 44 should stand part of the Bill. What the hon. Gentleman says is interesting, but not strictly relevant.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Ben Bradshaw): I assure the hon. Member for Woking (Mr. Malins) that he will not have to wait for answers. My officials have been very quick off the mark, and have assured me that the answer to both his questions is no.

Mr. Malins: I understand the Minister to have said that the clause would not apply to the people whom I cited. Given that its purpose is to cover a UK person based in the UK but committing an offence abroad, would it not be wise to consider, at some stage between now and when the Bill goes to another place, whether the Government have covered every person whom they feel should be covered? I leave that message with the Minister.

Question put and agreed to.

Clause 44 ordered to stand part of the Bill.

Clause 45

CUSTOMS AND EXCISE PROSECUTIONS FOR BIOLOGICAL WEAPONS OFFENCES

Mr. Bradshaw: I beg to move amendment No. 23, in page 22, line 14, leave out from "involved" to end of line 18 and insert "—

> (a) the development or production outside the United Kingdom of any thing mentioned in section 1(1)(a) or (b) above;
>
> (b) the movement of any such thing into or out of any country or territory;
>
> (c) any proposal or attempt to do anything falling within paragraph (a) or (b) above".

The Chairman: With this it will be convenient to discuss Government amendments Nos. 24 to 29.

Mr. Bradshaw: The amendments fall into three groups. Amendments Nos. 23, 25 and 28 are required to enable Customs and Excise officers to investigate and, where appropriate, prosecute offences concerning the development or production of the relevant weapon overseas. Such offences are likely to involve the transfer into or out of a country of technology relating to the development of biological, chemical or nuclear weapons, or the provision of services overseas. These technical amendments will allow customs officers to investigate all relevant offences, and will bring provisions in the Bill more into line with those in the Export Control Bill, which is being considered in the other place.

While cases in Scotland are prosecuted by the relevant procurator fiscal, Customs and Excise officers are responsible for investigation of customs matters throughout the United Kingdom. Amendments Nos. 24, 26 and 29 will make it clear that customs' investigation role in respect of such cases will apply in Scotland, as it does in England and Wales and Northern Ireland.

Amendment No. 27 makes it clear that application of clause 47 is not restricted to acts done outside the United Kingdom. The amendment brings the structure of the clause into line with similar clauses elsewhere.

Amendment agreed to.

Amendment made: No. 24, in page 22, line 38, after "to", insert "the institution of".—*[Mr. Bradshaw.]*

Clause 45, as amended, ordered to stand part of the Bill.

Clause 46

CUSTOMS AND EXCISE PROSECUTIONS FOR CHEMICAL WEAPONS OFFENCES

Amendments made: No. 25, in page 23, line 4, leave out from "involved" to end of line 8 and insert "—

> (a) the development or production outside the United Kingdom of a chemical weapon;
>
> (b) the movement of a chemical weapon into or out of any country or territory;
>
> (c) any proposal or attempt to do anything falling within paragraph (a) or (b).'

No. 26, in page 23, line 28, after "to", insert "the institution of".—*[Mr. Bradshaw.]*

Clause 46, as amended, ordered to stand part of the Bill.

Clause 47

USE ETC. OF NUCLEAR WEAPONS

Amendment made: No. 27, in page 24, line 16, at end insert—

> '( ) Nothing in subsection (7) affects any criminal liability arising otherwise than under that subsection.'—*[Mr. Bradshaw.]*

Question proposed, That the clause, as amended, stand part of the Bill.

Mr. Malins: The Minister will note that clause 47(7) states:

> "This section applies to acts done outside the United Kingdom, but only if they are done by a United Kingdom person."

Although I have the same question on this provision as I had on previous ones, I understand that the same answer will apply. I shall therefore not prolong matters. However, when the Minister is considering why the persons to whom I have referred are not covered by an earlier clause and whether they should be so covered, will he ask himself the same questions in relation to clause 47(7)?

Denzil Davies: As I was a shadow defence spokesman many years ago, I sit up when I see the words "use of nuclear weapons". Clause 47 seems to make it a prima facie offence—a term that I use advisedly, as there are

[Denzil Davies]

later exceptions—to have nuclear weapons in one's possession. If there were no exceptions, presumably even a Government who have nuclear weapons in their possession would be guilty of an offence. However, as the draftsmen and the Home Office are clearly not that stupid, they have made exceptions.

Clause 48(1) notes:

"Nothing in section 47 applies—

(a) to an act which is authorised under subsection (2)".

I take it that that provision will permit "The Secretary of State"—which I take to mean any Secretary of State; I do not know whether the decision would fall to my right hon. Friend the Home Secretary—to authorise the use of the nuclear deterrent. It is a curious and bizarre provision. It must also be the first time that we have made such provision in legislation. I also note that use is permitted in armed conflict without a certificate, and that the Secretary of State can decide what an armed conflict is.

There must be some type of authorisation for the development, possession and participation in the transfer of nuclear weapons. If there were not, the Government presumably would have to prosecute themselves. Perhaps the Attorney-General will be wheeled in for that purpose—he seems to be wheeled in for the purposes of most other parts of the legislation—and will exercise his discretion. I note the matter simply because I find it bizarre.

Llew Smith (Blaenau Gwent): I have a question on tactics and the definition of nuclear weapons used in clauses 47 to 49. Do the Government intend that the Bill should include as nuclear weapons radiological weapons that are made from nuclear waste, spent nuclear fuel or other radioactive-source contaminants that are detonated with conventional explosives?

Mr. Bradshaw: The answer to the last question is no.

The exceptions in clause 48 to which my right hon. Friend the Member for Llanelli (Denzil Davies) referred are required, as he suggested, to prevent essential operational and maintenance activities of authorised persons connected to the UK's independent nuclear deterrent from being an offence. In the course of an armed conflict, it may not be practical for the Secretary of State to issue all the authorisations required to operate the deterrent without imposing unacceptable delay. For that reason, it is necessary to have a more general exception.

Question put and agreed to.

Clause 47, as amended, ordered to stand part of the Bill.

Clauses 48 to 52 ordered to stand part of the Bill.

Clause 53

CUSTOMS AND EXCISE PROSECUTIONS

Amendments made: No. 28, in page 27, line 6, leave out from "involved" to end of line 10 and insert "—

(a) the development or production outside the United Kingdom of a nuclear weapon;

(b) the movement of a nuclear weapon into or out of any country or territory;

(c) any proposal or attempt to do anything falling within paragraph (a) or (b).'

No. 29, in page 27, line 28, after "to", insert "the institution of".—*[Mr. Bradshaw.]*

Clause 53, as amended, ordered to stand part of the Bill.

Clauses 54 to 57 ordered to stand part of the Bill.

Clause 58

PATHOGENS AND TOXINS IN RELATION TO WHICH REQUIREMENTS UNDER PART 7 APPLY

The Parliamentary Under-Secretary of State for the Home Department (Beverley Hughes): I beg to move amendment No. 30, in page 28, line 35, leave out—

'is capable of endangering life or causing'

and insert—

'could be used in an act of terrorism to endanger life or cause'.

The Chairman: With this it will be convenient to discuss Government amendments Nos. 35 to 37.

Beverley Hughes: Clauses 58 to 75 and schedules 5 and 6 introduce a regime to improve security in laboratories and other places where dangerous substances that could be used as a weapon by terrorists are being held.

Clause 58 identifies the dangerous pathogens and toxins—which are listed in schedule 5—that will be brought within the controls set out in this part of the Bill immediately upon Royal Assent. The amendments limit the exercise of those powers to cases in which the chemicals or substances concerned may be used in acts of terrorism. A definition is added to provide that terrorism has the same meaning as in the Terrorism Act 2000.

Mr. Dalyell: I should like to ask my hon. Friend a question that applies to the whole of part 7. What estimate has been made of the extra costs of undertaking those types of security arrangement—which I do not doubt may well be necessary? Clause 59, for example, places a duty on the occupiers of premises to notify the Secretary of State before keeping or using any dangerous substance there. Occupiers of premises holding those substances when the Bill is enacted must notify the Secretary of State within one month. Similarly, occupiers of premises holding substances that are subsequently added to the schedule will have one month in which to notify the Secretary of State of their holdings once any such modification comes into effect.

I should have thought that that will involve a good deal of work for people. I am not saying that the work is unnecessary, but what estimate has been made of the extra cost of all that notification for those who run laboratories? Many of them are at their wits' end in trying to cope with their current financial situation.

Mr. John Gummer (Suffolk, Coastal): Can the Minister say who will check that what is being done is being done properly? Will she consider that those who at the moment are looking at safety in terms of pathogens getting out into the atmosphere might also investigate this matter? There is a possibility of enormously increased expense for owners of laboratories, as well as for the Government and officials. I hope that this has been thought through carefully.

7 pm

Beverley Hughes: Members may have seen the regulatory impact assessment. I cannot remember the detail in relation to the cost of this part of the Bill, but an estimate has been made, as has been done rigorously for all parts of the Bill. In preparing the Bill, the levels of security at many laboratories were investigated thoroughly by the Home Office and the police. The overall benefit in increased security very much outweighs the cost.

As a result of our inquiries at laboratories, we are convinced—as are many laboratory owners, knowing what has happened in the United States and what could happen elsewhere—that these measures are very much needed. We have the co-operation of laboratory owners and managers and we expect the costs to be limited and reasonable. I said that our survey suggested that security at some laboratories was seriously lacking. About half those that we have seen so far require security measures to be improved. The measure will not affect every single laboratory.

If hon. Members would like me to write to them to give further details, I shall do so. However, I hope that they accept my assurance, on the basis of the work that we have done, that the measures are needed. We want to put in place a manageable, workable regime that will greatly improve the security of dangerous substances in laboratories.

Mr. Dalyell: I am not in any way trying to catch out the Minister, but some of us would like to be written to about this matter. Which laboratories have been talked to? Clause 61 would allow the police to request information about persons who have access to dangerous substances or to the premises in which they are kept or used. It would also place a duty on occupiers to ensure that other persons do not have access to the premises or substances. That is an onerous requirement in practice.

Perhaps the best thing would be for my hon. Friend the Minister to write a letter, or use the facilities of the other place, to explain to whom the Government have talked and whether those to whom they have talked are satisfied.

Mr. Gummer: I want to emphasise that many of these matters are technical. The phrase used is that a constable will ask for the information concerned. Obviously, that is not what will really happen, but I would like to know whether the technical people who already visit such establishments for safety reasons could be used successfully to avoid the extra weight of more visits when visits could be combined. They are the right people for the job, not constables.

Beverley Hughes: I am grateful to the right hon. Gentleman for raising that valid point. I will write to him and to my hon. Friend the Member for Linlithgow (Mr. Dalyell) in as much detail as I can about how the provision will work.

Amendment agreed to.

Beverley Hughes: I beg to move amendment No. 31, in page 29, line 2, at end add—

'(5) But something otherwise falling within subsection (4) is not to be regarded as a dangerous substance if—

(a) it satisfies prescribed conditions; or

(b) it is kept or used in prescribed circumstances.'

The Chairman: With this it will be convenient to discuss Government amendments Nos. 43 to 45 and 34.

Beverley Hughes: Amendment No. 31 will allow the list of dangerous substances in schedule 5 to be modified by secondary legislation, so that any example of a given substance would not be controlled if it met prescribed conditions. By that, I mean, first, that there are some substances which, of themselves, would be dangerous, but in certain places—pharmacies, for instance—would be in such tiny amounts that they could not be used by terrorists, and secondly, circumstances where the actual substance or toxin was part of another product from which it could not be extracted. Clearly, in those circumstances, we would not want to apply the measures to laboratories or pharmacies, so substances in the prescribed conditions can be excluded by order.

Amendment No. 34 is consequential upon amendment No. 31, and ensures that regulations made under the new power are subject to negative resolution procedure. Amendments Nos. 43 to 45 are technical and concern the list of dangerous substances in schedule 5.

Mr. David Heath (Somerton and Frome): With regard to amendment No. 43, I presume that there has been a change of taxonomy about which people are unaware in terms of parrot fever, which always has been chlamydia psittaci. Every single microbiologist to whom I have spoken over the last few weeks has always referred to it as that and intends to continue to refer to it as a chlamydia species. Presumably its name has changed.

Beverley Hughes *indicated assent.*

Mr. Heath: The Minister agrees. Is it therefore sensible to have these organisms, pathogens and toxins described in such specific terms in schedule 5, given that they will then have to be amended by order whenever there is either a change of taxonomy or, more likely—this is a real problem with having a prescriptive list of this kind—when there are pathogens that are not within the list but which represent precisely the same dangers? Does the Minister believe that the definition of "pathogen" or "toxin" under clause 58—one that is

"capable of endangering life or causing serious harm to human health"—

is not a sufficiency unto itself?

If there were to be a subsequent schedule to describe those viruses and bacteria that are contained, could those be described more properly in class terms, rather than as specific organisms? For instance, a number of viruses described in the list are associated with various haemorrhagic diseases. However, new haemorrhagic diseases are being identified all the time, especially in Africa. It would be folly to have one organism specifically listed in the schedule, while another that is not listed could not be added to the list without the bothersome bureaucracy of an Order in Council and secondary legislation. Is it possible to construct a schedule in more

[Mr. Heath]

general terms, which nevertheless covers the pathogens and toxins that the Minister wishes to identify within the Bill?

Mr. Dalyell: Everything depends on the good sense of those who make the decisions. What is the situation with the establishment of the pathogens access appeals commission? Is it being set up or has it been set up, and what is the likely composition? I am not asking the Minister to give me names off the top of her head, but it is an important matter. How big a body will it be, as it could be a significant operation?

Mr. Gummer: As a non-lawyer, I have a concern about what happens if material not listed here is found in the hands of a terrorist or a putative terrorist. Could he claim that because it was not listed in the schedule, it was therefore less objectionable? Would he be in a better position because of the detailed listing? I am sure that that has been considered, and I would like to know what the position is.

Beverley Hughes: As several right hon. and hon. Members in the Chamber have considerable expertise in this area, I shall have to be careful on the scientific aspects. In response to the questions of the hon. Member for Somerton and Frome (Mr. Heath), we have been informed that the name of the substance to which he referred has been accepted as being changed. The amendment simply puts in the schedule what the scientific community regards as the correct nomenclature.

The hon. Gentleman also mentioned specificity. We took the view that because there is a duty in the provisions to report substances—indeed, it is an offence not to do so within a certain time scale—it was right to be clear and specific in those circumstances. We believe that as there is also the power to amend the schedule, being specific is the right course of action and only fair to the laboratories, given the duties that we are placing on them and the fact that people can be in breach of the law by not reporting specific substances.

In response to my hon. Friend the Member for Linlithgow (Mr. Dalyell), the appeals commission has not yet been established. We have not yet made decisions on some of the questions that he has raised, such as the size of membership. We think that it should be small, and members will need to be vetted. We are in the process of deciding on those details.

On the point raised by the right hon. Member for Suffolk, Coastal (Mr. Gummer), the schedule applies only for the purposes of duties in part 7 and will not be prejudicial to other legislation. I am not sure whether that fully answers the right hon. Gentleman's point, but it is as far as I can go this evening.

7.15 pm

Mr. Dalyell: My hon. Friends may remember the attack by the Americans on the El Shifa factory outside Khartoum. I do not want to go into details, but it was all based on false premises. The substance—o ethyl methyl phosphonoic acid—was not being made at the factory at all. In this field, all sorts of false information, taken out of context, can easily lead to actions that tend to be unjustified. I am not saying that the commission will make mistakes—its members may be very wise and distinguished—but this is a difficult area. It might be a good idea to put a copy of a letter in the Library, explaining the background, because these are important issues.

Amendment agreed to.

Clause 58, as amended, ordered to stand part of the Bill.

Schedule 5

PATHOGENS AND TOXINS

Amendments made: No. 43, in page 105, line 29, leave out "Chlamydia" and insert "Chlamydophila".

No. 44, in page 106, line 11, at end insert—

'1A Any reference in this Schedule to a toxin includes—

(a) any genetic material containing any nucleic acid sequence for the coding of the toxin; and

(b) any genetically modified organism containing any such sequence.'

No. 45, in page 106, line 12, leave out paragraph 2 and insert—

'2 Any reference in this Schedule to a toxin includes subunits of the toxin.'—*[Mrs. McGuire.]*

Question proposed, That this schedule, as amended, be the Fifth schedule to the Bill.

Mr. Dalyell: I wish to press my hon. Friend gently about whether background information will be put in the Library on this issue, either by the Home Office or the Ministry of Defence. My hon. Friend the Under-Secretary of State for Defence has been very good in the past about giving such details, which the scientific community has certainly appreciated. I think that the same should be done here.

Beverley Hughes: Will my hon. Friend say specifically what information on schedule 5 he would like put in the Library?

Mr. Dalyell: An explanation of the mechanism of how these decisions are made and who is making them.

Beverley Hughes: If my hon. Friend means by that the decisions on what is classed as a dangerous substance, the composition of schedule 5 and the way in which any additions to it might be made, I can give him that assurance.

Mr. Dalyell: Good. I thank my hon. Friend.

Question put and agreed to.

Schedule 5, as amended, agreed to.

Clause 59

DUTY TO NOTIFY SECRETARY OF STATE BEFORE KEEPING OR USING ANY DANGEROUS SUBSTANCE

Norman Baker (Lewes): I beg to move amendment No. 139, in page 29, line 17, leave out "one month" and insert "fourteen days".

I shall be extremely brief. Throughout the Bill, the Government seek to tighten controls on dangerous materials, and who could argue with that as an objective? Therefore, it struck us as a little surprising that the compliance period was a month when a shorter time scale should be achievable. That is the reason for the amendment, and I would be grateful for the Minister's comments.

Beverley Hughes: I have sympathy with the objectives of Liberal Democrat Members. The amendment would reduce from one month to 14 days the period in which occupiers of premises must notify the Secretary of State that they hold or use dangerous substances. I understand and relate to the hon. Gentleman's desire that such information should be made available to the authorities at the earliest opportunity. I remind him of the earlier comments of my hon. Friend the Member for Linlithgow (Mr. Dalyell) and the right hon. Member for Suffolk, Coastal (Mr. Gummer) about what that requirement will mean for occupiers of laboratories. Furthermore, if the Bill receives Royal Assent, we will be making it an offence for the occupier to fail to provide the required notification within the specified period.

For both those reasons, it seemed that the time scale should be feasible. It should not be so short that an occupier who was willing to comply with the requirement was in danger of committing an offence simply because there was not enough time in which to do so. That is why we have taken the view that one month is a more reasonable time scale for that purpose.

I ask the hon. Gentleman not to press his amendment. We agree with its spirit but believe that one month is a better time scale in the circumstances.

Mr. Gummer: Will the Minister return to the problem that I raised before in a slightly different context? In most cases, as I understand it, the proprietors or managers of such establishments have to make returns of various kinds if they have such material in their possession. That is not to protect the nation against terrorists—as is now the case—but to ensure that these often extremely dangerous pathogens will not escape into the outside atmosphere or beyond the confines of the laboratory.

I am concerned that there should not be yet another, separate burden, and that the provisions should be integrated into the system that is already used to regulate those matters. If we could put that right, we should get closer to dealing with the concerns raised by the hon. Member for Lewes (Norman Baker). This part of the Bill worries me. I realise that there is a question of time and I am not suggesting that everything can be covered in this way, but if we are talking about joined-up government we should acknowledge that one of the things that makes life extremely difficult for people is having to report the same thing to different people at different times and within different time scales.

I hope that the Minister will assure the Committee that she will look into practical ways in which the process can be made easier. That is not because I have a particular interest either in supporting or agreeing with the laboratories, but to point out that if things are easy to do, they are more likely to be done on time and properly. If the process is complex, complicated and if there are overlaps, we shall have problems. I hope that the Departments involved will consider whether a more integrated system can be evolved.

Beverley Hughes: The right hon. Gentleman makes a valid point. Clearly, the occupiers will have to know about their own substances—they will have to collect and record that information. I am certainly happy to assure him that, in considering the detail of the operation of the scheme under these provisions, we shall—as far as we can—enable proprietors, as the right hon. Gentleman says, to join up the systems. If we can achieve some economies of scale as regards their efforts, we shall try to do so.

Mr. Dalyell: There is the problem of the availability of people who are competent to deal with many of these complex matters. For example, if we consider the list of substances in the schedule, how many people are there who could make a judgment about Marburg virus or Variola virus and other complicated matters? Such people are few and far between. I have a terrible suspicion that it is one of those things that is easier said than done.

Norman Baker: I am grateful to the Minister for her explanation, and I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 59 ordered to stand part of the Bill.

Clause 60

POWER TO REQUIRE INFORMATION ABOUT SECURITY OF DANGEROUS SUBSTANCES

Beverley Hughes: I beg to move amendment No. 138, in page 29, line 30, leave out from "to" to end of line 32 and insert "—

(a) any dangerous substance kept or used in the premises; or

(b) the measures taken (whether by the occupier or any other person) to ensure the security of any such substance.'.

The Chairman: With this it will be convenient to discuss Government amendment No. 32.

Beverley Hughes: Amendment No. 138 makes it explicit that, in their inquiries, the police will be able to require information relating to the substances themselves, not merely relating to the security measures taken with regard to those substances. That clarification is necessary because, although the police would not require a detailed knowledge of toxicology to carry out their duties, there might be circumstances in which different measures would be appropriate, so the police would need information about the actual substances.

In relation to amendment No. 32, the reference in clause 60 to "relevant premises" means places where dangerous substances are stored. However, to make the controls watertight, the provisions need to cover places where occupiers have notified their intention of keeping dangerous substances, or where they might keep such substances from time to time. The amendment gives clarification in that respect.

Amendment agreed to.

[Beverley Hughes]

Amendment made: No. 32, in page 29, line 41, at end add

'or in respect of which a notice under section 59 is in force'.—*[Beverley Hughes.]*

Clause 60, as amended, ordered to stand part of the Bill.

Clauses 61 to 63 ordered to stand part of the Bill.

Clause 64

DENIAL OF ACCESS TO DANGEROUS SUBSTANCES

Question proposed, That the clause stand part of the Bill.

Mr. Malins: I have a brief question for the Minister and a suggestion. Clause 64 gives the Secretary of State power to require that a specified person be denied access to dangerous substances or to the premises in which they are held, but the Secretary of State will be able to do so only where that is necessary in the interests of national security or public safety.

We think that there is a good argument for the Secretary of State to have power to forbid access to dangerous substances if they are likely to be used overseas—for example, in the United States—as well as in the UK. May I direct the Minister's attention to subsection 64(3) which states:

> "The Secretary of State may not give the directions unless he believes that they are necessary in the interests of national security"?

I suggest that the Minister's officials may like to consider with her whether it would be appropriate to broaden the provision slightly, perhaps by adding

> "or the security of any country or territory outside the UK".

I can see no practical harm in slightly widening the clause, with which we are otherwise in agreement.

Beverley Hughes: I need to take advice before I can give the hon. Gentleman a definitive answer. I suspect—although I cannot be held to this—that the point may be covered by the definition of terrorism referred to earlier in that part of the Bill. If the hon. Gentleman will allow me to make some inquiries, I shall write to him and clarify the position.

Question put and agreed to.

Clause 64 ordered to stand part of the Bill.

Clause 65

POWERS OF ENTRY

Question proposed, That the clause stand part of the Bill.

Mr. Malins: We recognise that this series of provisions is extremely important. As the Minister knows, they form a sort of package of new regulations that will require enforcement and attention. The various specialist organisations that deal with those substances should be made aware of the new requirements.

I have some questions about policing requirements as, in practice, they could prove difficult. Before I ask them, I draw the Committee's attention to the provisions on periods of notice in subsection (2). We are not clear whether in an emergency a period of notice of two days before the proposed entry would be satisfactory. Will the Minister comment on whether she could envisage circumstances in which there would be a need for much more rapid action?

In relation to powers of entry, a constable has to give notice under the provisions in the clause and can then enter "any relevant premises", so that clearly refers to the police.

It is true that under clause 65(5) the constable can

> "take with him such other persons as appear to him to be necessary."

However, I wonder whether I can press the Minister a little further on this issue. We are dealing with some possibly very dangerous and specialised substances. Is not it the case that, as often as not, the military will accompany the constable? If so, are those in the military aware of that, and can the Minister confirm that they have sufficient specialised operatives to cover the matter?

7.30 pm

To return to the police themselves, under clause 65, on the powers of entry, and under other clauses a policeman's knowledge will have to be very specialised indeed. On entering a premises, he or she will have to react quickly in a specialised and very knowledgeable way, much more so than in the normal course of events when the police investigate crimes. First, can the Minister confirm, therefore, whether the police force has specialised groups equipped and trained to deal with such events? Secondly, if that is not the case, can she confirm whether, given the sensitive and important nature of such matters, the police will receive specialised training from now on?

I want to draw to the Minister's attention another point, which relates to the accompanying of the police by civilians. It is obviously important that clause 65(5) will allow the constable

> "to take with him such other persons as appear to him to be necessary."

However, I can envisage—can the Minister?—circumstances in which such a person will be drawn not from the military or the police but from the civilian world: he or she might be an expert chemist, or someone of that sort. This very important point relates to insurance. I do not want to stray from the subject, but I have come across circumstances in which a civilian, who was seconded by the military and was, to all intents and purposes, in the military domain, returned from the Gulf war with some very bad symptoms not covered under the usual military insurance umbrella.

I pause just to say that, in relation to clause 65, I envisage the possibility of the police having with them civilian experts whom they might call in to help to enter a premises and a diagnosis once on the premises. Can the Minister confirm—if not now, as soon as possible—whether the fullest insurance cover will exist in every case in relation to that civilian who accompanies the policeman as though that civilian were part of the police force? Those are my queries in relation to clause 65, which, as I say, is important. One or two of the matters that I raise with the Minister need a little more thought.

Mr. Gummer: I should like to turn to the two working days' notice and the interrelation between clause 65 and the legislation that governs the keeping of such materials. If in the normal course of events and irrespective of the Bill it came to the authorities' notice that there was a danger that such materials might be leaking into the atmosphere, no one would give notice of any sort. The authorities would intervene as quickly as possible to discover whether what appeared to be happening was happening and, if it were, to stop it. The suggestion that two days' notice should be given worries me significantly, not only because terrorism may be involved but because of the interrelation between the Bill and the legislation that covers such things in any other event.

If ever there were a situation in which the powers of entry ought to be stronger rather than weaker, this is it. As one who has criticised the Bill because it includes a series of provisions and powers that ought not to be included, it seems only right for me to tell the Minister that I hope clause 65(2) is contradicted elsewhere in the Bill, so that we do not get into that mess. If clause 65(2) is contradicted, perhaps it should include the phrase "two working days in normal circumstances". If such a contradiction exists, the provision should be changed so that it is not quite so obvious as it appears.

Mr. Dalyell: Subsection (5) states:

> "The powers of a constable under this section include power to take with him such other persons as appear to him to be necessary."

I suspect that I ask a rather obvious question to which there is an obvious answer, but exactly to whom does the phrase "other persons" refer? Do the Government think that it includes people from a local university or people from industry? Whom do they envisage accompanying the constable in those very complex matters?

Beverley Hughes: Clause 65 relates to the kind of routine checks that constables can make in accordance with part 7. In those circumstances, on a periodic basis, two days' notice would be given. Of course, if rapid action were needed for whatever reason, it would be possible to get a warrant from a justice of the peace. Clause 66, on search warrants and powers of entry in an emergency, would determine the ability of the police to act very quickly if they had reason to believe that security arrangements were failing. So the issues raised by my hon. Friend the Member for Linlithgow (Mr. Dalyell) and the hon. Member for Woking (Mr. Malins) are covered.

Hon. Members, including my hon. Friend the Member for Linlithgow, have asked about the person who will accompany the constable. We envisage that, in practice, constables will probably need to be accompanied by a scientist working in the field, rather than by the military. Hon. Members who obviously have great knowledge of such issues will know that there are several establishments that can provide people with the right expertise and experience to accompany constables in that way.

The hon. Member for Woking also asked about insurance. I will investigate that further, but as I have just said, we envisage that the people who accompany constables would already work in the field. However, I will certainly check whether those who are contracted to undertake such inspections with constables are covered by the insurance at their own place of work.

The right hon. Member for Suffolk, Coastal (Mr. Gummer) raised several issues. There is a possible link to the point that, I think, he was making about escaping pathogens, but these provisions relate to the security of premises, so the matters he raises are not squarely relevant to the provisions under consideration at the moment. I hope that I have assisted hon. Members and that they will accept those reassurances.

Mr. Gummer: I thank the Minister, but she has misunderstood my point. Although it is perfectly true that the provisions in the Bill are for one purpose and that other legislation is for another purpose, when the two purposes come together the same people and the same information will be involved. The provisions in this clause should not be a more onerous or less effective burden on those who have to carry them out.

The Minister said—I am sure that she meant it—that the powers of entry under this clause relate to routine checks. However, clause 66 contains a series of conditions and none of them specifically covers what would happen if an emergency arose and no notice could be given. Clause 66 gives a number of reasons why notice cannot be given, but the list is not exhaustive. It would be more helpful if it were made clear that clause 65 relates to normal activities and that in abnormal circumstances two days' notice would not be required. I hope that the Minister will consider that point, because she will see that clause 66 does not cover all the possible circumstances.

Question put and agreed to.

Clause 65 ordered to stand part of the Bill.

Clauses 66 to 70 ordered to stand part of the Bill.

Schedule 6 agreed to.

Clause 71

OTHER APPEALS

Amendment made: No. 33, in page 34, line 42, leave out subsection (5) and insert—

'(5) Subsections (1) to (3) apply to Scotland with the substitution for references to the magistrates' court of references to the sheriff.

(5A) The appeal to the sheriff is by way of summary application.

(5B) A further appeal shall lie—

(a) to the sheriff principal from the decision of the sheriff; and

(b) with the leave of the sheriff principal, to the Court of Session from the decision of the sheriff principal.'—*[Beverley Hughes.]*

Question proposed, That the clause, as amended, stand part of the Bill.

Mr. Malins: I shall be brief, because I know that time is against us.

I am a little concerned about the length of time for appeals. Appeals made under this clause will take place under the directions in clauses 62 and 63. Some of those directions could be very serious and might need to be acted upon very quickly. It baffles me why an appeal to a magistrates court can be delayed for as long as 28 days after the directions are given and then appeal can be made to the Crown court. With my judicial hat on, I am aware that a clever defendant can get his first appeal adjourned and—to cut a long story short—by going to the Crown court, can ensure that it is as long as four months before an appeal is concluded. Is that satisfactory?

Beverley Hughes: The hon. Gentleman makes a valid point. I agree to look at the matter to see whether we need to strengthen the provision. If we give notices in such circumstances, we want them to be acted on.

Clause 71, as amended, ordered to stand part of the Bill.

Clause 72 ordered to stand part of the Bill.

Clause 73

ORDERS AND REGULATIONS

Amendment made: No. 34, in page 35, line 15, leave out—

'59 or 61 or Schedule 5'

and insert "58, 59 or 61".—*[Beverley Hughes.]*

Clause 73, as amended, ordered to stand part of the Bill.

Clause 74

INTERPRETATION

Amendment made: No. 35, in page 35, line 19, at end insert—

'"act of terrorism" has the same meaning as in the Terrorism Act 2000 (c.11);'.—*[Beverley Hughes.]*

Clause 74, as amended, ordered to stand part of the Bill.

Clause 75

POWER TO EXTEND PART 7 TO ANIMAL OR PLANT PATHOGENS, PESTS OR TOXIC CHEMICALS

Amendments made: No. 36, in page 36, line 7, leave out—

'is capable of endangering life or causing'

and insert—,

'could be used in an act of terrorism to endanger life or cause'.

No. 37, in page 36, line 11, after "used", insert—

'in an act of terrorism'.—*[Beverley Hughes.]*

Clause 75, as amended, ordered to stand part of the Bill.

Clause 76

ATOMIC ENERGY AUTHORITY SPECIAL CONSTABLES

Question proposed, That the clause stand part of the Bill.

7.45 pm

Mr. Dalyell: The clause deals with Atomic Energy Authority special constables, and subsection (1) extends the places within which the Atomic Energy Authority constabulary has powers of constables to include any licensed nuclear sites—and not just those of the United Kingdom Atomic Energy Authority, British Nuclear Fuels and Urenco Ltd.

I wish to say a word about Urenco to my hon. Friends on the Front Bench. In the early 1980s, I tabled oral and written questions to the then Prime Minister, Margaret Thatcher, about the activities of a young research student, as he was then, at the university of Brussels. He had gone to Almelo Urenco in Holland and pinched—I think "pinched" is the right word—not only important physics formulas but lists of where the parts and equipment for making nuclear devices could be obtained. The research student's name was Abdul Qadeer Khan and he was the "father" of the Pakistan bomb. To be fair to Margaret Thatcher, she took the issue extremely seriously and I went to see her. One can check that by examining the history of the 1980s.

The fact is that crimes relating to nuclear devices and the problems with which the clause deals are likely to be perpetrated by extremely skilled and often trusted people. Surely if we are to take the matter seriously, we should examine carefully the CVs of all who now work in nuclear installations. That is a tall order, but if security is to be maintained, there must be far more detailed examinations particularly of students from abroad. That is why I raise the question of Abdul Qadeer Khan and what happened previously

I do not know whether I am going over the top, but is my hon. Friend the Minister concerned to ensure that extremely expert people have their credentials examined far more seriously than ever before?

The Minister for Industry and Energy (Mr. Brian Wilson): I assure my hon. Friend that all aspects of security at nuclear installations are closely examined. He would not expect me to comment further but, on his wider point about Urenco, it is policed by the UKAEA constabulary and the enhanced powers of the constabulary will apply to such installations. Other than to note his comments, I cannot go beyond that tonight.

Mr. Dalyell: I have a very straight question. Is more being done than was being done before 11 September?

Mr. Wilson: The fact that we are introducing the Bill suggests that more is being done than before 11 September. I hope that my hon. Friend is satisfied with the extension of the constabulary's powers. On his point about checking the CVs of applicants to work in nuclear power stations, I have no reason to believe that the process has hitherto been deficient. I am therefore reluctant to enter into a cosy consensus with him on that point. However, I can positively say without prejudice that future practice will no doubt be enhanced by the Bill and that CVs will be extremely closely monitored.

Mr. Dalyell: So that the issue is considered in the light of day, may I ask for a letter of reflection to be placed in the Library? It is a very serious subject.

Mr. Wilson: I would never refuse my hon. Friend a letter of reflection.

Question put and agreed to.

Clause 76 ordered to stand part of the Bill.

Clause 77

REGULATION OF SECURITY OF CIVIL NUCLEAR INDUSTRY

Mr. Llwyd: I beg to move amendment No. 51, in page 38, line 41, after "commission", insert—

'the Scottish Executive and National Assembly for Wales'.

The Chairman: With this it will be convenient to discuss amendment No. 52, in page 39, line 14, at end add—

'In respect of the regulations, the Secretary of State shall be required to make regular reports to Parliament on the security of the civil nuclear industry, on each occasion as regulations are made, and on a cycle of no more than six months since the last regulations have been made.'.

Mr. Llwyd: I am still champing at the bit. I had a go earlier just to put my marker down.

The wording of the amendments is self-evident. They would place on the Government a duty to consult the Scottish Executive, Parliament and the National Assembly for Wales. In respect of the regulations, the Secretary of State would be required to make regular reports to Parliament on the security of the civil nuclear industry. The Minister might say that because the report is so sensitive it will go to the Intelligence and Security Committee, but it is only right that scrutiny should be applied to this important aspect of the Bill, especially when we take into account the attitude of the Government of the Republic of Ireland towards Sellafield.

Those who know more about this subject than I do estimate that even with the 5 km no-fly zone it would take about 14 seconds for a rogue aircraft to hit Sellafield where there are pools of nuclear waste. The ultimate dirty bomb could be created on site. It has also been estimated that that would create a fallout about 10 times the size of that of the Chernobyl incident. I have to declare an interest: there is one decommissioned nuclear power station in my constituency within 15 miles of where I live. By coincidence, my constituency still suffers from the fallout of Chernobyl, so naturally I am greatly concerned about this problem. There is also an extant nuclear power station on Anglesey.

The problem is that there is insufficient discussion or supervision of what is proposed. I know that the Minister will say that he cannot specify what is being done, and I pray to God that something is being done post-11 Sept. I have heard the hon. Gentleman make that point several times on the radio and television, but the amendments are vital. I hope that he will give them due consideration.

Mr. Wilson: The hon. Gentleman has tabled two amendments and I can reassure him on both. Amendment No. 51 would require the Government to consult the Scottish Executive and the National Assembly for Wales prior to making the regulation on nuclear security, for which the clause provides an enabling power. Amendment No. 52 requires reports to be made on the security of the civil nuclear industry.

Let me deal with amendment No. 51. As regards Scotland, nuclear security is a reserved matter. In Wales, too, it is a non-devolved function. It is dealt with on a United Kingdom-wide basis. I assure the hon. Gentleman that administrative arrangements at a working level are set out in the concordats between my Department, the Scottish Executive and the National Assembly for Wales. They involve consultation on some reserved and non-devolved matters. Under those arrangements, my Department will consult the Scottish Executive and the National Assembly for Wales on the nuclear security regulations that we intend to introduce shortly.

On amendment No. 52, I agree that it is important for the Government to report regularly to the House and the other place on key security matters in the civil nuclear industry, which is why that is already happening. I am not going to say what the hon. Gentleman suggested I would, although I will explain the mechanism for reporting that was in place prior to 11 September. The director of civil nuclear security makes an annual report to me. He is responsible for setting security standards for the industry and for enforcing compliance. His first report covering the Office of Civil Nuclear Security's first full year within the Department of Trade and Industry will be issued at the end of the current financial year. I assure the hon. Gentleman that it will be placed in the Libraries of both Houses. The report will also cover the work of the standing committee on police establishments, through which the director of civil nuclear security reviews and reports on policing at licensed nuclear sites that are policed by the UKAEA constabulary. The director made a report on the standing committee's work in June 2001 which was placed in the Library of both Houses.

As there will be consultation with the two devolved Administrations and as a report will be made to Parliament through the mechanism that I described, I hope that the hon. Gentleman will be reassured and feel able to withdraw his amendment.

Mr. Dalyell: Could I bring to my hon. Friend's attention the question that I asked the Prime Minister on 29 January 1980 before the days of these ridiculous open questions? I asked

> "if she will make a statement on her latest discussions with Mr. van Agt, Prime Minister of Holland, on security at

the joint conference project at

> "URENCO, Almelo, Holland".

Almelo is one of the institutions specifically named in the Bill. Margaret Thatcher replied:

> "I have not spoken to Mr. van Agt since our meeting on 6 December 1979, when I made my concern about the Khan affair very clear to him. As I told the hon. Gentleman on 17 January, we will remain in close touch with the Netherlands and German Governments through diplomatic channels"—[*Official Report*, 29 January 1980; Vol. 977, c. 1122.]

The Chairman: Order. I am not sure that I understand the relevance of the hon. Gentleman's comments on an amendment that deals with the Scottish Executive and the National Assembly for Wales.

Mr. Dalyell: I apologise. I went out to check the details and thought that we were still on the subject of security.

The Chairman: No.

Mr. Llwyd: Briefly, I am in broad terms encouraged by what the Minister says, although placing a copy of the report in the Library is not the same as consulting Parliament. I hope that we can build on that and ensure that there is a better dialogue. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 77 ordered to stand part of the Bill.

Clause 78

REPEALS RELATING TO SECURITY OF CIVIL NUCLEAR INSTALLATIONS

Question proposed, That the clause stand part of the Bill.

Mr. Dalyell: I am making an important point; I would not be wearying the House if it were not.

I then asked Margaret Thatcher:

> "Has there yet been a complete or candid explanation by the Dutch as to why, for four long years, their British and German partners were not told about a major security leak"—[*Official Report,*
> 29 January 1980; Vol. 977, c. 1123.]

The Chairman: Order. I am sorry to interrupt the hon. Gentleman again, but clause 78 deals with repeals relating to security of civil nuclear installations. Again, I am not sure that I get the connection between what the hon. Gentleman wishes to say and the matter that is before the House.

Mr. Dalyell: If I could just have 30 seconds.

The Chairman: Order. If the hon. Gentleman is not sure how his comments connect to the clause, it is important, within the remaining two minutes, that we get on with the business that needs to be dealt with before 8 o'clock.

Question put and agreed to.

Clause 78 ordered to stand part of the Bill.

Clause 79

PROHIBITION OF DISCLOSURES IN RELATION TO NUCLEAR SECURITY

Norman Baker: I beg to move amendment No. 161, in page 39, line 28, at end insert—

> 'except that it shall not be an offence to disclose any information or thing concerning transport routes, frequency of journeys, or volume or type of material transported.'.

The Chairman: With this it will be convenient to discuss amendment No. 159, in page 39, line 34, at end insert—

> '(2A) In proceedings for an offence under this section it is a defence for the accused to show that the public interest in disclosure of the information relating to the transportation of nuclear material outweighed the public interest in not prejudicing the security of that material.'.

Norman Baker: May I thank you, Sir Alan, for the efficient way in which you have conducted this evening's business, which has allowed us to get to this amendment?

My hon. Friends and I have concerns about the clause, which we believe is too widely drawn. The Government are committed to a Freedom of Information Act, which they have now delayed until 2005, but these provisions move in exactly the opposite direction.

The Government are on to a good thing when they identify the need to make sure that nuclear installations are safe—nobody would disagree with that. Unfortunately, however, they have over-egged the pudding yet again by drawing the clause far too widely. That makes it difficult for legitimate political discussion about the nuclear industry to take place. We are concerned that the clause would prevent the release of information about the number and safety of nuclear movements, which take place by air and, in their thousands, by rail and road. It is important that people understand the scale of those movements and the danger of accidents—

It being Eight o'clock, THE CHAIRMAN, *pursuant to Orders [19 and 21 November], put forthwith the Question necessary for the disposal of the business to be concluded at that hour.*

Motion made, and Question put, That clauses 79 to 87 stand part of the Bill:—

The Committee divided: Ayes 334, Noes 55.

Division No. 81] **[8 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Rt Hon Donald
(Swansea E)
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Margaret
Begg, Miss Anne
Benn, Hilary
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Dobson, Rt Hon Frank
Dodds, Nigel
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*

Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David (Midlothian)
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith
Hodge, Margaret
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morris, Rt Hon Estelle
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Paisley, Rev Ian
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, John
(Glasgow Anniesland)
Robinson, Mrs Iris *(Strangford)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Phil Woolas and
Mr. Nick Ainger.

NOES

Allan, Richard
Baker, Norman
Barrett, John
Beith, Rt Hon A J
Bennett, Andrew
Brake, Tom
Breed, Colin
Brooke, Mrs Annette L
Burnett, John
Cable, Dr Vincent
Calton, Mrs Patsy
Campbell, Rt Hon Menzies
(NE Fife)
Carmichael, Alistair
Chidgey, David
Corbyn, Jeremy
Cotter, Brian
Davey, Edward *(Kingston)*
Ewing, Annabelle
Foster, Don *(Bath)*
Galloway, George
George, Andrew *(St Ives)*
Green, Matthew *(Ludlow)*
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Heath, David
Holmes, Paul
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Kirkwood, Archy
Lamb, Norman
Laws, David
Llwyd, Elfyn
Moore, Michael
Oaten, Mark
Price, Adam
Pugh, Dr John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Shepherd, Richard
Spink, Bob
Stunell, Andrew

Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Younger-Ross, Richard

Tellers for the Noes:
Sir Robert Smith and
John Thurso.

Question accordingly agreed to.

Clauses 79 to 87 ordered to stand part of the Bill.

The First Deputy Chairman of Ways and Means (Sylvia Heal): I remind all hon. Members that under the programme agreed by the House, the Bill's Report stage will follow immediately after the conclusion of the Committee stage at 11 o'clock this evening. Arrangements have been made for an amendment paper to be prepared in advance of the commencement of the Report stage. The Public Bill Office will issue an unofficial amendment paper at 9.30 pm incorporating all amendments tabled by 9 pm. A final paper for Report stage will be issued shortly before 11 pm incorporating amendments received up to 10 pm.

Simon Hughes: On a point of order, Mrs. Heal. Following your helpful announcement, it may assist the Committee and, later, the House to know that, on Report, it is expected that between 11 and 12 o'clock, Conservative and Liberal Democrat Members will wish to debate and vote on at least one amendment on the elusive clause 17 of last Wednesday. I hope that that will help colleagues to make arrangements later.

The First Deputy Chairman: I thank the hon. Gentleman for his point of order which, of course, will be noted.

Mr. Letwin: Further to that point of order, Mrs. Heal. I wish to put on the record the fact that it is an astonishing state of affairs for us to spend 15 minutes discussing that subject, which will eat into Third Reading. However, that is the best that we can do.

Norman Baker: On a point of order, Mrs. Heal. I wish to put it on record that, in relation to part 9, which has been debated, Liberal Democrat Members opposed clause 79, but not the whole group of clauses. Perforce, we had to vote as we did.

The First Deputy Chairman: We understand that that is precisely why the hon. Members were voting.

Clause 88

FINGERPRINTING OF TERRORIST SUSPECTS

Question proposed, That the clause stand part of the Bill.

Beverley Hughes: Clause 88 amends the Terrorism Act 2000 to allow fingerprints to be taken from a person detained under the Act to ascertain their identity. At present, fingerprints can be taken from a person detained under that Act only to establish whether he or she has been involved in certain offences under it or in acts of terrorism. Clearly, circumstances can arise in which the police know that the person that they are holding has committed an act of terrorism, but do not know their true identity. For example, a detained person may deliberately withhold their identity from the police or assume a false identity. Although the police have up to seven days to interview a suspect under the Act, valuable time could be wasted. Finding out someone's true identity could prevent acts from taking place.

8.15 pm

In England, Wales and Northern Ireland, an officer of the rank of at least superintendent will be able to authorise taking fingerprints from a person detained at a police station without his or her consent if they are satisfied that the fingerprints will allow him or her to be identified. In Scotland, a constable will be able to take or require fingerprints from a person if he is satisfied that they will be able to identify him or her. The clause also allows the police in Scotland to examine fingerprints or DNA samples retained under Terrorism Act powers when investigating a crime that, at that stage, is apparently non-terrorist. At the moment, those records can be searched only if the police are investigating a suspected terrorist offence. There is therefore a risk that they will miss connections between ordinary criminal offences, which may be committed as precursors to terrorist activity, and terrorist suspects. That change was introduced for England and Wales under the Criminal Justice and Police Act 2001.

The clause is in the Bill to enhance police counter-terrorist operations by allowing police to use fingerprints to confirm the identity of terrorist suspects, and I believe that it should stand part.

Jeremy Corbyn (Islington, North): I understand why fingerprints should be taken, but can the Minister explain how long fingerprint records will be held in the event of the person under suspicion not being charged or imprisoned, and being released as an innocent person instead?

Beverley Hughes: Certainly, under the Police and Criminal Evidence Act 1984, fingerprints can be kept indefinitely by the police. The provisions are outside the PACE framework, but I think that the same applies. However, I will get a definitive answer on that point for my hon. Friend.

Mr. James Paice (South-East Cambridgeshire): In her introduction, the Minister said that the clause deals with crime committed as a precursor to terrorist crime. How does one know in advance that a crime is a precursor to terrorist crime and would an individual be told that fingerprints were being taken because it is believed that the crime is such a precursor?

Beverley Hughes: Clearly, the police do not know; that is the point. That theme may be rehearsed during this debate and, indeed, a later one. However, the line between terrorist offences and ordinary criminal offences is not one that can be easily drawn. Certainly, when the police have someone in the police station who is under investigation and whom they are trying to identify in relation to criminal offences, they will not know whether those offences are connected to terrorist activity.

I pointed out that the clause would give the powers that I described to the police in Scotland. Similar changes were introduced for England and Wales under the Criminal Justice and Police Act 2001, so the Bill brings Scotland into line with the rest of the United Kingdom.

Question put and agreed to.

Clause 88 ordered to stand part of the Bill.

Clause 89

SEARCHES, EXAMINATIONS AND FINGERPRINTING: ENGLAND AND WALES

Mr. Paice: I beg to move amendment No. 143, in page 47, line 17, after "station", insert—

'in connection with a terrorist investigation'.

The First Deputy Chairman: With this it will be convenient to discuss the following amendments: No. 144, in clause 90, page 49, line 12, after "station", insert—

'in connection with a terrorist investigation'.

No. 145, in clause 91, page 51, line 6, after "station", insert—

'in connection with a terrorist investigation'.

No. 146, in clause 92, page 52, line 11, after "station", insert—

'in connection with a terrorist investigation'.

No. 149, in clause 93, page 53, line 32, after "of", insert "terrorist".

No. 150, in clause 94, page 55, line 17, after "of", insert "terrorist".

Mr. Paice: As the Minister, unsurprisingly, foresaw in her last comments, we come to a major issue which runs throughout part 10. The first group of amendments deals with clauses 89 to 94. It seeks to insert the words "in connection with a terrorist investigation" to narrow the scope of these significant clauses to deal purely with terrorism.

The Bill, of course, arises from the atrocities of 11 September. The general feeling across the country and the House was that we needed to ensure that our legislation was adequate for the authorities in this country to combat terrorism from whichever direction it may come and in whatever form it may be practised. We must be able to deal with all those who may be involved, or may try to be involved, in terrorism.

On that basis, the Opposition gave the Government their assurance that we would co-operate in getting such anti-terrorist legislation through the House as soon as possible. However, we did not, and I would not wish it to be believed that we did, give the Government a Blunkett undertaking—a Freudian slip—a blanket undertaking that any measure that they sought to introduce in the guise of anti-terrorist legislation would automatically get our agreement. I can tell the Committee that that is not the case. That is what lies behind this group of amendments.

The Minister rightly said on clause 88 that it is not always easy to know in advance what is terrorism and what is not. That is the nub of most of the amendments to part 10. In that case, why are the Government bothering to change the anti-terrorist legislation in clauses 89 onwards, given that these clauses represent a significant extension of what is known as the PACE Act? That is not a narcissistic statement.

I was struck by the fact that earlier this evening, the Government moved amendments to clauses 58 and 75, which deal with pathogens and toxins, to restrict those clauses to issues relating to terrorism. Thus in one part of the Bill the Government recognise the need to narrow the context to deal purely with terrorist issues, but the clauses in part 10 go well beyond that. Clause 89 covers searches, examinations and fingerprinting in England and Wales, and the provisions are repeated in clause 90 with reference to Northern Ireland.

Those clauses create huge new powers for police forces to search for any form of identifying mark. They are not specified, but we can all imagine that they include birthmarks, tattoos and various other marks or blemishes that could be used to identify a person. If that were done solely for the purpose of linking the person to a terrorist act or a suspected or imminent terrorist act, that would be fine, but as these and subsequent clauses are currently drafted, they could be applied to any aspect of crime, however minor.

The provisions allow the police—albeit with the authorisation of an officer of the rank of inspector—to search or examine someone detained in a police station. The police can search or examine him for identifying marks, and, under subsequent clauses, photograph him and require the removal of disguises. Provided that an offence has been committed serious enough to warrant the person's detention at a police station, the Government are giving the police those powers.

We accept that there is an argument for the police to have such powers. There are also strong arguments against, particularly on the grounds of civil liberties and overweening police powers. However, we do not accept that the Bill is the appropriate vehicle for the granting of those powers. The Bill is about terrorism and its prevention and detection. It is not about extending police powers and extending PACE to cover all manner of other issues.

As the Minister well knows, we expect a police reform Bill later in the Session. It was announced in the Queen's Speech, we believe that it is still on its way, and we expect a White Paper on the subject even before Christmas. It is not unreasonable to suggest that the Government accept our amendments so that the clauses would apply only if the person were detained in a police station in connection with a terrorist investigation, which is a fairly broad statement of purpose.

If the Government wish to introduce the powers more widely, they should advance the arguments for that in the White Paper and include the powers in the police reform Bill, which we hope will have considerably more time for debate. We are concerned that the Government have cast this Bill much more widely than many of us expected when we vouchsafed our support for the principle of anti-terrorist legislation.

Because of the inevitable constraints on time—I shall not rehearse those arguments now—it behoves the Government to ensure that the Bill addresses only those matters that rightly should be addressed in it. It is not the appropriate vehicle for the huge extension of police

[Mr. Paice]

powers so dramatically evidenced by clauses 89 to 94. Such an extension should be considered on another occasion, when more time is available.

Norman Baker: I rise to support the comments of the hon. Member for South-East Cambridgeshire (Mr. Paice), to whose amendment I and Liberal Democrat colleagues have appended our names. We entirely support the thrust of his argument, irrespective of the merits of the extra powers, although we have our doubts about whether they are merited and whether they give too much to the law enforcement agencies and too little respect to civil liberties.

Irrespective of those doubts, we believe that the Government are abusing their position by seeking to introduce to so-called emergency legislation intended to deal with a terrorist incident, run-of-the-mill criminal matters that, as the hon. Gentleman said, are more appropriate to a police or criminal justice Bill. It is perhaps telling that the title of the Bill includes the word "crime". I am reminded that the emergency Bill that we considered after the IRA bombing in Birmingham in the early 1970s was 15 clauses long. This Bill, in its putative state, was 40 clauses long, and that total has now multiplied into 125 clauses.

8.30 pm

If the Government want all-party support for measures to deal with terrorism, they will find it throughout the House, on their Benches, the Conservative Benches and on ours. However, if they seek to piggyback important anti-terrorist measures with a range of other bits and pieces that are lying around the Home Office cupboard, they must expect hon. Members in all parts of the House to be sceptical and angry about abuse of their position.

I want to draw the Minister's attention to the comments of the Joint Committee on Human Rights, which has considered these clauses. I hope that the Government are not going merely to wash away the Committee, which is distinguished. I make that comment even though I serve on the Committee, which has other distinguished members. It is formed of experts from both Houses and was established by the Government expressly to consider such matters. If they are to ignore the advice of a Committee that they have set up, one wonders why it is there.

Mrs. Patsy Calton (Cheadle): Does my hon. Friend agree that any changes in policing in Northern Ireland should be made in the spirit of the Patten report? Not making such changes in that spirit could cause needless tensions in the reform of policing in Northern Ireland.

Norman Baker: I agree with my hon. Friend, who takes her interest in Northern Ireland very seriously. A further issue to bear in mind is that, when we introduce rushed proposals in a delicate situation such as that in Northern Ireland, we must be very careful that the good work done there by the Government and their predecessors is not upset. We know how difficult it is to get matters right in Northern Ireland politics and legislation.

I return the Minister to the comments of the Human Rights Committee. In dealing with clauses 88 to 92, it states:

> "We are concerned about such provisions relating to the powers of the police being hurried through Parliament as part of a Bill which purports to be aimed primarily at taking emergency measures in respect of terrorism."

Those comments are entirely consistent with the point that I am making and which the hon. Member for South-East Cambridgeshire made a moment ago. The Committee also notes:

> "We are particularly concerned that the Bill does not make clear the steps (if any) which would be taken to ensure that the regime covering the taking, storage, cross-matching, retention, disclosure and destruction of such photographs"—

the photographs to which the clauses refer—

> "will contain safeguards sufficient to ensure that the process as a whole, and each stage in it, would meet the justifying requirements of Article 8(2)."

In conclusion, the Committee states:

> "We regard the provisions relating to police powers contained in clauses 88 to 92 of the Bill as being in need of additional safeguards and mature consideration, and accordingly draw them to the attention of each House."

Of course, the Bill has been rushed though very quickly, but I think that the report was published about a week and a half ago. I am interested in how seriously the Government took the Committee's comments. Do they agree that additional safeguards are necessary, having given its recommendation mature consideration? Do they intend to introduce additional safeguards in the light of the Committee's recommendations, or are they simply going to say, "These people are a damn nuisance and we have no interest in what they say"? Will they say merely, "We're right, we know what we're doing and we have had the proper advice, so the rest of the House, whether the Members in question are Liberal Democrats, Conservatives or Labour Back Benchers, do not have much to say in the matter"? I hope that the Minister will tell me that I am entirely wrong on that point and that the Government are giving due cognisance to the views of the Human Rights Committee and will accordingly recommend safeguards when the Bill reaches the House of Lords, even if they will not do so now.

Jeremy Corbyn: I shall be very brief. I hope that the hon. Member for Lewes (Norman Baker) is entirely wrong in his suspicions, but I suspect that he is correct.

Will my hon. Friend the Minister deal with two points? First, in relation to the previous clause, I mentioned the holding of fingerprint information. It is perfectly reasonable that, when the police take fingerprints that are subsequently proven to be unnecessary, as the suspect has been released and no charge has been proffered, there is no case for keeping them; otherwise the police can have a permanent record on somebody who is wholly innocent of all suspicions, and one then has to ask why any records of any sort are being kept. During the passage of the prevention of terrorism Act, many of us suspected that it was intended more to enable the police to haul people in and keep records on them than to lead to serious prosecutions.

Secondly, the report of the Joint Committee on Human Rights, to which hon. Members have referred, reveals serious anxieties about the way in which clause 89 and associated provisions have suddenly been thrust into the

Bill when they have little to do with its purported intention. It is supposed to deal with a terrorist emergency; indeed, hon. Members have been asked to decide that there is such an emergency. It would therefore be helpful if the Government withdrew clause 89 and the associated provisions.

If there are genuine anxieties about fingerprinting and right of access, the Government should introduce a separate measure that can be properly scrutinised. It is inappropriate to deal with such a major topic in a 15-minute debate in the middle of considering an enormous Bill that is being rushed through at inordinate speed.

Beverley Hughes: The anxieties that have been expressed by the Joint Committee on Human Rights and hon. Members have not been ignored or treated lightly. That is far from the case. The need for the clauses and powers that relate to establishing identity were considered carefully. Several points justify their retention.

Clause 89 and the associated provisions simply replicate existing police powers for investigating crime at the point when people are detained and their identity is not known, either because they withhold co-operation or because they have given a false identity. That applies to only a small number of cases. Most people co-operate with the police in saying who they are. However, that does not happen in a small number of cases and valuable time may be lost.

Mr. Letwin: Does that small number of cases involve terrorism?

Beverley Hughes: Those cases may involve terrorism. I shall talk about that later, but people may be detained for another offence, which is not a terrorist offence, but may be shown in the fullness of time to be linked to terrorist acts.

Mr. John Burnett (Torridge and West Devon): Will those powers be used and initiated in connection with terrorist investigations?

Beverley Hughes: As I said, I shall deal with that point later. However, the powers that we are considering will be available to the police when they have detained someone in connection with a crime that is not a terrorist offence.

Mr. Burnett: I believe that I understand the Minister. However, will the investigations or powers be initiated in connection with terrorist investigations? We want to know about their initiation.

Beverley Hughes: As I said, the powers relate to establishing identity. If someone is detained on suspicion of involvement with terrorism and refuses to disclose identity, or gives a false identity, the powers will be initiated.

Mr. Paice: I suspect that there will be several interventions on the Minister. She said that the powers relate to identification, but I could draw her attention to many other aspects of the clauses. They do not simply cover identification. Clause 89(9) states:

"A photograph taken under this section—

(a) may be used by, or disclosed to, any person for any purpose related to the prevention or detection of crime, the investigation of an offence or the conduct of a prosecution".

That has nothing to do with identity.

Beverley Hughes: Certainly, once a photograph has been taken, it may be retained by the police and used for those purposes. The original taking of the photograph, and the powers in the Bill that allow the police to take it, are for the purposes of identification. The information collected, be it a photograph or a fingerprint, can be retained and used in the subsequent investigation of other crimes or acts of terrorism. The power relates, initially, to the need to identify people.

I ask hon. Members to think about the practicalities of the circumstances in which the police have detained someone without knowing who it is. At that point, the police do not know what they are dealing with, in relation either to the person or to the offences that the person might have committed.

Norman Baker: If, having photographed somebody, a law enforcement agency such as the police discovered that the person had no connection whatsoever with terrorism, would the photographs be destroyed?

Beverley Hughes: No, they would not be destroyed. Consistent with existing provisions, fingerprints or photographs will be able to be retained and used in the investigation of further offences, whether they are criminal or terrorist offences. That is the law at the moment. We are not giving a new power to the police; we are simply applying the powers that pertain at the moment to these new powers.

Jeremy Corbyn: Will the Minister tell the House what the Home Office's recommendation is to police authorities as to the length of time that they should keep records on people against whom all suspicion has evaporated, in relation to any offence, in the eyes of the police?

Beverley Hughes: Under the current legislation, such records can be kept indefinitely. The Bill will not change those circumstances.

Norman Baker: Will the Minister give way?

Beverley Hughes: I would like to make some progress on the arguments that I want to put to hon. Members.

When the police are holding someone in a police station without knowing who it is—either because the person will not co-operate or because he has given a false identity—they do not know what they are dealing with. They do not know whether the person has been involved in terrorist acts, or whether the reasons for detaining—*[Interruption.]* Well, let us take a specific example, if hon. Members are finding this difficult to understand.

Let us take the example in which someone has been brought into a police station and detained because he was trespassing on the property of a public utility, and has refused to divulge his identity. Clearly, the reasons for his trespassing could be many and varied. They could involve a range of criminal offences, sabotage or the planting of a bomb on those premises in relation to a terrorist activity.

[Beverley Hughes]

At that point, because the police do not know who the person is, they cannot begin to identify the kind of person with whom they are dealing or what that person might have been seeking to do. It is, therefore, critical that the identity of the person should be discovered in the shortest possible time, and that the police should have the powers to enable them to establish that identity. If, in that example, someone had already planted a bomb, time would be of the essence. The police would be doing many things at that point, but one thing that they would surely need to do would be to establish the identity of that person.

8.45 pm

Mr. Paice: I am grateful to the Minister for giving way again. As she describes it, that is perfectly reasonable, but she is on very dangerous ground, even with the example she gives.

Under the Countryside and Rights of Way Act 2000, this Government have made it a criminal offence to trespass on private ground in a number of situations. Therefore, in theory, what the Minister has said could apply to somebody caught trespassing with a dog off a lead in Snowdonia. That is a criminal offence according to her Government's legislation and her remarks apply to it, but what about somebody arrested for a road traffic offence? Is she suggesting that, under these proposals, somebody detained in a police station for any criminal offence—perhaps an ordinary traffic offence—must be subject to all those procedures as it is vaguely possible that it may one day be proven that they had some link with a terrorist activity? In the ordinary balance of events, that is highly unlikely.

Beverley Hughes: Let me give the hon. Gentleman another example, which is relevant. He mentioned road traffic incidents. In 1997, a group of three Algerian people were arrested in London for a road traffic offence. The circumstances of the case are that there were explosives in the back of the van. In the ensuing incident, the police officer was shot, so what brought that person—

Mr. Burnett: Will the Minister give way?

Beverley Hughes: No, I shall finish my point.

A road traffic infringement brought that person to police attention and the activities in which that person was engaged are exactly those against which the police would want to use these powers. They would use them to identify the driver of the truck.

Mr. Paice: But the Terrorism Act 2000, coupled with clause 88, which we have just passed, achieve precisely that objective. Of course, any sensible police officer who stops a car and finds explosives in the back will suspect nefarious activity, and probably terrorism, but I contend that those powers already exist in that context. They do not need the proposed draconian extension.

Beverley Hughes: I remind the hon. Gentleman that, as I outlined in the trespass example, we are discussing the circumstances in which somebody is detained, albeit on a minor charge or allegation, but refuses to give his identity and prevents the police from identifying him. If the police do not know who he is, they will not know what they are dealing with. It is imperative that the police have powers to identify that person in the shortest possible time. At that point, they would not know whether the limit of the transgression by a person who refused to give his identity was walking his dog and trespassing or being involved in a road traffic incident. If the person will not give his identity, the police cannot establish whether any other investigation ought to be pursued.

Mr. Burnett: I am grateful to the Minister for giving way. She has given examples: a trespass on property owned by a public utility, someone planting a bomb and a truck with explosives in the rear. Surely no police power would be curbed or curtailed by accepting the amendments. In other words, the powers exercised must be justified as being in connection with a terrorist investigation. Prima facie, in those examples surely a terrorist investigation is warranted.

Beverley Hughes: Not in the trespass example. As I have tried to make clear to hon. Members, when the police detain a person who refuses to disclose his identity, they will not know which possible scenario that person is involved in, whether it be robbery or something more than robbery. The police do not have the benefit of hindsight. They have to deal with a person in a police station who will not disclose his identity. The establishment of the detained person's identity is critical to the police's ability to discriminate between those scenarios and the activities that he may have been involved in.

There is a link between crime, especially organised crime, and terrorist activities. There is a great deal of organised crime in this country, including counterfeiting, trading in counterfeit goods, smuggling cigarettes, alcohol and drugs, and trading in drugs. The security services estimate that about half of all organised crime groups, certainly in Northern Ireland, have links with terrorist groups. Organised crime fuels and funds terrorist activities.

If a person is detained on suspicion of being involved in organised crime or smuggling large quantities of cigarettes, drugs or alcohol and he refuses to give his identity, the likelihood of his activity being used to fuel and fund terrorism is even greater. It is a serious impediment to the police's investigations and to their discovery of terrorist activities if they cannot identify that person.

We have considered carefully the points made by the Joint Committee, which have been reiterated by hon. Members in this debate. However, it is critical that the police have these additional powers because of the strong connection between crime and terrorist activity, because it is not possible for the police to draw a firm line between various crimes and terrorism, and because of the small number of cases in which the police cannot identify a suspect or get his co-operation to do so. Therefore, we will not accept the Opposition's amendments.

Mr. Paice: It has been a useful debate. I am pleased that we tabled these amendments, not least because they have brought out from the Minister some elucidating remarks about the Government's attitude to this whole issue. If we were in any doubt about the wisdom of our amendments when we started, we were certainly in no doubt at the end of her contribution. The logic of her argument is that the police should have universal stop-and-search powers because anyone could be a terrorist. That is true, but anyone who is detained by a policeman in a police station—

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): And who refuses to give his details.

Mr. Paice: That is not correct. I suggest that the hon. Gentleman read the clauses, because the provisions apply whether or not consent is given. I hope that he is better informed when we get to the Ministry of Defence provisions.

The clause provides that anyone who is brought to a police station and detained there for any crime—it could be a footling traffic offence—is subject to all these provisions. The examples that the Minister gave do not stand up. Of course, if there is justification for believing that terrorism could be involved, it is perfectly right and proper for the police to have these powers. There is no dispute about that—certainly not from Conservative Members. The dispute is over the idea that those powers should be all-embracing and apply to anyone in any circumstances.

If someone has been caught trespassing on a public utility—assuming the offence is of any significance—a police officer may, especially in a period of heightened security, suspect that the person could have planted a bomb in a power station or wherever. That is reasonable—and I sincerely hope that if a van containing three Algerians and explosives in the back were stopped, any reasonable police officer would assume that terrorism might be involved. Neither case, however, negates the need for the amendments, which refer to detention

"in connection with a terrorist investigation".

The Minister's examples could stand and still be covered by our proposals.

I believe that the arguments are overwhelming. Terrorism itself should be dealt with in the Bill, but not the proposed widespread expansion of police powers. A few moments ago, the Minister said that the Bill allowed the police to discriminate. It allows them to discriminate, but does not oblige them to do so. That, too, is a serious civil liberties concern. Unless the police are obliged to be reasonable in the use of their powers, there is a risk of excessive use of those powers.

The Minister said that more than 50 per cent. of organised crime related to the funding of terrorism. That may be the case in Northern Ireland—I am not sufficiently knowledgable about Northern Ireland to dispute such a claim—but it is a pretty sweeping statement to make about the rest of the United Kingdom. If the Minister is right, what she said puts things in context, but I suspect she wishes that she had not said it.

In any event, the Minister failed to undermine the logic of our arguments. Indeed, I feel that the example she gave enhanced our case that the provision should be limited to those detained in connection with a terrorist investigation. In view of her intransigence, we wish to press the matter to a vote.

Question put, That the amendment be made:—

The Committee divided: Ayes 199, Noes 330.

Division No. 82] **[8.57 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John
Barrett, John
Beith, Rt Hon A J
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brake, Tom
Breed, Colin
Brooke, Mrs Annette L
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Rt Hon Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chidgey, David
Chope, Christopher
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Corbyn, Jeremy
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Djanogly, Jonathan
Dodds, Nigel
Doughty, Sue
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Duncan Smith, Rt Hon Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger
Galloway, George
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Hoban, Mark
Holmes, Paul
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury)*
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Oaten, Mark
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Portillo, Rt Hon Michael
Price, Adam
Prisk, Mark
Pugh, Dr John
Randall, John
Redwood, Rt Hon John

Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr Richard *(Wyre F)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Williams, Hywel *(Caernarfon)*
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George
Younger–Ross, Richard

Tellers for the Ayes:
Mr. Julian Brazier and
Mr. Andrew Stunell.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Margaret
Begg, Miss Anne
Benn, Hilary
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Heyes, David
Hill, Keith
Hodge, Margaret
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jowell, Rt Hon Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morris, Rt Hon Estelle
Mountford, Kali
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*

Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, John
(Glasgow Anniesland)
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, Rt Hon Clare
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Speller, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Nick Ainger and
Mr. Fraser Kemp.

Question accordingly negatived.

Clause 89 ordered to stand part of the Bill.

Clauses 90 to 92 ordered to stand part of the Bill.

Clause 93

POWERS TO REQUIRE REMOVAL OF DISGUISES: GREAT BRITAIN

Andrew Bennett (Denton and Reddish): I beg to move amendment No. 124, in page 53, line 31, leave out lines 31 to 33 and insert—

> '(a) incidents involving serious violence may take place in any locality in his area, and'.

Clause 93 provides powers for the police to demand the removal of items of clothing which officers believe are designed to conceal identity. [*Interruption.*]

The First Deputy Chairman: Order. The hon. Gentleman is moving an amendment.

Andrew Bennett: How often does the Minister expect this power to be exercised? What does she expect to be covered by the requirement for someone to remove something that could be considered a disguise and by the power of the police to hang on to that item?

I assume that the provisions cover clothing, but what about fancy dress, for example? Many people involved in demonstrations, wanting to make a political point, put on various disguises. Can the police require those to be removed? What about wigs? Do the provisions cover religious dress?

The amendment would ensure that if the Government want to take these draconian powers, there should be evidence that serious violence, not merely an offence, is likely to occur. There is a good chance that some offence will be committed during a demonstration, but it is unlikely to be sufficiently serious for a police officer to demand the removal of a disguise or fancy dress.

The Minister must explain to the House in what circumstances and to what degree the powers will be used. The safeguard should be that it will be used only in circumstances in which the person authorising the exercise of the power expects serious violence to occur. We must remember that the powers will be exercised on any occasion by an individual police officer, and most people accept that some police officers are not always as sensitive as they might be.

Norman Baker: I share some of the concerns which have been raised by the hon. Member for Denton and Reddish (Andrew Bennett). I am surprised at the Government pursuing this line, as they already have powers, under the Criminal Justice and Public Order Act 1994, regarding the removal of disguises or face coverings. A senior officer can authorise the removal of coverings where he or she reasonably believes that incidences involving serious violence may take place in a locality. That seems a reasonable provision, and to extend it as the Bill suggests is somewhat worrying. There are already measures to deal with serious violence, and that is what terrorism and terrorist attacks are. However, as we have already seen, the Bill has been hijacked in order to bring in a whole range of powers that have nothing in particular to do with terrorism. The clause seems to be one of them.

9.15 pm

Face masks can already be removed in cases of serious violence. The Minister seeks to extend that provision to less serious offences, and to enable its authorisation by police officers of a more junior rank.

Although the Minister does not much like the Human Rights Committee, I draw her attention to its comments because they are valid. The Committee notes:

> "The provisions risk being seen as authorizing an unreasonable and disproportionate interference with their dignity, their right to respect for private life under Article 8 of the ECHR."

The Committee was drawing attention to people who might have a reason for wearing a face covering, for example, Muslim women.

We are happy for Muslim women voluntarily to remove what the Minister might describe as their "disguises"; indeed, we might celebrate that, but it is a different matter to be required to remove them.

Caroline Flint: In my speech on Second Reading, I mentioned that in several countries—Qatar, for

[Caroline Flint]

example—women are asked to remove their face covering when they want to take part in an election. It is not unusual in cultures where face coverings are worn to ask for the removal of the veil for the specific purpose of identification, as long as that is done sensitively and by a female.

Norman Baker: With respect, if we are taking lessons in human rights and civil liberties from states in the middle east, we need to be rather careful. We should base our system on what we believe correct—a tradition of civil liberties established over many hundreds of years. With due respect to Qatar—a country with which I am not familiar—the importation of its powers on human rights and civil liberties should be considered with some trepidation.

Ms Abbott: Does the hon. Gentleman agree that there is a difference between the removal of a person's face covering by someone of the same culture, as part of the performance of their civic duty, and its forcible removal in a heated atmosphere, because the wearer is suspected of a crime, by someone who is likely to be from a different culture?

Norman Baker: I am extremely grateful for that accurate intervention. In one case, the removal of the face covering is voluntary and in the other it is required. We need to make that point to the Minister.

The Human Rights Committee stated:

> "We consider that the measures relating to the powers of police to remove face coverings should be subjected to the most careful scrutiny on human rights grounds".

Again, the Committee expresses some trepidation, but the Minister appears to want to wash it away as irrelevant.

The Minister must be careful when she dismisses comments from both sides of the House, from various Committees and from bodies outside. If there is a problem as regards face coverings, I suggest that it is not a terrorist problem—it relates to police powers. It might have more to do with hunt saboteurs, and we should not be dealing with hunt saboteurs in a Bill such as this.

Jeremy Corbyn: I shall be brief as, unfortunately, we have much to discuss this evening.

When the Minister replies to the debate, will she tell us exactly how she defines the disguise that has to be removed? The word "disguise" can mean many things: for example, do beards and facial hair constitute a form of disguise? In the current anti-Taliban atmosphere, would my hon. Friend the Member for Denton and Reddish (Andrew Bennett) and I be hauled into a police station for someone to set about us with a razor—[HON. MEMBERS: "Yes!"] Now we see the Committee's love of liberty.

David Winnick: My hon. Friend's beard is not long enough.

Jeremy Corbyn: Indeed; I should not be accused of being Taliban. However, we obviously need some definition. A situation might arise in which an unimaginative police officer—perish the thought that such a person should exist—decided that all bearded men were in disguise and should thus have their beards shaved off so that they could be checked. My hon. Friend the Member for Denton and Reddish put the following point to me earlier: what if a person was wearing a bandage for genuine medical reasons, but the arresting officer decided that it was in fact a disguise?

I could go on and on, giving examples in which the fevered atmosphere of people being stopped and told to remove their disguises could set off an extremely unpleasant chain of events. Many hon. Members, certainly those of us on the Government Benches, will have taken part in demonstrations of various sorts over the years, and know that a carnival atmosphere sometimes surrounds them. What happens then if someone says, "Hang on, you're wearing a disguise"?

On one occasion, during a demonstration outside the British Aerospace annual meeting, a gentleman who looked for all the world like General Pinochet was standing with the Campaign Against the Arms Trade, but then crossed the road to take part in the annual meeting. The officials who were organising the meeting thought that he was an important military gentleman and promptly opened the doors, ushered him in and offered him a seat on the front row, assuming that someone like General Pinochet would probably spend a lot of money at British Aerospace. In fact, he was a valuable part of the demonstration: he got it on the front page of a lot of newspapers. Is that the sort of person who would be arrested and told to remove that disguise?

Under existing legislation, the police can require the removal of a disguise only if they think that violence has been committed. The proposal will give far too much unfettered power to the police, and the Human Rights Committee has suggested that it should be reconsidered. Because of the results of the last Division, which I regret, the power to take fingerprints will be widely available to the police, so why on earth will they need to go to the lengths of arguing about the removal of disguises with people who would become hostile to what the police are trying to achieve?

Ms Abbott: I am listening with rapt attention to my hon. Friend's usual lucid and incisive contribution. Does he agree that the proposal is yet another that gives this rag bag of a Bill every appearance of being the outcome of Home Office officials having cleared their in-trays of every draconian and authoritarian measure that they can think of and ramming them through the House under the pretext of a national emergency?

Jeremy Corbyn: I agree with most of what my hon. Friend says, but this is not just a matter of Home Office officials' in-trays; rather, it is as if a storeroom of Bills has been festering for a long time and someone has had the bright idea of pushing them through, given the opportunity—and this is the opportunity. After the declaration of some sort of state of national emergency, the Bill has been drafted to introduce very draconian legislation—

The First Deputy Chairman: Order. I hope that the hon. Gentleman will now return to addressing his remarks to the amendment.

Jeremy Corbyn: In disguise, the Government were trying to introduce such legislation. I ask the Minister to remove the disguise from the Bill by removing the clause and thinking about it a bit more. She should think about how it might work on the ground and about the problems that it might cause if people refuse to co-operate with the police because they feel that their requests are totally unreasonable. During some sort of carnival atmosphere, a policeman might come along and say, "Take that mask off" for whatever reason, and we might end up with a worse situation, rather than a better one.

Annabelle Ewing: These provisions will not apply to Scotland if Government amendments Nos. 63, 64 and 67 are agreed tonight. I sincerely hope that those amendments are passed because, as a Scottish National party Westminster MP, I believe that the best place to consider legislative changes to Scots law is in the Scots Parliament. [HON. MEMBERS: "Hear, hear."] I thank hon. Members on both sides of the House for their support. I was somewhat surprised that those amendments seem to have been tabled at the eleventh hour, so I wonder what consultations have taken place with the appropriate Scottish Ministers in preparing the Bill.

Mr. Dalyell: Am I wrong in thinking that there has been an agreement by the Scottish Executive, endorsed by the Scottish Parliament, that they would go along with what Westminster decided in these matters?

Annabelle Ewing: The hon. Gentleman is correct to say that the Scottish Parliament passed a so-called Sewel motion, introduced by the Scottish Executive on 15 November. Under that motion, most of the responsibility for considering huge swathes of important changes to Scots law, including Scots criminal law, was passed to Westminster, but, in fact, on this matter, an eleventh-hour agreement seems to have been reached with the United Kingdom Government to proceed in the way that I have described.

On the substance of the issue, it seems from reading the report of the debate in the Scots Parliament that the Scottish Executive were swayed by the lukewarm reaction of the Association of Chief Police Officers in Scotland. If, because of the practical difficulties, the association managed to convince the Scottish Executive to reclaim jurisdiction over the matter in the Scots Parliament, what was the reaction of equivalent bodies elsewhere in the UK?

Beverley Hughes: From the comments of hon. Members and the way the views of the Human Rights Committee were cited, there seems to be some confusion about what clause 93 will do.

I realise that some hon. Members understand this point, but the clause will not introduce the powers; it will simply alter the threshold in the existing law as to the circumstances in which the police can invoke them. At the moment, under section 60 of the Criminal Justice and Public Order Act 1994, as amended by the Crime and Disorder Act 1998, an inspector can authorise officers to stop and search in a particular defined locality when officers reasonably believe that incidents involving serious violence might take place or that people are carrying dangerous instruments or offensive weapons. That initial authorisation will last for 24 hours, with an extension possible for a further 24 hours.

Section 60(4A) of the 1994 Act gives the police powers to require the removal of face coverings that an officer reasonably believes are worn for the purpose of concealing identity. The officer can also seize any of the items involved.

Clause 93 will amend the face-coverings powers only so that authorisation can be given when an inspector reasonably believes that activities may take place in a particular area that are likely to involve the commission of offences. It will not introduce the powers that some hon. Members are concerned about; it will lower the threshold for situations in which the police can invoke the powers.

Norman Baker: I accept that the clause will lower the threshold, and I hope that I made that clear in my comments. However, why will it lower the threshold to take in what will be lesser crimes?

Beverley Hughes: It will lower the threshold because the police believe that the tactic of wearing face coverings has become increasingly widespread during all kinds of events that could lead to public disorder. The circumstances in which the police believe that they may be able to predict serious violence are also much wider than that. Furthermore, the circumstances in which people use the tactic of wearing face coverings to hide their identity and want to use the camouflage that a big public event might give them as a vehicle for terrorist activities are much wider than was hitherto thought to be the case.

Ms Abbott *rose—*

Beverley Hughes: I shall give way in a moment, but I want to pursue the point.

A police officer must believe that a person is wearing face coverings of one kind or another to disguise his or her identity before the item that is covering the face can be removed. After I have taken the intervention, I shall come to some of the concerns expressed by hon. Members about religious dress.

9.30 pm

Ms Abbott: My hon. Friend read carefully from her brief that face coverings were becoming more prevalent. In Hackney we are on the cutting edge of such matters. We have marches—for example, by the PKK, the Socialist Workers party and Jewish ex-service men—that could turn to public disorder on any day of the week. I have not seen an increased prevalence of face coverings on demonstrations on the streets of Hackney. Perhaps the Minister could raise her head from the brief and cite examples of the greater prevalence of face coverings on marches and demonstrations.

Beverley Hughes: My hon. Friend is the master of the patronising remark, but it is no substitute for a good debating point. I am afraid she lost it there. As a matter of interest, I was not reading from my brief; those were my own words—not that she will be interested in that.

I understand the concern expressed by hon. Members, including my hon. Friend the Member for Denton and Reddish (Andrew Bennett) who tabled the amendment, about the items that can be removed. The clause makes it

[Beverley Hughes]

clear that the item has to be removable. Someone's hair, including facial hair, is clearly not something that the police can ask to be removed.

On a more serious note, concerns about religious dress are covered in depth in the extracts from the guidance for PACE that determine how officers will execute the power.

Ms Abbott: On a point of order, Mrs. Heal. I asked the Minister to give concrete examples of the increased use of face coverings, but she moved on without replying. Is that in order?

The First Deputy Chairman: That is not a point of order; it is a matter for debate.

Beverley Hughes: I will deal with that point in a moment.

The guidance for PACE sets out the relevant circumstances in detail. It gives the example of a Muslim woman who wears a face covering for religious purposes. It makes it clear that wearing an item as a normal part of religious or cultural dress would not of itself satisfy the requirement that the officer must believe that the person is wearing the item wholly or mainly to conceal his or her identity. It would not be open to a police officer to remove a veil or face covering if someone is concealing their face in the dress that is associated with their culture. To do that, the officer would also have to believe that the person was trying to disguise their identity.

Norman Baker: The police officer might conclude that someone is wearing a piece of religious headgear to persuade the police that it is such an item. The officer might then have to offend someone. It is the same point as the hon. Member for Islington, North (Jeremy Corbyn) made about the band that wraps around the head. How will a police officer know the difference in those circumstances and what safeguards are in place to ensure that mistakes do not occur?

Beverley Hughes: I am sorry that the hon. Gentleman has so little faith in police officers that he thinks they would exercise the power crudely, without taking into account the issues that they must consider when making a judgment that could be tested in court if it is thought that it has been used wrongly.

Jeremy Corbyn: The Minister referred to violence that could be predicted in the future. Under existing legislation, if there has been a violent incident—a bank robbery, a shooting, a bomb or whatever—it is reasonable for the police to want to question anybody and everybody who was near it. That would be acceptable, but my hon. Friend seems to be extending that power a little in that the police have only to say that they think it would be useful, because of any potential incident, to be able to require the removal of any covering.

Beverley Hughes: I shall explain to hon. Members, as my hon. Friend the Member for Denton and Reddish requested, the circumstances in which the power will be used and how many times the existing power, with its threshold of serious violence, has been used. During the May day demonstrations, central London was designated an area where face masks could be seized. That gives hon. Members an idea of the judgment that the police are using in these circumstances. They are considering an event that will take place in a specific location which could be used not only to indulge in violent behaviour but to commit many other offences. It would clearly be open to people whose motives were associated with terrorism or serious crime to use the camouflage of a large public event to perpetrate certain acts.

Caroline Flint: We are very fortunate in this country that people are able to go on public demonstrations and make their views known. In all the campaigns and demonstrations in which I have taken part I have never felt the need to hide my identity. Does my hon. Friend agree, however, that people could use the privilege of being allowed to demonstrate near the House of Commons, the Ministry of Defence and secure institutions in the City of London to undertake surveillance and intelligence gathering using cameras and binoculars? If people are doing so, and using a disguise for their activities, it is reasonable to ask what they are doing and why they think a disguise is so important.

Beverley Hughes: My hon. Friend makes an important point, and in lowering the threshold the clause aims to give the police discretion in judging the events, locations and circumstances in which they feel they need to be able to ask people to remove their disguise so that their identity can be known. It is not unreasonable that the police should have that power.

Andrew Bennett: My hon. Friend gave us one example—the May day demonstrations in London. On how many other occasions did the police designate areas where masks could be removed? How often was the power used by individual constables during the May day demonstrations?

Beverley Hughes: I do not have the information to answer the second question. As far as I am aware, there has been one other circumstance in which the power to remove face masks was applied.

Clearly, the police are not using that power frequently. They are using it when they judge that an event may be used by people with serious intent in relation to terrorist activities. It is important that the police have the power to ask people to remove their disguise when they believe that the covering is specifically to disguise identity. The clause uses the word "item", which means something that is removable, and does not refer to religious codes, to hair or to anything that does not completely obscure the face. For example, a red nose or a funny hat would not come within the purview of the clause. However, when someone covers their face and their identity is not visible, it is reasonable to allow the police to invoke that power.

Mr. Dominic Grieve (Beaconsfield): The Minister said that a red nose or a funny hat would not come into that category. Surely, however, under the current wording of the clause, anything that concealed identity, making it difficult for the police officer to identify someone, would have to be removed. Is not the Minister mistaken?

Beverley Hughes: Ultimately, that would be for the courts to decide, if there was a challenge. My point is that the police must use their judgment in exercising the power and must be held to account for it. If somebody was wearing something on their nose that obliterated most of their face, clearly they could be said to be concealing their identity. If they had a tiny red nose on the end of their own nose, it would not conceal their identity. We expect the police to be able to exercise their judgment.

Mr. Gerald Howarth: I was tempted to suggest that the proprietor of Harrods might seek to disguise himself as Father Christmas to avoid deportation. However, I wish to make a serious point in response to the important remarks of the hon. Member for Don Valley (Caroline Flint). She gave an example in which the police might have to deal with someone in disguise, possibly religious. Surely, given that example, the police will be inhibited from taking appropriate action under the clause if they think that they will be challenged in court every time that they do so. The powers conferred on the police by the clause will be seldom used because the police will be afraid of being attacked for discriminating against people who are wearing religious disguise or religious garb.

Beverley Hughes: The fact that the police have not frequently used the powers is not an argument for their not having them at all. They have used them in circumstances in which they felt they were necessary. When the matter was raised in a Committee debate on what became the Crime and Disorder Act 1998, there was a substantial discussion. It is interesting that the hon. Member for Woking (Mr. Malins) argued strongly that the threshold which, in the Government's view, ought to anticipate offences involving serious violence, was too high. He pressed on the Government his own clause which, he said, was preferable and argued:

> "The Government's provisions are too narrow . . . That is a high test for the police to apply".—[*Official Report, Standing Committee B*, 9 June 1998; c. 795.]

The hon. Gentleman said that the police would be able to apply the test less frequently under the Government's clause than under the Opposition's new clause. I apologise to the hon. Gentleman if I have embarrassed him but I want to make the point that, when the issue was previously debated, Opposition Members expressed the serious view that the circumstances in which police could invoke that power needed to be wider for the police to have the necessary judgment to protect people and to ensure that individuals could not use disguise as a vehicle for a range of activities.

I have certainly tried to address most of the points made by hon. Members who have spoken about the clause. I am surprised by the comments of some hon. Members who do not seem to trust the police to exercise those powers sensibly. I understand entirely the point made by my hon. Friend the Member for Denton and Reddish, but I urge him not to press his amendment to a vote. If he does so, it will be resisted.

Ms Abbott: I shall not prolong the debate; there are many important matters to be discussed tonight in this unfortunately curtailed debate. The clause is by no means the most troubling aspect of a troubling portmanteau of legislation. I listened with great care to the Minister's defence of the clause. She said that the clause had been included in response to a rising tide of people taking part in demonstrations wearing disguises. When asked to provide evidence of that rising tide, she could cite only two major London demonstrations.

I do not believe that the Minister has made the case for giving the police increased powers by altering the threshold for the power to take away disguises. There can never be a need to give the police increased powers unnecessarily. As I said in an earlier intervention, this is just the kind of scrappy, ill-thought-out measure that will bring into disrepute the sounder, more solidly based measures in the Bill.

9.45 pm

Andrew Bennett: I have not been convinced by the Minister, but I do not see that there is a great deal of purpose in pressing the amendment to a Division. I therefore beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Beverley Hughes: I beg to move amendment No. 63, in page 54, line 29, at end insert—

'(11) This section does not extend to Scotland.'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this it will be convenient to discuss Government amendments Nos. 64 and 67.

Beverley Hughes: The amendments relate to the situation in Scotland. The clause currently extends to Scotland, but the subject matter of the clause, criminal law and public order, is a devolved matter under the Scotland Act 1998. That means that it is for the Scottish Parliament to legislate on such matters for Scotland, unless it agrees that the UK Parliament should do so.

As the hon. Member for Perth (Annabelle Ewing) mentioned earlier, the Scottish Parliament has agreed, under the relevant Sewel motion which it passed last week, to the inclusion in the Bill of various matters on which it would have competence to legislate. However, it chose not to agree to the inclusion in the Bill of the powers to require the removal of disguises. Clause 93 and new section 60AA which it will insert in the Criminal Justice and Public Order Act 1994 therefore will not extend to Scotland. The powers of the police in Scotland are being examined under the common law to see the extent to which they would already be available. In any event, Scottish Ministers have not ruled out future consideration of the need for such a measure by the Scottish Parliament.

Annabelle Ewing: I shall respond briefly to the Minister. As I said earlier, I fully support the amendments. Whereas the two other matters that form the subject of the retained powers dealt with by the Sewel motion in the Scottish Parliament were clearly not to be covered by the Bill, why was this third issue initially included in the Bill as applying to Scotland but, at the eleventh hour, magically deemed not to apply to Scotland? Perhaps the Minister can shed some light on that.

Beverley Hughes: That is a matter for the Scottish Parliament. As I understand it, the Scottish Parliament has been and still is looking closely at the common law in Scotland. The Parliament believes that there may already

[Beverley Hughes]

be common law powers to enable the police to take the relevant action. It was not possible to establish that in time, so the Scottish Parliament has taken the option of considering the matter at greater length and deciding whether further legislation of its own is needed. The matter is quite straightforward.

Amendment agreed to.

Amendment made: No. 64, in page 54, line 32, leave out subsection (3).—*[Beverley Hughes.]*

Clause 93, as amended, ordered to stand part of the Bill.

Clause 94

POWERS TO REQUIRE REMOVAL OF DISGUISES: NORTHERN IRELAND

Amendment made: No. 65, in page 56, line 6, at beginning insert "an offence under"—*[Jane Kennedy.]*

Clause 94, as amended, ordered to stand part of the Bill.

Clause 95

POWER TO STOP AND SEARCH IN ANTICIPATION OF VIOLENCE

Question proposed, That the clause stand part of the Bill.

The Minister of State, Northern Ireland Office (Jane Kennedy): I want briefly to put it on record that the Government are taking this valuable opportunity to extend to Northern Ireland powers to stop and search in anticipation of violence, as identified in this clause and clause 96, making provision for Northern Ireland that is comparable to that made in section 60A of the Criminal Justice and Public Order Act 1994 and providing that the Secretary of State may make regulations to govern the retention and disposal of anything seized under clauses 94 and 95, such as knives or other offensive weapons. The clause extends those provisions to Northern Ireland.

I hope that clauses 95 and 96 will be welcomed in all parts of the House. As I said, the measures will obviously benefit Northern Ireland and be welcomed there.

Mr. A. J. Beith (Berwick-upon-Tweed): I shall make an even briefer comment. I must say that the Minister has yet again given the game away. The phrase "the Government have taken the opportunity" is the story of the Bill from start to finish. Whatever arguments she can adduce in favour of extending the powers to Northern Ireland, that extension does not appear to be the result of the state of emergency in a Province where extensive terrorist legislation is already on the books.

Jane Kennedy: Simply to respond quickly to that point, Mr. Haselhurst—[HON. MEMBERS: "Sir Alan."] I beg your pardon, Sir Alan. The clause takes to Northern Ireland the powers regarding knives that apply elsewhere in England and Wales. It is entirely appropriate for those powers to be available to the police in Northern Ireland. Knives were used with devastating effect on 11 September and it is nonsensical to suggest that the police in Northern Ireland should not have the powers available to them.

Question put and agreed to.

Clause 95 ordered to stand part of the Bill.

Clause 96 ordered to stand part of the Bill.

Clause 97

JURISDICTION OF MOD POLICE

Mr. Mullin: I beg to move amendment No. 57, in page 59, line 18, after "offence", insert—

'involving the use or threat of violence against any person'.

The Chairman: With this it will be convenient to discuss the following amendments: No. 166, in page 59, line 18, after "offence", insert—

'which he might reasonably assume to be terrorism'.

No. 165, in page 59, line 18, leave out second "or" and insert "and".

No. 168, in clause 99, page 61, line 3, after "offence", insert—

'which he might reasonably assume to be terrorism'.

No. 167, in clause 99, page 61, line 3, leave out "or" and insert "and".

Mr. Mullin: The amendment stands in my name and that of my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins).

The clause seeks to extend the jurisdiction of the 3,700 MOD police. Proposed new subsection (3A) of the Ministry of Defence Police Act 1987 states that assistance of the MOD police must have been requested by a member of the regular police force, the British Transport police or the United Kingdom Atomic Energy Authority constabulary. New subsection (3C)(a) of that Act confers on the MOD police powers to act in any case where an officer has reasonable grounds to believe that any offence is being committed or is about to be committed.

The clause goes some way further than dealing with terrorism, which is the main purpose of the Bill. Indeed, it goes some way further than the powers sought earlier this year in the Armed Forces Bill, in provisions that fell at the general election. They sought to give the MOD police powers to act outside MOD premises in life-threatening situations. The power that is now being sought is considerably wider, so the amendment seeks to limit the extension of MOD police powers to cases

"involving the use or threat of violence".

Even that provision goes far wider than terrorism, but I accept that there might be a difficulty in identifying in the early stages what might turn out to be a terrorist act.

My purpose is to smoke out of Ministers an answer on exactly why this extensive increase in powers is necessary. I understand that Ministry of Defence police in garrison towns already co-operate well with local police. However, I assume that we want to avoid the position whereby MOD police can be used for everyday law enforcement or even in emergencies such as an industrial dispute when there is no conceivable terrorist threat.

Who will determine the limits on the activities of MOD police given that the only restriction in the Bill is that they must be requested to act by a regular police officer? Once the request has been made, under whose authority will they act? What will prevent them from branching out on their own or stretching their mandate? Will they always or even usually be armed? Who will determine that?

If MOD police are to be granted a large extension of powers, is it not right that they should be subject to the same democratic scrutiny as the regular police, who are inspected by Her Majesty's inspectorate and subject to the Police Complaints Authority? I was glad that the Home Secretary said on Second Reading that he intended to extend the powers of the Police Complaints Authority to include MOD police.

To help the Home Secretary, I have tabled new clause 3, which would enable him to take action forthwith. I have also tabled amendment No. 58, which would make MOD police subject to Her Majesty's inspectorate. I look forward to hearing the Minister's comments on those amendments in due course and on amendment No. 57 now.

Mr. Paice: I have much sympathy with the comments of the hon. Member for Sunderland, South (Mr. Mullin). That will not surprise the Committee because I want to speak about amendments Nos. 166, 165, 168 and 167, which are tabled in the name of Conservative and Liberal Democrat Members. If the hon. Member for Sunderland, South is later convinced by the Minister's reply and decides to withdraw the amendment, I shall be less easily convinced. I may try to move formally one of the amendments that we tabled if an appropriate opportunity arises.

All the amendments relate to the extension of the jurisdiction of the Ministry of Defence police and the transport police. As the hon. Gentleman said, it is not the first time that the proposals have come before us, albeit in a different form. Proposed new subsections (3C) and (3D) of the Ministry of Defence Police Act 1987 clearly suggest that a Ministry of Defence policeman or policewoman carrying identification, presumably a warrant card, and whether in uniform or not, could put themselves on duty and assume the powers of a constable if they have reasonable ground for suspecting that a crime is being or is about to be committed and that timing is critical. However, timing is always critical if one is to be sure of apprehending the culprit at the time. The same issues apply to the transport police, who are covered in clause 99.

The clauses include no qualification of the offence that is being or is about to be committed. We have tabled two types of amendment to try to tackle that. I shall not repeat my earlier arguments about the Bill's scope being much wider than terrorism. I hope that the Committee will take it as read that that forms the background to the amendments. The hon. Member for Sunderland, South also made the point that the Bill covers much more than terrorism.

Amendments Nos. 166 and 168 would restrict the assumption of a constable's powers to intervene when he suspects that an offence has been, is being or is about to be committed to occasions when he reasonably believes the crime to be terrorism. That is a method different from the one suggested by the hon. Member for Sunderland, South for dealing with the problem.

The alternative amendments are Nos. 165 and 167. In case two tests of reasonableness are considered excessive in one subsection, those amendments would restrict the assumption of powers to circumstances in which the suspected offence might cost lives or cause personal injury. They would ensure that both paragraphs (a) and (b) of proposed new subsection (3C) were required, rather than allowing for an "either/or" provisions.

10 pm

In either case, the purpose is to restrict the assumption closer to the purpose of the Bill, which is to combat terrorism. Extension beyond the issue of terrorism is a matter not for the Bill but for the police reform Bill next year. What is being proposed is a back-door way of legislating for powers that were included in the Armed Forces Bill in the last Session, but which were dropped in the run-up to the general election because they were considered controversial. The fact that they were included in a Bill that did not directly target terrorism demonstrates that they were not directly related to terrorism. As the right hon. Member for Berwick-upon-Tweed (Mr. Beith) said earlier, that rather gives the game away.

Mr. Heath: Does the hon. Gentleman recall that, in the debate on the Armed Services Bill, the Secretary of State for Defence revealed that the genesis of the request for the MOD police to be given these additional powers came from the MOD police themselves? In other words, they wanted the powers because they wanted a role, rather than in any response to terrorist action or to anything else.

Mr. Paice: I recall that matter to the extent that I read about it earlier today when I was preparing for this debate. From the same source, I also recall the hon. Member for Somerton and Frome (Mr. Heath) making that same point on that occasion. That was a highly controversial measure, but I remind the House that the Committee stage on the Floor of the House was guillotined. About two and a half hours were allowed for the whole Armed Forces Bill to be debated; its Committee stage received just over one hour of debate. I shall look briefly at what was said in the various debates.

The report of the Select Committee on the Armed Forces Bill states:

> "we would be completely opposed to the MDP"—

the Ministry of Defence police—

> "actively seeking to increase its involvement in general policing duties which are the proper responsibility of local police forces. We recommend that, if and when these powers are conferred, the number of incidents dealt with by the MDP under their new powers are scrupulously monitored".

The same Select Committee report stated on another point of concern:

> "The proposals in the Bill do not alter the circumstances in which the MDP will carry firearms."

A point made over and over again in those debates was that the MDP carry firearms much more frequently than members of most police authorities.

Mr. Beith: Does the hon. Gentleman realise that the MOD police carry firearms on some military installations, and that there may be a necessity for them to go beyond the immediate curtilage of the base? However, they usually do so jointly with a civil police officer carrying firearms—two officers in the same car. The situation that

[Mr. Beith]

we might now face is one in which MOD police, unaccompanied by civil police, will range round the countryside carrying firearms.

Mr. Paice: The right hon. Gentleman makes a valid point. I do not want to come down specifically for or against the wisdom of extending the jurisdiction of the Ministry of Defence police. I want instead to illustrate to the Committee that this is a highly controversial proposal that deserves far more debate than it is going to get in the next 57 minutes, maximum. I suspect that it will get a little less than that, bearing in mind the pressures for other items to be reached. This measure should not be included in the Bill.

The much more recent Joint Committee on Human Rights report, published last week, states:

> "Until the extent to which the safeguards surrounding the procedures of Home Office police forces will apply to the Ministry of Defence Police, the British Transport Police, and the Atomic Energy Authority special constables in their new functions is clarified, we are unable to be confident that the Bill provides adequate safeguards against abuse of or interference in human rights."

Returning to the Armed Forces Bill, I shall not take up the Committee's time by reading out the many objections expressed at that time, including those of the Police Federation, to the wisdom of extending the powers and jurisdiction of the Ministry of Defence police in this way. Quite clearly, that is controversial. As the hon. Member for Sunderland, South said, what we have before us goes beyond clause 31 of that Bill. Last spring, Baroness Symons of Vernham Dean said:

> "A key change is that which will enable MDP officers to act on their own authority in an emergency in cases involving violence or the threat of violence, or where there is the risk of death or injury."—[*Official Report, House of Lords*, 23 April 2001; Vol. 625, c. 18.]

This Bill goes much further.

There are many concerns about the proposal. It represents a huge increase in the powers of the MOD police and I again submit to the Committee that it should not be subject to curtailed debate at this time. I readily accept that there are arguments in favour, but the arguments both for and against deserve much more time and they should be dealt with in the proper course of events when we consider the police reform Bill in spring next year.

The proposal should not be dealt with under this Bill, which is why we have tried to help the Government by suggesting two amendments to narrow the debate to issues more closely related to terrorism. That is the subject of the Bill and the Government would not be prevented from extending the jurisdiction of the MOD police at some stage. If they want to legislate for that extension of powers, they have every right to put proposals before the House, but they are unwise to do so when we are dealing with the much narrower issue of the prevention of terrorism.

The wider issue should be dealt with next year under the police reform Bill. I hope that the Minister will respond to that in the spirit of generosity for which he is renowned in the House and will understand the thought and logic behind our arguments.

Jeremy Corbyn: I shall be brief, as we have a lot more to get through before 11 o'clock—not least clause 100.

We owe my hon. Friend the Member for Sunderland, South (Mr. Mullin) a debt of gratitude for tabling the amendment, which at least gives us the chance to debate a proposal which represents another Bill within the Bill and which is designed dramatically to increase the powers of the MOD police at a time when the police overall have been brought under much greater public scrutiny and consider their role much more as policing by consent and with the co-operation of local authorities.

By and large, that has been extremely successful, but a new, largely unaccountable force is being brought into the equation in each locality and there is the possibility of all sorts of confusion about what local policing policies are and of confused communications between local police and the MOD police.

There are often problems when special territorial police groups go into a locality, and I foresee greater problems here. I ask the Minister to reflect on what effect such increased powers and usage of the MOD police could have had in the miners' strike, when the Government were desperate to have a national police force at their beck and call to carry out their policies, particularly in the mining areas.

Specifically, I ask the Minister to respond to the requests that have been made. What powers will MOD police have when they go into a community? What is the specific geographical limit of their powers, or is there no limit to them? What is the policy-making relationship with the local police authority, which may have priorities such as dealing with organised crime, street crime and violence, burglary or public order issues?

Every police authority has a programme of what it is trying to achieve, and I find it extremely helpful that my local police area is prepared to discuss that and adopt a policy of policing by consent. That is not possible within the purview of the MOD police.

Importantly, we have moved a long way on police complaints issues, the ability of the public to complain about the police and the way in which the police are investigated. We should go further and there should be no police investigation of the police. At the very least, one hopes that the Police Complaints Authority will be available for use in any complaint against the MOD police. If an investigation into the conduct of the MOD police were required, who would undertake it?

The Joint Committee on Human Rights has examined this issue, and has urged caution. I do not suppose for one moment that the Minister will agree to the amendment, but instead of our debating now whether or not to include this part of the Bill, it might be better if it were the subject of consultation or a White Paper, with legislation to follow at a later date.

We are in danger of giving enormous powers to a largely unaccountable police force under the direction of central Government. There will be no involvement of local policing by consent, which is the thrust of the Government's policy on policing in the community as a whole.

Norman Baker: I shall try to be brief, given the time and what we have to get through. Suffice it to say that these proposals predate 11 September by quite some time. They were brought before the House in the last Parliament, and were dropped because they were controversial. Presumably, they were also dropped because they were expendable when the negotiations took place about what legislation had to be dealt with before the general election.

A number of serious questions have been asked about accountability, how this provision will work on the ground and what problems could occur. I hope that the Minister has been taking note of those detailed points and will respond to them, because there are problems. On this and other provisions in the Bill, we are asked once again to trust Ministers that everything will be all right on the night. We are asked to accept that powers will be extended widely, and that we can trust the police to exercise them judiciously. We hear nothing about the fact that we should be able to trust the Government not to introduce such wide and sweeping powers unnecessarily. There is no willingness on their part to curtail their activities when it is not necessary to extend powers as widely as proposed in these measures. That is missing.

When Ministers comment on the provisions and explain why they are necessary, we hear nothing about safeguards, which also need to be included in the Bill, or the problems that may arise and what may go wrong. The concerns of hon. Members and of the Human Rights Committee are swept aside, and we are told that the powers are necessary. I would have more confidence in Ministers if they addressed the problems that hon. Members have identified and provided the necessary safeguards. I have heard nothing of that from Ministers so far, but perhaps the Under-Secretary of State for Defence will change that.

Mr. Beith: I suspect that we will also not hear much about the fact that the training and career pattern of MOD police rarely gives them experience of or training in dealing with the civilian population. Some incidents have given the force a rather unhappy name. It must be remembered that its deputy chief constable was recently summarily dismissed.

Norman Baker: That was an important intervention.

I also draw to the Minister's attention the comments of the Police Federation, which he may say has a vested interest, but which I think are rather important. It says:

> "MDP officers do not have relevant experience. The Federation does not consider that MDP have an appropriate approach to recruitment nor do their officers have the appropriate training to encourage appropriate interface with the public."

It goes on at some length about why the proposals are dangerous.

Finally, I draw to the Minister's attention the short debate in the other place on 13 November on the consultation paper that has just been issued about the British Transport police. It included some of the safeguards that its members wanted, such as civilian police authority training and Home Office standards, yet when it was suggested by some of my colleagues in the other place that those safeguards should apply to the MOD police, they were pooh-poohed by Ministers and almost ruled out of order. We must understand that a different approach was taken to the British Transport police in that consultation paper from the one that has been taken to the MOD police in these proposals.

10.15 pm

Rachel Squire (Dunfermline, West): I support the extension of the MOD police's jurisdiction, and am concerned about the amendments. I should declare two interests. First, I had the honour of being the Chairman of the Armed Forces Bill Committee, and I and other members of the Committee from all parties spent a considerable time discussing the extension of the MOD police's jurisdiction. Eventually, we produced a unanimous report, which supported the extension. When it was debated in this Chamber, there was also support for the extension.

As for my other interest, I am regularly in contact with MOD police. That is because my constituency contains a dockyard which, in turn, contains seven decommissioned nuclear submarines and stores intermediate-level nuclear waste. Its armaments depot is just along the road. I therefore take a keen interest, as do many of my constituents—even keener since 11 September—in the proper regulation and safe keeping of premises in which MOD police play a key role.

I realise that the general election prevented the Armed Forces Bill from completing its progress. I hope, however, that all Members feel that the Committee examined the issues extensively, and feel able to support our proposals tonight.

Mr. Mullin: Clause 97 appears to constitute a considerable extension even of what was proposed in the Armed Forces Bill. My hon. Friend said that she had considered the powers in that Bill, which I think were supposed to apply only when violence was involved. Is she also saying that she is prepared to accept the extension of those powers to any offence?

Rachel Squire: As my hon. Friend says, this is an extension of the proposals in the Armed Forces Bill—and yes, I support that extension. I shall briefly explain why; first, however, let me deal with some of the concerns and reservations expressed by the Committee, and by other Members.

The Committee strongly recommended a further revision of the excellent protocols applying to relations between civilian and MOD police. It suggested that there should be greater external accountability, that there should be more formal inspection by Her Majesty's inspectorate, and that scrupulous monitoring should take place. The Secretary of State and others supported all those proposals.

Why should we support not just that extension of jurisdiction, but further powers? Well, why not? Let us deal with the reality of post-11 September. Because of the reduction in the defence estate and because they now have to be more mobile, MOD police must frequently travel far more between one point and another. Moreover, it is difficult to produce clear definitions of what might be seen as a terrorist incident in the making, what might be seen as an incident that could lead to violence, and what might be seen as merely a civilian incident.

Let us suppose that someone was driving a car, in a reckless fashion, in the area of Rosyth dockyard. Like others, I think, I would consider MOD police in the area

[Rachel Squire]

to be justified in deeming the incident potentially dangerous. That is the reality of post-11 September, when we are dealing with defence establishments.

Jeremy Corbyn: MOD police might well intervene if someone behaved in the manner that my hon. Friend describes outside a naval dockyard, but they could do that anyway under existing powers in legislation. Why is it necessary to extend their powers so massively and allow them to apply way beyond the immediate vicinity of an MOD facility?

Rachel Squire: One of the problems with current legislation on MOD police is that it does not necessarily provide for consideration of whether they have acted legally or appropriately by intervening in such incidents. If MOD police seek to intervene and arrest someone just off the defence estate, that arrest could easily be regarded as a civilian arrest. If the offence involved joyriding, for example, a court might rule that they had acted inappropriately. As I said, there are many blurred, grey areas to the issue.

I was disappointed by some of the comments about MOD police going round armed on and off the defence estate. Anyone who read the Armed Forces Bill Committee's report will know that MOD police do not leave the defence estate when armed. If they are carrying guns or ammunition, that material is carried not only entirely separately but with the prior agreement and knowledge of the local chief constable or relevant officer. The civilian chief constable or his delegated officer deals with all instances in which MOD police carry firearms off MOD property.

Mr. Beith: The hon. Lady's description is almost but not quite accurate. There is often excellent liaison between MOD police and the local police force. Consequently, MOD armed police leaving the base and going into the wider force area—usually not very far, which is why the proposed provision could be more limited—are accompanied by civilian armed police, so there is at least one police officer from each force. From a civil liberties perspective, that arrangement seems much more reasonable than that proposed in the Bill, which would allow MOD police to travel armed across a force area.

Rachel Squire: My clear understanding is that neither this Bill nor the Armed Forces Bill would allow the latter situation. The regulations governing the carrying of firearms are very strict, and the civilian police authority has the ultimate power in all such cases.

Some hon. Members mentioned training. Many MOD police are former civilian police officers. They are highly trained and experienced. Furthermore, secondment is an increasingly common practice. An extension of their jurisdiction is long overdue, and to delay extending it any longer after 11 September would be to fail to face the reality in many of the more sensitive and vulnerable parts of the defence estate. In view of the Committee's scrutiny of the issue, and the House's debate and vote on it, I hope that hon. Members believe that it is now appropriate to extend the jurisdiction of MOD police.

Mr. Gerald Howarth: The Select Committee on Defence—of which the hon. Member for Dunfermline, West (Rachel Squire) is a distinguished member—is carrying out a very short inquiry into the powers that the Government propose to confer on the Ministry of Defence police under the Bill. We expect to be able to conclude our deliberations in time for consideration of the Bill in another place. The timetable in this House is so short that we do not have the necessary time properly to consider the complexities arising from the Bill, of which problem this matter is just another example.

The Bill extends the powers of the MOD police well beyond dealing solely with terrorism, to which my hon. Friends on the Front Bench wish to confine it. They are right that a police Bill would have been a more appropriate measure in which to deal with the wider issues of the MOD police, even if the Government could make a case for them to deal with terrorism specifically. The amendment tabled by my hon. Friend the Member for West Dorset (Mr. Letwin) would enable the Government to confine the application of the extended powers simply to dealing with the issue with which we are all concerned: terrorism.

Having said that, I have some sympathy with the general desire expressed in the Bill to extend the powers of the MOD police. I represent a garrison town, but I have to say that I have had no dealings with the MOD police. I have had no complaints either from soldiers or from members of the public. The MOD police seem to operate a pretty seamless arrangement with the local constabulary. I met the chief inspector this morning, so at least I can claim to have had some discussion and that I can bring some relevant experience to the Committee.

There is no doubt that there are grey areas that inhibit the MOD police in the execution of their duty. One is the change in married quarters, some of which have now been sold off so that we now have military estates alongside civilian estates. It is difficult for an MOD police officer to make sure that he is knocking at No. 53, which is his responsibility, and not No. 51, which is the responsibility of the local constabulary. There is also a grey area in the definition of "vicinity". If we are serious about dealing with terrorism, we must give powers to our police forces, whether they are the local constabulary or the MOD.

We do not want MOD police officers to go on fishing expeditions, which the Association of Chief Police Officers is dead against. I understand also that the assistant chief constable of the MOD police—who has 30 years' experience of the Metropolitan police—does not want his force to go off on fishing expeditions into the towns, doing the job of the local constabulary.

I do not want the MOD police to be used as a supplement to deal with shortages in the local constabulary because the Home Office has not been able to give the necessary funding to local police forces. In my area, we are short of police officers. I do not want the chief constable of Hampshire to call on the MOD police to make up the numbers because he is short of recruits.

There is an established arrangement of protocols that governs the relationship between the MOD police and the local constabulary. It is unfortunate that we do not have revised protocols to scrutinise before approving the Bill tonight. The protocols provide an element of accountability, albeit not the same accountability as would apply to a local constabulary.

Proposed new subsection (3C) in clause 97(4) proposes to give the MOD police the same powers and privileges as constables. My hon. Friend the Member for West

Dorset wants that provision to be restricted to offences suspected to involve terrorism. However, subsection (3D) provides that the powers in subsection (3C) can be conferred only if the men are in uniform or have documentary evidence. In addition, they must

> "believe on reasonable grounds that a power of a constable which they would not have apart from that subsection ought to be exercised and that, if it cannot be exercised until they secure the attendance of or a request under subsection (3A) above by a constable who has it, the purpose for which they believe it ought to be exercised will be frustrated or seriously prejudiced."

10.30 pm

In other words, MOD police can exercise the powers of a constable only if they believe that waiting for the local constabulary to arrive or getting permission from the local constabulary would allow a crime to be undetected. We should consider that in extending the powers of the Ministry of Defence police. I accept that it is quite a dramatic increase in those powers. I am sorry that their extension has been included in the Bill because I believe that we should have followed the advice of my hon. Friend and confined it to dealing with terrorism.

Mr. Paul Marsden (Shrewsbury and Atcham): I am afraid that the 11 September atrocities have simply become an excuse for each Department to sweep up every little piece of nasty legislation into this Bill—something that they have been eager to do for years.

The Bill is an excuse to extend the control of the state apparatus and it contains a dangerous extension of police powers. I am sure that many injustices will follow and no doubt Ministers will reflect upon them in due course. Needless to say, I oppose this measure.

My understanding was that if the regular police decide to stop someone when they are driving in their car, they have to be in uniform. Subsection (3D) of clause 97(4) states:

> "members of Ministry of Defence Police have powers and privileges by virtue of subsection (3C) above only if—
>
> (a) they are in uniform or have with them documentary evidence that they are members of the Ministry of Defence Police".

If they are not in uniform but in plain clothes, are they allowed to stop people at will as long as they have the documentary evidence and identification, regardless of the fact that the poor old public may not know that they are Ministry of Defence police officers?

Dr. Moonie: I regret to inform Conservative Members that I may have brought my good nature with me this evening, but not my generosity of spirit.

It would appear that my hon. Friend the Member for Sunderland, South (Mr. Mullin) and I agree on the principle of amendment No. 57 and are merely arguing about the degree to which the powers of the clause apply. That is what he said, if he looks at *Hansard*.

I shall be asking the Committee to reject the amendment. Let us be clear what we are talking about. Under our proposals, this power can be exercised only when the officer concerned needs to act and cannot obtain in time the attendance of, or a request from, another police officer. Given the availability of modern radio communications, the effect will restrict its use to circumstances of genuine emergency when a virtually instant reaction is needed.

Standing instructions within the Ministry of Defence police will amplify the limitation to genuine emergencies. It does not give officers authority to go around checking tax discs or carrying out any other routine tasks on behalf of a local constabulary.

Mr. Paice: Will the Minister give the House an example of such a crime, other than out-of-date tax discs? The majority of crimes, from the least to the most serious, take place within a short space of time. Can the Minister give any examples of crimes in which timeliness is not of the essence and Ministry of Defence police would be inclined to assume the powers of a constable because there would not be time to call the local police?

Dr. Moonie: I suspect that if an officer was called to a domestic dispute, he would have time to inform the local constabulary. That is one example, although I do not intend to give any more. Perhaps hon. Members will think of other examples while I am on my feet, and relieve me of the mental burden of having to do so.

Mr. Paice: Will the hon. Gentleman give way?

Dr. Moonie: No, I am sorry, I have no time.

As to what the provision allows, I ask the Committee to consider two scenarios. Intelligence is received that a possible terrorist is near a defence base—perhaps a US base. The suspect is believed to be a member of an illegal organisation, or to have with him a stolen passport or a weapon. There may be no immediate threat of violence; the suspect is only scouting—carrying out reconnaissance. Under the Terrorism Act 2000, the MDP have the power to arrest members of illegal organisations. They have powers of arrest and stop and search related to stolen articles, but at present they could act only if two requirements are met: the suspect is "in the vicinity" of the base on which the police are operating, and the local force agrees. The new powers in the Bill will allow the MDP to act if there is no time to bring in the local police—in other words, if there is an emergency.

Mr. Letwin: Will the hon. Gentleman give way?

Dr. Moonie: No.

The power is not limited to terrorism, and that is deliberate. To take a second case—an MDP officer in a street adjacent to defence property is approached by a woman who says, "Stop that man, he has taken my purse". That could happen up the road at the Ministry of Defence—our own officers patrol outside. The officer sees a man running away. Should he say, "Sorry, can't help. Although I may look like a police officer, I am in the MDP and I have no jurisdiction"? Should the officer try to establish whether the man had or had not used violence in taking the purse—by which time the man will have made off? Should the officer try to contact the local police station to seek instruction? The result would be the same. The Committee will agree that the public would expect him to do none of those, but to take action at once to apprehend the suspect.

Mr. Heath: What about a citizen's arrest?

Dr. Moonie: Phrases such as "citizen's arrest" are, I am afraid, used by people who are ignorant of what police

[Dr. Moonie]

officers have to do in the course of their duty and who have absolutely no idea of what is involved—something that is very common in the Liberal party, as hon. Members may have noticed from the quality of their contributions to the debate.

Mr. Grieve: Will the hon. Gentleman give way?

Dr. Moonie: No.

For the reasons I have outlined, on further consideration and taking into account recent events, we felt that the limitation to an offence of violence would be unduly restrictive and, moreover, difficult to apply. Any attempt to discriminate between different classes of offence would be subject to the same drawbacks. The Committee will, however, want to note what I said about the limitation being to genuine emergencies.

The Committee may also like to note that we have not decided to pursue the proposal in the Armed Forces Act 2001 to enable the chief constable of the MDP to enter into standing agreements with local police to exercise police powers in areas in the vicinity of defence land. That gave rise to many expressions of concern during debate on that measure, so our decision shows that we do listen to concerns expressed in the House and in another place.

I regret that I shall ask the Committee to reject amendments Nos. 165 and 166. Their effect, taken together, would be drastically to limit the circumstances in which the power to act in emergency could be used. The Bill already limits that power to circumstances where an offence has been, is being or is about to be committed, or where there is danger to life or of personal injury, and action is needed on a time scale that does not allow another police officer to be summoned or contacted. Those are severe constraints.

The amendment would additionally prevent action except where a terrorist offence was involved and there was danger to life or of personal injury. That means that an MDP officer whose assistance in an emergency was sought by a member of the public outside defence property would still be unable to act as a police officer except where terrorism was involved. Even where terrorism was involved, he would be unable to act unless there was an immediate danger to life or of personal injury. Both in terrorist and non-terrorist emergencies, he would be unable to act as the public could reasonably expect that a police officer should.

I will give one example from the many that I could cite. In relation to amendment No. 57, I have already referred to a situation in which intelligence is received that a possible terrorist is near a defence base, or an MDP vehicle comes across such a suspect. The suspect is believed to be a member of an illegal organisation, or to have with him stolen identification or a weapon. There may be no immediate threat of violence—the subject is only carrying out reconnaissance. Under the Terrorism Act, the MDP have power to arrest members of illegal organisations, but at present they cannot act off defence land without a local police request. They have powers of arrest and of stop and search in relation to stolen articles, but again, a local police request is needed, yet immediate action may be essential to prevent an act of terrorism from occurring in future. The new powers in the Bill will allow the MDP to act if there is no time to involve the local police.

On non-terrorist issues, if an MDP officer were to see a vehicle being driven erratically and in a manner dangerous to other road users, he would be unable to apprehend the driver without first contacting another police officer, explaining the circumstances and receiving instructions. Frankly, that is not acceptable.

The Opposition have made several claims in relation to the clause. I shall first cover the old chestnut that these measures were dropped in the previous Parliament because of the quality of the arguments of those opposing them. I regret that that was not the case. As right hon. and hon. Members will be aware, the measures were dropped because we ran out of time, faced with the general election. Of course, as anyone who knows anything about the House will know, we had to introduce measures in the Armed Forces Act 2001 expeditiously.

Many organisations have been consulted and support the extension of the MDP's jurisdiction. The Association of Chief Police Officers and the Association of Chief Police Officers (Scotland) have been made aware of the extensions of the MDP's jurisdiction and support it. The chairman of the ACPO general policing committee, the chief constable of Staffordshire, also supports it. Her Majesty's inspector of constabulary supports it. The Home Office consultation document, which was circulated with the proposals, including these provisions, has been supported by the Police Federation of England and Wales, by the Metropolitan police and by the service police.

There has been some comment about the experience of our officers. Perhaps it would be of value to the House if I spent a little time describing what their experience involves. All our officers are trained in the use of firearms because that is an essential part of their activities. Only those who are competent to bear firearms pass out as MOD police officers. That is only right and proper, given the number of times that they have to bear them. Armed MOD policing has primarily occurred at the four main nuclear sites, plus Porton Down.

Counter-terrorist armed security policing is clearly a core activity. Since the IRA bombing at Deal, for example, the MDP have been deployed operationally in an armed role throughout MOD sites, given that, of course, we now consider the MOD a prime target for terrorism. I shall pass over many other matters, but areas of specialist training include chemical, biological, radiological and nuclear weapons.

In particular, let us consider the MDP's experience of dealing with members of the public. Anyone would think that members of the MOD police only ever deal with people in uniform. That is simply not the case; they police housing estates in which, I assure the Committee, any crime that takes place in other parts of the country may be exhibited. They undergo the same basic training as any other constable. Their primary role is, in fact, to deal with civilians, dependants, contractors, trades people and visitors to our sites.

The MDP police service football and rugby matches. They police public events, garrison areas, such as Colchester, Salisbury Plain, Aldershot and Catterick, and public roads open to and widely used by the general public. They run community initiatives in defence areas.

The MDP have been sent to Kosovo, after three weeks of special training. I have spoken to the men and women involved and, on one occasion, a constable from the MDP has been left to run a precinct in Kosovo and has coped admirably, as have all the officers sent there. They are not amateurs; they are highly trained civilian police officers. They are not a military police force. However, I submit that they are as well trained as anyone in any other police force.

10.45 pm

I agree that greater accountability should go with wider powers. The question is how we should provide that. We have already done some things and I promise that we shall do others in future.

On the MOD police committee, we have already added three additional independent members to the committee and are now actively considering whether more needs to be done. There is, of course, a statutory requirement to have a police committee under the Ministry of Defence Police Act 1987. The role of the committee has changed since 1987. There is now more direct involvement with the MOD community and sections of it. There are now more external contractors, an increased civilian employed population, more mixed ownership within married quarters estates and more dependants and families in areas policed by the MDP. Therefore it is important that the membership of the committee should reflect those changes.

I undertake to my hon. Friend the Member for Sunderland, South that everything that can be done to improve the accountability of the MDP police force will be done. Its current membership includes major stakeholders, service chiefs and defence logistics organisations.

Mr. Mullin: Do the plans including making the force accountable to the Police Complaints Authority?

Dr. Moonie: Let me just finish what I was going to say and see whether it covers my hon. Friend's point.

There is also a proposal that the meeting of the MDP police committee should be held in public. The chief constable has indicated that he would welcome that proposal in the light of his experience in the West Yorkshire police.

The force is currently inspected by Her Majesty's inspectorate of constabulary. Currently, inspections are by invitation and a pre-inspection visit to the force by the inspectorate prevented the chief constable's attendance at the Select Committee on Defence last week. An amendment providing for compulsory inspections was tabled to the Armed Forces Act 2001, but it fell with the other provisions for the MDP. It is proposed to include equivalent provisions in the planned police reform Bill, which should be published shortly.

On the Police Complaints Authority, at present overview and supervision of all complaints and discipline in the MDP is by statutory agreement. Therefore, the authority is involved and I was waiting until I came to that point in the brief before I referred to it. Disciplinary arrangements already mirror, as far as possible, those of other police forces. At the moment, they are non-statutory and differences arise from the fact that the MDP is part of a Department and certain powers, such as those of dismissal, belong to the Secretary of State.

The Armed Forces Bill—now the 2001 Act—originally included provisions to put discipline on to a statutory footing and to allow important decisions on discipline, including appeals on discipline decisions, to be taken on just the same basis as for Home Department forces. Disciplinary decisions and appeals would have been decided by a tribunal whose composition was statutory. Those provisions fell with the other MDP provisions in the Bill and it is our intention to include equivalent provisions in the police reform Bill.

As regards operational responsibility, the MDP is part of the Ministry of Defence. The Secretary of State is politically accountable to Parliament for the force. The Ministry of Defence Police Act 1987, however, specifically gives direction and control of the force to the chief constable. This independence is essential and shall of course remain.

I realise that I have been caught between a rock and a hard place. If I had spoken for three minutes and told everyone to get lost, I would rightly have been criticised for not responding to an interesting debate. I have tried to take more time to explain the reasons behind the provisions and the way in which we hope to couch the powers for the police. I hope that my hon. Friend the Member for Sunderland, South will feel able to withdraw the amendment.

Mr. Letwin: I had not intended to speak because my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice) has already spoken. However, the Minister has refused to take interventions from Conservative Members, so I will speak.

The Minister's speech was a travesty and an insult to the Committee. We raised a serious point about whether the clause should be limited to terrorist offences, but the Minister did not even begin to address that question. Instead, he implied that we had made all sorts of assertions about the MOD police that we did not make and would never make. We fully recognise their professionalism. The question is whether this measure in this form should be in this Bill. As the Minister is obviously reading a brief that was intended for another time when the amendment was not on offer, I hope that the Committee will look favourably on the amendment because he has no argument against it to make.

Mr. Mullin: I am grateful for the Minister's assurance that the powers will be used only in a genuine emergency and when the time scale does not allow for help to be obtained from the regular police. I am also grateful for his assurances on accountability, to which I hope the House will hold him. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment proposed: No. 166, in page 59, line 18, after "offence", insert—

'which he might reasonably assume to be terrorism'.—*[Mr. Paice.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 206, Noes 338.

Division No. 83] **[10.50 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory

Baron, John
Barrett, John
Beith, Rt Hon A J
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Rt Hon Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton–Brown, Geoffrey
Collins, Tim
Conway, Derek
Corbyn, Jeremy
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Djanogly, Jonathan
Dodds, Nigel
Doughty, Sue
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Duncan Smith, Rt Hon Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David
Heathcoat–Amory, Rt Hon David
Hendry, Charles
Hoban, Mark
Holmes, Paul
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Liddell–Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
McDonnell, John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNamara, Kevin
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury)*
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Oaten, Mark
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Portillo, Rt Hon Michael
Price, Adam
Prisk, Mark
Pugh, Dr John
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Sedgemore, Brian
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr Richard *(Wyre F)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Waller, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George
Younger–Ross, Richard

Tellers for the Ayes:
Sir Robert Smith and
Mr. John Randall.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Margaret
Begg, Miss Anne
Benn, Hilary
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw

Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Heyes, David
Hill, Keith
Hodge, Margaret
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morris, Rt Hon Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, John
(Glasgow Anniesland)
Roche, Mrs Barbara
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, Rt Hon Clare
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Jim Fitzpatrick and
Angela Smith.

Question accordingly negatived.

It being after Eleven o'clock, THE CHAIRMAN, *pursuant to Orders [19 and 21 November], put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clauses 97 to 100 ordered to stand part of the Bill.

Schedule 7

TRANSPORT POLICE AND MOD POLICE: FURTHER PROVISIONS

Amendments made: No. 76, in page 108, line 21, at end insert—

'Police (Scotland) Act 1967 (c. 77)

1 The Police (Scotland) Act 1967 has effect subject to the following amendments.

2 (1) Section 11 (aid of one police force by another) is amended as follows.

(2) In subsection (2), for "Secretary of State" substitute "appropriate Minister or Ministers" and after "he" insert "or they".

(3) In subsection (4), for "Secretary of State" substitute "appropriate Ministers".

(4) After that subsection insert—

"(5) This section shall apply in relation to the Strategic Rail Authority and the British Transport Police Force as it applies to a police authority and a police force respectively.

(6) In subsection (2) "appropriate Minister or Ministers" means—

(a) in relation to a direction given to the Chief Constable of the British Transport Police Force, the Secretary of State, and

(b) in any other case, the Scottish Ministers.

(7) In subsection (4) "appropriate Ministers" means—

(a) where the police authorities concerned include the Strategic Rail Authority, the Scottish Ministers and the Secretary of State, acting jointly, and

(b) in any other case, the Scottish Ministers."

3 (1) Section 12 (collaboration agreements) is amended as follows.

(2) In subsection (3), for "Secretary of State" substitute "Scottish Ministers".

(3) For subsection (5) substitute—

"(5) If it appears to the Scottish Ministers that an agreement should be made for the purposes specified in subsection (1), (2) or (4) of this section, they may, after considering any representations made by the parties concerned, direct those parties to enter into such agreement for that purpose as may be specified in the directions.

(6) For the purposes of this section—

(a) the British Transport Police Force shall be treated as if it were a police force;

(b) "police functions" shall include the functions of the British Transport Police Force;

(c) the British Transport Police Committee shall be treated as if it were the police authority maintaining that Force for the purposes of subsections (1) and (2) of this section; and the Strategic Rail Authority shall be so treated for the purposes of subsection (3) of this section; and

(d) "police area", in relation to the British Transport Police Force and the British Transport Police Committee, means those places where members of the British Transport Police Force have the powers, protection and privileges of a constable under section 53(4) of the British Transport Commission Act 1949 (c. xxix).

(7) In relation to agreements relating to the British Transport Police Force, any determination under subsection (3) shall be made, and any directions under subsection (5) shall be given, by the Scottish Ministers and the Secretary of State, acting jointly."

4 (1) Section 17 (general functions and jurisdiction of constables) is amended as follows.

(2) After subsection (4) insert—

"(4A) A member of the British Transport Police Force who is for the time being required by virtue of section 11 or 12 of this Act to serve with a police force shall—

(a) have all the powers and privileges of a constable of that police force, and

(b) be subject to the direction of the chief constable of that force."

(3) In subsection (7)(a) after "first-mentioned force" insert "or, if he is serving with the British Transport Police Force, the Chief Constable of that Force".

5 (1) Section 42 (causing disaffection) is amended as follows.

(2) In subsection (1), after "force" insert "or of the British Transport Police Force".

(3) In subsection (2), after "constable" insert "or a member of the British Transport Police Force".

6 (1) Section 43 (impersonation etc.) is amended as follows.

(2) After subsection (2) insert—

"(2A) For the purposes of this section—

(a) "constable" includes a member of the British Transport Police Force, and

(b) any reference to "police" includes a reference to that force."

(3) In subsection (3), after "police authority" insert "or by the British Transport Police Committee".

(4) After that subsection insert—

"(4) In its application to articles of British Transport Police Force uniform, subsection (1)(b) has effect as if for the words "without the permission of the police authority for the police area in which he is" were substituted the words "in circumstances where it gives him an appearance so nearly resembling that of a constable as to be calculated to deceive".

7 In section 51 (interpretation), after the definition of "amalgamation scheme" insert—

""British Transport Police Force" means the constables appointed under section 53 of the British Transport Commission Act 1949 (c. xxix);".'.

No. 77, in page 109, line 38, leave out from "(11)" to end of line 42 and insert—

'(a) before the definition of "dangerous instruments" insert—

""British Transport Police Force" means the constables appointed under section 53 of the British Transport Commission Act 1949 (c. xxix)", and

(b) after the definition of "offensive weapon" insert—

""policed premises", in relation to England and Wales, has the meaning given by section 53(3) of the British Transport Commission Act 1949 (c. xxix) and, in relation to Scotland, means those places where members of the British Transport Police Force have the powers, protection and privileges of a constable under section 53(4)(a) of that Act (as it relates to Scotland).".'.

No. 78, in page 111, line 14, at end insert—

'20A In section 105(2) (extent), after the entry relating to section 21 insert "section 25(1A)".'.

No. 79, in page 111, line 24, leave out from "premises" to "by" in line 25.

No. 80, in page 111, line 40, leave out from "premises" to end of line 42.

No. 81, in page 112, line 4, leave out from "premises" to ", an" in line 6.

No. 82, in page 112, line 17, leave out from "121" to end of line 19 and insert—

'(a) after the definition of "article" insert—

""British Transport Police Force" means the constables appointed under section 53 of the British Transport Commission Act 1949 (c. xxix)," and

(b) after the definition of "organisation" insert—

""policed premises", in relation to England and Wales, has the meaning given by section 53(3) of the British Transport Commission Act 1949 (c. xxix) and, in relation to Scotland, means those places where members of the British Transport Police Force have the powers, protection and privileges of a constable under section 53(4)(a) of that Act (as it relates to Scotland).".'.

No. 128, in page 112, line 22, at end add

'and

(b) after the entry relating to the expression "organisation" insert—

"Policed premises *Section 121".'.*

—[Dr. Moonie.]

Schedule 7, as amended, agreed to.

Motion made, and Question put, That clauses 101 to 105, 120 and 121 stand part of the Bill, that schedule 8 be the Eighth schedule to the Bill, and that clause 122 stand part of the Bill:—

The Committee divided: Ayes 340, Noes 65.

Division No. 84] **[11.5 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Margaret
Begg, Miss Anne
Benn, Hilary
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Heyes, David
Hill, Keith
Hodge, Margaret
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Mates, Michael
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morris, Rt Hon Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry

Sheridan, Jim
Shipley, Ms Debra
Short, Rt Hon Clare
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don

Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Angela Smith and
Jim Fitzpatrick.

NOES

Allan, Richard
Baker, Norman
Barrett, John
Beith, Rt Hon A J
Brake, Tom
Breed, Colin
Bruce, Malcolm
Burnett, John
Cable, Dr Vincent
Calton, Mrs Patsy
Campbell, Rt Hon Menzies
(NE Fife)
Carmichael, Alistair
Chidgey, David
Corbyn, Jeremy
Cotter, Brian
Davey, Edward *(Kingston)*
Dodds, Nigel
Doughty, Sue
Ewing, Annabelle
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Gidley, Sandra
Green, Matthew *(Ludlow)*
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Heath, David
Holmes, Paul
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Kirkwood, Archy

Lamb, Norman
Laws, David
Llwyd, Elfyn
McNamara, Kevin
Marsden, Paul *(Shrewsbury)*
Mates, Michael
Moore, Michael
Oaten, Mark
Öpik, Lembit
Paisley, Rev Ian
Price, Adam
Pugh, Dr John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Shepherd, Richard
Stunell, Andrew
Taylor, Matthew *(Truro)*
Taylor, Dr Richard *(Wyre F)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Younger-Ross, Richard

Tellers for the Noes:
Sir Robert Smith and
Mrs. Annette L. Brooke.

Question accordingly agreed to.

Clauses 101 to 105, 120 and 121 ordered to stand part of the Bill.

Schedule 8 agreed to.

Clause 122 ordered to stand part of the Bill.

Clause 124

EXTENT

Amendment made: No. 67, in page 73, line 26, at end insert—

> '(c) in Part 6 of Schedule 8, the repeals in the Criminal Justice and Public Order Act 1994 (c.33) and in the Crime and Disorder Act 1998 (c.37).'.—*[Mr. Pearson.]*

Clause 124, as amended, ordered to stand part of the Bill.

Clause 125 ordered to stand part of the Bill.

New Clause 9

REVIEW OF SECTIONS 21 TO 23

'.—(1) The Secretary of State shall appoint a person to review the operation of sections 21 to 23.

(2) The person appointed under subsection (1) shall review the operation of those sections not later than—

> (a) the expiry of the period of 14 months beginning with the day on which this Act is passed;
>
> (b) one month before the expiry of a period specified in accordance with section 28(2)(b) or (c).

(3) Where that person conducts a review under subsection (2) he shall send a report to the Secretary of State as soon as is reasonably practicable.

(4) Where the Secretary of State receives a report under subsection (3) he shall lay a copy of it before Parliament as soon as is reasonably practicable.

(5) The Secretary of State may make payments to a person appointed under subsection (1).'—*[Mr. Pearson.]*

Brought up, read the First and Second time, and added to the Bill.

Bill, as amended, to be reported.

Bill, as amended in the Committee, considered.

11.19 pm

Madam Deputy Speaker (Sylvia Heal): The amendment paper for Report is now available.

Mr. Beith: On a point of order, Madam Deputy Speaker. Mr. Speaker's selection of amendments was prepared and published at 9.30 pm. After that, several provisions, including schedule 7, were not discussed. Will you and Mr. Speaker have the opportunity to reconsider your selection, given that you made the decision before you knew that several provisions would not be debated? Without a chance to debate schedule 7, hon. Members will never be told why employees of the Strategic Rail Authority should be given the power to purchase firearms. We should have that opportunity.

Madam Deputy Speaker: I would like to assure the right hon. Gentleman that the Speaker was in full knowledge of all the facts when he took this decision.

Clause 17

EXTENSION OF EXISTING DISCLOSURE POWERS

Mr. Grieve: I beg to move Amendment No. 1, in page 7, line 10, leave out "criminal" and insert "terrorism".

Amendment No. 1 is the same as amendment No. 85, which we wanted to discuss in Committee last week but which we did not reach. The provisions of clause 17 represent some of the most major transfers of power by the state in terms of—[*Interruption.*]

Madam Deputy Speaker: Order. Hon. Members who do not wish to hear the remainder of the debate should leave the Chamber quietly and quickly.

Mr. Grieve: Clause 17 provides for the extension of existing disclosure powers to enable the exchange of information between Government agencies and Departments in a way that is unparalleled in our history. There is no restriction or fetter on the exchange of information, which is contained in schedule 7, and the provision can be applied in any criminal investigation from a speeding offence to high treason. Schedule 4, annexed to it, shows that the information cuts right across Government. Much of that information concerns matters that are, at present, surrounded by specific confidentiality clauses relating to the information imparted to the particular Government agency or Department.

Thus it will now be possible for the Inland Revenue to share information with any other Government agency. Medical information, including the records of individuals, will be capable of being shared. The Health and Safety at Work, etc. Act 1974, with which I am particularly familiar, contains a specific clause which provides that statements may be obtained from individuals—indeed, they are compelled to provide them. That information, too, may now be shared, even though the 1974 Act specifically provided that it could be made available only for legal proceedings relating to the Act or in circumstances in which the individual consented.

Conservative Members wish to assist the Government in the fight against terrorism. *[Interruption.]* If the Home Secretary would like to stop yawning, perhaps I can proceed with the points that I wish to make. Given the short amount of time that we have, the more he yawns, the longer this will take. We wish to help the Government to fight terrorism. That is why we have tabled this short amendment, which would confine this exchange of information to terrorism and terrorist offences.

The manner in which this measure has been introduced gives rise to considerable concern. Last year, the Government attempted to do exactly this in the Criminal Justice and Police Bill, in which a very similar provision was introduced. It was hotly disputed, and by the time the Bill reached the House of Lords, the level of resistance was so great that, to save the legislation before the election, the Government agreed to drop the provision.

The other place was right to be concerned about this issue, because it concerns such a fundamental shift in the way we conduct our affairs. Historically, we have been self-regulating and that has implied a willingness by the individual to supply information to Government agencies and Departments in the belief that confidentiality would be maintained. Only in exceptional circumstances has interdepartmental confidentiality been broken or agreement been reached for the sharing of information.

Labour Members who may consider this a small matter should bear it in mind that the entire panoply of information sharing will be unfurled as a result of the changes and that we have been given precisely 25 minutes in which to consider them. They will not be considered in major legislation at all.

Mr. Nicholas Soames (Mid-Sussex): Has sufficient time been given to considering clause 47(1)(a), which refers to a

> "person who—
>
> knowingly causes a nuclear weapon explosion"

being guilty of an offence?

Madam Deputy Speaker: Order. I must remind the hon. Gentleman that that particular provision is not under discussion.

Mr. Grieve: Tempted as I am, I shall follow your recommendation, Madam Deputy Speaker, and refrain from developing what would be an interesting line of debate.

The Bill and clause 17 go further than the Criminal Justice and Police Act 2001. It was at least provided in the 2001 Act that any information exchanged would be subject to the Data Protection Act 1998, but that provision will be removed under the Bill. We have had no explanation from the Government as to why that should be.

We urge the House carefully to consider the amendment. We believe that it would in no way prevent the Government from fighting terrorism, but it would prevent us from agreeing to a massive change in a brief debate on emergency legislation when the Government know that their previous attempt caused considerable concern. I commend the amendment to the House.

Simon Hughes: In the time available, it has not been possible to debate retention of data and only through the speedy footwork of the hon. Member for Beaconsfield (Mr. Grieve), his colleagues and my colleagues have we been able to bring the matter before the House for a few minutes. We are aware, too, that if we are to resolve the issue, we must finish the debate in a matter of moments so as to allow any discussion on Third Reading. Therefore, I support what the hon. Gentleman said to remind the House of what it will agree to if it does not accept the Conservative and Liberal Democrat amendment, which I believe will be supported by others.

It is proposed that the powers of disclosure be extended in relation to any public authority so that the authorised purposes will include

> "any criminal investigation whatever which is being carried out or may be carried out, whether in the United Kingdom or elsewhere".

If that is not a wide provision, we do not know what is. The Government make it clear in schedule 4 that it already applies to 66 pieces of legislation—66 existing powers—and the clause proposes that they should by statutory instrument be able to extend it to any other legislation as well.

[Simon Hughes]

As the hon. Member for Beaconsfield said, that is why it is no surprise that this place and the House of Lords, which had inadequate time to debate the proposal when it appeared in a straightforward criminal justice and police Bill, not a terrorism Bill or an emergency Bill, said that holding such a debate was inappropriate. Lord Cope and Lord McNally made it clear that the Bill needed to be properly considered and controlled in order for us properly to do our job as legislators.

The Cabinet Office performance and innovation unit, which is the source of the proposal, recommended that there ought to be a wider power to disclose information for the purpose of criminal investigation. To take one example, the Revenue keeps records on 32 million people, and that information could be transferred as a result of the proposal. We are not told to whom that information could be passed, at whose request, the seniority of the person making the request, to what use it would be put and for what purposes it would thereafter be used.

Even if we were happy that this power should exist, and that it is a proper power for a police Bill, a criminal evidence Bill or a criminal justice Bill, Parliament was not willing to rush this provision through last year in such legislation. I hope that the House will agree that it is entirely inappropriate to rush it through under a guillotine in an emergency anti-terrorism Bill only a few months later.

When the right hon. Member for Maidstone and The Weald (Miss Widdecombe) spoke on Second Reading of the Criminal Justice and Police Bill a year ago, she said that this provision should be used only in connection with serious investigations. Liberal Democrats said that it should at least require judicial authorisation. As the hon. Member for Beaconsfield said, there is not even a limit on powers such as those which allow the Data Protection Registrar to hold information. From now on, that can be passed on.

This legislation should at least require a reasonable suspicion of serious terrorism-related crime for the House sensibly to agree to the proposals. There is no prior authorisation, no subsequent checking or auditing, and no guarantee that the person to whom the information relates is ever told what is going on. I hope that, even at this late stage, the House will realise that the amendment would hugely protect the citizen and that, unamended, the clause is not justified by the original purpose of the Bill. I hope that the amendment will be agreed.

11.30 pm

The Economic Secretary to the Treasury (Ruth Kelly): The hon. Member for Beaconsfield (Mr. Grieve) fundamentally misunderstands the nature of these clauses. Clause 17 is designed to clarify for public officials in what circumstances they may disclose information. I think that many Members will recognise the need for that clarification. If the clause were restricted to terrorist offences, it would be a significant impediment because the public official in each case would have to satisfy himself in advance of any disclosure whether the information was directly related to a terrorism investigation. That does nothing to harmonise requirements or to make it simple for public officials to understand what they are supposed to disclose.

Mr. Grieve: We do not want to make it simple. I am sure that the Minister will agree that each of the sections of each of the Acts listed in schedule 4 contain specific protections. She can read them. I quoted section 28(7) of the Health and Safety at Work, etc. Act 1974. Protection exists, but she intends to get rid of it. That is hardly a clarification.

Ruth Kelly: I thank the hon. Gentleman for his intervention, but it again shows that he fundamentally misunderstands the nature of the clause.

The hon. Gentleman disputes the fact that the clause contains safeguards. I guarantee that it provides strong safeguards for the disclosure of information. I emphasise that all the gateways in clause 17 are pre-existing: they have already been approved by the House, and nothing new is being debated today. They refer to specific information covered by existing statutory restrictions on disclosure. Safeguards are provided by the Human Rights Act 1998 and by the Data Protection Act 1984, and they still apply, so any information that is disclosed must be proportionate, necessary and lawful.

Mr. Grieve: If the Data Protection Act is supposed to apply to clause 17, why is it cited specifically in respect of clause 19 but not in respect of clause 17?

Ruth Kelly: Such provisions could have been included, but it was decided that that would confuse certain other issues—*[Interruption]*. Not in relation to this clause, but in relation to other measures. I can tell the hon. Gentleman, however—I see that the hon. Member for West Dorset (Mr. Letwin), who is sitting beside him, agrees—that the Data Protection and the Human Rights Acts apply to clause 17. If he disputes that, we can perhaps continue to debate it, but it is the case. What we are talking about is widening gateways to include criminal investigations and proceedings, and harmonising various Acts.

Mr. Garnier: The Minister says that the Human Rights Act applies to the provisions she has just described. Following very limited debate, the Government disapplied the European convention on human rights only the other day. What guarantee have we that they will not do the same again?

Ruth Kelly: That is completely separate. It has nothing to do with clause 17. The fact is that the existing safeguards in regard to the existing gateways—the Data Protection and the Human Rights Acts—apply. They are strong provisions, and we are merely widening them to include the disclosure of information for the purposes of criminal investigations and proceedings.

Lembit Öpik (Montgomeryshire): Is there not a strategic issue here? The question of disclosure underlies what we feel is the erosion of civil liberties and privacy. At what point will the Government accept that preserving civil liberties is more important than their hunger to legislate in this way?

Ruth Kelly: The safeguards in the clause are very strong, and I believe that they protect existing civil liberties. Information that is disclosed is disclosed voluntarily, and disclosure must be necessary, proportionate and lawful.

I consider that restricting the wording to "terrorism" would limit and severely weaken the Bill. Those who accept the need to widen the gateways to include investigations as well as proceedings will see that it is difficult for public officials to know whether specific acts are related to terrorism. Serious crimes such as drug dealing and money laundering, for instance, are often intimately linked with crimes of terrorism. Restricting the wording in this way would severely inhibit our ability to pursue anti-terrorism measures and to conquer terrorism.

Mr. Letwin: I have two questions. First, if there is a contradiction between clause 17 and the Data Protection Act, would the clause—given that it would be passed after the Act—supervene? Secondly, how could restricting the wording to "terrorism" cause difficulty in the pursuit of an investigation relating to terrorism?

Ruth Kelly: I do not believe there is any contradiction between the Data Protection Act and clause 17. It is clear that both the Data Protection Act and the Human Rights Act apply in this case.

I forget the hon. Gentleman's second question. Will he remind me? [*Laughter.*]

Mr. Letwin: No, that is perfectly fair. I am sorry for having asked two questions in one.

The Parliamentary Under-Secretary of State for the Home Department (Angela Eagle): The hon. Gentleman should not be patronising.

Mr. Letwin: I am not trying to be patronising; I am trying to be fair. How could restricting the clause to cases of terrorism restrict an investigation of terrorist activities?

Ruth Kelly: We are widening existing gateways to include disclosure of information relating to instances of pursued investigations, and helping authorities to decide whether to instigate such investigations. It is not at all clear that, if the provision were linked directly to terrorism, it would be easy for a public official to determine whether a serious crime such as money laundering or drug trafficking would turn out to be related to terrorism. We aim in clause 17 to make it as easy as possible for the authorities to tackle terrorism effectively.

Mr. Letwin: Surely the Minister recognises that the Opposition are simply trying to restrict the provision to cases in which there is a reasonable suspicion of terrorism and therefore an investigation into terrorism. She has not yet addressed the issue of how such a restriction could possibly restrict an investigation into terrorism.

Ruth Kelly: As I said, it is quite clear that many serious crimes are intimately linked to terrorism. It is potentially even more difficult for public officials to determine whether certain acts of a criminal nature that are committed abroad are linked to terrorism. *[Interruption.]* I feel that I have dealt fully with the hon. Gentleman's interventions.

Mr. Paul Marsden: I mistakenly thought that the Bill dealt with terrorism, not crime. I cannot for the life of me understand why we are not narrowing the legislation to take targeted action on terrorists, which everyone tells us is necessary, except that the Government wish to bulldoze civil liberties at a great rate of knots in the little time remaining for consideration of the Bill. We should not simply throw the net as wide as possible to catch everyone including criminals within it. That is what is being proposed. Consequently, in the years to come we shall undoubtedly face umpteen injustices—*[Interruption.]* The legislation is badly thought out, and the Minister has the lamentable task of implementing it—*[Interruption.]*

Madam Deputy Speaker: Order. Hon. Members are expected to be heard when they are making a contribution.

Ruth Kelly: There is nothing new in the Bill other than the widening of existing—[HON. MEMBERS: "Gateways."]—gateways for the disclosure of information—*[Interruption.]*

Madam Deputy Speaker: Order. The House must come to order. The Minister is responding to an intervention.

Ruth Kelly: The clause widens provision for the disclosure of information to include criminal investigations as well as proceedings.

Mr. Kevin McNamara (Hull, North): Will my hon. Friend give way?

Ruth Kelly: No; I have already taken a significant number of interventions.

We see clause 17 as fundamental to the fight against terrorism. It is essential that we use all the means at our disposal to crack down on terrorism. It is absolutely right that information should be disclosed to us by public authorities in that manner.

Simon Hughes: I simply ask that the Question be put.

Question put, That the amendment be made:—

The House divided: Ayes 213, Noes 330.

Division No. 85] **[11.43 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Barnes, Harry
Baron, John
Barrett, John
Beith, Rt Hon A J
Bellingham, Henry
Bennett, Andrew
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Rt Hon Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William

Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton–Brown, Geoffrey
Collins, Tim
Conway, Derek
Corbyn, Jeremy
Cotter, Brian
Cran, James
Curry, Rt Hon David
Dalyell, Tam
Davey, Edward *(Kingston)*
Djanogly, Jonathan
Dodds, Nigel
Doughty, Sue
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Duncan Smith, Rt Hon Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Fisher, Mark
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David
Heathcoat–Amory, Rt Hon David
Hendry, Charles
Hoban, Mark
Hogg, Rt Hon Douglas
Holmes, Paul
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui

Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Liddell–Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
McDonnell, John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNamara, Kevin
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury)*
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Oaten, Mark
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Portillo, Rt Hon Michael
Price, Adam
Prisk, Mark
Pugh, Dr John
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Sedgemore, Brian
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(Mid–Norfolk)*
Smith, Llew *(Blaenau Gwent)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr Richard *(Wyre F)*

Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Whittingdale, John
Widdecombe, Rt Hon Miss Ann

Wiggin, Bill
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George
Younger–Ross, Richard

Tellers for the Ayes:
Mr. John Randall and
Sir Robert Smith.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Margaret
Begg, Miss Anne
Benn, Hilary
Benton, Joe
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann

Cohen, Harry
Coleman, Iain
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis–Thomas, Mrs Claire
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*

Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Heyes, David
Hill, Keith
Hodge, Margaret
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morris, Rt Hon Estelle
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, Rt Hon Clare
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watson, Tom
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Ivor Caplin and
Mr. Tony McNulty.

Question accordingly negatived.

Clause 28

DURATION OF SECTIONS 21 TO 23

Amendment made: No. 2, in page 15, line 31, at end insert—

"( ) Sections 21 to 23 shall by virtue of this subsection cease to have effect at the end of 10th November 2006"—*[Mr. Blunkett]*

Schedule 1

FORFEITURE OF TERRORIST CASH

Amendment made: No. 3, in page 78, line 6, leave out "under this section".—*[Mr. Blunkett.]*

Mr. Garnier: On a point of order, Madam Deputy Speaker. I have no doubt that you and your fellow occupiers of the Chair will have kept a careful note during the two days of discussion on the Bill, so can you tell me what proportion of the Bill has been debated and what proportion—*[Interruption.]*

Madam Deputy Speaker: Order. I am taking a point of order.

Mr. Garnier: What proportion of the amendments selected by the Chairman of Ways and Means was debated during the course of the Bill's passage through the House?

Madam Deputy Speaker: The business on the Bill has been conducted as per the programme motion agreed by the House.

Order for Third Reading read.

11.57 pm

Mr. Blunkett: I beg to move, That the Bill be now read the Third time.

I thank Members on both sides of the House who have contributed thoughtfully and calmly to proceedings on a difficult measure. It is difficult because we are bringing in the Bill in the light of what happened on 11 September. It is difficult because, for any emergency measure, speed is of the essence: there would be no point in introducing emergency measures and putting anti-terrorism provisions in place unless we did so swiftly. That has put stress on all Members and I am grateful to them.

I want to make two points. First, we are engaging in the measure precisely because the bombings of the Tanzanian and Kenyan embassies and subsequently the attacks on the World Trade Centre and the Pentagon were planned years in advance. The thwarted attacks in Jordan and on the US embassy in Paris this year were planned months, if not years, in advance. Whatever is currently taking place around us—the network, the funding, the organisation—those who are prepared to provide suicide bombers to attack others will have had their preparation in place for a very long time.

Whatever success we can gain in Afghanistan—in freeing the people, in pushing the Taliban, the al-Qaeda group and bin Laden back into the mountains—we are still at risk. Those who dismiss that risk, who pretend that because 11 September is 11 weeks ago, we can set it aside, are making a grave error. That is why we are asking the House and, subsequently, the House of Lords to take measured, proportionate but necessary steps to protect the people of this country. The only people who have anything to fear are those who bring fear and dread to others. That is why I move Third Reading.

Mr. Letwin: I shall be brief—

It being midnight, Madam Deputy Speaker, *pursuant to Orders [19 and 21 November], put forthwith the Question already proposed from the Chair.*

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 323, Noes 79.

Division No. 86] **[12 midnight**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Margaret
Begg, Miss Anne
Benn, Hilary
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Heyes, David
Hill, Keith
Hodge, Margaret
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Luke, Iain
Lyons, John

McAvoy, Thomas
McCabe, Stephen
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morris, Rt Hon Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, John
(Glasgow Anniesland)
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, Rt Hon Clare
Simon, Siôn
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Watson, Tom
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Ivor Caplin and
Mr. Tony McNulty.

NOES

Allan, Richard
Baker, Norman
Barnes, Harry
Barrett, John
Beith, Rt Hon A J
Bennett, Andrew
Brake, Tom
Breed, Colin
Brooke, Mrs Annette L
Bruce, Malcolm
Burnett, John
Cable, Dr Vincent
Calton, Mrs Patsy
Campbell, Rt Hon Menzies
(NE Fife)
Carmichael, Alistair
Chidgey, David
Corbyn, Jeremy
Cotter, Brian
Dalyell, Tam
Dodds, Nigel
Doughty, Sue
Ewing, Annabelle
Foster, Don *(Bath)*
Garnier, Edward
George, Andrew *(St Ives)*
Gerrard, Neil
Gidley, Sandra
Green, Matthew *(Ludlow)*
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Heath, David
Holmes, Paul
Hopkins, Kelvin
Hughes, Simon *(Southwark N)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Kirkwood, Archy
Lamb, Norman
Laws, David
Llwyd, Elfyn
McDonnell, John
McNamara, Kevin
McWalter, Tony
Marsden, Paul *(Shrewsbury)*
Marshall-Andrews, Robert
Moore, Michael
Oaten, Mark
Öpik, Lembit
Paisley, Rev Ian
Price, Adam
Pugh, Dr John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sedgemore, Brian
Shepherd, Richard
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Taylor, Dr Richard *(Wyre F)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tyler, Paul
Wareing, Robert N
Webb, Steve
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Younger-Ross, Richard

Tellers for the Noes:
Mr. Douglas Hogg and
Sir Robert Smith.

Question accordingly agreed to.

Bill read the Third time, and passed.

ESTIMATES

Motion made, and Question put forthwith, pursuant to Standing Order No. 145 (Liaison Committee),

That this House agrees with the Report [15th November] of the Liaison Committee.—*[Mr. Fitzpatrick.]*

Question agreed to.

BUSINESS OF THE HOUSE

Ordered,

That, in respect of the Human Reproductive Cloning Bill *[Lords]*, notices of amendments, new clauses and new schedules to be moved in Committee may be accepted by the Clerks at the Table before the Bill has been read a Second time.—*[Mr. Fitzpatrick.]*

CHP Schemes

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Fitzpatrick.]*

12.12 am

Richard Younger-Ross (Teignbridge): I am pleased to speak in a debate on combined heat and power. Its timing is appropriate—although at this time of night I use the word advisedly. I am also pleased that we are spending 10 times as long on this debate as we had for the entire Third Reading of the Anti-Terrorism, Crime and Security Bill.

The Government often say that they are in favour of CHP schemes. Indeed, the Deputy Prime Minister, when he was also Secretary of State for the Environment, Transport and the Regions, said in a letter to companies in June 1997:

> "We strongly supported CHP in Opposition, and in Government we will positively promote it. The benefits of CHP are becoming increasingly important—CHP can reduce energy costs and increase UK competitiveness. It also reduces the UK's CO_2 and other emissions and helps to combat climate change".

The Government have reiterated their support for CHP schemes and gone as far as saying that they wish to double the output from 5 GW to 10 GW of power by 2010. The commitment even found its way into the Labour party manifesto.

As that level of commitment goes back four years, why have there been 1,400 job losses in the sector this year? In addition, why has Centrax in my constituency seen its orders for CHP units cut dramatically? When it was forced to announce 250 job redundancies recently it was not able to move any from the aerospace division to the gas turbine and CHP division. Again bearing in mind the Government's commitment to CHP, why does another local company, British Ceramic Tiles, advise me that the CHP unit that it bought two years ago is mothballed because it cannot afford to put it on line?

Why are companies such as British Sugar having difficulties? British Sugar recently said that it was encouraged by the Deputy Prime Minister's letter to invest some £70 million to upgrade two of its CHP plants, at Wissington in Norfolk and at Bury St. Edmunds. Those are now showing heavy losses, and the company has pulled its plans for investment of a further £100 million in two plants which would have added about 150 MW to the Government's CHP target and saved a further 150,000 tonnes of CO_2 emissions per year.

Is there a lack of joined-up government thinking on CHP? Was the Deputy Prime Minister simply speaking out of turn in his 1997 letter, or are the Government's actions light years behind their promises? If the latter is the case, I suggest that they take the advice of Professor Stephen Hawking, who can advise them on the time relativity paradoxes of Government policy. The Chancellor of the Exchequer stated in November 1999 that he would end the climate change levy on CHP. I do not expect that the Minister will tell us the contents of the statement to be made by the Chancellor tomorrow, but I hope that we will see a commitment to honour the promise made two years ago.

The Combined Heat and Power Association has raised several concerns about the lack of progress, and it has written to the Minister several times to ask for help. I ask him to consider its questions, because it has claimed that, without Government action, there will be a crisis in the industry. It is looking for action, not words, saying that

> "the overall reduction in the level of the CCL reduces the viability of CHP",

because the incentive to achieve energy efficiency targets using CHP is reduced, despite the Government's claim that CHP accounts for up to half the cost-effective savings in reduced levy sectors and will benefit from such agreements.

The CHPA says that there is also a problem relating to the Government's incentives. The Government introduced a concession that businesses could claim enhanced capital allowances on investment from good quality CHP, but finance leasing does not qualify. They have announced that plant and machinery that is part of good quality CHP will be exempt from the assessment of the rateable value for a site or business. However, only the electrical generator qualifies, and heat generation is excluded.

We need incentives, not disincentives, for CHP, and action, not consultation. The Government must accept that CHP needs to be exempt from the climate change levy and, as I said, I hope that we will hear more about that tomorrow. I also hope that the Government accept that they need to support changes in the new electricity trading arrangements and to work through Ofgem to reduce the penalties that are currently imposed on CHP units. I hope that the Government will consider placing an obligation on suppliers to purchase from CHP units. Currently, there is a scheme requiring power to be bought from renewables. I am not suggesting that it should be bought at the same rate, but two thirds of that cost may be appropriate.

Mr. Barry Gardiner (Brent, North): The hon. Gentleman mentioned the new electricity trading arrangements, or NETA. Does he accept that the Government deserve credit for the introduction of NETA and that generators and suppliers are expected to balance anticipated generation and demand with contracts for the sale and purchase of electricity through that system? The balances and imbalances are therefore cashed out. On balance, NETA has been extremely positive improvement on the previous pool arrangements.

Richard Younger-Ross: In the context of CHP schemes, I disagree with the hon. Gentleman. BCT, the company that I cited earlier, is not affected by the climate change levy because of the industry of which it is part. Its complaint largely concerns the effects of NETA on that industry. NETA might work for larger suppliers, but it disadvantages smaller suppliers. I hope that the Government recognise that; indeed, I am asking them to look at changes to NETA to help smaller suppliers.

Mr. Gardiner: I agree that there are problems with NETA. However, does the hon. Gentleman not accept that, on the whole, NETA has been positive for the industry? There is a problem for CHP, as opposed to renewables, because it typically produces excess electricity to produce the required heat output for the host site. Such problems arise because of the demand to balance within NETA CHP's overproduction and its variable supply to the market, and that needs to be resolved by Government action.

Richard Younger-Ross: If one follows the hon. Gentleman's logic, CHP schemes would not exist because they need to be protected from that eventuality. NETA simply does not work for CHP schemes. There are two ways round that; one can change NETA or require suppliers to purchase from CHP schemes. One has to do one thing or the other; one can even do both. I hope that the Minister will comment on that in his summation.

I know that the Minister has spoken and written on this matter many times. On 8 March, he gave a written answer in which he said:

> "We have introduced a range of incentives to stimulate CHP growth, including exemption of Good Quality CHP from the Climate Change Levy, subject to EU clearance and eligibility for enhanced capital allowances. Electricity generating plant and machinery will also be exempted from business rating from 1 April 2001. A comprehensive strategy will be launched in the coming months to ensure that our 2010 target is achieved with the help of the measures already announced and other new measures designed to stimulate growth further."—[*Official Report*, 8 March 2001; Vol. 364, c. 272-73W.]

I accept those good intentions, but the industry needs action now. Measures can be undertaken to stimulate the industry. I am certain that if we can make progress soon, it will be good not just for jobs in the United Kingdom—jobs in my Teignbridge constituency are desperately needed at present—but for the environment.

12.23 am

The Minister for the Environment (Mr. Michael Meacher): I congratulate the hon. Member for Teignbridge (Richard Younger-Ross) on choosing CHP for this Adjournment debate, which will enable us to examine what, I accept, are very serious problems facing the industry. It gives me an opportunity to emphasise again the Government's determination to achieve our CHP target of at least 10,000 MW by 2010.

The recent Ofgem report on the initial impact of NETA on smaller generators suggested, as I made clear in parliamentary answers, that the export of power from CHP has fallen by about 60 per cent. since its introduction. Some estimate that the figure may be closer to 80 per cent. That is obviously extremely serious.

The hon. Gentleman mentioned the loss of 250 jobs, which is about 25 per cent. of the work force at Centrax in Newton Abbot. Centrax makes jet engine components for Rolls-Royce, which produces jet engines for the American executive jet market. Centrax also makes gas turbines for use in the general power generation sector, not just CHP. The job losses occurred largely as a result of the events of 11 September.

Orders for jets are no longer being received, as the airlines have cut back. Whereas Centrax might have been expected to build five or six turbine sets during the next six months, it is possible that only one will be built. In addition, the European market is in similar circumstances as a result of the transitional period following the deregulation of energy sectors. There are, therefore, special considerations in the case of Centrax, which is, I think, the only UK company associated with CHP that has announced job losses. However, I am aware that the association believes that in the current circumstances, there may be further job losses in the pipeline. I accept that the situation is extremely serious.

The hon. Gentleman is right about NETA. It poses particular problems for smaller generators. The asymmetry between falling electricity prices and rapidly rising gas prices has added to the problems. NETA is a matter for Ofgem and the Department of Trade and Industry. My Department has been working closely with the DTI to identify the action necessary to address the adverse impact that NETA appears to be having on the smaller embedded generators, which is identified by the Ofgem review. The Government have issued a response to Ofgem's review and through that are consulting on ways to ensure that CHP and the renewable generators can operate effectively under NETA.

My hon. Friend the Member for Brent, North (Mr. Gardiner) is right about the gains in NETA in general, relative to the pool price that existed before, but it is undoubtedly a problem for the smaller generators. We are examining ways in which we can reduce or eliminate those problems.

Mr. Gardiner: The obvious and effective solution would be to remove CHP from the NETA balancing mechanism, because the plants are small and the costs imposed on the rest of the energy market by that action would be minimal. That might give CHP the opportunity to run as it did before the market changes, removing the impediments to continued operation. Does my right hon. Friend agree that at present, where a CHP plant is selling surplus electricity as a supplier, it is subject to the renewables obligation? Given the environmental credentials of CHP, it seems perverse for the renewables obligation to be applied. Removing CHP from that obligation would improve the economics of CHP.

Mr. Meacher: My hon. Friend makes some good points. I agree that those are indeed the barriers. As part of our approach to reducing the problems, a cross-Government/industry working group has been set up to examine exactly the barriers that he describes, and the barriers to the consolidation of smaller generators under NETA. We must make sure that any measures put in place will help CHP generators, and I am determined to work with my hon. Friend the Minister for Industry and Energy to ensure that they will.

We are working to encourage energy efficiency and CHP through a range of initiatives. Let me give the hon. Member for Teignbridge a few examples. Next April, the UK will launch the world's first economy-wide emissions trading scheme with £215 million of Government support over five years. That will deliver emissions reductions from business and offer an incentive for investment in low-carbon technology, including CHP. I assure him that there is no question of CHP not being able to take full advantage of trading. That is one way in which we can try to address current problems.

The climate change levy was introduced on 1 April this year. As the hon. Gentleman said, good-quality CHP-generated electricity that is used on site or sold to known end users is exempt from the levy, as is the fuel used in the vast majority of CHP schemes. I recognise that a problem remains regarding exemption for exports via licensed suppliers. I shall return to that point in a moment.

Richard Younger-Ross: What would be the cost to the Exchequer if that climate change levy was taken away?

Mr. Meacher: I cannot give the hon. Gentleman an immediate figure. The Government agree with the

[Mr. Meacher]

industry that the problem remains significant and we have been examining it closely. I shall write to him about the exact cost.

Our commitment does not stop there. Some £50 million in the next two financial years will be available for innovative community energy schemes based largely on CHP. That will help save carbon, tackle fuel poverty and encourage urban regeneration—a win, win, win situation. Micro-CHP is another exciting example that offers great potential for energy efficiency improvements. My right hon. Friend the Secretary of State for Environment, Food and Rural Affairs last month announced proposals for a large-scale pilot in 6,000 fuel-poor households to assess the suitability of the technology. If that is successful, our intention is to include micro-CHP in my Department's main fuel poverty programme, which is substantial.

The hon. Gentleman asked what the Government were doing in terms of our commitment to CHP, so I point out that those are real, solid commitments. We are working closely with colleagues in other Departments to ensure that energy efficiency remains a key element of Government policy. Over-arching that work, the performance and innovation unit is reviewing the broader strategic issues associated with energy policy and will make its report to the Prime Minister by the end of the year. From meetings with its authors, I know that the unit has fully grasped the very important contribution that CHP has to make.

That will help to reinforce the CHP strategy that my Department is developing in close collaboration with other Departments. I am perfectly aware of frustration about the delay in publishing the strategy. The hon. Gentleman will be pleased to know that I have been lobbied very strongly about the matter. To ensure that the strategy can be of real value in helping us to achieve the Government's target, it must be robust. I hope that he will understand me when I say that it requires a great deal of interdepartmental discussion. We now expect to publish the strategy for consultation at about the turn of the year. I am happy to recognise that that is not as soon as I would have liked.

I recognise that one of the measures that would provide a considerable boost to the CHP industry—the hon. Gentleman emphasised this point—would be full exemption from the climate change levy for CHP-generated electricity. I assure him that I have raised the issue with my colleagues in the Treasury, but I must point out that, as he will recognise, taxation issues are a matter for my right hon. Friend the Chancellor of the Exchequer. I am afraid that I cannot say anything more on the matter in view of tomorrow's pre-Budget report. The hon. Gentleman will not have long to wait, but I am afraid that he will have to wait till tomorrow.

Beyond possible fiscal measures, we are considering a wide range of other policies as part of our strategy. They include extending enhanced capital allowances to cover long-life CHP assets and further exemption from business rates. I am acutely aware that CHP is a long-term investment and that greater certainty about future energy prices would help reduce significantly the financial risks for CHP developers. Earlier, I referred to the unevenness in recent price movements. Those fluctuations have clearly not helped. It has been suggested that not only a renewables obligation, but a CHP obligation would provide the necessary certainty. We have reserved the powers in the Utilities Act 2000 to implement such an obligation. We shall consider it carefully with other measures.

The Government will continue to champion what the hon. Gentleman correctly described as the great benefits of CHP to the environment and the economy. We are committed to pursuing the necessary policies to restore confidence and get us moving again towards our 2010 target. Clearly, the CHP strategy is the key issue, and hon. Members can expect it to be published around the turn of the year. That is the earliest date to which I can reliably commit the Government.

Combined heat and power needs to flourish again and I am committed to doing all that I can to ensure that it does.

Richard Younger-Ross: The Minister said that the report would be published near the end of the year and that a consultation period would follow. That could continue for some time before any action was taken. Will he consider introducing all the elements that he can before that? Some matters are non-controversial in the industry, if not in Departments. Help is needed as soon as possible to get the industry back into gear. It is downsizing when it should be increasing.

Mr. Meacher: I acknowledge that. I have outlined several measures that we will introduce. I do not want to postpone publication for a month and then hold a long consultation period. Clearly, we must take action early so that the policy on the ground is changed. I have mentioned various measures such as enhanced capital allowances and exemption from business rates. However, apart from the CHP obligation, the most important is the exemption of the export of CHP via licensed suppliers from the climate change levy. The hon. Gentleman needs to wait only until tomorrow for that.

Question put and agreed to.

Adjourned accordingly at twenty-one minutes to One o'clock.

House of Commons

Tuesday 27 November 2001

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

The Secretary of State was asked—

EU Accession

1. **Jeff Ennis** (Barnsley, East and Mexborough): What recent bilateral discussions he has had with those countries seeking entry into the EU. [15423]

The Minister for Europe (Peter Hain): Between us, the Foreign Secretary and I have already met our Polish, Czech, Turkish, Hungarian, Romanian, Cypriot, Lithuanian, Latvian and Bulgarian counterparts. Our Government are champions of European enlargement.

Jeff Ennis: Independent research has shown that EU enlargement will add approximately £1.75 billion to our gross domestic product. Does the Minister agree that any opposition to EU enlargement, including from Opposition Members, is not in this country's interests?

Peter Hain: I very much agree with my hon. Friend. Enlargement is not just a favour for the applicant countries; it is a favour for ourselves. It is good for jobs and good for business. Every country that has come into the EU has increased its share of trade with Britain. It is also good for our security to bring additional members into the EU to co-operate on drug trafficking and anti-crime and anti-terrorism measures. That is why it is astonishing that Conservative Members voted against enlargement by opposing the Nice treaty. They have shown all the Polish, Cypriot and other communities in Britain that the Tories oppose their interests.

Mr. John Redwood (Wokingham): Why does the Minister not come clean and admit that the centralising power grab of the treaty of Nice has nothing do with enlargement and that the applicant states want to know what his solution to the problem of the common agricultural policy is? They want the money and they want us to pay. How will the hon. Gentleman solve that?

Peter Hain: The right hon. Gentleman is bewitched and besotted by his fanatical anti-Europeanism. The truth is that this Government have strongly supported CAP reform, which will be hastened by enlargement, and that is another very good reason why he should support it.

Mr. Jim Marshall (Leicester, South): When my right hon. Friend met his Turkish counterpart to discuss Turkey's possible membership of the EU, did they mention the problems that now exist between the EU and NATO in respect of the EU's assured access to NATO assets in the event of the EU carrying out Petersberg-type tasks?

Peter Hain: My hon. Friend raises a very important issue. Indeed, the Foreign Secretary discussed it in some detail with his Turkish counterpart during his visit to Turkey only last month. I can report to the House that significant progress was made in a very important meeting at Ankara, which involved ourselves, as representatives of the EU, and the United States. We are confident that progress can now be made, although there are still some obstacles to overcome. It is in Turkey's interest that European security and defence policy proceeds, to have a good relationship with the EU and, eventually, we hope, to accede to membership, when it satisfies all the conditions.

Mr. Richard Spring (West Suffolk): I remind the right hon. Gentleman that we clearly warned that all the extraneous baggage surrounding the Nice treaty might well delay enlargement. Given what has happened in Ireland and that it may happen again, what exactly is the fallback position on enlargement?

Peter Hain: It is very important that the Nice treaty is ratified by the House and, indeed, by Parliament to secure enlargement and to welcome our friends from Cyprus, Poland, Hungary and all the other applicant states to join the EU, as they wish to do. The Government of Ireland have yet to notify the EU and their colleague member states, including ourselves, about their own advice on how the question should be addressed, but the Government of Ireland very strongly support the Nice treaty and enlargement, and the Conservative party should take heed of that as well.

Ministerial Meetings (Pakistan)

2. **Mr. Clive Betts** (Sheffield, Attercliffe): If he will make a statement on recent discussions with President Musharraf on the situation in Pakistan. [15424]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): I met President Musharraf on Friday 23 November in Islamabad. I expressed continuing appreciation for his courageous stand in the fight against terrorism and the practical assistance that Pakistan has provided. I discussed with him the situation in Pakistan and sought his advice on how best to achieve our shared objective of a broad-based multi-ethnic Government in Afghanistan.

Mr. Betts: I thank my right hon. Friend for that reply, and I am sure that the House wants to congratulate President Musharraf on the support that he has given the coalition at this difficult time. In those discussions, I am sure that the issue of Kashmir was also raised with my right hon. Friend. I know that he is aware that many indigenous Kashmiris have been engaged in a struggle with the Indian army over the freedom of their country during past decades.

Recently, some of those Kashmiris have most unfortunately chosen to side with terrorists in Afghanistan. I am sure that that action will be universally condemned, but will my right hon. Friend give an assurance that that action by some Kashmiris in Afghanistan will in no way change the British Government's policy, which is in favour of the right of the Kashmiri people to determine their own future? Does he agree that pressure should continue to be put on the Indian Government to ensure their compliance with UN resolutions passed more than 50 years ago?

Mr. Straw: Sadly, on both sides of the line of control in Kashmir, thousands of innocent civilians—Muslim, Sikh, Hindu and people of no religion—as well as many members of the Indian armed forces have lost their lives. In our judgment, the Kashmir issue can be solved only by bilateral discussions between India and Pakistan. We are therefore encouraging the Government of India and the Government of Pakistan to resume the talks that they held in July in Agra. We would stand ready to provide assistance to those negotiations, but only in circumstances in which both sides agreed that our intervention would be helpful.

Rev. Martin Smyth (Belfast, South): Although I welcome the stand that President Musharraf has taken hitherto, can the Foreign Secretary say whether there is any truth to reports from Afghanistan about Pakistani planes flying in to take people out? Might that not have an adverse effect on any settlement in Afghanistan?

Mr. Straw: I have seen those reports, but I have seen no information that confirms their credibility.

Mrs. Lorna Fitzsimons (Rochdale): Further to the question of my hon. Friend the Member for Sheffield, Attercliffe (Mr. Betts) about Kashmir, can I press my right hon. Friend on the issue? Does he agree that, post-11 September, we must work with people across the world and, more important, with our constituents and with people of Kashmiri origin? We must also work with the peaceable people in Kashmir who have pacifically been trying to get United Nations resolutions implemented so that they can enjoy the democratic rights denied them by the failure of the Indian Government and, I am afraid to say, previous Pakistani Administrations, to act on the resolutions passed by international institutions such as the UN. All that those people want is a vote on whether Kashmir should be able to accede to India or to Pakistan. Although they believe that they have been done a great injustice, they do not want terrorists to act on their behalf.

Mr. Straw: In the Kashmiri dispute, it is possible for both sides credibly to claim the support of various international and bilateral agreements. Typically those on the Pakistani side of the line of control refer to the resolutions of the Security Council of the United Nations while those who support the position of the Indian Government claim that the Simla agreement in the early 1970s superseded the UN Security Council resolution of 50 years ago. The crucial point is that, in the real world, the dispute can be resolved only by bilateral negotiations between India and Pakistan. That is what we want to happen.

Mr. David Chidgey (Eastleigh): Does the Foreign Secretary agree with the view now being expressed in the United Nations that the acceptance by Afghanistan of a multinational force is an essential ingredient of any stabilisation and aid package? If so, what part does he propose that British forces should play? If not, what option would he pursue?

Mr. Straw: I discussed this matter with the President of Pakistan. There are various possibilities for outside assistance in terms of multilateral forces to assist any interim authority, and then a proper Government, in Afghanistan. However, our view is that decisions must wait until there is at least an interim authority that can offer consent to such a force. The role that British troops might play will depend on the nature of the tasks required and, of course, on the consent of any interim authority.

Mr. Tam Dalyell (Linlithgow): What did President Musharraf say about bombing in Ramadan?

Mr. Straw: As far as I recall, President Musharraf did not say anything about that.

European Security and Defence Initiative

3. **Mr. John Wilkinson** (Ruislip-Northwood): When he last met his counterparts in the European Union to discuss future parliamentary scrutiny of the European security and defence initiative. [15425]

The Minister for Europe (Peter Hain): At the General Affairs Council eight days ago.

Mr. Wilkinson: I did not quite catch that reply, because it was a bit hurried and the Foreign Secretary was removing his brief from the Dispatch Box.

Before the Government come to a judgment, will they examine the performance of the armed forces of European Union countries in the war against terrorism in Afghanistan? Before the intergovernmental conference, will the Government also assess the extremely effective role already played in European security and defence issues by the NATO Parliamentary Assembly, the Organisation for Security and Co-operation in Europe and the Assembly of the Western European Union? Surely, the IGC—and not now—is the right time and place to move things forward.

Peter Hain: I acknowledge and pay tribute to the hon. Gentleman's long-standing work as a member of the WEU Assembly and to his expertise in such matters. The issues that he raises are being considered. There is an embryonic European security and defence policy in place in operations in Macedonia, Bosnia and Kosovo where we are co-operating on an ad hoc basis with fellow European armed forces, and commanders from other member states sometimes command our forces. It is working very satisfactorily and we are learning a great deal from it, which will help the European Union to determine exactly how that capability can be made operational and contribute to peacekeeping humanitarian missions and crisis management.

Rachel Squire (Dunfermline, West): I thank the hon. Member for Ruislip-Northwood (Mr. Wilkinson) for raising this issue following a conference that we both recently attended in Brussels.

Does my right hon. Friend agree that the arrangements for national parliamentary scrutiny of European security and defence policy are inadequate and that we are at risk of being overtaken by the European Parliament, which does not appear to want to await the outcome of the IGC? Will he give priority to a full debate on that matter and the relevant Select Committee reports? Will he facilitate a discussion between the relevant Committees and Members of the House on the WEU, the OSCE and the NATO Parliamentary Assembly to consider improving our national parliamentary scrutiny of European security and defence policy developments?

Peter Hain: I will certainly consider the points raised by my hon. Friend, whose expertise is also valued by the House. We need to ensure that the initiative receives parliamentary scrutiny, that the discussions proceed and that the issue is addressed in the run-up to the IGC in 2004. We have no intention whatsoever of ceding scrutiny to the European Parliament. This is an intergovernmental matter that concerns the operational capacity of our troops, which is not something that we can cede to the European Parliament. We need national parliamentary supervision and accountability.

Zimbabwe

4. **Mr. Nicholas Winterton** (Macclesfield): What recent representations he has made to the Government of Zimbabwe relating to the land redistribution programme. [15426]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): Land reform was one of the central issues in the Abuja negotiations in September. I raised it again with Zimbabwe's Foreign Minister, Mr. Mudenge, in New York on 10 November and my noble Friend Baroness Amos discussed it during the Commonwealth ministerial visit to Harare in October.

At Abuja, Zimbabwe agreed that its land reform programme should be fair, just and sustainable and in the interest of all the people of Zimbabwe. It also committed itself to restore the rule of law to land reform and to respect the Commonwealth's Harare declaration. Its actions over the past three months show its scant regard for these commitments and have seriously undermined the Abuja agreement.

The Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Exeter (Mr. Bradshaw), set out Government policy on Zimbabwe in this morning's Westminster Hall debate. Let me emphasise again to the House that we remain profoundly concerned at recent developments in Zimbabwe, including violence against the Opposition, interference in the judicial system, moves to disfranchise Zimbabweans living overseas and, preposterously, labelling journalists as people who have been assisting terrorists. Our European Union and Commonwealth partners, and neighbouring states in southern Africa, share those concerns.

At the 29 October General Affairs Council, the European Union therefore opened formal article 96 consultations with the Government of Zimbabwe under the Cotonou agreement. Cotonou states that if there is no progress within 75 days "appropriate measures" may be taken. A United Nations Development Programme technical team is now in Zimbabwe to look at the prospects for a credible land reform programme. Once its report is available, we will discuss it with Commonwealth and EU partners, and key donor countries including the US. We shall of course consult southern African countries as well. I will at that stage make a further statement to the House.

Mr. Winterton: I sincerely thank the Foreign Secretary for that considered and lengthy reply. As he said, the Abuja undertakings are being flagrantly ignored by Mr. Mugabe and his Government. Farms continue to be invaded and farm workers murdered, hundreds of thousands of Zimbabweans face famine, and the country is disappearing down a black hole.

Will the Foreign Secretary ensure that the EU and the Commonwealth work together to bring Mr. Mugabe and his Government to their senses? The most unfortunate development is that Mr. Mugabe has recently indicated that he will not allow independent monitors to observe the presidential election, which would be a disaster for that wonderful country.

Mr. Straw: I appreciate the hon. Gentleman's concern, which is based on deep knowledge of Zimbabwe, and the manner in which he made his points. I have been concerned throughout to ensure that we work in partnership with Commonwealth countries, the European Union and other southern African countries. Apart from the poor people in Zimbabwe, who are suffering grievously from the results of President Mugabe's policies, it is the countries contiguous to Zimbabwe that are most affected by the disastrous economic and political management of Zimbabwe. We shall continue to work with all those partners.

President Mugabe has to date refused to accept the involvement of election observers at the beginning of the electoral process, and not just at the end. We hope that he will change his mind, but I do not hold out much hope. What is striking about his refusal is that it appears to be in breach not only of various EU and Commonwealth declarations that he has signed, but of the declaration of detailed norms and standards for elections in the southern African region that he signed only last March and that specifically commits all southern African countries, including Zimbabwe, to the admission of independent election observers at the beginning of and throughout the process, and on polling day.

Mr. Win Griffiths (Bridgend): Given what appears to be the total disregard by President Mugabe for the Abuja agreement and all the other events in Zimbabwe, including the President calling members of the press "terrorists", at what point does my right hon. Friend think he will able to make a statement to the House saying that the Commonwealth has finally, alas, had to withdraw its recognition of Zimbabwe's membership?

Mr. Straw: Such measures are, as my hon. Friend knows very well, a matter for the Commonwealth as a whole, not the United Kingdom. I will say only that nothing would play better with President Mugabe than if he were allowed to present the issue as one between black Zimbabwe and the old colonial ruler, the United Kingdom, rather than what it really is: a major issue of multinational and international concern.

I spoke this morning to Don McKinnon, the Secretary-General of the Commonwealth, about the situation. We are likely to have a teleconference of the Commonwealth Ministers action group, of which I am a member in December, and a proper meeting in January, which should coincide with the end of the 75-day period under the article 96 process under Cotonou. In addition, we shall continue our discussions with southern African countries, because it is clear that there must be significant changes in the arrangements that President Mugabe is in practice willing to put in place for observers of the electoral process and for the process itself if that election is to carry any credibility with the rest of the world and with the voters of Zimbabwe.

Mr. Douglas Hogg (Sleaford and North Hykeham): Surely the truth is that Mr. Mugabe's behaviour is now so gross that Zimbabwe should be excluded from the Commonwealth until he is removed from office.

Mr. Straw: I understand the right hon. and learned Gentleman's concerns and instincts. We are all profoundly concerned about what has been happening, above all on behalf of the people of Zimbabwe, who have suffered badly from 80 per cent. inflation, a decline in the growth rate of what was once the bread basket of Africa and the impoverishment of what was a prosperous country. However, I counsel the right hon. Gentleman against suggesting that the United Kingdom take unilateral action, which would work to President Mugabe's benefit. The important thing is to work in partnership with the Commonwealth, the European Union and, above all, the southern African countries.

Mr. David Lammy (Tottenham): Does my right hon. Friend agree that there remains a need for balanced, fair and just reporting of the situation in Zimbabwe? Given what the Zimbabwean Government have said about foreign journalists aiding terrorists, what are the British Government doing to protect our journalists in Zimbabwe?

Mr. Straw: We would actually do more to protect UK citizens who are journalists in Zimbabwe than we can to protect Zimbabwean citizens. The journalists whom President Mugabe portrayed as assisting terrorism were Zimbabwean citizens and should be mentioned for the great courage that they have shown in reporting the situation in Zimbabwe when faced with flagrant intimidation by people acting on behalf of President Mugabe and ZANU-PF. Following the reports, our high commissioner in Zimbabwe, Brian Donnelly, made strong representations at my specific request to the Zimbabwean Government. We continue to work with independent media, non-governmental organisations and others to ensure that as far as possible the media can report fairly and independently what is happening in Zimbabwe and that when they are prevented from doing so, the world knows.

Mr. Michael Ancram (Devizes): Does the Foreign Secretary recall the Prime Minister telling the Labour party conference on 2 October that there would be

> "no tolerance of . . . the activities of Mr. Mugabe's henchmen in Zimbabwe."

Does the Foreign Secretary agree that the situation in Zimbabwe is deteriorating daily, with acts of murder and violence committed by Mugabe's agents on those who seek democratically to oppose him? Has not the time for hand wringing and waffling passed and the time to act arrived? Why do the Government not take a lead in building a new international coalition that can make it clear to Mugabe that failure to hold free and fair elections, starting with putting international observers in now, as voter registration is taking place, will result in severe political and economic consequences for him and his regime? That would demonstrate that when the Prime Minister talks about no tolerance, he means it.

Mr. Straw: We have just had a good example of hand wringing and waffle. The right hon. Gentleman should think carefully; building coalitions is exactly what we have been doing for months and was the purpose of the Abuja discussions. It was crucial that we broke away from the parody that President Mugabe had allowed himself to invent of a bilateral dispute between the United Kingdom and Zimbabwe when it was nothing of the kind. The Abuja declaration was crucial because Nigeria, South Africa, Kenya, Jamaica and old Commonwealth countries signed up to it. The discussions between President Mbeki and our Prime Minister were also important, as were the decision of the General Affairs Council of the European Union to move from article 8 to article 96 and the meeting last week with Commissioner Patten and High Representative Solana in Zimbabwe.

We are making those moves along with our partners to ensure that there is a coalition. Unlike the previous Administration who, in the early 1980s, sat on their hands while more than 5,000 people were murdered in Matabeleland, we are taking effective action based on an international consensus.

Mr. Speaker: Before I call Question 5, I appeal for shorter questions and replies.

Coalition Against Terrorism

5. **Syd Rapson** (Portsmouth, North): What assessment he has made of the continuing level of support by Muslim countries for the coalition against terrorism. [15427]

10. **Laura Moffatt** (Crawley): What assessment he has made of the continuing support of the Muslim countries for the coalition against terrorism. [15433]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Ben Bradshaw): Muslim countries were among the first to condemn the 11 September attacks and support the campaign against terrorism. That support has strengthened further as they have witnessed the liberation of ordinary Afghans—fellow Muslims—oppressed so terribly and for so long by the Taliban.

Syd Rapson: I thank the Minister for that reply. Is he aware that in less than 30 years' time a quarter of the world's population will be Muslim? To gain their support, and more importantly, their trust, in our campaign against worldwide terrorism, a vital step must be the settlement of the middle east crisis. Can my right hon. Friend assure the House that everything humanly possible is being done to achieve that aim?

Mr. Bradshaw: Yes, the United Kingdom has been strongly engaged in trying to find a way forward in the middle east peace process. We welcome the statement made last week by United States Secretary of State Colin Powell, and his dispatch of the two envoys to Israel yesterday. We recognise the importance of a solution in the middle east in terms of public opinion in the Arab and Muslim worlds, and we recognise the importance of public opinion in the Arab and Muslim worlds not just in international relations, but in our domestic politics.

Laura Moffatt: Ayatollah Ali Khamenei has clearly said that the actions of 11 September and associated activities are

"neither connected to Islam, nor accepted by its principles."

I know that my right hon. Friend the Foreign Secretary has been keeping in close contact with Iran. Following recent visits, can my hon. Friend assure us that those views still prevail?

Mr. Bradshaw: Yes, I can. Many hon. Members will have been surprised by the strength of support for the campaign from some unlikely quarters, including Iran. Our relationships with Iran are extremely important. That is why my right hon. Friend the Foreign Secretary has made two visits there in the past two months—the first visits by a British Foreign Secretary since the Iranian revolution. Iran has an important role to play, particularly in the future peaceful solution in Afghanistan.

Mr. Menzies Campbell (North-East Fife): How many of those Muslim countries would continue to support the coalition if military action were launched against Iraq, as has been foreshadowed in the past 24 hours, without incontrovertible evidence? Is it not likely that their support would simply melt away? Is it not the case that the further risk of military action against Iraq is that Saddam Hussein, as he did during the Gulf war, would launch missiles against Israel, which would feel compelled to retaliate, leading to the risk of conflagration throughout the middle east?

Mr. Bradshaw: I do not think that it is helpful to speculate about the possible expansion of the current military campaign and its effects on public opinion in the Muslim world. The UK Government have always made it clear that the campaign is targeted and specific, and that its aim is to bring to justice those responsible for the mass murder of 11 September. Of course there are further obligations on all countries—not just Iraq, but the United Kingdom—as a result of the two unanimous UN resolutions passed since 11 September.

Mr. Crispin Blunt (Reigate): While Pakistan's support for the coalition against terrorism is welcome, what assessment has the Minister made of the Pakistani intelligence service's continuing role in supporting terrorism in Kashmir?

Mr. Bradshaw: We have done our utmost to urge the Pakistani Government to cease any support that they might have given in the past to the terrorists to whom the hon. Gentleman refers, and to cease any support that Pakistan has given through its intelligence service to the Taliban. We believe that Pakistan has undergone a sea change in its approach to those two issues, and we will continue to press the Pakistani Government to continue along the right path.

Mr. Malcolm Savidge (Aberdeen, North): Will the Government make it clear to our US allies that the support of Muslim and other countries has been dependent on action being commensurate and directly related to the atrocity on 11 September, and that, although there are problems relating to various other countries that the international community must address in various ways, injudicious military action could forfeit international support and would not have the unconditional support of the Government?

Mr. Bradshaw: People should not speculate about expanding the military campaign beyond bin Laden and al-Qaeda, in the absence of any evidence of any other state involvement. There is no evidence of any other state involvement, as far as we are aware. We have always made it clear that the military campaign is limited and specific. However, the United Nations resolutions passed unanimously since 11 September place serious obligations on a number of countries, including Iraq, and pretty stiff sanctions if they fail to fulfil them.

Mr. Alex Salmond (Banff and Buchan): The Minister may not wish to speculate, but speculation is widespread and obviously has an impact on Muslim opinion worldwide. Can we have an unambiguous statement from him that it is not the policy of Her Majesty's Government to extend the military action and conflict to other states and countries without unambiguous evidence to that effect?

Mr. Bradshaw: Yes.

Mrs. Alice Mahon (Halifax): I think that my hon. Friend has dodged around this issue. President Bush threatened Iraq yesterday with regard to the weapons inspections. Will my hon. Friend say unequivocally that we will not take part in bombing Iraq or any other Muslim country if America engages in bombing?

Mr. Bradshaw: I would point out to my hon. Friend that Iraq could very easily solve the problem by adhering to the demands that are made of it by the United Nations. If Iraq implemented the United Nations resolutions, it would not find itself with this problem. I repeat to my hon. Friend that the UK Government's position has been absolutely clear all along during the military campaign, which is directed specifically against those who are responsible for the mass murder of 11 September. There is no evidence of any other state involvement. In the absence of any such evidence, those military objectives remain as they have been all along.

Mr. Alan Duncan (Rutland and Melton): In commenting on the Foreign Secretary's visit to Iran and Pakistan, it grieves me ever so slightly that I have to say once again that I think that he has been doing the right thing. However, the continuing support of Pakistan and other Muslim countries very much will now depend on what happens next. On 4 October, the Foreign Secretary said that

> "there should be no safe haven for terrorists anywhere in the world."—[*Official Report*, 4 October 2001; Vol. 372, c. 689.]

Notwithstanding the Minister's answer to the right hon. and learned Member for North-East Fife (Mr. Campbell), will he tell the House which other countries are now under suspicion? Which countries might require action of any sort by the coalition so that the objectives laid out by the Prime Minister and President Bush will be met? Are there any, or are there none?

Mr. Bradshaw: I am afraid that I shall not read out a list of the countries that may or may not be involved in helping or supporting terrorist organisations within their borders. I point out to the hon. Gentleman, to whom I am grateful for his kind remarks about the activities of my right hon. Friend the Foreign Secretary, that the UN resolutions place pretty stiff requirements on all countries, including the United Kingdom. Many of the complaints that we get from countries throughout the world suggest that we have not been terribly good in the past at extraditing or dealing with suspected terrorists in this country. We all have obligations and duties under the UN resolutions, and I think that it would be invidious to start naming names.

Mr. Ernie Ross (Dundee, West): Does my hon. Friend agree that, if we are to maintain the support of the Muslim countries, we must deal with the problems that concern them, such as Kashmir and the middle east? Does he also agree that the speech made by Colin Powell last week was very important in terms of ensuring that that is done? If we can keep the United States Government engaged, a strong signal will be sent to the middle east. Does my right hon. Friend agree that one of the most important things that Secretary of State Powell said was that the US stands ready to contribute towards an effective mechanism to monitor the peace between the two sides? Will my hon. Friend encourage him to move forward very quickly on that issue?

Mr. Bradshaw: Yes, I would agree with everything that my hon. Friend says. We do indeed encourage the Americans to move forward on that issue. However, I should say as a warning that while we can address all the political and regional grievances in the world, history has unfortunately shown us that the world occasionally throws up madmen and despots who have to be stood up to.

Gibraltar

6. **Tim Loughton** (East Worthing and Shoreham): If he will make a statement on the future sovereignty of Gibraltar. [15428]

8. **Mr. Lindsay Hoyle** (Chorley): If he will make a statement on his policy on the right of self-determination for overseas territories. [15431]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): The Government resumed talks with Spain under the Brussels process in July. We met again in Barcelona last Tuesday. In accordance with the terms of the Brussels communiqué that was agreed 17 years ago today, in November 1984, by the then Conservative Government, which included consideration of sovereignty, the talks are overcoming all the differences between the United Kingdom and Spain on Gibraltar. Our objective in relaunching these negotiations is to build a secure, stable and prosperous future for Gibraltar, greater self-government for the territory and better relations with Spain. We have invited the Chief Minister of Gibraltar to join the Brussels process meetings. Under the treaty of Utrecht, Spain has first refusal if the United Kingdom decides to relinquish sovereignty. We stand by the undertakings given in 1969 that the people of Gibraltar will have a right to vote on any proposal to transfer legal sovereignty.

Tim Loughton: For brevity's sake, I ask the Foreign Secretary for a simple yes or no. Will he continue to uphold the 1969 Gibraltar constitution and guarantee the right of the people of Gibraltar to remain British citizens, living in a British sovereign territory for as long as they determine?

Mr. Straw: The answer is yes; I have just said that.

Mr. Hoyle: Will my right hon. Friend confirm that overseas territories such as St. Helena will have the same right to self-determination as the Falkland Islands? The right exists in the preamble to their constitutions, but will it be included in the main text?

Mr. Straw: We stand by the principle of self-determination. The extent to which it can be applied in practice depends on the legal position, and the basis on which the United Kingdom acquired the territory. In some cases, we were able agree to total independence; in others, that is not possible. However, in every case, we are committed to a high degree of internal self-government.

Sir Patrick Cormack (South Staffordshire): Will the right hon. Gentleman give two undertakings? First, will he state unequivocally that this country will not unilaterally renounce sovereignty under the treaty of Utrecht? Secondly, will he assure us that any referendum in Gibraltar will be binding on the people and the Government of this country?

Mr. Straw: I can only repeat what I have already said. We stand by the terms of the 1969 ordinance, the law of this country that provides that we shall not transfer sovereignty in Gibraltar without the consent of its people. I have said that three times in three minutes.

I hope that Conservative Members will, like Lord Howe and Lady Thatcher 17 years ago, recognise that the day-to-day position is not satisfactory for Gibraltarians. Their complaints are against Spain; Spain has complaints about Gibraltar. The only way in which to resolve them and create a better future for the people of Gibraltar is by negotiation. In so far as it involves any transfer of sovereignty, it must be put to the people of Gibraltar.

Mr. Kevin McNamara (Hull, North): Will my right hon. Friend give an undertaking that, whatever the outcome of the talks with the Spanish Government, the people of Gibraltar will have the right to vote in the European elections?

Mr. Straw: Yes.

Mr. Michael Ancram (Devizes): Does the Foreign Secretary understand the genuine fears of the people of Gibraltar, which I witnessed last week, that a deal with Spain is being stitched up behind their backs and that there will be political and economic attempts to bounce them into accepting it?

Does the right hon. Gentleman not accept that the people of Gibraltar do not wish their interests to be compromised in the current talks by being members of the United Kingdom delegation on only a consultative basis? Why will he not revert to the two flags, three voices formula, which would allow Gibraltar a true voice in the talks while preserving the status of the two sovereign Governments? Surely it is better to have Gibraltar participating in the agreements before they are put to a popular vote in a referendum.

Mr. Straw: Of course it would be far better for the people of Gibraltar to be represented in the talks, and we have opened the door to participation in those talks on exactly the same basis as previous Administrations of which the right hon. Gentleman was a member. I understand the fears and anxieties of the people of Gibraltar. I am involved in the talks because I support a better future for them. Whatever the outcome on sovereignty, I want them to be able to exercise greater control over their daily lives and greater freedom over their actions. That requires negotiations between us and Spain. They would be greatly assisted by the participation of the Chief Minister; there is every reason for his participation. Unless the right hon. Gentleman is telling us—perhaps he should—that he is resiling from Lady Thatcher's agreement on the basis of the talks, they are the only way forward for the people of Gibraltar. The current position is not a good thing for them.

Mr. Ancram: Is the Foreign Secretary therefore saying that he is offering the Gibraltar Administration the two flags, three voices formula? That is not their understanding. That was the formula offered by Lord Hurd when he was Foreign Secretary.

On another matter, will the right hon. Gentleman come clean with the House as to whether joint or shared sovereignty in any shape or form is on the agenda of the current talks with Spain? Is he aware that joint sovereignty has rarely, if ever, proved a sound basis for stable settlements? Does he not understand that sovereignty shared is sovereignty abrogated and that, in the case of Gibraltar, it would be regarded as the start of a slow-motion ride to the surrender of British sovereignty? The people of Gibraltar will not see their British sovereignty surrendered by stealth, and they will not be browbeaten into abandoning it. We support them in that view.

Mr. Straw: From that response, I take it that the right hon. Gentleman is now resiling from the Brussels agreement that was negotiated by Lady Thatcher 17 years ago and followed by every successive Conservative Government until 1997. The conditions that we have offered Chief Minister Caruana for participation in the talks will enable him to have his own voice alongside me at the table of the United Kingdom delegation, and the Spanish have accepted that they will respond directly to him. There is no reason for Chief Minister Caruana not to take part in the negotiations, and not to have full independence of expression in those meetings, as part of the United Kingdom delegation.

On sovereignty, the position remains exactly as it was when Lord Howe spelled it out 17 years ago:

> "The process will be aimed at overcoming all differences between us over Gibraltar"—[*Official Report*, 28 November 1984; Vol. 68, c. 927]—

and those include issues of sovereignty. That was Lord Howe's position 17 years ago, and it remains the position today.

Joyce Quin (Gateshead, East and Washington, West): I welcome my right hon. Friend's reaffirmation of the Government's commitment to the 1969 constitution. Given that Gibraltar, although small, has a distinct history and identity, will my right hon. Friend agree that it would be desirable for Spain to pursue a policy of positive co-operation with Gibraltar if it wants to see a change in the relationship, and that creating difficulties at the border and trying to block EU legislation on Gibraltar-related ground are counterproductive?

Mr. Straw: I strongly agree with my right hon. Friend. That point has been pressed on the Spanish Government in the negotiations and outside, and a lot more remains to be done by the Spanish side. As a result of the negotiations, however, we have already had an allocation of 70,000 additional telephone lines for Gibraltar—on top of the 30,000 that it currently has. That is a tangible benefit for the people of Gibraltar as a result of the negotiations.

Mr. David Heath (Somerton and Frome): That is welcome news, but does the right hon. Gentleman not agree that the attitude of the people of Gibraltar towards the Government of Spain would have been very different if they had not been subjected to nearly two decades of harassment at the border, in communications, and in terms of the airport and of NATO ships not being allowed to sail through Spanish waters to the sovereign base in Gibraltar? Will the right hon. Gentleman suggest to the Spanish Government that an early priority should be to sort out the status of the airport? Will he also suggest to his right hon. Friend the Home Secretary that another early priority should be to sort out the enfranchisement of the people of Gibraltar?

Mr. Straw: The airport will be one of the matters on the table. The hon. Gentleman should be aware that, although the UK unquestionably has sovereignty over the rock of Gibraltar under the treaty of Utrecht, one complication in the negotiations when we come to the issue of sovereignty is that the legal basis for the UK's claim to the isthmus is different and has been challenged by Spain. Of course Gibraltarian people have a number of justified complaints about the way in which they have been treated by Spain, but it is also a fact that a number of complaints have been raised against Gibraltar by Spain and by the European Union and the Organisation for Economic Co-operation and Development, which require answers by Gibraltar.

The best way to secure a better future for the people of Gibraltar is through the negotiations established 17 years ago by Lady Thatcher, which we have reopened, because the current situation of complaint and counter-charge and the people of Gibraltar increasingly being isolated is not in the interests of the people of Gibraltar.

Afghanistan

7. **Mrs. Betty Williams** (Conwy): If he will make a statement about his participation in the United Nations General Assembly in New York on Afghanistan. [15429]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): While at the UN, I spoke to the full Assembly on 11 November and subsequently at two Security Council meetings. I also held a number of meetings with Foreign Ministers, the UN Secretary-General and the Secretary-General's special representative for Afghanistan, Lakhdar Brahimi.

Mrs. Williams: In future discussions, will my right hon. Friend do all he can to ensure that full consideration is given to the women in Afghanistan, so that they are fully involved in international talks about a new Government; that the restoration of the rights of Afghan women is a high priority; and that boys and girls receive equal treatment when schools reopen?

Mr. Straw: Yes. The oppression of women was one of the most terrible aspects of the Taliban regime. All parties to the Bonn discussions are committed to restoring rights for women and I am pleased to tell my hon. Friend that three of the 28 delegates due to attend are women. That is not enough, but the proportion is greater than that of women MPs representing the Conservative party.

Chris Grayling (Epsom and Ewell): Following President Bush's comments yesterday, will the Secretary of State please tell the House what discussions he had at the UN about UN weapons inspections in Iraq? What information do the Government have about the situation there in respect of the production of weapons of mass destruction?

Mr. Speaker: Order. The question is about Afghanistan.

Mr. George Howarth (Knowsley, North and Sefton, East): Has my right hon. Friend seen the recent press reports about the upsurge in poppy field planting in Afghanistan in recent weeks? Will he enlist the support of colleagues in the UN to make it clear to whatever regime emerges in Afghanistan that poppy planting and the heroin trade that stems from it are wholly unacceptable?

Mr. Straw: I certainly will, and I have done so already. A key part of restoring the rule of law in Afghanistan is the eradication of poppy cultivation and the heroin trade. That forms a central part of all the discussions in which we are engaged.

Mr. Nicholas Soames (Mid-Sussex): Is it the intention of the Foreign Secretary, on behalf of the Government, that the major part of the planning for the overall reconstruction of Afghanistan be conducted through the UN, or does he envisage it being conducted through other organisations?

Mr. Straw: Overall supervision of the reconstruction of Afghanistan must be conducted under the aegis of the UN, providing the framework and umbrella for discussions. Of course, a great deal of action will be taken multilaterally and bilaterally to support Afghanistan. As the hon. Gentleman is aware, my right hon. Friend the Secretary of State for International Development is already in the vanguard in ensuring that there is additional support for Afghanistan and for Pakistan and Iran.

Terrorism

9. **Ms Oona King** (Bethnal Green and Bow): If he will make a statement on his Department's definition of terrorism. [15432]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Denis MacShane): I draw my hon. Friend's attention to the definition of terrorism in part I of the Terrorism Act 2000, which refers to the use of violence to intimidate the public for the purpose of advancing a political, religious or ideological cause.

Ms King: Does my hon. Friend agree that any definition of terrorism must include the deliberate targeting of civilians? Does that not have implications for state activity that might fall within the definition? In the middle east, for example, while Hamas is obviously a terrorist organisation, is it not chilling that an Israeli tribunal has found Ariel Sharon responsible for the deaths of hundreds of Palestinian civilians? Can we look forward to a more consistent application of the definition post-11 September?

Mr. MacShane: My hon. Friend might reflect on the fact that when acts committed other than by non-state organisations are then condemned by tribunals and public opinion, that shows democracy at work. We are now talking about terrorism in 2001. We are talking about non-state organisations that commit wicked, godless crimes to intimidate people and destroy civilian life for political ends. That is unacceptable, and that is what we should concentrate on fighting.

Mr. Henry Bellingham (North-West Norfolk): Does the Minister agree that it is illogical to try to distinguish between foreign and local terrorists? That, surely, is exactly what the Bill currently before Parliament has tried to do. What representations has the Minister made to the Home Secretary asking him to examine the illogicality?

Mr. MacShane: As there is no illogicality, the answer is none.

Middle East

11. **Roger Casale** (Wimbledon): What assessment he has made of the prospects for renewing the peace process in the middle east; and if he will make a statement. [15434]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Ben Bradshaw): The UK remains engaged, with its EU partners and the US, in efforts to reinvigorate the middle east peace process. I particularly welcomed United States Secretary of State Colin Powell's speech last week, which set out the US Administration's vision of a comprehensive settlement, and the arrival of the two US envoys Bill Burns and General Zinni in the region yesterday. That represents an important opportunity for the process to be taken forward.

Roger Casale: My hon. Friend will know that the historical record demands, as recent events dictate, that Britain and Europe show leadership, along with the United States, in the century-long search for lasting peace and stability in the middle east. We failed after the first world war and the break-up of the Ottoman empire; we failed after the second world war; and we failed after the Gulf crisis, despite the promise of the Mitchell report and the Oslo accord. Does my hon. Friend agree that only a just settlement can produce lasting peace in the middle east, and that in order to be just, the settlement must take account of the legitimate claims of all the historic peoples of the middle east?

Mr. Bradshaw: Yes, and yes.

Mr. Geoffrey Clifton-Brown (Cotswold): Does not Israeli Foreign Minister Peres's statement that there is now broad agreement that a Palestinian state should be created represent a significant step towards a middle east peace settlement?

Mr. Bradshaw: Yes, I think it is an important step. As my hon. Friend the Member for Wimbledon (Roger Casale) says, we have a good opportunity to make progress post-11 September. As I think all Members realise, it will not be easy, but we are working hard towards that end.

Richard Burden (Birmingham, Northfield): If we are to promote a just settlement in the middle east, is it not important for us to demonstrate consistency in our application of international law? Must we not continue to say that Israeli settlements are illegal? Should we not also say, as a European Union, that we would object to Israel's exporting goods from illegal settlements to the EU on the pretext that they were made in Israel?

Mr. Bradshaw: Yes. We are making progress in regard to imports from illegal settlements. Moreover, as my hon. Friend suggests, we continue to remind the Israelis that the settlements are illegal. In the end they will have to be dismantled. Their continuing growth does absolutely nothing to further the cause of peace in the middle east.

EU Enlargement

12. **Tom Brake** (Carshalton and Wallington): If he will make a statement on the progress being made towards EU enlargement. [15435]

The Minister for Europe (Peter Hain): The enlargement negotiations continue to make good progress, enabling candidates that are ready to join the EU to do so by 2004.

Tom Brake: I welcome the Minister's response and the progress that is being made on accession. On Cyprus, will the Minister confirm that he agrees with Günter Verheugen, the European Commissioner with responsibility for enlargement, that our strategic goal is to take a united Cyprus as a new member, and that reaching that goal requires constructive and substantial progress towards a lasting solution? What does he think constitutes substantial and constructive progress?

Peter Hain: I confirm that we strongly endorse the European objective of accepting a united island into the European Union as part of the enlargement process. The Cypriots want to join. If the island were not united, we would still accept Cyprus's entrance to the European Union. We would not allow anyone to veto that provided that the Cypriots had completed the full process of negotiation and closed all the chapters. Currently they are in the lead among all the applicant countries in doing so.

Pre-Budget Report

3.30 pm

The Chancellor of the Exchequer (Mr. Gordon Brown): The task of this pre-Budget report is to rise to the global economic challenge facing this country and to set out how, upon a foundation of stability and growth, we can and will build a stronger and fairer Britain even in an uncertain world.

I start with the state of the world economy. America is in recession, as are Japan and other Asian economies such as Singapore, Taiwan and Hong Kong. The euro area is slowing rapidly. World trade growth has slowed dramatically, from 12 per cent. last year to only 1 per cent. this year. Growth among the main G7 economies is expected to slow, from 3½ per cent. last year, to just 1 per cent. this year. Indeed, for the first time in three decades, each region of the world has slowed at one and the same time and more sharply than before. Independent forecasters expect the world downturn to be deeper and longer, with economic growth in 2002 of just 1½ per cent. in the euro area, 0.7 per cent. in the USA, and minus 0.6 per cent. in Japan.

No one country can insulate its economy from such a synchronised slowdown. In addition, no one can yet judge the full and final impact of the traumatic and tragic events of 11 September. These testing times demand decisive action. Therefore, in Britain, interest rates have been cut seven times in nine months, and Britain's interest rates are now the lowest for nearly 40 years. With public spending and public investment increasing this year, our fiscal policy is—at the right time of the economic cycle—complementing and supporting monetary policy and thus supporting stability and growth.

In the past, when the main economies of the industrialised world have gone into a downturn, Britain has invariably come off worst. Indeed, in every major global slowdown since 1945, Britain has entered weaker, suffered longer, experienced higher inflation and endured higher unemployment. So it is at a time like this that our new monetary and fiscal regime—Bank of England independence, the symmetrical inflation target, our new fiscal rules and the tough decisions we have taken to reduce debt—is being tested.

When the world turned down in 1998, decisive action by the newly independent Bank of England ensured that the British economy sustained its growth. Throughout 2001 Britain has continued to grow, and monetary policy has played its full part. First, the Bank of England has been able to take pre-emptive action because British inflation has been at or near our target of 2½ per cent. for four years, by contrast with inflation increasing to 10 per cent. when the world economy slowed last, in 1990. In the past two years, Britain has had the lowest annual inflation rate since 1963. Indeed, our average inflation has been lower than that of any comparable country in Europe.

Secondly, the symmetrical inflation target which was set in 1997 at 2½ per cent. means that inflation below that figure is as undesirable as inflation above it. Deflation is as unacceptable as inflation. It is because, in 1997, we put in place a symmetrical target—one that is pro-growth as well as anti-inflation—that, whereas Britain was unable to act decisively or acted too late at every other time since 1945 when the world faced a slowdown, this time the Bank of England has been able to adjust policy at the right time and in the right way to safeguard both economic stability and growth. Consequently, during this world slowdown, our interest rates are now 4 per cent., by contrast with interest rates of 10 per cent—and 15 per cent. for one whole year—during the boom and bust of a decade ago.

I come to the forecasts for growth. At the time of last year's pre-Budget report, independent forecasters said that United States growth in 2001 would be 3.4 per cent.—they now expect it to be just 1 per cent. For Germany, they expected growth of 3 per cent: now actual growth is expected to be 0.7 per cent. For Japan, they expected growth of 2 per cent: now actual growth is expected to be minus 0.5 per cent.

Last year, we forecast that British growth in 2001 would come in at a range from 2¼ per cent. to 2¾ per cent., and we based our public finance projections on 2¼ per cent. I can tell the House that our expected growth figure this year is exactly that—2¼ per cent. So while some pre-Budget representations to me claimed that Britain was worst placed of any country to withstand the global slowdown, in fact the OECD and IMF have both forecast that Britain this year will have the highest growth of any of the G7 countries.

In the period ahead there are of course real risks for both Britain and the world. But it is because of the decisive action taken on monetary and fiscal policy that I remain cautiously optimistic about the prospects for the British economy. While next year independent forecasts expect the United States to grow by less than 1 per cent. and the euro area to grow by just over 1 per cent, we now forecast British growth next year of 2 per cent. to 2½ per cent., and then to rise in 2003 to 2¾ per cent. to 3¼ per cent. as the economy returns to trend in 2004.

While the British economy has been stable, it can and must be stronger. All countries are having to respond to unique economic circumstances: an overshoot and then a collapse in information technology investment in the United States and then in IT production, which are both down 12 per cent., a downturn that contributed to falling industrial production as a whole—it is now down 4.3 per cent. across the G7—and then a dramatic slowdown in world trade in industrial goods from 13 per cent. growth last year to almost zero now, along with the large increase in business uncertainty since 11 September.

With manufacturing output having fallen across the world—by an estimated 5 per cent. in the G7 countries—British manufacturing output has fallen over the same period by 2 per cent., after rising by 2 per cent. in 2000. There are consequent effects for both exports and imports and for business investment, whose share of national income none the less continues near an all-time high. The challenge for Britain—for manufacturing and across the economy—is both to maintain our hard won stability and to accelerate the productivity improvements that will increase output, jobs and wealth.

The global risks which demand continuing vigilance are both cyclical and structural. There are downside risks if America takes longer to recover or if there is a long-term change in oil prices or long-term changes in company or consumer behaviour after 11 September; that would lead to a much more uncertain world economy in which Britain would have to work even harder to make our productivity gains. Further out, there are upside risks of inflationary pressures if, as a result of lower interest rates, consumer spending grows too quickly, but there is also an upside opportunity for growth if world recovery is accompanied here in Britain by productivity improvements.

So—far from deferring our enterprise agenda—this is exactly the right time to press ahead with supply side reforms to encourage new investment and higher productivity, and it is now right that we take forward the measures on enterprise on which we have been consulting. Further statements on manufacturing will be made in the next few days by the Secretary of State for Trade and Industry, and on the reform of our planning laws by the Secretary of State for Transport, Local Government and the Regions, with proposals to increase the flexibility, speed and responsiveness of the planning land use system.

Today, I can tell the House that we will proceed with four tax cuts for enterprise and the abolition of one further tax in its entirety. To help British business, and particularly manufacturers, to invest in the technologies of the future, I have decided following consultation that we will in next year's Finance Bill legislate for a new research and development tax credit for large companies, which is a tax cut to boost innovation. To increase investment and reward entrepreneurship, we will from next April make a second tax cut—a cut in capital gains tax to 20 per cent. for business assets held for more than one year and only 10 per cent. for business assets held for two. Three quarters of taxpayers with business assets will pay only a 10p rate—overall a capital gains tax regime more favourable to enterprise than that of the United States.

To reward managers taking risks in new business ventures, I now propose to double the reach of our share option scheme to all businesses with assets of up to £30 million—a tax incentive that I will introduce immediately.

Because, for small businesses, I want to cut tax bills and red tape, I can confirm that the Budget will extend the 10p corporation tax band, cutting taxes for small companies, and that from April a new flat-rate and simplified scheme for payment of value added tax will both cut form filling and save a typical small business up to £1,000 a year. There is a strong case also for cash help for small firms to bring their payroll and tax systems online, and I am publishing today, and consulting on, the Carter review.

In each year since 1997, I have abolished at least one tax, most recently abolishing betting duty. For 54 years since the 1947 Budget, tax has been levied on the football pools. I have agreed that the tax on pool companies will be 15 per cent. on their gross profits but, after an agreement with the industry that guarantees the continuation of its funding of the Football Foundation and the Foundation for Sport and the Arts, I am abolishing football pools tax altogether.

This change will take effect from 1 April and, just as people no longer have to pay tax when they bet, they will no longer have to pay tax when they do the pools. Every charity or local sports club that runs pools based competitions will see its tax liability abolished too. And the details of our consultation on the tax status of amateur sports clubs will be announced by my right hon. Friends the Minister for Sport and the Financial Secretary to the Treasury on Friday.

I turn now to jobs. Today, my right hon. Friend the Secretary of State for Trade and Industry and I are publishing our joint report on regional economic policy and on the work of regional development agencies—set up by my right hon. Friend the Deputy Prime Minister—to tackle regional inequalities and achieve balanced economic growth across the United Kingdom.

The key focus is on local innovation, indigenous investment and improved infrastructure and skills in our regions. And to complement the locally based venture capital funds that we are forming in every region of the country, we are today publishing our prospectus for a new £50 million fund to help small firms in every region to access the risk capital that they need—capital that is often not available from the banks.

New investment, new businesses and new jobs are also the key to regenerating high-unemployment communities in our country. A new community investment tax credit, on which I am publishing details today, will match every £100 million of private investment with £25 million of additional public investment. And, as a special measure to help the slowest growing and highest unemployment areas of Britain, we will, in 2000 wards in constituencies throughout the country and for all property transactions for homes and business properties worth up to £150,000, abolish stamp duty from Friday. And in the Budget, I propose to legislate to take more business property transactions in these areas out of stamp duty.

The Government will do all they can to fight unemployment in normal times and in times like these. And I can report that Britain's unemployment rate is this year the lowest since the 1970s. For the first time in a century, unemployment in Britain is lower than in Japan, and lower than in America. Compared with Britain, the unemployment rate in the euro area is 50 per cent. higher—the equivalent of 1 million more British people in work.

Because we will not retreat from our commitment to full employment, my right hon. Friend the Secretary of State for Work and Pensions will tomorrow announce in this House new measures to help the newly redundant and to expand the new deal to help the long-term unemployed back to work.

And because a third of the existing work force lacks basic or level 2 qualifications, and because the old voluntaristic approach has not worked, we have been investigating the joint Trades Union Congress and Confederation of British Industry proposals for a tax credit for in-work training. Following today's report from the performance and innovation unit we will, from September next year, pilot a new approach combining direct financial support for business—especially small business—with time off for training, under which employers, employees and Government each accept their responsibilities.

Because the skills of the future start in the schools of today, my right hon. Friend the Secretary of State for Education and Skills will be announcing further projects funded from the capital modernisation fund, as we meet our commitment to raise the share of national income spent on education.

This is also a testing time for our fiscal regime, so I now turn to the public finances. While in past downturns interest rates have come down too little, too late or,

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because of high inflation, not at all, so, too, excessive levels of debt or deficit can make it difficult for fiscal policy to play its proper role.

When we came to power, debt was too high and debt interest payments ran at 3½ per cent. of national income. So we maintained spending limits, took the necessary tax decisions and cut debt. We also set tough fiscal rules for the long term—rules not just for a year or two but across the economic cycle: rules that demand a tighter approach in the best of times and allow the automatic stabilisers to work fully at a time like this, in both cases fiscal policy supporting monetary policy. And because from 1997 we tightened fiscal policy by 4 per cent. of national income, we have been able to reduce net debt, not just in one year but across the economic cycle.

I said in the Budget in March that we would repay £34 billion of the national debt this year. In fact, by cautious budgeting, we were able to repay in the last year not £34 billion, but a total of £37 billion of debt. In total, since we came to power, we have now repaid £51 billion of the national debt.

In 1996–97, debt was 44 per cent. of our national income. Two years ago we brought it down to 36 per cent. This year it has been brought down to 31 per cent. That is in contrast to nearly 40 per cent. in America, 40 per cent. in Germany, over 40 per cent. in France, over 50 per cent. in the euro area and in Japan, and 95 per cent. in Italy. Britain's debt is now the lowest share of national income of all these G7 countries, and the lowest of all our major European competitors.

We had a choice last year: we could use the mobile phone proceeds from the spectrum auction for current spending. In fact, by using the £22 billion for reducing our debt burden, we achieved a permanent saving of £1 billion a year in debt interest payments—£1 billion that is available, not on a one-off basis, but each year and every year.

Let me give the House the full figures. Debt interest payments were running at £29 billion a year when we came into power, and that was more paid out in debt interest than all the money spent on all our schools in the country. I can report that debt interest, which fell to £26 billion last year, will fall again to £22 billion this year, and we expect it to fall again next year to £21 billion, just 2 per cent of our national income.

Just as, last year, we paid off more debt in one year than previous Governments paid off in all of the previous half century, so this year debt interest payments will consume less of our national income than at any time in a century—since the time of the first world war.

The Government's determination to keep a steady hand on the public finances and the economy is for a purpose. With debt and debt interest payments down, it has been possible, even as corporate and other revenues have declined, to maintain our three-year spending plans for health, schools and public services, respond to the emergencies that have arisen, and now borrow at the right time for the economy to make essential investments in the national interest, while still meeting the fiscal rules that we have set over the economic cycle, even on cautious assumptions and even on our cautious case. Our cautious assumptions include deliberately cautious forecasts for equity prices, oil prices, interest rates and economic growth. And I can report to the House that even while we project significantly lower tax revenues this year and next, we are still well within our first rule this year and every year—the golden rule that we balance the current budget over the economic cycle.

The current budget is projected this year to be in surplus by £10 billion and in future years by £3 billion, £4 billion, £7 billion and £8 billion. Net public borrowing is projected to be £2½ billion and in future years, £12 billion, £15 billion, £13 billion and £13 billion. We are also well within our sustainable investment rule: that debt be at or below 40 per cent. of national income, with debt projected to be 31 per cent. in every one of the next five years.

Taken together, the monetary and fiscal figures I am publishing today show we are also well within the Maastricht criteria. Consistent with our policy on the euro, we are undertaking the preliminary and technical work necessary to allow our assessment of the five economic tests.

Let me turn now to decisions on spending that have resulted from the terrible events of 11 September. I can report that for new equipment and immediate operational requirements an additional £100 million has been made available to the Ministry of Defence. To cut off the supply of finance to terrorists and to fund other anti-terrorism measures, we have set aside extra resources of £20 million for this year alone.

To fund the need for additional policing since 11 September, a further £30 million has been made available to the Met and to other police forces. To fund humanitarian assistance to Afghanistan, and elsewhere, and to meet the new international development obligations since 11 September, Britain is contributing an extra £100 million.

In addition to the extra responsibilities we have assumed since 11 September, we now expect tackling food and mouth disease and supporting the recovery of rural areas to cost £2.7 billion.

In this pre-Budget report we are also preparing for the Budget and for the coming spending round. As the Prime Minister has said, meeting our international development responsibilities is not an option but a duty. Out of the tragedy of 11 September a new sense of our obligations to each other across the world has been born, and a recognition that if globalisation is to work for all the people of the world, including the poor, then—as the Secretary of State for International Development has been urging—a new deal for prosperity must be forged between the richest developed countries and the poorest developing countries.

The UK Government will therefore propose to the financing for development conference of the United Nations that to meet the world's agreed 2015 development goals—every child in primary schooling, a two thirds reduction in child mortality, a halving of world poverty—the international community should now establish a new international fund leveraged up to $50 billion a year to help achieve for the developing countries after 2001 what was achieved for Europe with the Marshall plan after 1945.

I can confirm that in the next spending round we will not only raise significantly the amounts of our own overseas development aid but also raise its share in national income, a measure for which I hope there will be broad all-party support across this House.

This challenge of giving must of course be met by the Government on behalf of the people, but people too, encouraged by Government, should be empowered to give more themselves. For the first time, gift aid is providing a 28 per cent. addition to every donation by taxpayers to recognised charities and thus is now being widely used. Special end-of-year appeals to contribute foreign coins to charities can also receive the 28 per cent. addition. I have also asked the Inland Revenue to consult charities on an innovation that could take gift aid to a new level and allow taxpayers to donate directly to their designated charities on the annual tax form and so gain further tax relief for doing so.

The cause of the environment also reminds us of how closely our lives are bound up with what happens in the world. In the 21st century, as we now know, the global environment is the local environment. To stem the tide of global warming the Deputy Prime Minister is leading the pressure for new international agreements, and because these issues are also central to our Budget and spending review, we are consulting from today on a total of 10 new environmental measures. They include additional tax relief for businesses investing in environmentally friendly technologies, and new tax incentives to encourage the fuels and the vehicles of the future—all the measures reflecting Britain's commitment to energy efficiency, innovation and conservation and to playing our part in safeguarding the environment.

We are investing £180 billion over the next 10 years in transport; and so that foreign lorries pay some of the environmental and other costs of using British roads, we are also publishing today our consultation document on introducing a charging system under which non-British companies and lorries pay their fair share.

I turn to the pre-Budget consultation on measures for families and for pensioners. The old welfare state that we inherited paid out benefits, too often without regard to individual circumstances or personal responsibility. Today, the working families tax credit is making work pay for nearly 1.3 million families—400,000 more than on family credit; 150,000 families are getting help with child care. Since 1997, lone parent employment in this country has risen by 20 per cent. and today 200,000 more lone parents in work are receiving the working families tax credit. Building on this, we will later this week introduce legislation for the next step: extending the principle of the working families tax credit to make work pay for those without children as well.

The children's tax credit, the first recognition of children in the tax system in a generation, provides up to £520 extra a year for 5 million families in this country. Later this week, we will publish the new legislation for that next step: on top of universal child benefit, we will integrate in one seamless payment all income-related support for children, as we advance towards our goal of abolishing child poverty.

For the first time, all support for children will now be paid to the main carer—usually the mother, and that is the best way to strengthen families. I shall return to the subject of children in the Budget next spring, when I hope to have a little more first-hand knowledge to talk about these matters.

So our approach in modernising welfare is to seek not narrowly targeted benefits just for those at the bottom, but the right help at the right time for work, for children and for hard-working families, with over 5 million—85 per cent.—now eligible for the children's tax credit or the working families tax credit.

For the first time, through tax credits, the tax system is paying money to families rather than taking it, with tax rates now ranging from 40 per cent. at the top to as low as minus 200 per cent. for low paid families; tax credits, therefore, are modernising the welfare state, encouraging work and helping families without stigmatising them.

Today the Secretary of State for Work and Pensions and I are announcing new measures that will apply the same approach to pensions—more help for every pensioner in Britain, most help going to those who need it most. Next March, the pension will rise, as we have already announced, by £3 a week for individual pensioners and £4.80 for couples. But the long-term guarantees that we are proposing today not only tackle the poverty faced by the poorest, weakest and frailest, but reward, rather than penalise, the modest savings and occupational pensions of the majority. And they are backed up by a tax policy that is fair to those who have provided well for their retirement.

Upon the foundation of the basic state pension, we have already announced our first guarantee—no pensioner will have an income below £98 a week in April 2002, or £100 a week in April 2003, and no couple will receive less than £154 a week—at least £1,000 more a year than in 1997, a 24 per cent. real-terms increase in the minimum income guarantee.

Pensioner poverty is a reproach to us all. And the minimum income guarantee, which is already benefiting 1.8 million households, will rise in line with earnings for the whole of the Parliament.

Today we are also setting aside new funds, £2 billion in total, to provide a second guarantee from 2003. For all pensioners in communities around this country whose hard work has secured a small occupational pension or modest savings but who have, in the past, been penalised for their thrift and savings, I can confirm that any pensioner with income in retirement below £135 a week—and any pensioner couple with income below £200 a week—will see their hard-earned savings and occupational pensions rewarded with extra money, not penalised, as they were in the past, by losing the chance of benefits.

For a single pensioner on the basic state pension, with £1,000 a year in occupational pension, the pension credit will mean an extra £600 a year. For a pensioner couple with the basic state pension and occupational pension of £1,500 a year, the pension credit will mean an extra £900 a year. Together, the minimum income guarantee and the pension credit will be available to half of all pensioner households, 5.4 million pensioners in total. The Secretary of State for Work and Pensions will set out the full details tomorrow.

For those pensioners who pay tax, we offer a third guarantee: when the new system is introduced in 2003, we will raise the pensioner's tax allowance at least in line with earnings for the rest of this Parliament. For all Britain's 11 million pensioners, I can also announce a fourth guarantee: that the Secretary of State for Work and Pensions and I have decided that the basic state pension will always rise by at least £100 a year for single pensioners and by £160 for couples. In future, the state

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pension will rise by at least 2.5 per cent., or more if inflation is higher—at least £100 more each year on the basic pension.

I can also confirm that we have set aside sufficient money so that the winter fuel allowance will be paid at £200 pounds for each year of this Parliament.

So these are our guarantees: for every pensioner an increase of at least £100 a year every year in the basic state pension; and for 5.4 million pensioners starting on the pension credit in 2003 up to an additional £1,000 per household; free TV licences for all pensioners over 75; for the poorest pensioners a minimum income guarantee of £100 a week; and for every pensioner household a £200 winter fuel allowance each and every year of this Parliament; every pensioner in Britain better off; meeting our obligations to those who in peace and war have worked for, fought for and served and built our country all their working lives.

I turn now to the long-term funding of the national health service and the decisions that we have to make for the 2002 spending review. Building the 20th-century health service was among the greatest achievements of an earlier generation. Renewing that health service for the 21st century is among the great challenges for our generation.

For decades NHS funding was decided on a year-to-year basis with no certainty for professionals or for patients. Having put the public finances in order and released extra resources in 1997, 1998 and 1999, the 2000 spending review provided an average real-terms increase of around 6 per cent. a year for the NHS to 2004—significantly above the historic average of 3.3 per cent.

Because we knew that money has to be matched with modernisation, the 10-year NHS plan is also implementing significant reforms: devolving 75 per cent. of the NHS budget to primary care trusts; setting national service frameworks for the main diseases and conditions; reforming contracts for family doctors, consultants and nurses; and changing working practices with greater diversity of choice and provision.

Within the framework of the 10-year plan, reporting to the Prime Minister and the Secretary of State for Health, further work is being done on management, accountability and incentives in a reformed NHS.

Today we can further support health service reform. Because of the prudence, debt is lower and debt interest payments are lower. And I am able to announce that, even in these testing times, while meeting all our fiscal rules, we are releasing for next year an extra £1 billion for the NHS. UK health spending in the coming year will now rise by £6 billion—by 9.6 per cent. in cash terms, 7 per cent in real terms. The Secretary of State for Health and his Scottish, Welsh and Northern Ireland counterparts will announce how this extra money will be spent.

But our resolve is to tackle the immediate, medium-term and long-term needs of the health service. The pressures on the NHS, the vital place it has in the fabric of Britain and the critical role it plays for the British people mean that we must plan not just one to three years ahead, but five years, 10 years and even 20 years ahead. So in the Budget in March 2000, 18 months ago, I said that to prepare for the next spending round an independent review should examine long-term NHS funding needs, over the next 20 years.

In the half century of the health service, no such review has ever been carried out. Taking the long-term view means honestly facing the scale of the challenges ahead.

The review is being conducted by Mr. Derek Wanless, formerly of NatWest. Today he is publishing his interim report. It is a 220-page detailed examination of future trends in health care and future funding issues on which he will consult widely. But the first question he said that he had to ask is whether a publicly funded tax-based health service could itself be a significant pressure on costs and whether a tax-funded health service remained the best way forward.

So he has looked at other European and international methods of funding and finds that all health systems are facing rising pressures. In systems which rely on private medical insurance, he concludes that compared to the NHS, there is less cost control, more uneven coverage, and many left out. And in systems which rely predominantly on social insurance, he has found excessive administrative overheads, insufficient incentives for cost control and, for example in France, large costs for employers and for employees who pay charges for every GP and hospital visit even after their social insurance premiums.

Mr. Wanless's interim report states:

> "my conclusion is that there is no evidence that any alternative financing method to the UK's would deliver a given quality of healthcare at a lower cost to the economy. Indeed other systems seem likely to prove more costly. Nor do alternative balances of funding appear to offer scope to increase equity".

So having examined whether a publicly funded NHS is itself a pressure on costs and thus whether it is sustainable, Mr. Wanless's view is that the principle of an NHS publicly funded through taxation, available on the basis of clinical need and not on ability to pay, remains both the fairest and most efficient system for this country.

Mr. Wanless has also examined in detail the cost pressures facing the service for the future. He concludes that there will be significant pressure both from technological innovation and from rising public expectations, but less pressure than is commonly thought from an ageing population. He highlights the potential long-term gains, building on the reforms of the NHS plan, from a better use of work-force time and of resources generally, including the gains to be had from investment in information technology.

Mr. Wanless emphasises in particular a problem that goes back over decades to the foundation of the NHS—a history of under-investment over 50 years and a long-term lack of capacity. And comparing Britain to other European countries, such as France and Germany, his figures show a decisive difference in the area of finance, despite some significant closing of the gap in the past couple of years: that these countries have, over decades, committed significantly more public resources as a share of national income to health care.

The Wanless report highlights the difference it will make for patients if the NHS is put on a sustainable long-term footing and if we secure the best use of resources. Building on the 100 new hospitals, the 10,000 new doctors, the booked appointments of the 10-year plan, more new beds in single rooms, swift access to the best drugs and treatment, and greater patient choice, the goal is a world-class health service that meets the needs of all people in Britain and puts patients first.

Mr. Wanless will publish his final conclusions next year in time to inform the 2002 spending review, and he will consult in the next few months experts, patient groups, all interested members of the public and the doctors, nurses and all staff who work so hard and give so much of themselves to the NHS every day.

The spending review will be the time for final decisions. What can be done will depend on the economy and the public finances. Indeed, over the past four years, through savings on debt interest, reallocating resources and economic growth, we have been able to do more for the NHS. I believe that as we plan to make our Budget and spending decisions next year and to fulfil all our commitments to economic prosperity and to social justice, it will be right to devote a significantly higher share of national income to the national health service.

The decisions we will be making will be for a decade and more. And the way we make these decisions—whether we can forge a new consensus across parties and across Britain—will determine not only the long-term future of the NHS, but the character of our country. I believe that out of this debate an enduring national consensus can be built around the two central conclusions at the heart of this report: that a publicly funded national health service is best for Britain and that a modernised national health service will need significantly greater capacity and significantly more long-term investment.

Economic stability is the foundation. A steady and prudent approach to the public finances follows. I believe that we will have the strength to take the right decisions and to build a stronger, fairer Britain, and I commend this statement to the House.

Mr. Michael Howard (Folkestone and Hythe): I begin by drawing attention to my declaration in the Register of Members' Interests, and by expressing my gratitude to the Chancellor for giving me sight of his statement fully 10 minutes before he got up to speak. Some of the pages, which were completely blank, were especially interesting.

I congratulate the Chancellor on his statement. He delivered it with great force and he was, as ever, almost completely in command of his material. We welcome many of his announcements. I am sure that these warm words will come as no surprise to him. Praise from his political enemies is nothing new to him. After all, only last week, the Prime Minister let it be known that the Chancellor was probably the best Chancellor in the world. To the Prime Minister, he is the Carlsberg Chancellor. True to form, the Chancellor returned the compliment, saying that the Prime Minister was the best friend that he had had in politics. The Prime Minister knows that with this Chancellor one has to read the small print: the Chancellor used the past tense. It seems to me that his phrase had something of "Goodnight" about it.

The Chancellor laid great emphasis in his statement on what he called the fundamental strength of the United Kingdom economy, and to the extent that it is true, of course we all welcome it. Does he not agree, however, that there were serious concerns about the UK economy before the tragic events of 11 September? Those include concerns about the current account deficit, with Britain spending more than we earn. According to the Chancellor's forecasts today, that deficit is expected to continue, and indeed to grow. There are concerns about the long-term sustainability of spending plans that outstrip the rate at which the economy is growing. There are also concerns about the impact of new taxes and red tape on the ability of British business to win orders and create jobs.

The Chancellor referred to the need to improve Britain's public services, but we have heard all this before. Year after year, we have had promises from this Government. In 1997, they said that there were 24 hours to save the national health service. In 1998, the Prime Minister said,

"we are delivering on our promises".

In 1999, the Chancellor said that the year would be

"New Labour's year of delivery".

Last year, Government advisers said that it would be the year

"when things really started to happen".

Six months ago, the Government said that they would put schools and hospitals first. Now, 2002 is almost upon us and the Chancellor is trying the same trick again. Every year they make these promises, and every year they break them.

Despite all the promises, all the tax increases and all the hype and hyperbole, services such as health, education and transport have got worse over the past four years. Did the Chancellor read the recent front-page editorial in *The Mirror* on the state of the NHS? It said:

"Things haven't got better"

under Labour,

"they've got considerably worse. The Mirror's had enough of phoney pledges and promises on the NHS. Labour has been in charge for nearly five years. They can't hide behind the handy 'Tory policies' excuse any longer. It is now Labour's health services policies that are failing. And failing badly."

If the Government and the Chancellor can no longer convince *The Mirror* with their phoney pledges, such as those in today's statement, who on earth do they think that they can convince? They certainly cannot convince the chairman of their own party, the Minister without Portfolio, the right hon. Member for Norwich, South (Mr. Clarke). [HON. MEMBERS: "Where is he?] Indeed. He is certainly not one of the Chancellor's best friends, but he confessed at the weekend that the health service had indeed got worse under Labour. I hope that there will be no more argument about that.

Does the Chancellor agree that morale in all the caring professions and the public sector as a whole is now worse than ever? The chairman of the British Medical Association said,

"our morale has been driven to distressingly new depths".

The new head of Ofsted has warned that schools are facing the worst ever shortage of teachers. The chairman of the Police Federation described police morale as being at an all-time low. The Chancellor must explain why, this year, he is now only managing to spend half the increase in Government investment that he was planning to spend just six months ago.

The Chancellor made great play of the Wanless report which, of course, we shall study carefully. However, he must have forgotten the terms of reference that he set Lord Wanless—I am sorry, I mean Mr. Wanless—which asked him to consider a health service that was exclusively publicly funded. It should not surprise anyone that Mr. Wanless came up with the answer that the Chancellor

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wanted him to find; that a publicly funded service would be better. If you ask a Labour question, you get a Labour answer.

Twelve days ago, the Chancellor said that the

"central economic theme of our Pre-Budget Report will be our support for enterprise".

We have heard all that before. Year after year, we have had promises from the Chancellor. In his 1997 Budget, he said:

"This Government will support the small businesses of Britain."—[*Official Report*, 2 July 1997; Vol. 297, c. 307.]

In 1998, he said that his measures would reward

"enterprise and entrepreneurship throughout the whole economy."—[*Official Report*, 17 March 1998; Vol. 308, c. 1097.]

Two years ago, he said that his Budget would encourage

"a dynamic Britain of enterprise and fairness".—[*Official Report*, 9 March 1999; Vol. 327, c. 173.]

Last year, he again promised to "reward enterprise and entrepreneurship" and earlier this year, he said that his Budget would "boost enterprise".

What is the result of all that so-called support for enterprise and business? As a result of the Chancellor's Budgets, the director general of the Confederation of British Industry now says:

"The reputation of the UK as a low tax economy where overseas investors . . . want to invest is under serious threat".

As a result of the Chancellor's Budgets, the British Chambers of Commerce now says:

"The bottom line is that the sheer quantity of red tape on business is damaging our economy, stifling enterprise, job creation and economic growth."

Every year the Chancellor makes promises, and every year he breaks them.

Of course, we welcome any measures to help business, and we will look carefully at the details of what the Chancellor has announced today. However, under his stewardship of the economy, Britain has fallen from ninth to 19th in the world competitiveness league. Is that not the real impediment to new job creation? Is it not the case that 3,865 new regulations were introduced last year alone, the highest figure on record? Why did a survey of 4,000 firms across Europe just last week say that companies run into more problems trading with the UK than anywhere else? Is not that alone a damning indictment of the Government's record? Is it any wonder that the last quarter saw the sharpest fall in manufacturing investment since the 1970s?

Is it any wonder that the burden on business is growing, when the Secretary of State for Trade and Industry says that her Department suffers from lack of focus, confusion for the customer, too many schemes, and inadequate leadership within the Department and by the Department across Whitehall? What a kick in the face for the Secretary of State for Transport, Local Government and the Regions, the Secretary of State for Environment, Food and Rural Affairs and the right hon. Member for Hartlepool (Mr. Mandelson), all of whom held the post of Secretary of State for Trade and Industry in the last Parliament.

Nothing that the Chancellor has said today goes anywhere near addressing the £10 billion a year burden of extra taxes and red tape that he has imposed on business. What about the benchmarks of success that he set up? He is always making promises about productivity. Year after year, we have had promises from him. In his first pre-Budget report four years ago, he said:

"The first challenge is to increase our productivity."—[*Official Report*, 25 November 1997; Vol. 301, c. 773.]

In his second report a year later, he said that productivity was

"a fundamental yardstick of economic performance",

and that he would

"set in place measures to improve productivity"—[*Official Report*, 3 November 1998; Vol. 318, c. 681.]

Two years ago the right hon. Gentleman said:

"Britain can now aspire to a new economic ambition for the next decade: a faster rise in productivity than our main competitors"—[*Official Report*, 9 November 1999; Vol. 337, c. 883.]

Last year he said that Britain had

"the opportunity to achieve high levels of productivity growth"—[*Official Report*, 8 November 2000; Vol. 356, c. 315.]

All the while, as the Chancellor has been making such statements, Britain's productivity growth has been falling. It has fallen from 2.2 per cent. in the last four years of the Conservative Government to 1.5 per cent. in the first four years of the Labour Government. Under the Conservatives, we had productivity growth above the G7 and Organisation for Economic Co-operation and Development average; under Labour, it has been below the G7 and OECD average. On productivity as well, every year the Chancellor makes promises and every year he breaks them.

Let us look at the growth figures—the Chancellor was rather proud of those. He pointed to UK growth in comparison with the rest of the G7. I very much hope that we will grow more quickly than our competitors, but if that is to be the Chancellor's new indicator of success, he cannot take one year alone. Why has he not mentioned the fact that in the first four years of the Labour Government, the United Kingdom economy grew at a slower rate than that of our competitors, slower than that of the G7, slower than that of the OECD, and slower than the United Kingdom economy itself in the last four years of the Conservative Government?

One of the many problems that the Chancellor faces is the extent to which he has to clear up the mess that he has made. He suggested that he would improve capital gains tax, but who introduced the current complicated structure in the first place? It was the Chancellor himself. He says that payroll services for small firms are to be made more effective and less costly. We all welcome that, but who introduced the additional burdens on small business payrolls in the first place? It was the Chancellor himself, asking them to administer schemes such as the working families tax credit and stakeholder pensions.

Of course, some of the other measures that the Chancellor outlined today are welcome. We welcome the extra spending for the armed forces and the security services, and the measures that he proposed to help alleviate world poverty. He gave more details of his pension credit, but he did not say much about the employment credit and the integrated child credit. I hope that he will tell us in his reply how much those will cost and how he proposes to pay for them. I hope that the right hon. Gentleman will spell out clearly how he intends to pay for Government spending after 2003–04. After his prevarication during the general election campaign, will he now tell us whether he intends to increase national insurance contributions?

We welcome the increase announced today in the retirement pension and the winter fuel payment, but what about tomorrow's pensioners, cruelly hit by the Chancellor's pensions tax? When he first introduced it in July 1997, he tried to justify it by saying that pension funds were in surplus and companies were enjoying pension holidays. He has helped to destroy the surpluses and put an end to the holidays. How does he now justify his savage attack on pensions?

Last week we challenged the Chancellor to deliver a pre-Budget report with a difference. We said that it was time to acknowledge the serious causes of concern about the UK economy, and the burdens that he has imposed on British business. We said that it was time for the Government to act on the state of crisis in our public services. He has failed those challenges.

The burdens on business remain. Public services will continue to get worse, to the growing distress of patients, passengers and parents. It is not only patients on the waiting list; it is not only passengers and parents on the waiting list; the whole nation is now on the waiting list—waiting in vain for the Government to deliver on their promises.

Mr. Brown: I shall answer in detail every point that the right hon. and learned Gentleman makes, but the country will find it difficult to take lectures from the shadow Chancellor, who quotes his Government's economic record, but was Secretary of State for Employment during the last world downturn, when we had 15 per cent. interest rates, 10 per cent. inflation, a £50 billion borrowing deficit, then 22 tax rises and cuts in public expenditure.

The right hon. and learned Gentleman speaks about regulation. He said that the minimum wage would cost 1 million jobs. We have 1 million more jobs as a result of what we have done. He opposed Bank of England independence and he was wrong. He has said in the past few weeks that we are the worst economy of any when it comes to facing up to the future, and we have the highest growth in the OECD this year—so he is wrong again. Of course, he was the architect of the poll tax, and he was wrong on that as well.

When it comes to the national health service—Mr. Wanless was mentioned—I listened very carefully to what the shadow Chancellor said. He did not welcome the £1 billion that we are putting into the national health service. He did not say that he would join a consensus that the NHS would remain a publicly funded service, that he would support increased investment in the NHS in future years or that he would support a rising share of national income going from public expenditure to the national health service. I sense in the comments made by the Leader of the Opposition and the right hon. and learned Gentleman in the past few months that what was an all-party consensus over the past 50 years that the national health service should be publicly funded and based on the ability to pay is now a consensus that is being abandoned by the Conservative Opposition. Why is that the case? The shadow Chancellor made it his business to start this job by saying that public spending is more than we can afford this year, next year and the year after. That means that he wants to cut public spending.

In a speech made in 1997 about policy for the next Parliament, the shadow Chancellor said that he wanted spending growth at only 1 per cent. a year. He said:

> "I believe our aim should now be to reduce the proportion of national output taken by the state towards 35 per cent . . . I believe that 35 per cent. is a realistic and attainable long-term goal."

That is £50 billion of public spending cuts. He must now tell us which schools and hospitals and how many nurses and doctors will be cut. If the Conservative party is to start this period of opposition by saying that we are spending more than we can afford this year, it has a duty to spell out where the cuts will be made. The Opposition have moved over the past few months from being right, to being far right, to being outright wrong on the issues of public spending.

I shall now turn to each of the points raised by the shadow Chancellor. First, on international competitiveness, as he knows perfectly well, in recent studies by Arthur Andersen and *The Economist* intelligence unit, we are first and fourth on attractiveness to business. He knows also that when he left power, we were behind France and Italy, the sixth largest economy in the world, and we are now ahead of them, and the fourth largest economy in the world. On the questions on burdens on business, the biggest burden named in the reports is the minimum wage. He must face up to this question: does he now admit that he was wrong on the minimum wage, or is he still prepared to say that, at the next election, the Conservative party will abolish it?

On growth, he knows perfectly well that our growth level in the G7 is the highest this year. It is also the case that, while manufacturing has fallen by 5 per cent. across the major economies, it has, unfortunately, fallen by 2 per cent. in Britain. The difference between him and us is that we are putting money into permanent capital allowances, a research and development tax credit, regional development agencies, a regional venture capital fund and manufacturing apprentices, and it is all public spending—this includes spending on education—that he would not make. Again, if he is going to tell us that we should be doing more, he must spell out which cuts he would make in public spending to get to his 35 per cent. target and which additional expenditures he is prepared to make on other areas.

When the Leader of the Opposition took over, he said that he wanted a fresh approach, new faces, a new beginning and a new start. Instead, we got the right hon. and learned Member for Folkestone and Hythe (Mr. Howard). The torch passed to the last generation.

The Conservative party has shown, by failing to support the basic principles of the national health service and the additional expenditure on it, that it is not fit for government. Even its fitness for opposition is being challenged. It was in government for 18 years; the way it is going, it will be out of government for 18 years.

Matthew Taylor (Truro and St. Austell): On the economy, this was a complacent statement from an extraordinarily complacent Chancellor. On the NHS, the right hon. Gentleman made an admission of failure. On pensions, he announced the biggest extension of means testing in history. After nearly 500,000 job losses in manufacturing since 1997, falling investment and a runaway trade deficit, will not the Chancellor's tax fiddling simply add more to the crippling burden of red tape and bureaucracy on industry and do nothing to tackle the overvalued pound?

[Matthew Taylor]

The right hon. Gentleman is confronted with record waiting lists. Only a day after the chairman of the Labour party admitted that parts of the NHS have got worse under Labour, does the Chancellor understand that the implication of the Wanless report is that the Liberal Democrats were right and that the only way in which to tackle the problems of the health service is to accept that, in the long run, the tax burden must increase? Perhaps the Prime Minister has not yet persuaded him.

Another 40,000 pensioners are likely to die through fuel poverty this winter. Does the Chancellor understand that means-testing half of all pensioners is likely to mean that many do not receive the benefits that he announced? Currently, 500,000 the poorest pensioners do not get through the humiliating means tests that they are forced to take for the minimum income guarantee. Why will the new means test for half of all pensioners work when the old means test for the minimum income guarantee continues to fail to deliver to those who need it most?

Does the Chancellor remember that in 1993 he said that the next Labour Government would

"achieve . . . the end of the means test for our elderly people"?

Instead, so many who have never before faced a means test will be subject to one. Does he remember attacking the Conservative Government in 1996 when he said:

"Manufacturing output is actually falling . . . manufacturing investment is 4.5 per cent. lower . . . And business investment is recovering more slowly in this recovery than in any this century"?

Yet, today, manufacturing output is falling. Investment is 15 per cent. lower and business investment is decreasing. Judged on his own words, the Chancellor's statement on the economy is an admission of failure.

In 1997, does the Chancellor remember masterminding a manifesto that promised:

"We will rebuild the NHS"?

Yesterday, the chairman of the Labour party admitted that many parts of the NHS are getting worse.

The Wanless report proves that we were right to say that we cannot buy enough doctors and nurses to turn round the NHS without raising the tax to pay for that. Will the Chancellor give one simple, straight answer? At 6 pm, he intends to publish the national insurance rates. Will they increase today?

Mr. Brown: No to the right hon. Gentleman's last question. I am grateful to the Liberal Democrat shadow Chancellor. The House of Commons is in the unique position of having two shadow Chancellors: one sits in Folkestone and the other in Truro. It is rather like the mediaeval papacy: two hon. Members claim to hold the position of shadow Chancellor. I shall organise a play-off during the year.

The hon. Member for Truro and St. Austell (Matthew Taylor) asked three main questions on the economy, pensions and the NHS. On the economy, he knows, despite his comments, that the economy is growing by 2¼ per cent. this year. That is the highest growth among the G7 countries. He also knows through the forecasts that I have given him that we are cautiously optimistic about what should happen next year.

Of course, it is difficult for manufacturing. Last year, it grew by 2 per cent. and its productivity increased even more despite the weakness of the euro. This year, because of what is happening around the world, it is difficult for manufacturing exporters. I hope that the hon. Gentleman will support our additional measures on research and development, regional development agencies and the new venture capital funds in the regions. I hope that he will support measures that are designed to increase investment and thus long-term productivity.

On the question of the national health service, I remember the 1997 election, when the Liberals said that we should be spending £500 million a year more on the health service. We ended up spending £5 billion a year more on it. I saw the Liberal manifesto at the last election; I think that it proposed £300 million for the health service for the first year. I have just announced £1 billion for the national health service.

If the Liberal party wishes, as I think it should, to join this new consensus on the national health service—which, unfortunately, those on the Conservative Benches refuse to join because of their dogma—we can win such a new consensus throughout the country on the idea that a significantly higher proportion of public funds should go into funding the health service over the longer term. We have funded the health service to 2004. The debate should now begin as to what happens after that. I hope that the Liberal party will join that debate and be on our side.

On the question about pensions, it is a bit rich for the spokesman for the Liberal party to claim that all his policies have been stolen by the Labour party, because the one that he is now criticising was in the Liberal manifesto in 1997. The move towards the integration of tax and benefits, for dealing with the problems of pensions, was proposed by the Liberals in 1997. I believe that that move is right for the country.

It is wrong that pensioners should be penalised because of their savings. It is wrong that they should get no advantage, and even lose benefits, if they have occupational pensions. It is also wrong—if we are to devise a pension system for the next 20 to 50 years—when many people like me and the hon. Gentleman are going to retire on generous pensions and will be in a position to do without either a pension credit or a substantial rise in the basic pension based on earnings. Sooner or later, we will have to face up to this question. If we are going to do more for those people who deserve to have more done for them by rewarding the pensioner who has an occupational pension and savings, the pension credit is the right way forward. Instead of complaining about means testing, the hon. Gentleman should be saying that a benefit that people claim the minute they retire, then once every five years, and in which the integration of tax and benefits is proceeding apace, is the right way forward for pensions.

I hope that the hon. Gentleman will also welcome the fact that we have underpinned the pension credit by saying today that the basic pension will rise—no matter what the rate of inflation is—by at least £100 a year every year in this Parliament, as long as the Labour party is in power. In my view, that is the right policy for pensions and pensioners. I hope that, in addition to joining the consensus on the national health service, the Liberal party will support us on pensions as well.

Mr. John McFall (Dumbarton): I congratulate the Chancellor on his judicious statement today, in the light of world economic events. The comments of the shadow

Chancellor were unworthy of a former holder of high office. He made no serious attempt to analyse the situation. The Chancellor has, despite the world economic situation, ensured economic stability in this country.

If the Chancellor had been at the Select Committee on the Treasury this morning, he would have heard Sir Eddie George and his colleagues on the Monetary Policy Committee say that one of the joys of maintaining the symmetrical inflation target over the past few years has been that we have ensured the lowest unemployment levels for 40 years. Does the Chancellor agree that economic stability and social justice should be the primary aims of the Government, to ensure that we keep up the level of public spending and have the best health service in the next five to 10 years in this country?

Mr. Brown: I thank my hon. Friend, who is the Chairman of the Treasury Committee, which I look forward to visiting in the next few days. He is right about the importance that we attach to maintaining levels of employment. He is also right to say that the levels of unemployment in this country are still the lowest for 25 years, despite the pressures of the world slowdown.

I should have thought that the shadow Chancellor—whom my hon. Friend mentioned—would want to point out that unemployment in his own constituency has gone down by 61 per cent. since Labour came to power. We have done substantially better than he managed to do when he was Secretary of State for Employment and unemployment was rising.

Mr. Howard: It was the ERM.

Mr. Brown: The shadow Chancellor now blames the exchange rate mechanism, as though he was not part of the Conservative Government who took the country into the ERM.

Mr. Howard: That was the Labour party.

Mr. Brown: The shadow Chancellor blames the Labour party, but it was the Conservative party—if the history books record it properly—that took this country into the ERM at the wrong rate. No matter how the shadow Chancellor tries to deny the record, 1 million manufacturing jobs were lost and unemployment went up by 1 million in the last world slowdown, when he was Secretary of State for Employment. He is not the answer to the Tories' economic problem; he is the problem.

Mr. Kenneth Clarke (Rushcliffe): I notice that the Chancellor has abandoned poor Prudence and taken up with a Mr. Wanless. May I ask him questions about the future health of the public finances, which are his responsibility and the subject of a Budget? Will he leave the details of national health service policy to other Ministers responsible and accountable to the House who may be able to devote more time to detailed study of it? We do not want the health service run from the Treasury, in my opinion.

Does the Chancellor accept that debt repayment, for which he continually receives half-hearted cheers from those on the Labour Back Benches, is a result of accident, not prudent design? He has underestimated his revenues; the Departments did not pick up their spending after he ended his freeze; and he had a windfall from the sale of third-generation telephone licences. That has given him debt repayment, but does he accept that the figures can rapidly change in a downturn when, suddenly, all the chances may go in the opposite direction?

Will the Chancellor confirm that departmental estimates as a whole, not just on health and education, are going up by 7 to 8 per cent. per annum, which is unsustainable, particularly when the economy is beginning to run down? Does he therefore accept that, if he does not stop himself and his colleagues expanding the role of the state at such a rate when the economy is turning down, he will before long squeeze out private investment and private consumption, causing great damage to the British economy and our long-term prospects?

Mr. Brown: Much as I admire many of the former Chancellor's achievements, I do not accept his analysis. First, it was right to cut debt. It was not an accident: it was a deliberate decision. The right hon. and learned Gentleman knows that, when he left the Exchequer, debt was 44 per cent. of GDP, which was too high, and the deficit was nearly £30 billion, which was unsustainable. That is what we had to act on with the difficult decisions that he said he announced, but would never have implemented, to impose tight limits on public spending. That is why we had to take tax decisions at that time and why we also made a deliberate decision to cut debt.

On the mobile phone sale, Conservative Front Benchers advised us to use the proceeds not to cut debt but for other things. We decided to cut debt, and did so by £22 billion as a result. That was the right decision for Britain. I do not accept the right hon. and learned Gentleman's analysis in that respect. Of course, there are downside and upside risks for the economy next year, and I hope he agrees that I mentioned both in my statement. Nobody is complacent, but I am cautiously optimistic about the prospects for the British economy. I hope that, in the end, he is too.

On the health service, as a former Chancellor, the right hon. and learned Gentleman knows that funding comes back to the Treasury, so the idea that we should do nothing to plan future funding either from the Treasury or within the decision-making process of Government collectively is wrong. Of course, he made that point to me because he is embarrassed by the policy of Opposition Front Benchers.

All the time that the right hon. and learned Gentleman was Health Secretary, he defended a health service that was publicly funded, paid for by taxation and available to people based on need. Then he found that the new leader of the Conservative party was saying in the leadership election that he favoured private medical charges and was considering private medical insurance tax relief and the French or German system—anything but the existing system of state-provided, tax-funded health care. The right hon. and learned Gentleman said:

> "It is electoral suicide. Five years before the next election, Duncan Smith is saying he will cut spending and force people to pay for NHS treatment."

I agree with him.

Alan Howarth (Newport, East): I congratulate my right hon. Friend on being able to give such an impressive

[Alan Howarth]

account of the economy and its prospects, and I note that the Government have made clear their view that our competitiveness depends on the knowledge, skills and creativity of our people and intelligent collaboration between business and the universities.

Although I welcome the additional support for business research and development announced today, does my right hon. Friend accept that there is a pressing need to invest more of the resources that he is able to provide in the universities so as to ensure that enough people across a full range of disciplines pursue academic careers and that the universities are thereby able to play their part in sustaining the UK's global economic competitiveness?

Mr. Brown: I am grateful to my right hon. Friend for the work that he did at the Department for Culture, Media and Sport. His long-term interest in universities should be recognised by all Members.

My right hon. Friend's plea for more funds for universities, and, in particular for their research arm, will have to be considered during the public spending round. As for the commercialising of university inventions, I think my right hon. Friend will agree that the university challenge fund and the enterprise institutes that have been created in every region are a means by which universities can capitalise on their inventions. We want to build on that. I hope that over the next few years more university-based inventors will see their ideas being used in small businesses, and as a result will contribute British products to the economy. My right hon. Friend's spending plea, meanwhile, I take as the first representation to the 2002 spending review.

Sir Peter Tapsell (Louth and Horncastle): Does the Chancellor understand that his statement will be seen as an admission that, far from overcoming boom and bust, the British economy is back at the "bust" stage of its trade cycle, and that the ratio between the pre-election boom that we had and the post-election bust that we are experiencing now is wider than it has been for a good many years?

Mr. Brown: Let me point out that it was the Opposition who raised the question of boom and bust. When the hon. Gentleman compares the last world slowdown with this, he will note that when the economy went into recession in 1990 it was impossible to cut interest rates, because inflation was running at 10 per cent. It was also impossible to take the action that was necessary on the fiscal side when it could have been taken.

The hon. Gentleman should look at the record of the last Conservative Government when he tries to suggest that there is boom and bust under this Government. It is quite the opposite. The policy we are pursuing is one of stability. This year that policy has yielded a growth rate of, we believe, 2¼ per cent., and we are forecasting a rate of 2 to 2½ per cent. next year. That is not boom and bust; that is an economy which is trying to achieve a degree of stability that we have not had during previous world downturns.

Mr. Peter Pike (Burnley): I welcome what my right hon. Friend has announced. I also welcome what the Government are doing for the low-paid and pensioners, and the investment that is being made in hospitals and schools in constituencies such as mine. May I make one plea, however?

In Burnley we have 4,000 empty houses, and the number is rising day by day. The position is becoming desperate. We need Government help to demolish at least 2,000 of those houses speedily. When we come to the spending review in a few months' time, can we be sure that the Government will respond positively so that the council—together with the Government—can tackle what is a major local problem?

Mr. Brown: Housing was one of the issues raised during the last spending review, and we provided more additional funds. I agree with my hon. Friend that there are real challenges and real problems in terms of ability to repair the housing stock, which result from not just years but decades of neglect.

I shall put my hon. Friend's representations to the relevant Department—and this, too, is a matter for the spending review.

Sir Michael Spicer (West Worcestershire): Why has the rate of productivity, which was rising until 1997, been falling since then—and why has a table showing that fact, which appeared in last year's productivity report, been airbrushed out of the current one?

Mr. Brown: The only years in which productivity has been negative were under the Conservative Government. [HON. MEMBERS: "Come on!"] The hon. Gentleman asked about rates of productivity. Is the rate negative, or is it positive? Productivity has been positive under Labour for three years: manufacturing productivity has been positive for two years, and productivity generally for one. It was negative under the Conservatives.

What is happening to the British economy, I believe, is what, in many ways, happened to the American economy in the early 1990s. There has been a large growth in employment—1¼ million—in the British economy. A large growth in employment took place in America in the early 1990s, which made possible the productivity growth that took place later.

Our productivity is rising, not falling. Our manufacturing productivity rose substantially last year. It is ridiculous for the hon. Gentleman to say that productivity is falling.

Sir Michael Spicer: Productivity rates.

Mr. Brown: Productivity is growing, and will continue to grow.

Mr. Martin O'Neill (Ochil): I congratulate my right hon. Friend on the decision to announce that the winter fuel allowance will be sustained for the next three winters. However, as he knows what the sums will be, will he reconsider the entitlement cut-off date? It is causing great difficulty for those who discover that, by an accident of birth, they will not receive the £200 winter fuel allowance that they may have been anticipating.

I also welcome the R and D tax breaks. As my right hon. Friend will be aware, however, in the past couple of years, some manufacturing companies have not been able to invest because of the need to compete with the eurozone. Consequently, they have had to spend money on keeping prices down rather than on investment. Is it not time for tax breaks for run-of-the-mill investment rather than just for research and development? Productivity in many smaller companies would be assisted if they received a proper incentive to invest in increasing their productive capabilities.

Mr. Brown: I am grateful for those questions. The research and development tax credit currently goes to small firms, but it will now be extended in a different form to large firms. We are publishing a consultation document on that in the next few days. My hon. Friend also mentioned general allowances for investment. We have created a better regime for small and medium-sized companies so that capital allowances are permanent rather than temporary, as they were before. Allowance levels are also far more generous than they were before. I hope that that will allow companies to make the right decisions to invest even in a period of world slowdown.

Equally, we are trying to do more for start-up businesses by providing them with access to capital at a cheaper rate, which is the purpose of regional venture capital funds. There will be a fund in Scotland, a fund in Wales and a fund in Northern Ireland, as well as one in each region of Britain. I believe that the public and private contributions to the funds will make access to them possible for businesses that might otherwise not have that opportunity.

The winter allowance is available to people at 60 and it is difficult to say that it should be available to people at 59. We are, however, trying to be as fair as possible in implementing the allowance. If my hon. Friend would like to draw our attention to a set of anomalies, we will clearly examine it.

Mr. Jonathan Sayeed (Mid-Bedfordshire): I trust that by the time of the next Budget the Chancellor is experiencing the joys of fatherhood and the cost of parenthood under a Labour Government. In every year in which this Labour Government have been in power, the nation has spent more than it has earned. Is that sustainable?

Mr. Brown: That is not the case. We have been paying off debt for the past four years, and we have paid off £51 billion of debt. As for children and families, the hon. Gentleman knows that under this Government child benefit has increased from £11.05 to £15.50, which is a 30 per cent. increase. It is a far larger increase than was ever made under the previous Conservative Government. It is also our contribution to families and to relieving child poverty. The right hon. Gentleman will also know that 5 million families—including many in his own constituency—are now receiving the children's tax credit, which is worth £10 per week more. In other words, in the previous Parliament, child support doubled for 5 million families. That could not happen if the public spending plans supported by the shadow Chancellor were ever pursued.

Kali Mountford (Colne Valley): I should have thought that today the whole House would want to congratulate the Chancellor on steering a very steady course in a major world economic slowdown. He announced that manufacturing was growing at 2 per cent. Does he accept that that disguises a slowdown in some sectors and some regions? Is he confident that low interest rates and low inflation, regional development strategies—particularly to address the issue of the north versus the south-east—and the tax measures that he has announced today and previously will be sufficient to assist, for example, the textile sector—which particularly affects my own area—and to ensure that there is growth in all areas?

Mr. Brown: I am grateful to my hon. Friend and I know that she is a major campaigner on behalf of the textile industry in her constituency. At the end of the last Parliament, the Secretary of State for Trade and Industry made provision on that issue, given all the difficulties that redundancies had caused for communities in which textile employment was falling. We can create a more balanced economy between the regions and we can tackle regional inequalities. My hon. Friend's region now has a regional development agency, like every other region, and those agencies are making a substantial contribution to planning a better future for the regions, based more on indigenous investment than ever in the past and on support for innovation and skills. I look forward to seeing the latest plan from the RDA in her region so that we can consider what more we can do there. Unfortunately, the Conservative party would abolish the RDAs.

Mr. Alex Salmond (Banff and Buchan): The SNP and Plaid Cymru are delighted to join the Chancellor's consensus on the NHS, but—confidentially—is the Prime Minister with us or is he still hankering after the greatly enhanced private sector role that he was talking about only a few months ago? Has the Chancellor seen the Institute for Fiscal Studies report released this week, which says that total gross public investment has fallen continuously since the mid-1970s and, even allowing for the private finance initiative, the figure for 2000 will be half the 1985 level? Does he accept those figures? How does he reconcile them with his boasts of enhanced public spending in Budget after Budget and autumn statement after autumn statement, and what—if anything—does he intend to do about it?

Mr. Brown: We stood as a party and a Government on a manifesto that said that the NHS should be publicly funded, based on tax revenue, to meet the needs of all people in the country. That is the manifesto on which we stood and that is the manifesto that we are implementing. It is the right manifesto for all parts of the UK. Our support for greater investment in the health service is now shared by the Liberal Democrats, the Scottish National party and Plaid Cymru, but unfortunately it is not shared by the Conservative party which believes that private provision is the way forward. We wish to increase public investment from £7 billion net at the beginning of our term in office to £18 billion, so we wish to double public investment. We have set in place moneys for transport, health, education and the various public services, and the private finance initiative is sponsoring projects worth £12 billion. It is not fair for the hon. Gentleman to say either that public spending is not rising or that it is not the Government's intention to increase public investment, because that is what we are trying to do. Public investment in the economy is rising this year.

Mr. Dennis Skinner (Bolsover): Is the Chancellor aware that some of us on the Labour Benches heaved a

[Mr. Dennis Skinner]

sigh of relief when he announced that he was not going to do what previous Tory Governments—and some others—have traditionally done in handing out money before an election and then taking it back straight after? This announcement is characterised by the Chancellor deciding, after four years of handing out money, to hand out even more. The people in the coal fields, in particular the miners who retired before 1975 on a paltry occupational pension, will be considerably relieved. Can I ask my right hon. Friend to wave his Harry Potter wand in the direction of pensions for sacked miners, equality of treatment for the canteen workers and speedier payments for chest conditions?

Mr. Brown: I am grateful to my hon. Friend. On pensions, we will announce new commitments on pensions that we were not able to announce in the period before the general election. Those will include commitments for the length of the Parliament on the winter allowance; increases in the basic state pension in line with inflation or the Government's 2½ per cent. target, even if the index of inflation is lower, which will mean £100 a year; and the new pension credit, which will cost £2 billion. I also agree that we have to do more to speed up the money that miners should receive as a result of the lung diseases that they contracted working for this country in the national coal mining industry. We have set aside more than £1 billion for that provision. I understand that 170,000 miners have applied. Because of the nature of the court judgment, they will have to face legal and medical difficulties that must be resolved before the money gets to them. I am as anxious as my hon. Friend that they should get the money as quickly as possible, and we are considering new measures to ensure that. We are also considering mineworkers' pension funds, as my hon. Friend requested.

Mr. Nicholas Soames (Mid-Sussex): Despite the Chancellor's near-hysterical rant at my right hon. and learned Friend the shadow Chancellor, I join my right hon. and learned Friend in warmly welcoming much of what the right hon. Gentleman has said. However, what advice would he give my constituents, who remain extremely anxious about a Treasury-run health service? The Treasury must of course have a hand in health service planning, but 21 people in the Princess Royal hospital in Haywards Heath had to spend last night on trolleys in the accident and emergency department. Moreover, 31 beds there are blocked by people who cannot get places in old people's homes. Does the Chancellor understand that, despite the huge sums of additional money that he is pouring into the NHS, PR stunts that imply that the health service is somehow getting better just do not wash in Sussex?

Mr. Brown: Clearly, the hon. Gentleman does not agree with the new policy on private health being propounded by Conservative Front-Bench Members, although I understand what he says about waiting lists at individual hospitals and about accident and emergency departments. We want to do more, but hon. Members of all parties must face up to the fact that a health service that delivers the operations and service that we all want has to be paid for. That means that the amount of money available to the NHS has to be increased, and that is what we are doing. The hon. Gentleman must face up to the fact that Conservative Front-Bench Members do not want to spend that money. That is the dividing line between the parties.

Roger Casale (Wimbledon): I welcome my right hon. Friend's statement today. I especially welcome the renewed commitment to investing in our health service, to tackling poverty at home and abroad, and to further incentivising investment in small and medium businesses. However, the outstanding element in the statement was the prediction that forecasts of UK economic growth would remain unchanged, even against a backdrop of world-wide economic recession. Does my right hon. Friend agree that stripping £50 billion out of public spending, as the shadow Chancellor would like, would have a disastrous effect on public services and mean that we would have to revise forecasts of UK economic growth substantially downwards? Does not that show that the Opposition are committed to dogmatic economics, and that they are losing their reputation for economic competence?

Mr. Brown: I am grateful to my hon. Friend for that question, and I agree with him that it is very important that we meet our international responsibilities with respect to overseas aid. I sense that the shadow Chancellor supports our policy of devoting a higher share of national income to overseas aid, and of significantly increasing the overseas aid budget. We are proposing a $50 billion international development fund, to which all the major countries will have to contribute. An element of private finance could be injected into that fund, as well as the public finance that will be contributed. However, if we are to have the sort of reconstruction in the poorest countries and developing areas of the world—and especially in Africa—that came after the second world war, a new bargain will have to be struck. That bargain will mean that, in return for stability, the liberation of those economies from corruption and the opening up of trade, there will have to be a transfer of resources to enable the development of health, education and anti-poverty programmes.

The problem facing the Conservative party is that, right at the beginning of its period in opposition, it has a shadow Chancellor who is committed to making cuts worth £50 billion in public spending. That is more extreme than the Letwin plan at the general election.

Mr. David Laws (Yeovil): Will the Chancellor acknowledge that an important part of the Government's health policy went missing from his statement today? I refer in particular to the announcement made on the Chancellor's behalf by the Prime Minister on the "Breakfast with Frost" television programme on 16 December 2000, when he said that he would bring the average level of spending on the NHS up to the European average by 2005. That commitment seems to be missing from the Chancellor's statement today. Will the Chancellor confirm that that remains the firm commitment of the Government, or is it still a mere aspiration, as the Treasury has wanted?

Mr. Brown: I think that I read out in the previous Budget statement the figures for national health service and general health service spending as a share of national income. I think that the figures went up from 6.4 per cent. to 6.8 per cent., 7 per cent., 7.2 per cent. and 7.4 per cent. I said today that we want to see a significantly rising share of that national income for the national health service.

Mr. Peter Mandelson (Hartlepool): May I congratulate the Chancellor on his pre-Budget report and the measures that he has announced today, and on his unrivalled stewardship of the economy? As we all seem to agree that the problems affecting all our public services, including the transport system, have their roots in decades of underfunding, does he agree that this historic deficit will take years of consistently high investment to put right within a framework of clear policy and determined management? The public must be prepared, as I believe they will be, to back that investment for years to come and to make the personal financial sacrifices that may be necessary at some stage in the future if we are to get the quality of public services in this country that will match the best of those in Europe.

Mr. Brown: I am grateful to my right hon. Friend. He is absolutely right that there is significant public demand for the investment that we are making in transport, health and education. We are committed to a £180 billion programme of private and public financing for transport. It is a 10-year plan which is moving ahead and will continue to move ahead. As we have seen over the past few weeks, the important thing is that the money is not wasted but goes on improving our rail track and our rail and transport services. Equally, we are committed to significantly higher levels of investment in the health service and education.

As my right hon. Friend has taken a great interest in the regions, may I add that we are committed to ensuring that our investment secures greater regional economic balance in the country? When he was at the Department of Trade and Industry, his work in improving the country's regional policy and the continuing work of the Secretary of State for Trade and Industry and the Deputy Prime Minister are crucial. The investment will be crucial in bridging the regional gaps in our country.

Mr. Michael Jack (Fylde): The spectre of unemployment is creeping inexorably across the face of north-west England. BAE Systems announced further job losses today, and there have been announcements from Rolls-Royce, Baxi, Cammell-Laird and Marconi. In addition to the welcome measures for small business, will the Chancellor look again at the point made by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) that business is bearing an additional cost of doing business of anything up to £10 billion? Will the right hon. Gentleman look again between now and the Budget at ways in which some of those costs can be relieved?

In the light of the Chancellor's previous answer, may I ask him to give a commitment to business in the north-west that there will be investment in the M6 motorway and the west coast main line so that our transport infrastructure can assist at least the north-west to communicate with the rest of the United Kingdom and Europe?

Mr. Brown: On the right hon. Gentleman's first point, any redundancy is to be regretted. The men and women who are losing jobs in these highly sophisticated industries, which face huge world pressures, have my sympathies as well as those of the right hon. Gentleman. It is one of the reasons why tomorrow the Secretary of State for Work and Pensions will announce new measures that will help, including rapid response teams, which will be in place where there are redundancies and people need advice on training to help them get the jobs that are available. A large number of vacancies exist in every region of the country, and we are determined to help people looking for new jobs to get these vacancies as quickly as possible.

On the right hon. Gentleman's second point about cutting red tape, I have announced today that we mean to go ahead with a small business measure that will make it far easier for businesses to do their VAT and save money at the same time. We are also considering—and we want this to happen—a means by which tax accounts and company accounts can be reconciled in a way that involves firms in far less bureaucracy. We abolished the audit requirement for many small firms, saving them a great deal of money, so we are doing our best.

The right hon. Gentleman really must look at where the £10 billion that he mentioned comes from. A great deal of it comes from the minimum wage. He must ask himself, as we must all ask ourselves, whether the minimum wage is the right policy or the wrong policy. I believe that even most of the employers who were sceptical at the time of its introduction believe that the minimum wage is fair and has been properly implemented. Unfortunately, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) opposed the minimum wage at the time. He said that it would cost 1 million jobs. He was absolutely wrong—1 million new jobs have been created, even with the minimum wage. I hope that we will have some clarity from the Conservative party regarding what they will do with the minimum wage in the future.

Mrs. Claire Curtis-Thomas (Crosby): I welcome the announcements made this afternoon in connection with manufacturing industry, especially the announcement of further tax breaks for capital investment. Will my right hon. Friend consider possible tax breaks for the services that allow that capital investment asset to be realised? Capital assets are sometimes enormously complex and although small businesses want to take on the new technology they lack the internal intelligence and experience to utilise it fully. If we can afford them some tax breaks in that area, we will increase our productivity rates accordingly.

Mr. Brown: Perhaps my hon. Friend would write to me on the specifics—that seems to be a second Budget representation. There are considerable tax advantages and reliefs at present for businesses adopting information technology—going online and adopting e-commerce. Perhaps she could advise the small businesses in her community that those advantages are available.

Several hon. Members *rose—*

Mr. Speaker: Order. I regret that we must move on. The statement has run for an hour and 40 minutes—I regret that hon. Members are still rising to speak.

NEW MEMBER

The following Member made the Affirmation required by law:

Christopher David Mole, Esq. for Ipswich

Speaker's Statement

5.13 pm

Mr. Speaker: I have a short statement to make in relation to the Employment Bill.

I note that right hon. and hon. Members who have tabled the reasoned amendment have very properly indicated a relevant interest on the Order Paper. The Bill concerns employment rights. As we all know, every Member who has staff in his or her parliamentary employment is an employer, but some Members may also be an employer in a different capacity, by virtue of activities outside their parliamentary duties. In my opinion, there is a risk that if every Member seeking to table amendments to the Bill indicates a relevant interest, based only on their position as a Member, the House, and those outside the House, will not be able to recognise any such additional relevant interests.

I propose therefore that in the case of this Bill, and any others of such a nature that may come before us, the whole House take a common-sense approach and that Members be expected to indicate a relevant interest only where that is plainly additional to their interests as Members of the House.

In that way, I think that the transparency which the rules on registration of interests are designed to demonstrate can best be ensured.

Point of Order

5.14 pm

Mr. David Cameron (Witney): On a point of order, Mr. Speaker. Can you clear up some genuine confusion among Back Benchers? The Chancellor of the Exchequer said that the Wanless report was looking only at public funding of the health service; but the terms of reference were so different—especially in the light of the 1998 annual report from NatWest, which shows that Derek Wanless, along with the other NatWest directors, was actually paid private health insurance as a benefit. Was that something that the Chancellor could have looked into in terms of expanding health funding?

Mr. Speaker: The hon. Gentleman had better ask the Chancellor, not the Speaker.

Compulsory Voting

5.14 pm

Mr. Gareth R. Thomas (Harrow, West): I beg to move,

That leave be given to bring in a Bill to amend the Representation of the People Act 1983 to make voting compulsory in all Parliamentary elections; and for connected purposes.

I believe that everyone has a responsibility to vote, to cast judgment on those of us who are elected to the House, on the parties that we represent and on our handling of the important national issues of the day and key local constituency concerns. Even if a guarantee could be given that turnout in parliamentary elections was set to rise dramatically, the Bill would still be entirely justified, but the fact that the turnout on 7 June was the lowest since universal suffrage was introduced adds a particular urgency to the case for compulsory voting.

Elections are a test of opinion in the country. They are a way of holding politicians to account and legitimising our elected bodies. When the turnout is high, elections are more representative, the elected bodies more legitimate and politicians more accountable.

In addition, if rates of turnout are different between sections of the electorate—between different communities, or between those on different incomes—there must be a risk of political parties prioritising the concerns of those most likely to vote. We are not at that stage in this country—Labour Members are certainly not—but some commentators certainly believe that low turnouts in America have focused the collective minds of the parties on those who vote regularly and argue, in turn, that the sense of alienation from the political process has increased among marginalised groups.

Some members of the Labour party have asked me to justify proposing compulsory voting when it is possible that, for whatever reason, only a Conservative and a Liberal candidate had stood for election. I would not dream of asking any good socialist to make that appalling choice. Instead, my Bill would require voters to attend polling stations and vote either for one of the candidates on offer, as now, or to register their abstention—their protest at the system or the choice before them—on a new slot on the ballot paper.

Some people say that compulsory voting would mask wider problems of participation in the political process. Of course, I agree that political parties, we as politicians and other political organisations need to make more effort to champion political debate for its own sake, to promote a sense of citizenship, to engage with those groups least represented in the House and to celebrate the opportunity that politics offers to make a difference to the communities from which we all come, but initiating debate on how to tackle those wider issues should not be used as an excuse to put aside the specific debate that needs to be held again about voter turnout at elections.

I pay tribute to the work that my right hon. Friend the Foreign Secretary did when he was at the Home Office to promote a series of experiments to drive up turnout, one of which—easier access to postal voting—was undoubtedly very helpful to many at the last election. Many people did not vote at that general election because they did not think that there was ever a realistic danger of the Tory party being elected. Nevertheless, the fact that more than 40 per cent. of electors did not vote rightly set alarm bells ringing across the political world.

[Mr. Gareth R. Thomas]

What are the alternatives to compulsory voting? One alternative is to do nothing and to hope that turnout somehow improves. I certainly do not support that. Another alternative that has been canvassed is to offer people an incentive to vote—£10 off their council tax, or 1p off income tax. At the risk of provoking some of those who are genuinely engaged in the debate about turnout at elections, I suggest that there is something slightly odd about paying people to vote. What evidence is there to show that such a move would seriously drive up turnout?

Compulsory voting is not an unproven, alien concept. My hon. Friends the Members for West Bromwich, East (Mr. Watson) and for Alyn and Deeside (Mark Tami), in their excellent Fabian Society pamphlet on this subject last year, highlighted a study of 44 democracies around the world, and an element of compulsory voting was evident in 13 of the 44—30 per cent. of those studied. Compulsory voting operates successfully in Belgium, Luxembourg, Greece and, I understand, in four of the eight provinces in Austria, as well as in a host of other countries on other continents. It operates perhaps most effectively in Australia, where turnouts of more than 95 per cent. are regularly achieved and just 2 to 3 per cent. of people abstain, with just the threat of a $20 fine to encourage adherence to the law.

Some argue that appalling breaches of civil liberties would be committed were we to require people to register their abstention, but compulsory voting is surely just a logical extension of the legal requirement to register to vote. Is being asked to vote once every five years any more an infringement of liberty than having to fill out a census form once every 10 years or to do two weeks' jury service at some point in one's professional life? Compulsory voting involves a small decrease in freedom but—let us be honest—it is much less of a burden than other obligations that we place on our citizens, such as the requirement for compulsory school education or to pay taxes.

Some argue that a reluctant vote is worse than no vote at all and that those forced to go to the polls against their will be unlikely to cast a well-considered vote. Frankly, that view is insulting or deeply patronising. Indeed, there is absolutely no evidence to justify such nonsense.

Others argue that the enforcement of compulsory voting is a potential nightmare. In Australia, however, compulsory voting has delivered high turnouts without the need for heavy penalties. When a voter is recorded as not voting, the Australian Electoral Commission sends out a letter asking for an explanation. After the 1993 election, the AEC investigated almost 500,000 cases of non-voting. The vast majority—more than 462,000 people—gave valid explanations of why they had not voted.

The valid explanations included the fact that people were overseas at the time or that they belonged to a religious order that prohibited voting. Another 23,000 chose to pay the $20 fine straight away. That left a small group of just about 4,000 who went to court, where the fine increases to $50 on conviction. However, not all in that group were convicted.

In general in Australia, the penalties for non-voting are relatively small, as I propose that they should be under this Bill. When there is a wide acceptance of reasonable excuses—again, as I suggest there should be—there has been a marked increase in the number of people voting.

Another comparison—a domestic one—is worthy of note. In this country, one can be punished for failing to register to vote. Registration is compulsory but prosecutions for non-registration are infrequent and usually amount to just a handful every year. The power to prosecute, though rarely used, remains a valuable means of achieving a high level of compliance with the registration process.

We have reached the point where a serious debate about the merits of compulsory voting is urgent. Our forebears fought long and hard for the right to participate in elections. After all, elections are a test of political opinion like no other; they are the defining assessment of the Government and the political leadership of our country. Surely it is not too much to ask that we take 30 seconds out of our busy lives every five years to make a judgment on those who seek to lead us.

5.22 pm

Mr. James Plaskitt (Warwick and Leamington): I oppose my hon. Friend's Bill. Although he has raised a legitimate concern, he has identified entirely the wrong solution.

The freedoms of choice in a democracy must include the freedom not to choose. Some people might always wish a plague on all our houses and it would be wrong to force them to participate. Others might wish not to express their choice from time to time when they do not feel that the options available are good enough, and we cannot force them to participate. We need to avoid the arrogant assumption that whatever we and the political parties offer to the electorate at any time is obviously good enough for them to make a choice: sometimes, for some of them, it will not be.

My hon. Friend's Bill risks sending the unfortunate message to the electorate that we are saying, "We are offering you a choice. If you don't like it and it is not good enough for you, we are afraid that we shall still make you choose from among the options."

My hon. Friend suggests a way out in his proposal to allow space for a registered abstention on the ballot paper, but that is not a sufficient solution because an abstention expressed on the ballot paper may be no different from one recorded by staying at home.

My hon. Friend runs the risk of forcing many resentful voters to the ballot box. I fear that it would not be long before minority parties, extreme parties or fringe parties saw an opportunity to place themselves on the ballot and perhaps garner many votes that they would not otherwise have received from resentful voters who do not wish to be at the ballot box and who choose not to mark the abstention slot.

My hon. Friend should think about what it is in our system that imposes discipline on our political parties. Abstentions send a message to us from the electorate, and we are right to be concerned about that. We became used to participation in the 70 to 80 per cent. range, but it suddenly dropped to 59 per cent. at the last general election. The complacent view is that that does not matter because it reflects electoral contentment. I think that that is wrong.

A more realistic view is that there is some disengagement from the process and some question about the legitimacy of us all, not just the Government. After all, allowing for errors in the register, approximately 35 per cent. of the adult electorate did not vote in the last general election, compared with 25 per cent. who voted for Her Majesty's Government, 19 per cent. for the Opposition and 9 per cent. for the Liberal Democrats.

If that unsettles us, instead of forcing people to the ballot box we should think about what choice we offer the electorate, how we communicate it and the nature of elective politics in the 21st century, because that would be the system responding to the message that the electorate are sending us via their abstention. It is an indirect response, but it is a response, and it will come about only if we consider the message and not obscure it by hiding it under forced participation. If there is an issue to address, as my hon. Friend believes there is, we need to confront it, not conceal it.

We also need to think about the process of democracy. Most of the responses that need to be produced to deal with my hon. Friend's concerns should be in the policies that parties offer the electorate and the way in which they communicate them to the electorate. Some of the answer lies in the electoral process. All votes are not of equal value in our electoral system and about 15 million of our voters are partially disfranchised by living in constituencies where parties of their first choice have no chance of winning. That in itself is a disincentive to participation. I do not suggest that changing the voting system will address all the issues that my hon. Friend raises, but it will go some way towards doing that and it forms part of the solution.

Finally, there is the matter of rights and duties. We speak in the House of the right to vote; and that is what it is—a right. It has been fought for, as my hon. Friend said, and as a democratic people we rejoice when others win that right and escape after years of tyranny. He was also correct when he said that with rights come responsibility, but as a true democracy we should hesitate before we forcibly turn those rights into an obligation and introduce sanctions to prevent the exercise of free choice.

We need to be more humble in the face of the message that the electorate are sending by their level of participation, less arrogant about the virtues of the choice that our political parties offer and far more careful about turning a right based on freedom into an obligation to the state. We should smarten up our act as politicians and improve our democracy, but I urge the House to reject compulsory voting.

Question put, pursuant to Standing Order No. 23 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business), and agreed to.

Bill ordered to be brought in by Mr. Gareth R. Thomas, Fiona Mactaggart, Mr. Paul Marsden, Mr. Peter Kilfoyle, David Winnick, Linda Perham, Mr. Tom Watson, Mark Tami, Mr. Tony Colman and Martin Linton.

COMPULSORY VOTING

Mr. Gareth R. Thomas accordingly presented a Bill to amend the Representation of the People Act 1983 to make voting compulsory in all Parliamentary elections; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 18 January, and to be printed [Bill 58].

Orders of the Day

Employment Bill

Order for Second Reading read.

Mr. Deputy Speaker (Sir Michael Lord): I must tell the House that the Speaker has selected the amendment in the name of the Leader of the Opposition.

5.30 pm

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): I beg to move, That the Bill be now read a Second time.

Earlier this afternoon, we heard from my right hon. Friend the Chancellor about the steps that he has taken to deliver a stable economic framework and thus to ensure that the United Kingdom is better placed than any other major industrial economy to withstand difficult times in the world economy. On the basis of that foundation of economic stability, our priority is now to deliver a high-skill, high-productivity economy. Productivity is not about working people into the ground; it is about skilled people in high-performance workplaces, where employers and employees work together in an effective partnership.

That approach, the approach of a Labour Government, is supported by the TUC and the CBI in their recent productivity report, in which they argue that

> "new forms of work organisation, effective management leadership, a culture that encourages innovation, employee involvement and development tailored to organisational needs are all necessary conditions for adaptable, high performance workplaces."

We aim to strengthen that approach through this Bill, creating a social partnership to enable businesses and the people who work in them to achieve their full potential.

Nobody, not even a Member of this House, should have to choose between being a good parent and being an effective worker. We all know that stress in the workplace is on the increase, and that stress is bad for children, for parents and for business. Modern organisations with good workplaces have already recognised that family-friendly working makes sense. Good businesses recognise the link between effective employment relations and success in the marketplace. However, there are still too many workplaces that seem to be run by managers who believe that every worker has a wife at home, and who assume that the only way to organise a job is in the way it has always been done.

Getting all our workplaces to adapt to the reality of modern families is a huge cultural change. The Conservatives, of course, believe that such changes should be left to the market, but if we left matters to the spread of best practice through a voluntary approach, it would take 20 years to secure the changes that we want, and parents and employers simply cannot afford to wait that long. By setting new legal standards, as we will do in the Bill, we will put family-friendly working on the agenda of every workplace and bring these changes forward by a generation.

Mr. Kevin Hughes (Doncaster, North): The Secretary of State is proposing welcome new rights for paternity and paid adoption leave in the Bill, but does she share my

[Mr. Kevin Hughes]

concern that about 2.5 million workers who fall below the lower earnings limit will be left out of those excellent proposals?

Ms Hewitt: My hon. Friend raises an important point. We have already reformed the national insurance contributions system to promote the employment of workers at the bottom end of the labour market. I am sure that my hon. Friend and other hon. Members will want to focus on the interaction between the contributions threshold and the system of employment protection when the Bill goes into Committee.

Mr. Tony Lloyd (Manchester, Central): The Bill is bedevilled by a split definition, which defines someone as an employee, but not a worker. My right hon. Friend will be aware that that is a fundamental point in industrial legislation. How will progress be made on that and other aspects of labour law? When will the review take place? Will my right hon. Friend give a guarantee that, where change is necessary, legislation will be introduced during this Parliament?

Ms Hewitt: My hon. Friend makes an important point which I know is of concern to many Labour Members. As I have already made clear, we shall shortly embark on a review of the provisions of general employment law that relate to the distinction between an employee and a worker. As my hon. Friend well knows, these are enormously complicated legal matters on which we want to consult carefully. I anticipate that the review of the employee/worker distinction will begin early in the new year.

It is not the job of Government to tell parents how to lead their lives, but it is our job—and a responsibility that the Labour Government take seriously—to help parents choose how best to combine earning a living with bringing up children. In the past four years, we have done a great deal to help families fulfil their double responsibilities: 1 million women and 500,000 men benefit from the national minimum wage; more than 3 million workers have enjoyed four weeks' paid annual holidays for the first time; we have introduced the working families tax credit and higher child benefit, with a new children's tax credit to come; there are 800,000 new child care places, another 800,000 on the way, new rights for part-time workers, and, of course, the right to trade union recognition.

Not one of those measures was supported by Opposition Members. If they are shown fair standards for working people, all they can do is complain about burdens on business. The Bill builds on the achievements that we delivered in our first term. It will improve conditions for working parents, simplify and improve procedures for resolving disputes between management and workers, and strengthen support for training and learning at work.

Chris Grayling (Epsom and Ewell): While no one could disagree with the principles of what the right hon. Lady is trying to achieve, does she not realise the practical impact on small business of tilting the balance of regulation heavily in favour of the employee and against the employer? In small organisations with a handful of workers that will make it very difficult indeed to run the business effectively.

Ms Hewitt: I have spent most of my working life running, and working in, small organisations. As the hon. Gentleman will find when I come to some of the Bill's detailed provisions, all the way through, we started with the needs of small businesses and the people working in them uppermost in our minds.

Part 1 will enable mothers to take up to six months' paid maternity leave and will extend paid time off to fathers and adoptive parents, as my hon. Friend the Member for Doncaster, North (Mr. Hughes) said, for the first time. Separate regulations will increase maternity pay from £62 a week to £100, and extend maternity leave so that mothers can take up to a year off work to look after a new baby.

Norman Lamb (North Norfolk): Does the Secretary of State regard the two weeks' paternity leave provision as an end point or, alternatively, a staging post on the way to the ultimate goal of better provision? I am aware of the Government's intention to try to balance better the mix of work and parental responsibilities, but the provisions for unpaid parental leave introduced in the last Parliament have resulted in an extremely low take-up of that right. By contrast, in many other European countries, the right is taken up to a considerable extent, because it is paid. It seems to be a case of tinkering at the edges. Is the Secretary of State prepared to set a goal of improving rights to paid leave, or is this the end point?

Ms Hewitt: The hon. Gentleman raises an important point. We are determined to improve conditions for fathers, as well as mothers. Two weeks' paid paternity leave is an enormously important reflection of the responsibilities that a new father is taking on, but we have also already introduced, for fathers as well as mothers, new rights to parental leave. The new rights to family-friendly working, with which I shall deal in a moment, will apply to fathers of young children, as well as to mothers.

Dr. Stephen Ladyman (South Thanet): I am grateful to my right hon. Friend; she has been most generous with her time. What she is doing through the Bill is wonderful, and she knows that it has my full support. During the consultation period, the possibility was considered that when the relevant period for maternity pay was calculated, it could be changed from eight weeks to 26 weeks. That would help people on very low and fluctuating wages, such as shopworkers. That is not in the Bill at this stage. Will my right hon. Friend give the matter further thought?

Ms Hewitt: My hon. Friend is right—that provision is not in the Bill. We consulted on it, but it is not in the Bill because we are trying to simplify an extraordinarily complicated system of administering maternity pay and leave. It became clear from the consultation that although the provision to which my hon. Friend refers would have offered some benefits, it was too complicated and too onerous, especially for small organisations.

The Bill, and related regulations, will simplify the system for maternity pay and leave, making it easier for businesses to understand and administer. We are also, separately, increasing the support that small businesses receive for administering maternity pay, with the result that about six out of 10 of all firms paying maternity pay will be able to reclaim their costs in full. We are also introducing changes that will allow firms to claim back the money that they pay out in maternity pay in advance—a particular bonus for small firms.

Mr. Philip Hammond (Runnymede and Weybridge): Can the Secretary of State confirm that, for the 60 per cent. of firms that can reclaim their costs in full, those costs will include the employer's national insurance contribution, as well as the pay, in full, recoverable by the firm?

Ms Hewitt: Yes, I believe that that is the case.

As I announced last week, we will include in the Bill new provisions to promote family-friendly working. In Committee, we will table amendments to implement the recommendations of the work and parents taskforce, which I published on 20 November. Those provisions will set new legal standards for family-friendly working, ensuring that where parents—fathers as well as mothers—of young children ask for changed working hours, employers will have a duty to find a solution, wherever possible, that suits both the worker and the business.

In drawing up these measures, our priority, and that of the taskforce, has been to adopt a light-touch approach, working with the grain of existing best practice and taking particular account of the needs of small firms. I thank all the members of the taskforce, particularly its chair, Professor Sir George Bain, for their hard work in preparing the report.

Mr. Hammond: On a point of order, Mr. Deputy Speaker. I am sorry to interrupt the Secretary of State, but for guidance, would you advise us whether it is in order for Members to discuss matters which are not in the Bill before us, but which might be introduced at a later stage, or whether all Members are limited to discussing only what is in the Bill?

Mr. Deputy Speaker: This is a Second Reading debate, so provided the matters being debated are relevant to that, they are, by and large, allowable.

Ms Hewitt: I am grateful to you, Mr. Deputy Speaker. I note that the amendment tabled by the hon. Member for Runnymede and Weybridge (Mr. Hammond) calls for a wider debate on these issues. I should have thought that it was helpful to him, as well as to the House, to know our intentions in respect of amendments to the Bill.

Mrs. Joan Humble (Blackpool, North and Fleetwood): Among the excellent measures in the Bill are the provisions to simplify the regulations for maternity pay and maternity leave. Will my right hon. Friend assure me that the Government will publicise those changes? When I speak to many of my constituents, they are bewildered by the existing rules and regulations, and look forward to changes. I am concerned that they may not be aware of some of the changes that are to be introduced.

Ms Hewitt: My hon. Friend makes an extremely important point. Everybody is bewildered by the existing system of maternity pay and leave, which is quite incomprehensibly complicated. The new arrangements will take effect in April 2003. In the months leading up to that time, and also subsequently, we will ensure that employees and employers alike are aware of the new arrangements and the benefits that they will bring.

The new arrangements on flexible working that we will introduce by amendment to the Bill have been described by Digby Jones, Director General of the Confederation of British Industry, as

> "a workable deal for employers and employees, which will raise awareness of the benefits of flexible working."

The Trades Union Congress said:

> "They will give parents a new opportunity to seek flexible working. The best employers already agree flexible working patterns because they can see the advantages."

The Equal Opportunities Commission has welcomed the fact that

> "for the first time employers will have an explicit duty to properly consider fathers as well as mothers' requests to work part time."

Of course, many employers in both the public and private sectors are already leading the way in raising productivity through effective partnerships with employees. However, there are still far too many cases of bad practice that harm both the employer and the worker. Some hon. Members may have seen in the news recently the case of Neil Walkingshaw, a car mechanic who went to the employment tribunal after being refused shorter working hours to enable him to care for his young son. He wanted shorter hours because he and his wife had decided that she should return to work full time. The employer's refusal to change Mr. Walkingshaw's working hours cost the latter his job, cost the business a skilled and experienced employee and led to considerable expenditure of time and money in a tribunal case—time and money that would have been much better expended on a small reorganisation of working hours to enable Mr. Walkingshaw to keep his job and continue contributing to the firm.

Chris Grayling: Surely the Secretary of State is not saying that employers should no longer have the right to judge whether they need a post to be filled on a full-time or part-time basis. If the Government go down that road, they will do enormous damage to the competitiveness of small businesses.

Ms Hewitt: When the hon. Gentleman studies the report of the taskforce and reads the amendments that we will table, he will see that we are putting in place a very sensible set of provisions to ensure that, when an employee in a position such as Mr. Walkingshaw's asks for his working hours to be changed, his employer will be under a duty to consider the request seriously and to look at how it can be accommodated within the needs of the business. Of course there will be circumstances in which such a request cannot be accommodated, but it is clear from the practice in firms that have already taken the proposed route that it is possible in most cases to accommodate such requests to the benefit not only of the employee, but of the business.

Mr. Andrew Turner (Isle of Wight): Will the Secretary of State explain whether the benefit has to be extended not only to the employee in question and the employer, but to other employees of the business?

[Mr. Andrew Turner]

For example, in a small care home, it will be difficult to rearrange the working hours of a single person without affecting those of other employees.

Ms Hewitt: That is one of the issues that we would expect the employee who is making the request and the employer who is considering it to take into account. Very often, once an organisation starts considering the possibility of flexible working for one individual, it will find that it can meet other employees' flexible working needs in a way that also makes it easier for the business to meet the needs of its customers. We will support both employees and employers in implementing the changes. We will also monitor their impact after three years of operation. Let me make it clear that if we still find that a large number of businesses are refusing to take the claims of children and their parents seriously, we will take action accordingly.

Minimum standards provide incentives for businesses to increase their productivity. That is exactly what we have seen in respect of the national minimum wage. We were told by Opposition Members that the national minimum wage would be a disaster, that it would cost a million jobs and that businesses would close as a result of its introduction. Of course, nothing of the kind has happened. The Low Pay Commission, which is also chaired by the excellent Professor Sir George Bain, found that the national minimum wage had helped many employers who pay it to perceive their work force as an asset in which to invest rather than a cost to be minimised. Consequently, they get better quality and results.

Parts 2 and 3 provide further incentives for businesses to raise productivity, and to follow best practice. The Bill gives incentives to employers and employees to resolve disputes in the workplace through dialogue rather than litigation. Most organisations already have proper procedures for dealing with disagreements between the management and an employee. However, half of all cases that end up before tribunals are from firms that have no proper internal grievance or disciplinary procedures. They waste taxpayers' money because they have not bothered to put proper procedures in place. The Bill provides for simple, three-step disciplinary or grievance procedures in workplaces where they do not already exist.

Rights and responsibilities go together in the Bill. For example, employers have a responsibility, if they are unhappy with an employee's performance, to tell that employee what is wrong and to deal with the problem. Employees have the right to fair procedures in the workplace; they also have a responsibility to use them.

One would imagine that it was pure common sense for managers and staff to talk to each other. Yet it does not always happen. Not only are there cases before tribunals in which an employer has no procedure or has failed to follow it; we also hear from some employers that receiving the copy of a tribunal application is the first they know about an individual's grievance. The Bill will ensure that the procedures are in place and that they are used in most cases.

Of course, some cases cannot be resolved in the workplace. Employers and employees must then be able to rely on an effective tribunal system to determine the issues. The Bill and the work of the employment tribunal system taskforce will help to provide a better tribunal service to employers and employees.

As with the proposals on family-friendly working, those on better dispute resolution are based on extensive consultation and dialogue. I welcome the fact that the director general of the British Chambers of Commerce has said:

> "These proposals will help businesses to help themselves, by ensuring that they follow good practice in their employment relations."

William Sargent, chairman of the Small Business Council, described the proposals as

> "very clear measures, which are fair both to small businesses and their employees."

Helen Jones (Warrington, North): Although many of the provisions for dispute resolution are welcome, does my right hon. Friend agree that the extension of costs orders in employment tribunals is likely to deter many of the people who need them most? They will deter those who are in small, non-unionised firms without back-up who do not have legal training and to whom even the thought of such costs will be frightening. Such employees do not have the legal training to understand the cases in which those costs are imposed. Will my right hon. Friend consider the matter carefully when the measure is in Committee?

Ms Hewitt: Of course we will consider carefully the position of individuals who do not have legal knowledge or representation. I hope, however, that I can reassure my hon. Friend by stressing that, of 18,000 cases, only 252 resulted in a costs order. We must deal with employers who persist in defending a case although it is crystal clear on all the evidence that they are in breach of the law—for example, by refusing holiday or notice pay that is due to the employee. We must also tackle an employee or former employee who withdraws his application the night before a hearing, having led the employer to waste a substantial amount of time on preparing a case that is never heard. I have described a minority of cases, but we need to tackle the problem.

The Bill covers several other matters that contribute to the overall purpose of making the workplace function better. We are placing union learning representatives on a statutory footing because they are a key element in our drive to improve the quantity and quality of workplace development, especially for those who are most likely to miss out on training—for instance older workers, part-time employees and people from some of our minority ethnic communities.

Mr. David Chaytor (Bury, North): On union learning representatives, does my right hon. Friend agree that today's publication of the performance and innovation unit report on work force development means that the debate has perhaps moved ahead of the Bill? It provides opportunities only for workplaces that already have a trade union recognition agreement. The major problems to do with work force development and lack of skills in the work force are in places where trade unions are not recognised. Will my right hon. Friend consider extending the rights to workplaces that do not have trade union recognition agreements?

Ms Hewitt: We will consider the PIU report with interest. The Government's steps to promoting learning and training, especially among those who lack even the most basic skills, are not confined to the Bill. None the less, it will increase the availability of training and learning in organisations in which unions are recognised, but which continue to have the problem, especially at the bottom of the workplace, of people without adequate skills.

Mr. John Whittingdale (Maldon and East Chelmsford): The Secretary of State has cited business organisations that approved of specific provisions. Do any employers' organisations support the proposals for a statutory right for paid time off for trade union learning representatives?

Ms Hewitt: The Confederation of British Industry.

Mr. Hugo Swire (East Devon): Will the right hon. Lady give way?

Ms Hewitt: No, I have given way extensively and I want to conclude my remarks.

The Bill also tackles discrimination against employees on fixed-term contracts. We are introducing work-focused interviews for partners of working-age people who are on benefits—

Mr. David Heath (Somerton and Frome): Will the right hon. Lady give way on that point?

Ms Hewitt: Let me finish the sentence. We are introducing such interviews so that we can help people to build on their skills and potential, and tackle any obstacles to work.

Mr. Heath: Will the Minister give way?

Ms Hewitt: I have already said that I have given way several times and that I would prefer to conclude.

We are introducing equal pay questionnaires to make it easier for people who believe that they may be suffering an injustice to request key information from the employer from the start, when they are deciding whether to bring such a case.

Good employers treat their employees with respect. They invest in people's skills, help people balance work and family and have sensible procedures for resolving disputes.

Millions of employees already enjoy good working conditions in the best organisations, whether large or small, in the public or the private sectors. However, too many employers do not follow that good practice. The provisions will help to raise standards in the workplace and will thus help to close the productivity gap between the United Kingdom and our competitors. That will help to provide higher standards and a better quality of life for us all.

The measure is supported by employers, unions and family groups. It will raise standards for employees and promote higher productivity. It could never have been introduced by a Conservative Government; the Labour Government proudly introduce it. I commend it to the House.

5.59 pm

Mr. John Whittingdale (Maldon and East Chelmsford): I beg to move, To leave out from "That" to the end of the Question, and to add instead thereof:

> "this House regrets that a wider debate has not taken place on how the benefits and burdens arising from the Employment Bill are shared between individuals and the workplace; declines to give a Second Reading to the Bill because, although it contains welcome measures which promote family friendly practices in the workplace and which seek to improve dispute resolution procedures, it depends excessively on secondary legislation which is likely to impose significant extra burdens on business, especially small businesses; and because it will impose extra costs on business, further damaging British competitiveness at a time when manufacturing industry is already in a fourth successive quarter of recession."

Let me start by declaring an interest as the employer of an assistant who helps me with my constituency work. Following Mr. Speaker's earlier ruling, I would like to withdraw the interest that I registered against my name on the amendment to the Bill, as I understand that it is now no longer necessary for it to be there.

The Bill has come as a surprise to the House and to business. Just five months ago, the Queen's Speech contained no mention of an Employment Bill. In the debate on the Loyal Address, the Secretary of State spoke about an enterprise Bill, for which we are still waiting, and about the Sex Discrimination (Election Candidates) Bill, but she made no mention of the 53 clauses of further employment legislation that we are debating today.

Some of the measures in the Bill are welcome, and I shall set out our approach in detail in a moment. Overall, however, the Bill represents yet another raft of rights and entitlements for employees and trade unions, which will have the effect of adding still further to the costs, burdens and work load of businesses, and of small businesses in particular. It is extraordinary that, in the press release that announced the publication of the Bill, the Secretary of State claimed that the Bill would reduce red tape for employers. The truth is exactly the reverse, as almost every organisation representing business has made clear in their detailed comments about the Bill.

The Bill needs to be viewed in the context of the present state of the economy. My right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) has already done a great deal today to puncture the balloon of self-confidence that envelops the Chancellor of the Exchequer. It is crucial, when considering employment measures of this kind, to keep in mind the climate facing British business today. Across the world, economies are slowing and business men are having to operate in a harsher climate in which competitiveness counts above all. Although the British economy as a whole may escape a recession, manufacturing industry has been experiencing one for almost a year. Every business survey has shown a worsening outlook, with increased uncertainty and pessimism. When asked what the Government could do to help, business men have time and again pleaded for relief from the burden of regulation.

The Organisation for Economic Co-operation and Development's report on the UK economy highlighted the

> "considerable volume of new regulations."

In its pre-Budget report, the Engineering Employers Federation said:

> "The growing burden of regulation remains a serious concern for business—increasing costs, reducing flexibility and diverting management time from efforts to increase productivity."

[Mr. John Whittingdale]

The British Chambers of Commerce stated earlier this month that

> "there is a mountain to climb in halting the tide of regulation sweeping business."

The European Commission has said that the regulatory burden on companies is heavier here than anywhere else in the European Union. Even the Chancellor of the Exchequer spoke this afternoon of the need to cut red tape. Yet, within a few minutes of his sitting down, we are faced with another Bill that will add a little bit more to the burdens on business. The result will be that we slip a little bit further down the international competitiveness league.

Mr. Lloyd: Will the hon. Gentleman do us the favour of saying which of the existing protections for people in the workplace the Opposition regard as the red tape that they now want to get rid of? It would be helpful to have a specific answer to that question.

Mr. Whittingdale: The Secretary of State made it clear in her opening speech that we have opposed the imposition of extra burdens on business on many occasions. Such measures have to be taken cumulatively. We have to consider the overall effect of all the regulations taken together.

Mr. Swire: Does my hon. Friend agree with me and, more importantly, with Ruth Lea, the head of the policy unit at the Institute of Directors, who has today pointed out an increase in the regulatory burden on business, and who goes on to say that

> "there is now little doubt that the cumulative increase in the regulatory burden on business over the last four years has been considerable and is beginning to damage business's flexibility and competitiveness"?

Mr. Whittingdale: My hon. Friend is right, and it is not only the Institute of Directors saying that. Every business organisation that one cares to consult says that the biggest problem facing business in this country is the burden of regulation, yet the Government are steadily increasing it.

Mr. Frank Doran (Aberdeen, Central): If the hon. Gentleman will not tell us which of the regulations introduced by this Government he would get rid of, will he tell us which of the 3,000-odd regulations made in each of the 18 years of Tory Government he regrets?

Mr. Whittingdale: I must point out to the hon. Gentleman that, as my right hon. and learned Friend the shadow Chancellor made clear in his response to today's statement, the number of regulations introduced under this Government has reached an all-time record.

Mr. Chaytor: Will the hon. Gentleman be more specific on the question of which regulations he would abolish? Does he, for example, think that investment in human capital and in the skills of the work force—which is partly what the Bill is about—are measures that he would like to do away with?

Mr. Whittingdale: I am all in favour of investment in human skills in the workplace, but we cannot achieve that through compulsion and regulation. I will deal with that specific element of the Bill in a moment.

Rob Marris (Wolverhampton, South-West): I should like to declare an interest in that my constituency received money from the Transport and General Workers Union before the general election was called.

I want to turn the question around and ask the hon. Gentleman what regulations he would keep. It is a simple question. Which ones does he think are worth having, and which ones would he get rid of?

Mr. Whittingdale: Unfortunately, it seems unlikely that we shall be in a position to make that judgment for a few years. When we do form a Government, we shall need to consider all the regulations, and I am afraid that there will be a whole lot more by the time that happens. This flow is relentless, and we know that there are more to come. I hope that the Secretary of State will be able to listen to and answer the pleas of business, and to make it clear that she will not introduce further regulations after the many that are contained in the Bill.

Part of our problem is that the cost to business of the regulations in the Bill is extremely difficult to judge. As is often the case with legislation introduced by this Government, the Bill contains enabling legislation that will result in many of the new regulations being introduced by statutory instrument at a later date. Business is in no doubt as to the overall effect of the Bill, however. My hon. Friend the Member for East Devon (Mr. Swire) quoted the Institute of Directors. I would cite the example of the Federation of Small Businesses, which has said that the Bill is a

> "raft of legislation too far."

The Confederation of British Industry has said that this must be the only piece of new employment legislation in this Parliament. As I have already suggested, we know that that is not going to be the case. Only two weeks ago, we had the consultation paper on flexible working. We are now informed by the Secretary of State that many more regulations are to be incorporated into the Bill in Committee. In two weeks, another consultation paper will be published, this time on discrimination in the workplace on grounds of age, religion and sexual orientation. There is, therefore, no prospect of the halt to the flow that business asks for time and again.

Any measures that help to resolve more disputes in the workplace without recourse to litigation are desirable and necessary. The Secretary of State has on several occasions drawn attention to the trebling of the number of claims to employment tribunals in the past 10 years, and the cost that that has imposed on business. The CBI estimates a total cost to British industry of £633 million a year. The Government's own consultation document estimates the average cost to an employer of each application at around £2,000. Many employers put that figure considerably higher.

Yet it is this Government who have extended employment rights to whole new categories of workers, shortened the qualifying period before appeals can be made to an employment tribunal and increased the ceiling on compensation payments. It is therefore hardly surprising that there has been a large increase in applications in relation to those rights.

We support the proposal to require employees to use internal grievance procedures to resolve disputes in the workplace without going to a tribunal, but we are concerned that the Government have significantly watered down their original suggestion in the face of pressure from their Back Benchers and the trade unions.

Like the Federation of Small Businesses and the Institute of Directors, we are disappointed that the Government have dropped the proposal to require applicants to pay a charge for bringing a claim. The Government suggest that it did not receive widespread support, but a Forum of Private Business survey found that 80 per cent. of respondents supported it.

The Government have made optimistic forecasts that their proposals will cut applications by a quarter with savings to employers of about £70 million, but significant costs will fall predominantly on small employers. Those are acknowledged in the Bill's regulatory impact assessment, and a number of legal experts have already cast doubt on the effectiveness of the remaining provisions.

The Secretary of State seemed to suggest that there may be a probationary period in which to consider whether the flexible working proposals have been taken up. If they are not, the Government may have to revisit the issue. Will she give the same undertaking on these proposals? If the number of employment tribunal applications does not decrease, perhaps she will reconsider whether further measures are necessary, in particular the proposal she made in the consultation paper to introduce a charge for applying to a tribunal?

Mr. Lloyd: Let us follow the logic of the hon. Gentleman's argument that there is a need to provide a deterrent. Does he also accept that charging those who respond to tribunals would provide balance and prevent the rogue employer from taking cases to tribunals?

Mr. Whittingdale: The employer does not take a case to the tribunal and legislative provision has already been made for costs to be awarded, but that failed miserably, as costs are awarded on hardly any occasion. If a deterrent is needed, it is one against the people who bring cases in the first place, and those are the employees.

The proposals to help families to meet their responsibilities at home and at work have their attractions. It is clearly a good thing that new mothers and, indeed, fathers should be able to spend time with their children. There is, however, no doubt that such entitlements carry a price that will be borne by employers and other employees.

Large employers face the cost of having to find 8 per cent. of the amount payable to mothers, fathers and adoptive parents and, indeed, the national insurance contributions, to which my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) referred. The Government estimate that that will lead to an annual cost to business of up to £200 million, with a one-off additional cost of up to £30 million.

Although small employers will not be required to contribute to the cost, the provisions could have an even more serious effect on them. Large employers will be able to provide cover for absent workers without too much difficulty—they can more easily deal with the administration of the new entitlements—but as the CBI says, those new rights pose significant challenges for smaller firms, which may struggle with the increased absence of key staff members.

In a small firm employing four people, two pregnancies would result in losing half the work force, possibly at a key time for the business' future.

Mr. Swire: Does my hon. Friend agree that the Bill's similar treatment of small and large businesses is regrettable? The small tourism-related businesses, small residential care homes and farms in my constituency were hit hard by foot and mouth. Some provisions are insensitive and untimely but not only need to be revisited to take account of the seasonal nature of those businesses and their smallness.

Mr. Whittingdale: I entirely share my hon. Friend's view. There is no doubt that the Bill will impose increased costs on all businesses, but the small businesses will bear the biggest burden. As my hon. Friend rightly makes clear, this is already a difficult time for business people and some small businesses are unlikely to be able to bear the additional costs imposed.

Chris Grayling *rose—*

Mr. Chaytor *rose—*

Mr. Whittingdale: I give way first to my hon. Friend the Member for Epsom and Ewell (Chris Grayling).

Chris Grayling: This question involves not simply businesses small, medium and large, but the impact on schools and other small public service providers. Many head teachers are genuinely concerned that they will be unable to deliver the same quality of teaching if they lose key people. The issue goes much further than business.

Mr. Whittingdale: I agree. I have no doubt that in my hon. Friend's constituency, as in mine, schools find it almost impossible to get staff to cover teacher absences. If teachers are to be given longer absence entitlements, the pressure on school staff will increase, making it almost impossible for head teachers to provide the cover that they need.

Mr. Chaytor: If the hon. Gentleman owned a small firm with four employees and two became pregnant, what would he do? Would he sack them or work them on the shop floor until their waters broke? He should tell the House.

Mr. Whittingdale: The vast majority of small and large firms will give entitlements. They want to help employees who find themselves in such circumstances. The answer is not legislation, because there will be occasions on which such firms simply cannot afford to give longer leave entitlements. They will suffer as a result of the Bill.

I must touch on the provision to allow smaller firms to apply to the Inland Revenue for advance funding should they find it difficult to meet the extra payment required.

[Mr. Whittingdale]

Although I welcome the fact that small employers will be allowed to apply for advance funding, the procedure involves a significant extra administrative burden. As the Federation of Small Businesses points out, it is almost impossible to see how the Bill will reduce red tape.

Employers will not be alone in incurring an extra burden as a result of those rights, as there is growing recognition that extra rights for parents will inevitably result in extra burdens on non-parents in the workplace. Big companies offering more generous leave entitlements and benefits to parents already consciously discriminate against non-parents, although there may be good reason to do so. Parenthood is desirable for society generally and it should be encouraged, but it is bound to lead to resentment among childless women and men if they have to work harder for less reward than their colleagues who have children. Yet that aspect of the debate on family-friendly work practices has been ignored by the Government. Again, the matter deserves far more consideration.

Some of those arguments apply equally to the Government proposals on giving employees the right to request flexible working hours. Although they are not yet in the Bill, the Secretary of State confirmed that additional measures will be inserted in Committee to take account of the announcements made a week ago. Like the CBI, we welcome the fact that employees will not be given an automatic right to expect flexible working, but there is no doubt that the proposals will result in another category of cases that must be considered by employment tribunals, adding to their work load.

As proposals to reduce the number of cases going to employment tribunals are to be included, it is ironic that the Government are introducing a new category through their amendments. Again, the measures will result in greater costs to small firms, in particular the expense involved, the additional time required and the disruption to their business.

The Bill seeks to extend to employees on fixed-term contracts the rights enjoyed by permanent employees. In fact, it is already possible to claim unfair dismissal to an employment tribunal in connection with failure to renew a fixed-term contract. The Government now wish to give fixed-term employees equivalent rights, including rights involving pay and pensions, that were not covered by the original European Union directive on which this part of the Bill is based.

That bit of gold-plating by the Government will make some employers ask what is the point of taking on employees on fixed-term contracts. Employers may feel that if such employees are to enjoy terms and conditions identical to those enjoyed by permanent employees, they may as well make them permanent employees and then sack them.

In fact, many fixed-term employees benefit from higher rates of pay, as they do not enjoy other benefits such as pension entitlements. It is therefore essential for the equal-treatment requirement to apply to the overall package of terms and conditions if employers are to retain the flexibility that they need.

Mr. Russell Brown (Dumfries): Has the hon. Gentleman ever worked in a company in which fixed-term or short-term contracts have operated? Has he ever witnessed what people go through when working on an entirely different basis and in an entirely different environment from others, and the disadvantages experienced by those on fixed-term contracts?

Mr. Whittingdale: The hon. Gentleman appears to be confirming that the Government intend to remove fixed-term employees from the work force. That certainly appears to be the direction in which they are moving. We do not know, however, because—again—we have not yet seen the detailed regulations covering this provision. Not until they are published will we be able to judge properly its impact on business. I hope that the Minister will make it clear that the Government will resist the pressure that has already been exerted from the Government Back Benches today to extend the provision to cover fixed-term workers, such as those supplied by agencies.

The Bill also gives statutory rights to so-called union learning representatives. As the Government's consultation paper states, they constitute a new category of union activists. There are already about 3,000, and under the Bill they will have a statutory right to paid time off.

Earlier, I asked the Secretary of State whether any employers' organisations supported the proposal. She told me that the CBI supported it. In its submission on the Bill, the CBI said that

> "the proposed right for unions to appoint union learning representatives without the employer's agreement is a step in the wrong direction."

That strikes me as a pretty curious way of expressing support.

Mr. Chaytor: Surely the CBI's objection is not to the establishment of learning representatives as such. Indeed, its submission supports the concept. Its objection is to inability to influence the number of representatives and, hence, inability to control the amount of time off.

Mr. Whittingdale: The CBI's principal objection, and that of many other employers' organisations, is that the arrangement will be imposed on them through compulsion.

Mr. Chaytor: The hon. Gentleman is not answering my question.

Mr. Whittingdale: With respect, I am.

Of course employers support the idea of increasing the amount of training given in the workplace. What they do not support is the mandatory requirement imposed by the Bill for them to accept union learning representatives and to have no say in who those representatives are, or indeed in how many are appointed. We share their objections. As the Engineering Employers Federation has said, this will not improve employee relations, productivity, or the learning levels of employees. Learning representatives will add value only when they work in partnership with employers. Compulsion will add to costs, and will do nothing to increase employers' commitment to training.

The Parliamentary Under-Secretary of State for Work and Pensions (Malcolm Wicks): The hon. Gentleman should meet some.

Mr. Whittingdale: With respect, let me tell the Minister that I am quoting what has been said by employers' organisations.

Under the Bill, the number of learning representatives and their selection will be a matter solely for trade unions. That will clearly be open to abuse: employers must be given some say if trust is to be preserved in the workplace.

Finally, let me deal with the provisions requiring partners of benefit claimants to undertake work-focused interviews. At the beginning of my speech, I said that the Queen's Speech had made no mention of an Employment Bill. What it did foreshadow was a welfare reform Bill. I ask the Minister to confirm that this is it: that the Government's much-vaunted intention of achieving fundamental reform of the welfare system has been reduced to a group of clauses headed "Miscellaneous" at the back of the Employment Bill. Of course we welcome measures to help benefit recipients return to work, but this piece of bureaucracy is unlikely to have much effect.

A recent survey showed that in the past four years there had already been more than 50 changes in employment law. Small firms estimate that it is taking them up to 12 hours a week to deal with statutory requirements, at a cost to each of £8,900 a year. Some measures in the Bill are welcome, but its overall effect will be an addition to demands in terms of cost and time which many small businesses simply will not be able to meet.

At any time those measures would be damaging to British business, but they are being introduced at a time when the outlook for many firms is already grim. The sad fact is that, while increasing employees' rights, the Bill is likely to lead in the long term to a decrease in the number of employees, because it will make the burden for some firms unbearable.

6.27 pm

Ms Joan Walley (Stoke-on-Trent, North): I am pleased to speak about a Bill that will introduce so many improvements, and benefit so many of our constituents. I agree with the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale) that competitiveness is all-important, but we should view the position in the long term. If we share the hon. Gentleman's short-sighted approach to employment relations, how can we end up with a skilled and flexible work force who want to make their company as competitive as possible? I was very disappointed by his mean contribution.

Before I go into the details of the Bill—which will, as I have said, improve things substantially—let me say something to the Minister for Employment and the Regions. I much appreciated his taking the trouble to visit my constituency to discuss, in some depth, the many provisions in the Bill. I believe that similar consultation has taken place not just in my constituency but with the business community, and throughout the country. The fact that the Bill has not prompted a great deal of dissent is surely a measure of the success of the consultation undertaken so effectively by the Secretary of State and the Minister. I also thank the Minister for taking up in correspondence issues raised at a meeting that I had in Stoke-on-Trent.

I should say at the outset that I am a member of Unison, and also that UCATT—the Union of Construction Allied Trades and Technicians—has a close working relationship with my constituency Labour party.

I welcome the introduction of paid paternity leave, which has been well received by constituents to whom I have spoken. I am also glad that we are at last making real improvements to maternity leave and pay arrangements. That is great news for women, and I know that it will be welcomed in my constituency.

Reference has also been made to the introduction of a questionnaire procedure for equal pay claims. If we had had such a procedure in the long years of the previous, Tory Government, and if that Government had introduced legislation properly as they were directed to do by Europe, we would not be in the current situation in which many women who worked in the mining industry are unable to claim what should have been theirs by right. That is an advance to be welcomed.

Another advance is the right to time off for union learning representatives, underlining the important role played by unions in developing the skills of the work force. My hon. Friend the Member for Bury, North (Mr. Chaytor) was absolutely right to say that we as parliamentarians and as a Government are nowhere if we cannot recognise the importance of investing in the skills of the work force.

In 1999, we were very fortunate in north Staffordshire to have one of the first union learning fund pilots which was operated by the Ceramic and Allied Trades Union. In a time of great change in the pottery industry, entailing much that we would prefer not to have seen, the pilot has grown to 18 learning representatives operating in most factories and pot banks across Stoke-on-Trent. Forty representatives at the CATU learning centre—which is funded jointly by Government and the Stoke-on-Trent college of further education, and with the support of manufacturers—are taking the learning agenda out to people, encouraging them to take up basic skills and take on relevant work, increasing their confidence and contributing to competitiveness. Those advances are welcome, and in the long term they will be as important as the advances in health and safety.

I am very pleased that the Government have not heeded the siren voices calling for the introduction of charges for tribunal applications.

Mr. Swire: I think that I am right in saying that the hon. Lady has in her constituency one of the most successful British companies possibly in the world and certainly in the United Kingdom. Has she at any stage taken the trouble to go and speak to that company to discover whether it believes that any of the Bill's provisions will make it less competitive?

Ms Walley: I am very proud to say that we have many world-class manufacturers and other businesses across north Staffordshire. We have consulted with the chamber of commerce, with which we agree on some issues while having slightly different shades of opinion on others. None the less, I believe that we would not be treating our work force properly if we were to introduce a general costs regime that required the losing party to face all costs. The proposal in the consultation document to establish a presumption in favour of awarding costs was entirely wrong, and I congratulate my right hon. Friend the Secretary of State on the current proposals.

The Government have recognised that charges and the risk of having to pay costs will deter lower-paid applicants from pursuing a case, however strong that case may be. Such an arrangement would in practice deny people the opportunity of exercising their statutory rights.

[Ms Walley]

Nevertheless, there may still be a problem which I hope that my right hon. Friend will examine both during proceedings in another place and in the light of the letter that I received from my hon. Friend the Minister for Employment and the Regions.

The problem is that the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2001, which were introduced in July, added to the list of circumstances in which an employment tribunal can award costs. Before the regulations were introduced, costs could be awarded when proceedings were brought vexatiously, abusively, disruptively or otherwise unreasonably. However, the word "misconceived" has now been added to that list. Consequently, not only poor behaviour but poor knowledge of employment law is to be penalised. The other change that was made in July is that the maximum costs that tribunals can award on the spot were increased from £500 to £10,000.

I ask the Government to re-examine the changes. I am very grateful that a review body has been established, and I recognise that the Secretary of State said in reply to an intervention from my hon. Friend the Member for Conwy (Mrs. Williams) that costs had been awarded in only 252 cases. I wonder, however, whether the new regulations will substantially change that number. I ask her to examine the issue very closely. I would not want people without a union representative or someone else to turn to for help to be deterred from making a genuine case. I hope that we can make some progress on the issue.

Mr. Mark Prisk (Hertford and Stortford): Does the hon. Lady recognise that whereas it is true that many employees are not fully familiar with the law, millions of self-employed small business proprietors also are not legal experts and cannot afford a legal adviser when presented with a legal case? Is it not important that we also recognise their difficulties? Is it not important that the Government ensure that any changes protect them equally?

Ms Walley: I am very happy to agree with the hon. Gentleman on that. It is absolutely right that access to employment tribunals should not be based on the ability to appoint very expensive lawyers. There should be a basic right of access to information, and that right should apply as much to small companies and businesses as to those who are employed in those places. I greatly regret the fact that although the citizens advice bureau in Stoke-on-Trent, where I know a little about the situation, is able to give advice, it is not able to represent people at employment tribunals. I recognise that there are two sides to the issue. I would be very pleased if people were more knowledgeable, had better access to information and could better exercise their employment rights.

Mr. Hammond: The hon. Lady seems to hanker after less formal proceedings in employment tribunals. Does she therefore think that the Government should have awaited the outcome of the Leggatt review on tribunals before introducing changes to the employment tribunal regime?

Ms Walley: That is a very interesting question, and, in the interests of ensuring joined-up government, it might have been worth awaiting the long-term results of action taken by the Lord Chancellor's Department and the Department of Trade and Industry. The real world, however, does not work quite like that. It is critical that the Government should act as they have done whenever an opportunity and slot to legislate comes along, and especially when there are injustices that need to be addressed, women are waiting for paid maternity leave, and we want to introduce paternity leave. The Government have made their necessary proposals. They may need to be reviewed in the fullness of time, but if they are, I hope that it is done sensibly.

I also ask Ministers to consider the location of employment tribunals. In my constituency, employees and employers who become involved in an employment tribunal have to go to Shrewsbury. I cannot think of any other reason—although I am sure that hon. Members from Shrewsbury could give me one—why anyone in my area would go to Shrewsbury. This morning I checked the bus timetables, and they showed that one would have to catch a 6.50 am bus to arrive at 8.45 am in Shrewsbury. The next bus would arrive too late for the start of the tribunal. Moreover, a train journey to Shrewsbury requires a change at Crewe and would take longer than a train journey to Birmingham. Incidentally, a bus journey from Stoke-on-Trent takes longer to Shrewsbury than to London.

I simply wonder whether the location of many employment tribunals is no longer convenient, and whether we should consider siting them better in many constituencies so that we can better meet people's needs. That would do much to improve knowledge about the work of employment tribunals and how they are used.

I have consistently supported proposals to assist the resolution of disputes in the workplace. I welcome the principle of statutory disciplinary and grievance procedures, because that would encourage employers to adhere to appropriate disciplinary procedures and employees to follow that grievance procedure. It is right that a dismissal will automatically be found to be unfair if the statutory disciplinary procedure has not been followed.

The problem with the statutory disciplinary procedure is that it is simply an empty shell. It contains no requirement for the employer to hold a fair hearing, other than to set out allegations and hold a meeting. There is no requirement to investigate the allegation, no reference to questioning of witnesses and no mention of rights of representation. Given the fact that ACAS has a well thought out code of practice that employers have been encouraged to follow, perhaps we could reconsider those two different sets of recommended disciplinary procedures during the Bill's passage, and try to satisfy some of the wishes expressed by Opposition Members for more simplified regulation of business.

Mrs. Betty Williams (Conwy): On that point and on the question of review, does my hon. Friend agree that a review of the Employment Relations Act 1999 is necessary, especially in view of the experiences of some of my constituents employed at the Friction Dynamics factory in north-west Wales? They were sacked by a ruthless employer, a move that has involved them in a long-drawn-out appeal before an employment tribunal.

Ms Walley: Yes, I agree with my hon. Friend, and if that review were to take place, I hope that she would have an opportunity to ensure that the views of her constituents were represented.

The second problem with the statutory disciplinary procedure is that it incorporates a modified procedure to deal with summary dismissal for gross misconduct. That procedure contains only two steps and differs from the standard procedure in that no provision is made for any kind of hearing. Has it been assumed that summary dismissal is synonymous with instant dismissal? I was under the impression that summary dismissal referred to dismissal without notice. When the Minister replies to the debate, I would be grateful if he would address that point.

Another important issue is the failure of employers to provide written statements of terms and conditions. From the cases in my constituency, I know that that is one of the major stumbling blocks to the resolution of disputes in the workplace. Current legislation requires employers to issue written statements in the first two months of employment. In view of the briefing that I—and many other hon. Members—have received from the National Association of Citizens Advice Bureaux, perhaps we could find a way to ensure that employers issue those written documents when required, because the Bill contains no right to make a free-standing complaint to a tribunal about the absence of a written statement. I do not want to make more work or create more bureaucracy, but it is important that both employer and employee have a written statement. If it is not issued, the solution may be for people to request it once they know more about their rights. I hope that the changes introduced will achieve that, but it will not happen in the prevailing culture.

Reference has been made to clause 45. I welcome many of the Bill's provisions and I was interested in the comments by the hon. Member for Maldon and East Chelmsford about gold plating. I congratulate my right hon. Friend the Secretary of State on the gold plating in respect of fixed-term workers. I am pleased that the Bill will grant the Secretary of State the power to make regulations that will give effect to the directive on fixed-term work. I am especially pleased that the regulations will go further than the directive and prevent pay and pension discrimination against fixed-term employees. I give praise where praise is due.

I am slightly disappointed, however, that the proposed regulations will apply to the narrow definition of "employee", rather than the broader category of "worker" and I support the intervention made earlier by my hon. Friend the Member for Manchester, Central (Mr. Lloyd) on that issue. The regulations affecting part-time workers apply to the broader category of workers, and the directive that gives effect to part-time work regulations and the directive that gives effect to the fixed-term work regulations contain identical definitions of "worker". On logical and, perhaps, on legal grounds, it is unsatisfactory for the proposed fixed-term work regulations to have restricted application. That would give rise to uncertainty and confusion for workers and employers and I wonder whether the Secretary of State's forthcoming review might be completed in time to go hand in hand with the Bill.

On the extension of employment protection rights, it is the workers who do not fall under the legislative definition of employee, such as casual workers, agency workers, home workers and contract workers, who are among the most vulnerable members of our work force. I see from cases in my constituency surgery that those workers are a fast growing category, but they have the least protection in terms of employment rights. The broader category of workers is protected under the working time regulations, the national minimum wage legislation, the sex, race and disability legislation, the part-time workers regulations and by the right to be accompanied at disciplinary and grievance procedures and hearings. However, key rights restricted to the narrow definition of employees include the right to claim unfair dismissal, the right to claim a redundancy payment and the right to take maternity leave. It is wrong that some workers should be denied those rights at work simply because of the category into which they fall. I hope that the Government will consider the extension of employment protection rights to all workers to reduce some of the unfairness inherent in the system.

UCATT recently carried out a survey of bogus self-employed workers. Perhaps this is the time to consider their situation and to consider in further detail the concerns of some in the public sector about a twin-track system of employment. Unison has made proposals for a fair wages clause, in relation to the TUPE regulations, and I hope that the Government will consider including such provision.

I am grateful for the chance to contribute to the debate. More and more people come to my surgery who are experiencing real problems at work and the Bill will make some real and significant improvements. It will be good for British business and the people who work in British business. I look forward to further detailed discussion during the Bill's progress.

6.49 pm

Dr. Vincent Cable (Twickenham): In general, the Liberal Democrats broadly support the Bill and, in particular, the key elements of tribunal reform and family-friendly employment are a step forward. However, when I talk to the key representative organisations, whether on the business or on the union side, it is obvious that they are unhappy about some aspects of the Bill. My assessment is that unions' unhappiness about the clauses that relate to them roughly cancels out the unhappiness felt by the Engineering Employers Federation about the provisions that relate to them. In that sense the Bill is well balanced, but there is clearly work to be done in Standing Committee, where detailed legislative points will have to be taken into account.

Employers have made two general comments about the Bill. First, they have said that there is no case at present for major, far-reaching labour legislation. One reason for that is that labour relations in this country are generally very good these days. Even though low levels of unemployment could create a lot of wage pressure, that pressure has not manifested itself. In addition, there are very few stoppages at present—about one fifth as many as in the 1970s and 1980s. There are various reasons for that, one of them being a structural move towards small firms and services. Also, one has to acknowledge that, to an extent, the labour reforms introduced by the previous Conservative Government have made a contribution,

[Dr. Vincent Cable]

and the unions now have a much more constructive approach towards working in a positive way with employers. The cultural change in the trade union movement has to be acknowledged.

The second general point is that employers are concerned about over-regulation. I share some of the worries expressed by the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale), but he came dangerously close to arguing against regulation, as such. Regulation is not the problem: the problem is the way in which it is carried through.

The classic example of bad regulation in employment matters is the working time directive. It is bad because neither employers nor trade unions were consulted when the regulatory detail was being drafted. In effect, the parliamentary draftsmen and officials at the Department of Trade and Industry were let loose, and produced an enormously convoluted set of detailed regulation running to some 80 pages. If they had talked to their partners on both sides of industry they would have learned, among other things, that one page of instructions had sufficed in Holland. That was gold plating on an epic scale, and the experience has left behind a lot of ill will.

I regret that the Secretary of State has left the Chamber, as it appears that the Government want to counter some of the ill will generated by over-complex regulation by making somewhat hamfisted pro-business initiatives. The most recent was the announcement that senior business people would be seconded to operational jobs in the Department of Trade and Industry.

That initiative is appallingly badly thought out and dangerous, for many reasons. For example, if I were a trade unionist I should be extremely alarmed that an employer with a dubious labour relations record could in future draft employment legislation.

Mr. Chaytor: Does not the hon. Gentleman accept that that initiative establishes the interesting precedent that, in the future, leading trade unionists might also be seconded to the Department?

Dr. Cable: To be frank, I do not think that that would be any better. What is required is an element of neutrality and detachment in the people who give advice and prepare legislation. The initiative sets a very bad precedent. I have worked in a big company, and I know that people from big companies tend to have no background in small business and do not understand its concerns. They will always be suspected of representing their companies' sectional interests. The initiative is a very bad way to counter the ill will generated by inappropriate legislation.

I turn now to specific elements of the Bill. The core provisions of its family-friendly sections—the new paternity rights, and extended maternity leave and pay—seem very sensible, both in terms of their benefits for families and in terms of the economy.

The modern British economy faces the potentially long-term problem of increasing the supply of skilled and unskilled workers. Much of that supply will have to come from older workers who have retired prematurely, and from women who, traditionally, have taken long and often involuntary absences from employment. Any provisions such as maternity and paternity rights that make it more comfortable for women to return to work should be welcomed and encouraged, as long as they are properly balanced.

We must get away from the old-fashioned attitude to parental leave. That attitude was captured in the story—I am sure that it is apocryphal—of the naval rating who asked his senior officer for a little time off to attend the birth of his child. The rating was told that he had totally misunderstood his duties as a naval officer, and that they meant that he had to be present when the keel was laid but not when the ship was launched. Too many employers have applied the moral of that story to the families of employees for too long.

Some of the more critical comments made about the Bill have captured the practical problems that it poses. Some small employers—and not through bloody-mindedness or obscurantist attitudes—have genuine difficulty in accommodating absence. I welcome the small provision in the Bill that requires that the paternity leave be taken in a block, with the result that it is less disruptive. I hope that consideration will also be given to ways of ensuring that people taking such leave signal their intent well in advance, so as to give employers adequate notice. In small ways such as that, the provisions in the Bill can be made much more palatable to employers.

I was a little confused about what the Secretary of State said about flexible working. The logic beginning to emerge from the commission that the right hon. Lady established was that workers should not merely have the right to ask for flexible working, but that they should have the right to have a request considered sympathetically. In addition, it suggests that employers should be required to make a commercial case if they have to refuse a request for leave. If that commercial case were not made adequately, an employee would have the right to go to a tribunal.

If I heard the Secretary of State correctly, she did not confirm that such provisions would appear in the Bill. She seemed to say that there would be a probationary period of indefinite length before the Government took action, as she put it. I hope that the Minister for Employment and the Regions, when he replies to the debate, will say whether the more balanced approach that I have outlined, and which includes the right to a tribunal hearing, will be incorporated in the Bill, or whether it will merely be an eventual recourse.

The Minister is nodding, which suggests that that balanced approach will be contained in the Bill. If that is so, I welcome it.

The third element in the Bill that relates to family-friendliness but which is distinctly unfriendly to families is clause 47. The hon. Member for Maldon and East Chelmsford rightly said that the Bill is being used to introduce bits of welfare reform that are completely unrelated to its overall logic. I will go further, and say that the provisions are not only inappropriate but extremely reactionary. I suspect that the Secretary of State for Work and Pensions is trying to get another Secretary of State's fingerprints on the weapon that he is using to attack the rights of disabled people.

The clause will mean that, in future, the partners of disabled people in receipt of a variety of disability benefits will be required to submit to the work test. If they fail that test, as currently defined, benefit sanctions will ensue.

That worries us deeply, because there is no evidence that the process will encourage disabled people's partners to work. However, there is a lot of evidence to suggest that many such partners, although they are not being paid, are working, in the sense that they are carers. Driving those people into work would be inhumane in some cases, and enormously costly to the state, which would have to fulfil the caring responsibilities.

Those familiar with the way in which the present incapacity benefit tests work know that some cases of real hardship are being generated. That is especially true for people with degenerative illnesses such as early Alzheimer's disease or Parkinson's disease, motor neurone disease or multiple sclerosis. In such cases, the early diagnosis of disablement does not entitle people to the higher levels of incapacity benefit.

There is a danger that many of the people who care for sufferers of such diseases will be pushed out to work, at a time that will be exactly wrong in terms of their caring obligations. I am worried that the good that the Government are doing with the more progressive family-friendly elements in the Bill will be countered by that extremely retrograde and damaging provision in clause 47. We shall vehemently oppose those provisions.

Mr. Prisk: Does the hon. Gentleman agree that the clause is deeply intrusive with regard to the relationship of a couple, as defined in the Bill?

Dr. Cable: The hon. Gentleman is absolutely right. We are no longer concerned about the work test for disabled people but about the way in which they balance their family relationships and caring responsibilities. I hope that the hon. Gentleman will support our objection to the clause when it is debated.

There has been a substantial escalation in the number of tribunal referrals—something like 25 per cent. in the past year and 300 per cent. in the past decade—along with substantial associated costs. I have read some of the analytical work on tribunals, and it is clear that this is not simply a question of people becoming more litigious or trade unions becoming more aggressive.

There are good reasons why more references are made to tribunals. For example, there are more women in the work force, and, as many of their problems are not addressed through existing procedures, they have to go to tribunals. Many tribunal references relate to redundancies in manufacturing industry which have been taking place on a large scale. A growing proportion of people work in small enterprises which often do not have these internal dispute settlement procedures, hence the need for tribunal references. So there are good reasons for this rising curve of tribunal activity—it is not necessarily a matter of blame.

The Government are right to say that there must be obligatory use of an internal dispute settlement procedure. There is consensus on that among employers and trade unions, and it would be a big step forward. I think that the Government are also right to have backed down on their proposal to impose fees for using a tribunal. That could have penalised many low-income people, particularly those making repeat appearances. I am glad that the Government have listened to the criticisms of that proposal.

There are problems regarding tribunals which we will explore in Committee. However, I will refer to some of the queries that have been raised with me. The legislation seems to contain a new screening procedure. At first sight, it seems sensible that cases do not automatically go through to a full tribunal hearing but have to be screened. It seems sensible to get rid of vexatious litigants. However, as I understand it, there is already a requirement to place a deposit and many people who do so subsequently win their tribunal hearings. It would be good to hear evidence from the Government about that experience before they press ahead with a new and more complicated procedure.

The other doubts that I have about this, which the hon. Member for Stoke-on-Trent, North (Ms Walley) and others have also mentioned, relate to cost orders. It seems sensible to tell people that there must be discipline and they must take account of the cost. However, it is all too easy to understand how someone in a dispute, particularly involving a large company, would put on the balance sheet the cost of half a day with the director of human resources, who is paid £100,000 a year, and a couple of QCs. The cost could quickly become astronomical, prohibitive and inequitable. That aspect of costings needs careful consideration.

It was clear from the consultations I have had on the Bill that there is a lot of unhappiness on the business side about the compulsion element of learning representation. Businesses are concerned that they are being asked to pay for—not simply to accept—learning representatives, some of whom might use their position to take an aggressive approach to industrial relations and destabilise them. That is the argument. My view is that that concern is probably overstated, one reason being that these rights will apply only in unionised companies, many of which will not have such learning representation. On balance, the provisions are probably about right, but the Government will have to deal with employers' concerns.

To conclude, I think that the Bill is balanced and represents a step forward. We shall support it. However, I agree with the amendment in one respect. We must be careful that secondary legislation does not produce a plethora of red tape such as that which we have seen all too frequently in the past.

7.4 pm

Mr. Frank Doran (Aberdeen, Central): I start by declaring an interest. I am a member of the GMB and secretary of the GMB parliamentary group.

I have another interest to declare. We have heard much from Opposition Members about the problems of business, particularly small business. I used to run a small business when I practised as a solicitor; I employed about 10 people before I came to this House first in 1987. I agree to some extent about the problems of small businesses and the difficulties caused by any change in legislation. People in business want stability and certainty. Even good regulations made me unhappy because I had to spend some time thinking about how to manage their implementation. However, we must balance that against the interests of employees. The Bill contains some important provisions, which I welcome.

Mr. Prisk: Does the hon. Gentleman recognise that his qualification as a solicitor made him uniquely qualified to deal with many such proposals? Many people who go into

[Mr. Prisk]

business, whether they run a local post office or a corner shop, are not as qualified and therefore will struggle with the proposals.

Mr. Doran: I have practical experience of the fact that the gardener's garden is usually the untidiest one in the street. Somebody in the office looked after those matters for me.

My experience is relevant, but I want to concentrate on two aspects of the Bill with which I am less comfortable: both have been raised by my hon. Friend the Member for Stoke-on-Trent, North (Ms Walley) and, in his intervention on the Secretary of State, by my hon. Friend the Member for Manchester, Central (Mr. Lloyd).

I am concerned about the provisions that will lead to greater formalisation of the employment tribunal system. I worked for 10 years as a solicitor and was involved in many tribunal cases, mostly under the provisions of the Trade Union and Labour Relations Act 1974. I know that the system has changed and that there have been modifications, but the basic principles have not changed.

The 1974 Act was about accessibility. It allowed workers to present cases relatively informally and ensured that workplace grievances had an outlet. It did not change the basic relationship between an employer and an employee. In the absence of clear statutory guidance, courts and tribunals interpreted that relationship in the context of the common law, which militated against the interests of employees. The common law provisions, with which I am sure most people are familiar, were fairly straightforward. The employer had the right to hire and the right to fire—full stop. There was not a lot in between. The employment tribunal system introduced under the 1974 Act was extremely important as it gave rights to employees for the first time.

I had a glorious start in the old industrial tribunal system. In my very first case, I represented an employer. When I look back at the case now, as a Labour MP, I take a bit of pride in it. The tribunal decided to make an award of compensation against the employer, and at that time it was the largest ever made against an employer by a tribunal in Scotland: no class betrayal there, then.

I acted for employees as well as employers. I represented many trade unions. As most Members know, trade union officers tend to conduct their own industrial tribunal cases, but for their more complex ones they employed legal advisers. I was privileged to represent trade unions in a number of cases.

Mr. Hammond: Given the hon. Gentleman's background and experience in this field, how does he feel about the proposals to make third-party representatives personally liable for awards of costs when they are remunerated, as in the case of a solicitor, but not when they are unremunerated, as in the case of a union representative?

Mr. Doran: If the hon. Gentleman wants an honest answer, I would have to say that it is not such a good idea and will be difficult to implement in practice.

When I represented employees—in many cases, former employees—I experienced some difficulties. Access was relatively easy for the employee. There was no legal aid scheme for the tribunal hearing, although at that time most solicitors who were prepared to engage in such work on behalf of employees were able to make fairly constructive use of the legal advice and assistance scheme. The schemes in Scotland and in England were slightly different, but the difference was not so great as to be relevant.

The case could be prepared under the legal advice scheme, usually with extensions of the basic limit. Representation was on a no-win, no-fee basis, which put considerable pressure on the agent to try to find a settlement. I certainly felt such pressure when acting for employees. ACAS—the Advisory, Conciliation and Arbitration Service—was involved, and we tried to negotiate in many cases and were usually successful.

It is wrong to proceed on the basis that the fault always lies with the employee. In my 10 years of practice, I handled many cases in which employers refused to negotiate—partly because they were that kind of employer, but partly because their legal advice suggested that they should not settle. In many cases, employers did not come across with an offer until the eve of the tribunal. Many people might suggest that they did so because they had realised that the legal costs were ticking away, but usually offers had been made and employers had refused to accept them.

My only industrial tribunal case that resulted in the award of expenses against anyone involved an employer in exactly that situation. That fact is important. I was concerned when I read the consultation document—"Routes to resolution: improving dispute resolution in Britain"—published earlier this year, because its language suggests that employees are the problem.

I was also concerned about the report's use of the word "litigation". Lawyers have taken over the industrial tribunal, mainly because employers have become so defensive and have brought them in. It is not unusual to go into an industrial tribunal and see a row of QCs, not because they are necessary or because the cases are of such legal complexity, but because employers have decided that they or the business require that level of advice. Any push that the Government give towards increasing the degree of formality in the Bill will cause serious problems for the tribunal system. It will have to adjust to the participation of many more lawyers and to a new ethos.

The current ethos is not unhelpful to the unrepresented applicant. I have been on the other side of a tribunal from an unrepresented applicant and, in my experience, chairmen bend over backwards to help such people, ensuring that, even when they do not understand the legal complexities, they receive as much help as necessary. I have seen union officers helped in the same way.

I was consulted recently by a woman—she has asked me not to give her name—who had cause to take her employer, a public body, to an industrial tribunal. She decided that, as the public body was employing solicitors and a QC, she, too, needed legal representation. For a three-week tribunal hearing, she received a legal bill for £42,000. That is a recent case. She was fortunate in that she could afford to pay that amount, although it has taken most of her savings, but if that is where the industrial tribunal system is heading, the ethos that was introduced and practised after the 1974 Act will disappear.

The Law Society of England's briefing on the Bill states:

> "In our view the reforms in the Bill will increase complexity and make it less likely that employment tribunals could ever return to the simplicity envisaged by Leggatt."

It is instructive that the Law Society makes such comments. Many of its members who make money from industrial tribunals will be happy with those remarks, which should be welcomed as an honest assessment.

Colleagues have mentioned the Leggatt report. I find it difficult to understand why we cannot wait for the report before implementing legislation, although I appreciate the difficulties of the parliamentary timetable. I accept the point made by my hon. Friend the Member for Stoke-on-Trent, North about the practicalities of government, but it would be helpful if the Minister could assure us that, if the Leggatt report—which will be issued before the conclusion of the Bill's passage—makes specific recommendations about the employment tribunal system and on the increased formality and greater legalisation of that system, he will find time to consider how such recommendations might be implemented. The Secretary of State has already warned us that we might be asked to accept several amendments, so it would be helpful if we could have some assurance about the implementation of the Leggatt recommendations.

Mr. Mark Francois (Rayleigh): The hon. Gentleman touches on an important point. Does he agree that if one of the original intentions of the industrial tribunal system was to protect employees, there is now—especially given what he says—a real danger that the system will become so complex and so expensive that it could have the opposite effect?

Mr. Doran: The hon. Gentleman makes a fair point, but the system is already complex. Last night, I spent some time in the Library trying to read through some industrial relations cases; the system is extremely complex and is difficult for the layman to understand. The key is the removal of barriers to access. Employers will not welcome that, but the importance of a safety valve for grievances in the workplace cannot be underestimated.

Another of my concerns has been raised by my hon. Friends the Member for Stoke-on-Trent, North and for Manchester, Central: the definition of worker and employee. That may seem a pedantic point and not one that should detain us, but that is not the case. Definition of the individuals who will benefit from the legislation is fundamental to it.

I want to take the House back to the publication of the "Fairness at work" White Paper, which introduced some basic principles and set out the way in which the Government intended to legislate. I was fortunate to serve as the Parliamentary Private Secretary to the then Minister of State, Department of Trade and Industry and, because of my legal background, was involved in many of the policy discussions and preparations. I sat in on the presentation made by the TUC and the CBI to the then Secretary of State.

Before the publication of the White Paper, the Government had, in effect, said to the unions and the CBI: "These are the parameters, go off and sort out what you can agree on, what you don't agree on but think you can negotiate on, and what you positively can't agree on. Then come back to us and we will proceed." The hon. Member for Twickenham (Dr. Cable) recommended the same process of: consultation between both sides of industry.

At the presentation, everyone in the room was taken aback at the degree to which the CBI and the TUC were able to find agreement. That was an important occasion: for both sides of industry to move forward in that way was a landmark in industrial relations. That was recognised in the White Paper.

Paragraph 1.9 of the White Paper set out the three main elements of the framework that the Government proposed for industrial relations. The first was

> "provision for the basic fair treatment of employees. Unless minimum rights are established, effective relationships in companies cannot prosper. The White Paper establishes new ground rules for fair treatment, allowing employees to form effective relationships with employers—including new rights which recognise the changing nature of work. People must not be deterred from contributing to competitiveness through flexible working arrangements."

What was recognised in the White Paper and what the Government implemented in subsequent legislation was the principle that the work force needed to be flexible to compete in the modern age and that business sought that flexibility, but that there had to be a basic level of minimum standards in the workplace. One of those basic minimum standards was the need to ensure that legal devices could not be used to exclude workers from the benefits of the legislation that was subsequently implemented.

One of the most fundamental ways in which that was done was to get away from the old common-law definitions of employer and employee. The concept of "a worker" was introduced under the National Minimum Wage Act 1998, and the categories of worker to whom the Act would extend were clearly defined. At a stroke, all the legal devices that had been created by employers—home working, agency working, part-time working, casual working—came within the ambit of the minimum wage legislation. Those devices were not excluded; employers could not use them to argue that their workers were not entitled to the minimum wage.

That definition of the term "worker", adjusted for various purposes, was applied to other legislation—the Employment Relations Act 1999 and regulations on working time—introduced mostly because of European social chapter obligations. The definition has continued and it represents the fundamental protection for workers. I am deeply concerned that the Bill contains a different definition of the persons to whom it will apply.

I am not sure whether I have got the numbering right—it is so complicated—but under clause 2 and proposed new section 171ZJ to the Social Security Contributions and Benefits Act 1992, employees are described as those

> "gainfully employed in Great Britain either under a contract of service or in an office (including elective office)"—

so it will apply to us as Members of Parliament—

> "with emoluments chargeable to income tax under Schedule E".

Tribunals and courts will once again be encouraged to apply the Bill to a much more narrowly defined group of people. That will open the door to unscrupulous employers to extend the use of home workers, agency workers and so on.

Mr. Hammond: The hon. Gentleman has twice implied that unscrupulous employers seek to define

[Mr. Hammond]

workers other than as employees. Will he consider the fact that the national health service is probably the largest employer of agency workers, who are not employees, in this country?

Mr. Doran: The NHS is a good employer that recognises its unions, regularly negotiates terms and conditions and ensures that agency employees have minimum standards. That is crucial, but many employers will not operate in that way. All those various categories were created, on the basis of legal advice, to avoid giving workers the full benefit of the legislation.

Mr. Lloyd: Does my hon. Friend agree that this is an important debate because its thrust is not to say that different employment structures are illegitimate, but to offer legitimate protection to those who are not brought within the ambit of the law? That is the implication of my hon. Friend's remarks, but I am rather worried about the Opposition's intentions.

Mr. Doran: I agree entirely with my hon. Friend; we are as one on that. It is important that we get back to basic principles. That is why I referred to "Fairness at work", which contains fundamental principles; my worry is that we shall move away from them under the Bill. I welcome the fact that the Secretary of State said that there would be a review, but my worry is that the Bill's reintroduction of the term "employee" will lead some people to pre-empt the decision that she makes in the review.

We certainly do not want to introduce the possibility that the fundamental protections for workers that we have introduced under the National Minimum Wage Act 1998 and the Employment Relations Act 1999 could be weakened. There are many good things in the Bill. I have raised two issues that need to be seriously addressed by the Government, but, of course, I support the Bill in principle.

7.25 pm

Mr. Mark Prisk (Hertford and Stortford): At the beginning of this debate, the Secretary of State said that the Bill is friendly to families. It is true to say that the Bill sets out a range of improved maternity rights, new paternity rights and rights for adoptive parents. Like many of my Opposition colleagues, I certainly welcome any acknowledgement of the role of fathers. Over the years, bolstering and supporting the role of fathers has been neglected, and there has been an understandable focus on motherhood. It is important, however, that we try to encourage fatherhood wherever we can, through policies and positive role models. I welcome the acknowledgment of that fact in the Bill.

A further point is recognition of the crucial role of single fathers. Very often, when we talk about single parents, we assume that we are talking about single mothers, so it is important that we recognise the role of single fathers. I want to ensure that they are not overlooked in any way. I acknowledge the importance of adoptive families and the fact that they will be included in the legislation. It is sadly still the case that, even now, too few people are willing to come forward as adoptive parents. Anything that can be done to promote adoptive parents is important, and I commend the recognition of that fact in the Bill.

However, the Bill is distinctly unfriendly to a very large number of families. The hon. Member for Twickenham (Dr. Cable), who is not in his place, has already mentioned the intrusive nature of clause 47, with regard to families who have disabled members. Although I support his view, there is another very important and large group of families to whom the Bill is rather negative. I am referring to the 4 million self-employed families, who work long hours each week and try to bring up their children. Those families often live and work in the same place and find that, to comply with many of the Government's regulations, they have to work right through their weekends or evenings, so they are not able to spend time with their children.

Indeed, as my hon. Friend the Member for Maldon and East Chelmsford (Mr. Whittingdale) said, most small businesses now expect to spend 48 hours—five normal working days—each month trying to keep up with the raft of proposed regulations. That involves days lost at weekends and evenings lost with children—a very important matter for those families. I suspect that hon. Members on both sides of the House will know the families to whom I refer—the husband and wife who run the local post office; the father and daughter on the farm; the two brothers who may provide a local plumbing or decorating service; or the local family butchers. Many of those businesses have been handed down from one generation to the next.

My father set up and ran his own business, so I know all too well that, no matter what age those involved may be, they are always involved in the success or trials of the business. Thus, the nature of work and family is intertwined in every self-employed home. Those families—the self-employed, the small business proprietor—represent not only the hard work and enterprise that the Government are trying to promote, but the kind of close family relationships that we are all keen to support. It is therefore with great sadness that I have to say that many of the Bill's proposals represent an unwelcome and unhelpful burden for the self-employed and small businesses.

The House will know that, even before the Bill's provisions were outlined family businesses already had to cope with a raft of regulations affecting the employment of staff in a variety of ways. In many senses, small businesses are now not only unpaid tax collectors, but unpaid benefit officers.

I suspect that those who do not run a business or have no direct experience of doing so will assume that the only thing with which small businesses need to concern themselves is compliance with regulations. I wish that were true. In reality, small businesses are required to administer many of the regulations. For example, the stakeholder pension scheme costs small businesses £15 million per annum; the working families tax credit costs them £105 million every year to administer; and the student loan repayment schemes costs them £210 million per annum. The national minimum wage costs £330 million, and that does not include the money that goes into the staff's pockets; it is simply the administrative costs that fall on small businesses. We will now have the cost of administering the new regulations set out in the Bill.

Mr. Kevan Jones (North Durham): The hon. Gentleman says that the minimum wage is a burden on small businesses. Is the Conservative party now opposed to the national minimum wage?

Mr. Prisk: If the hon. Gentleman had listened, he would have realised that my point was about the administrative costs involved. When the Government put forward apparently generous social programmes, they often fail to mention the fact that they do not administer them. The burden of administration falls on small businesses. That is the basis of my criticism.

Mr. Lloyd: This is a fascinating little lecture. The hon. Gentleman has used the minimum wage as an example of the burden of regulation, but my hon. Friend the Member for North Durham (Mr. Jones) was right to suggest that the Opposition now support it. What is the cost to an employer of checking the present rate of the minimum wage and paying it?

Mr. Prisk: The key point with the minimum wage is that the administration of regulations involves not just the process of putting systems in place, but proprietors' time in ensuring that they comply with them. That is the challenge, and I say that as someone who has had the opportunity to run his own business.

The Government's figures for the Bill say that the cost to business will be £369 million in the first year alone. In years two, three, four and for ever after, the costs will be £272 million each year. If that were not enough, the Government have admitted that small businesses will again disproportionately have to bear the brunt of the proposals. *[Interruption.]* I hope that the Minister for Employment and the Regions is listening.

The Minister for Pensions (Mr. Ian McCartney): My hon. Friend always listens.

Mr. Prisk: It is nice to know that.

Earlier today, the Chancellor said that he intended at some stage to recognise the costs of the working families tax credit on small firms. I welcome that small step, even though I had hoped that he would recognise those costs today. Sadly, he has not. However, given that a precedent has been set, will the Minister for Employment and the Regions advise the House whether he proposes to help small family firms with the cost of administering the proposals in this Bill? I would welcome his comments on that.

Some will say that the proposals in the Bill are driven in part by what comes from the European Union and the social chapter regulations—I think here particularly of the fixed-term contract provisions in clause 45. However, if the Government are simply following EU requests, why have they chosen specifically to include pay and pensions in the terms of the Bill? My hon. Friend the Member for Maldon and East Chelmsford said that pay and pensions requirements are not included in the directive, but they have been added to the Bill. Such gold plating of European legislation is very unwelcome for the simple reason that it puts United Kingdom businesses at a disadvantage. That should concern all Members.

My worry with these over-prescriptive measures is that, in many different ways, they will put our businesses, large and small, at a disadvantage. For the majority of people who work for decent, small, local family firms, they are an unwelcome and unnecessary intrusion into the good working relationship between employer and employee. Heavy-handed Government interference can only ever be counterproductive in the workplace.

The Bill is certainly right to acknowledge the difficulties of balancing work and family life. However, it has not been drawn up with the good of self-employed families in mind. For those 4 million households, the regulations will simply bring additional costs that they can ill afford. The red tape created by the regulations will rob people of many hours that could be better spent with their families or making the business more successful. These measures will also make those who work for small businesses—they currently represent nearly 40 per cent. of all employees in the private sector—more expensive to employ.

For all those reasons, the Bill will hinder some families as much as it will help others. It will deter many local firms from creating the jobs that all families need and, in making family firms pay to run the schemes, the Government are setting self-employed families against their staff. That is why I specifically ask the Minister to give serious consideration to excluding the smallest family businesses from the burdens that the Bill represents. Give them a chance to compete and families the chance to get together. I appreciate the intention behind the Bill but, when we talk about family-friendly policies, we must consider not just those in salaried work but the 4 million self-employed families who play such an invaluable role in local communities and in creating jobs in all our constituencies.

7.37 pm

Mr. Tony Lloyd (Manchester, Central): In the light of earlier comments, I should declare my interests. I am a member of the GMB union and the chairman of the trade union group of Labour MPs. I say that with considerable pride, because trade unionism is a staple feature of modern Britain. It is widely accepted that the trade unions play an invaluable role in the social partnership that the Government have sought to build.

The debate so far has been marked by the views of Conservative Members, who have relapsed into an oldspeak that describes a world that does not exist. We heard enough of that when they were in government. However, ramblings such as those of the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale) are now confined to the hypothetical. They will not be in government for a considerable time.

The high noon of the speech of the hon. Member for Maldon and East Chelmsford occurred when he began to whip up an anti-parent rhetoric. Perhaps the Tories see their future as an anti-parent party representing those workers without children who deeply resent the rights given to those with children. That would be dangerous if it were not so silly.

The Bill will extend welcome rights to people with families and will give people in the workplace the opportunity to consider more flexible working arrangements. Working relationships that are in the interests of employees and their families are probably in the interests of employers as well as society more generally.

Mr. Hammond: Does the hon. Gentleman accept that this Bill, which will greatly improve the position of fathers and mothers in the workplace, involves the making of choices? Other employees in the same workplace will also be carers—although not of children—and they will not be advantaged in the same way.

Mr. Lloyd: If that is the general thrust of the Opposition's argument, it might find some sympathy on the Labour Benches, but there is a world of difference between that and trying to whip up anti-parent rhetoric, which seemed to be the intent of the hon. Member for Maldon and East Chelmsford.

We are extending legitimate rights based on what we now accept as understandable demands. They are not necessarily requested by people who will benefit from them now. Those who did not have the facilities available when they were parents are also interested in providing them. The Government will receive a strong welcome for the proposals from Labour Members, the country as a whole and, perhaps, some Members on the Opposition Front Bench.

We heard, grudging comments about red tape from Opposition Members who suggested that the Government are imposing a burden on business, but it is nothing of the kind. People will welcome the extension of maternity pay and maternity leave, and they will strongly welcome the introduction of proper paternity pay and paternity leave. In fairness, the hon. Member for Hertford and Stortford (Mr. Prisk) said that he welcomed the extension of leave for adoptive parents. The Government are making strong and sensible moves.

Mr. Prisk: What would the hon. Gentleman say to a newsagent in my constituency, Mrs. Moy, who suddenly found that the costs of her part-time staff doubled? She has no means of recouping the costs of enforcing employment regulations, because all her prices are fixed. How is she meant to run a business when the regulations add to her burdens? She does not have a legal department or the relevant expertise. She has to deal with the regulations day in, day out.

Madam Deputy Speaker (Sylvia Heal): Order. The hon. Gentleman knows that interventions must be brief.

Mr. Lloyd: Unfortunately, Madam Deputy Speaker, I think you interrupted the hon. Gentleman before he made his real point. I cannot say why Mrs. Moy is experiencing those problems, although I advise her to get another MP who would be more succinct in putting her case.

As well as the provisions for the different types of parental leave, I also strongly welcome the introduction of union learning representatives. That is an important step forward. We know that we do not train enough, or train properly, in the world of work. That has been a feature for many years in Britain and we have to address that fundamental problem. The right of trade unionists to have learning representatives is widely welcomed throughout the world of work, both by employees and by those employers who are rational about the problem, although there are strong arguments on the need for more affirmative action in training.

The wonderful concept of the gold plating of the fixed-term contract directive is only in the minds of Conservative Members. Most people would accept that it is common justice for people who have different types of employment contracts to be offered equivalent pay and pensions. It is also a sensible thing to do in terms of an efficiently labour market. It prevents the bad employer from using a legal device to undercut the better employer. That has been an issue for a long time, ever since the debate on the wages councils, which Winston Churchill introduced many years ago. We should take the argument seriously. I am pleased with and proud of the Government for recognising that concern in the progress that they have made on the fixed-term contract directive.

There are, however, some things that I hope we will consider in Committee and during the Bill's proceedings in general, in order to improve it. My hon. Friend the hon. Member for Aberdeen, Central (Mr. Doran) talked at length about the employee/worker split. It is an important consideration that permeates industrial legislation and will exercise the mind of anyone who examines the issues. It was not ignored when the minimum wage was introduced, because we used a wider definition of worker. It is understood that problems emerge if we stick with the narrow definition of employee.

Three aspects of the Bill use the more restrictive employee definition instead of the worker definition, which I regret. In terms of the implementation of the fixed-term directive, the various types of parental pay and the disciplinary procedures, some rights will not be extended to a significant number of people who are de facto employees even if they are not so defined by the letter of the law. I hope that we will debate those matters in Committee and consider extending employment protection to everyone engaged in productive employment.

I also hope that we will examine aspects of employment tribunal legislation in Committee. My hon. Friends the Members for Stoke-on-Trent, North (Ms Walley) and for Aberdeen, Central made some telling points about the ways in which we can improve the Bill. In particular, I draw the Minister's attention to charges and costs. I strongly welcome the Government's decision not to proceed with charges, because they would be a disincentive for people to go before the tribunals. It was interesting that the Opposition saw that as a major issue and urged that charges be reconsidered. I hope that they will not pursue that, because we know that charges have a deterrent effect.

My hon. Friend knows that I did not have the highest opinion of the increased costs that were introduced earlier this year. As the Government managed to slide them through somewhere before the end of the previous Parliament and the beginning of the new Parliament, they were not perhaps properly examined by us. I hope that we will not fall into that trap, with the possibility of adding on costs for employers' time. It is important that we recognise that costs can have a deterrent effect.

I draw my hon. Friend's attention to a case that I think I have mentioned to him before. Two women, Ms C and Ms D, work together in a company and were both sexually harassed by the managing director. I am sure that the House accepts that workers should be given proper protection against sexual predation by senior staff. They both rejected the managing director's propositions and eventually complained about his behaviour. One of them was sacked for gross misconduct after she arrived late at work one day and the second was also sacked, although it was termed as redundancy. They made claims for sex discrimination with the help of the local law centre.

The employer's solicitor sent a letter to the law centre threatening costs, explaining that it was likely that substantial sums will be awarded

> "against people who bring claims on the spurious grounds of discrimination, such as we are sure you will alert your client can be up to £50,000."

The solicitor acting for the employer is wrong about the amount of the cost. However, the same letter threatened to sue the two women for libel and perjury, and they were anxious as a result, which is not an unnatural reaction to intimidation by a solicitor. Indeed, there are questions about the probity of the solicitor's actions. The women's representative at the law centre took the letter up with the employer's solicitor, who said that it was standard practice to nip such cases in the bud. The last I knew, that case was ongoing.

My point is that there was a clear attempt by a solicitor to intimidate and put people off gaining access to a tribunal. We should deplore that and recognise that costs can and are being used to prevent access. I hope that my hon. Friend will recognise the strong feelings on the Labour Benches about the possible deterrent effect of costs.

Mr. Hammond: I understand what the hon. Gentleman says, and no one would support such conduct by a solicitor. However, will he recognise that many employers face vexatious and trivial claims, which is exactly what the changes in the Bill are intended to tackle? Employers will incur substantial management time costs in dealing with them and it is only reasonable that they should have an opportunity to recover costs if claims are found to be vexatious or trivial.

Mr. Lloyd: There has always been provision for tribunals to issue costs against those who bring vexatious or trivial claims. We are talking now about the level of costs and the fact that tribunals will now be able to take into account the time involved. We must understand that there are very few vexatious cases, and there are other mechanisms, such as the pre-tribunal screening process, by which we can begin to tackle them.

As Members of Parliament, we are all aware of the cranks in our society—those who get a bee in their bonnet and become obsessed—and we should not flood tribunals with such cases. However, we should not be under the illusion that they are the cause of the enormous increase in the number of cases going to tribunals—there are other reasons for that—for we would do no service to the many good employers and employees who resolve difficult issues in tribunals. We need tribunals to determine fair practices in industry.

I turn now to the wonderfully named Polkey judgment, and the way in which it will be thrown into doubt by the Bill. I understand that the arguments on these matters are technical and detailed, but if we dismiss employers' legitimate need to operate due process, and say that due process is of only marginal use, there is a real danger that we undermine an important principle at a time when we are telling employers that they must introduce proper disciplinary and grievance procedures. If we expect those procedures to be honoured, and not only in the breach, we need to show that honouring them brings employers reward, and dishonouring them might put them in jeopardy.

As my hon. Friend the Member for Stoke-on-Trent, North pointed out, there are serious concerns that employers may not, for example, even be required to carry out proper investigations into cases of alleged misconduct, and that would be allowed under the reversal of the Polkey principle. It would leave employees open to abuse by employers. I hope that my hon. Friend the Minister will take that issue seriously. It is technical in concept, but very important in the practical impact that it will have on some of the most vulnerable people in the workplace.

I turn now to provisions that I would like to see in the Bill, or at least in legislation. I asked the Secretary of State whether, if the review of the Employment Relations Act 1999, undertaken by the Prime Minister demonstrated the need for legislative change, she could guarantee that we would see that legislation in the lifetime of this Parliament. Alas, my right hon. Friend forgot to respond to that question, so I hope that the Minister of State, in his winding-up speech, will give that commitment. I notice that the Minister for Pensions, is on the Front Bench. He deserves enormous credit for the present state of employment relations and industrial partnership. He will recall that the need for review was accepted by all parties when the Employment Relations Bill was going through Parliament.

There is now time for a review, and we already know that some of the events that followed that legislation have been unsatisfactory. I refer in particular to the sacking of 87 people by Friction Dynamex in north-west Wales. It is a scandal that people can be sacked for taking part in a legal strike because that strike lasts for over eight weeks. Such provisions have no place on the statute book, and I hope that the Minister accepts the need to consider that during the passage of the Bill. We might use this opportunity to improve on that legislation, which would do an awful lot to demonstrate this Government's good faith, not only to the trade union movement but to people in the workplace who deserve better. I hope that the Minister will also seriously consider other aspects of employment law where the need for change has already been demonstrated.

The Bill is already good and offers people in the workplace many new rights and opportunities, including the chance to be part of the social partnership between employer and employee. However, we can improve it in Committee and when it returns to the Floor of the House. I hope that the Minister will listen to the pleas from hon. Members on the Labour Benches but recognise that the views of Opposition Members are totally backward looking. The hon. Member for Runnymede and Weybridge (Mr. Hammond) used the word "dinosaur", and I agree with him that he is one. We should not allow Opposition dinosaurs to bludgeon our Government, who are committed to progress, into looking backwards too. Let us look forward and build on the Bill to develop a better industrial relations climate.

7.55 pm

Mr. Gregory Barker (Bexhill and Battle): Before I commence, I make a small declaration of interest as a modest employer of domestic and child assistance, although I assure Labour Members that I am not in the same league as the hon. Member for St. Helens, South (Mr. Woodward).

[Mr. Gregory Barker]

Several organisations representing parents and families have welcomed certain family-friendly measures in the Bill, and so do I. Notable examples include the Equal Opportunities Commission and the citizens advice bureaux. As a Conservative, it is natural for me to support not only certain measures but the principle of family-friendly practices in the workplace. Furthermore, as the father of three young children, the youngest born only earlier this year, I fully understand the pressures under which employees throughout the country frequently find themselves.

I know the demands of balancing a young family and employment, but ultimately parenthood has to be enjoyed and relished. It is certainly more important than any job, and ultimately it is what we are all here for. As my own father recently reminded me, we should all take time to enjoy and appreciate our young children before they slip through our hands into adulthood while we are not watching. The value of parenthood cannot be overestimated.

It seems that recent tribunal cases, such as that of PC Chew, who won her case against Avon and Somerset police, and Neil Walkingshaw who, as the Secretary of State mentioned, won the right to care for his six-month-old son, have sent a clear message to employers that wherever possible they must agree to reasonable requests from parents. Improved maternity pay and leave and the introduction of paternity leave should mean that more parents have choices about how to combine their work and family responsibilities. These welcome advances recognise the changing roles of women and men at home and at work.

In my view, personal choices in balancing a demanding job and a demanding family are ultimately down to the individual, not the state. It is for individuals to prioritise how much time to give to work and their career, and how much to their family. Sacrifices have to be made, and it is a grown-up choice in a grown-up world. Although the intent of the Bill is admirable, the drafting is not. It is likely to backfire on the very people whom it aims to support. The result could be perceived as special treatment leading to a backlash against working parents.

Workplaces are already becoming more flexible, and we all welcome that. It makes sense, and is widely recognised by businesses, that as parents and employees we have conflicting duties that must be recognised and balanced in the interest of employers and employees. Although the adoption of new best practice is to be welcomed, we must be careful that increasing legislation does not create an intolerable burden on small business, the result of which, particularly in current economic conditions, could be to put many family breadwinners on the dole. The legislation that the House is currently considering will add another layer of administration for good employers and may result in bad employers sticking to the letter of the law, thereby limiting the choice open to working parents.

Common sense should prevail so that family-friendly policies do not dilute the competitiveness of the British economy and British industry. If we look at a few key facts, we see that the current outlook for the British economy is not good. Figures released by the Office for National Statistics on 21 November show that manufacturing investment has fallen to its lowest level for seven years, at the fastest rate for more than 30 years. The problems are now spreading to the services sector. The Chartered Institute of Purchasing and Supply recently reported that activity in the services sector fell in October at the fastest rate since it launched its survey in October 1996. Unemployment has started to rise for the first time in a decade, and figures released by the Office for National Statistics show that the number of dole claimants increased by nearly 4,500 in October. To choose to load further burdens on business will push many of our smallest firms into the red and possibly into receivership.

I should like to concentrate briefly on the issue of competitiveness. During the Labour Government's first term, red tape costs increased by £15 billion, according to the British Chambers of Commerce. The £15 billion red tape bill is based on the Government's own regulatory impact assessments—compiled from the BCC's "Burdens Barometer 2"—and does not include the financial cost of the national minimum wage. In the same period, according to the International Institute of Management Development, the United Kingdom fell from ninth to 19th in the world competitiveness league table. Employers have given the Bill a mixed reaction for precisely those reasons; the measure is likely to impose significant extra burdens on business—particularly, as I have said, small business.

I shall give the House just two examples. The requirement for companies to recognise trade union learning representatives may lead to problems when agreement has not been reached with the employer. Some companies have reported that learning reps provide a useful service, but that needs to be in partnership with employers. When workplace relationships are fragile, imposing learning reps is unlikely to add any value at all to businesses. The inclusion of pay and pensions in comparable employment conditions under the fixed-term work regulations will be complex for business and likely to lead to significant additional administrative burdens. Benefits such as pensions and company cars may be inappropriate for people on short-term contracts but, to ensure equality, employers will be required to calculate and compensate for their relative value.

The Federation of Small Businesses echoed those sentiments:

> "Our members broadly support family-friendly policies but there is no doubt that parental leave is generous to employees and hard on employers, which can only harm productivity. We are also concerned that over-prescriptive regulations soon become outdated and damage relationships in small firms where most proprietors do their utmost to help in times of emergency."

As my hon. Friend the Member for East Devon (Mr. Swire) said, the Institute of Directors supported that line. Indeed, Ruth Lea, the head of the IOD policy unit said:

> "Whilst the family friendly policies contained in today's Employment Bill look very attractive, they will undoubtedly increase the regulatory burden on business. I am aware that some people believe we cry wolf, but there is now little doubt that the cumulative increase in the regulatory burden on business over the last four years has been considerable and is beginning to damage business's flexibility and competitiveness. This damage will, we fear, become all too evident as the business climate deteriorates."

It is admirable that the Government are attempting to help families and working parents, but that should be achieved without hurting employers through over-prescriptive regulations. British business is already under considerable pressure; when it says that enough is enough, why do the Government not listen?

In conclusion, I greatly welcome measures that seek to improve dispute resolution procedures and promote family-friendly practices in the workplace, but I oppose Second Reading because of the Bill's excessive dependency on secondary legislation and the significant extra burdens that it will impose on British industry, particularly smaller businesses. We all agree with the Bill's principles, but ultimately a balance between best practice and new legislative burdens must be found. The Labour Government have got that balance dreadfully wrong.

8.5 pm

Rob Marris (Wolverhampton, South-West): I have already declared an interest as I have links with the Transport and General Workers Union. I should also tell Opposition Members who are keen on such things that I have run small and large businesses and have worked in the public sector as well. My background in this stuff is therefore pretty wide ranging. I welcome many aspects of the Bill, including the provisions on statutory paternity pay and statutory adoption pay; I also welcome the provisions clarifying paternity leave and adoption leave, as well as maternity leave, pay and rights. I welcome the provisions on fixed-term work and equal treatment of fixed-term contract workers; I also welcome the provision on union learning representatives.

I thought that I would make that preface because often in these debates one goes on to make criticisms of a Bill's drafting and suggest ways in which it might be improved. The Opposition are constantly banging on about red tape and gold plating, but when I asked the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale) which regulations he would keep, he would not say, nor would he tell my hon. Friend the Member for Manchester, Central (Mr. Lloyd) which regulations he would get rid of. It is difficult to engage in political debate when all Conservative Members seem to talk about is cumulative effect. The hon. Member for Bexhill and Battle (Mr. Barker) talked about £15 billion of cumulative red-tape and extra costs since 1997; I think that that was the flavour of his remarks. That figure may be right, but we are talking about quality of life. Simply to focus on financial costs is to be like an old-fashioned Stalinist and say, "It is all about material gain; the quality of human life does not come into the equation." Of course it does; increased regulation in many parts of our life is desirable. Regulations and laws are the basis of civilised lives.

Mr. Barker: Does the hon. Gentleman not accept that we all seek a better quality of life for working parents? However, the Bill will impose more regulation, which will put working parents on the dole; that is not something that any of us want to achieve.

Rob Marris: I agree that none of us wants to put anybody on the dole; that is why, under a Labour Government, millions more people are in work than under the Conservative Government. The Bill's provisions are not at all likely to put more people on the dole. The hon. Gentleman and I may disagreebut I do not think that the Bill will do that.

It is not surprising that there has been a threefold rise in the past 10 years in applications to industrial tribunals, and now employment tribunals; I want to focus on the part of the Bill that deals with that. Arguably, the Conservative Government fostered poor industrial relations during their period in office. Until recently, there was a continuing decline in union membership—happily that has stopped—and a decline in collective action to resolve disputes. A more individualistic approach was adopted; individuals are more educated and aware of their rights, so are more likely to seek to enforce them. We have had more rights, not only under the Conservative Government and, I must acknowledge, under the Disability Discrimination Act 1995, but, in the past four years, under the Labour Government, including considerably more rights for workers. When people have more rights, it is unfortunate that occasionally employers do not respect those rights, so employees have to go to industrial tribunals.

The thrust of the Bill, which is to encourage employees—sadly, not workers, but that is another debate, which I hope we will have—and employers to resolve disputes in the workplace, and not to bring them into the tribunal arena, is commendable, particularly the disciplinary and dismissal procedure in schedule 2. However, I am concerned that parts of the Bill seek to squeeze people out of their rights at industrial tribunals and their rights to go to those tribunals.

The nub of the problem that we face when legislating is that in many cases we would like—Opposition Members would certainly like—to simplify legislation. My hon. Friend the Member for Aberdeen, Central (Mr. Doran), who practised as a solicitor before he entered Parliament, mentioned the Trade Union and Labour Relations Act 1974, which arose from the Donovan report of 1968. That referred to setting up tribunals which would be "speedy, informal and inexpensive". We are not going back, however much hon. Members on either side of the House may wish it, to such loose tribunal arrangements.

The regulatory impact assessment in the explanatory notes—which I know are not part of the Bill, but they attempt to explain the Bill's provisions—explains how some parts of the Bill will decrease costs and some parts will increase costs. As I said earlier, the issue is not merely cost, but quality of life. I have a slight difficulty with the explanatory notes, with which I am sure my hon. Friend the Minister will help me in due course: no source is given for the figures. Presumably the notes are taken from a more compendious document, but without that sourcing, some of the figures appear to be mere conjecture.

When the Bill reaches Committee, assuming that it receives its Second Reading today, I ask the Minister to consider producing some dummy orders, such as those that were provided to members of the Standing Committee on which I was privileged to serve, which considered the Export Control Bill. Such dummy orders would flesh out the many provisions which allow the Secretary of State to make orders or regulations.

The statutory dispute resolution procedure in schedule 2 is one such matter. The wording of the schedule on that procedure could and should be tightened, and I urge the Government to reconsider it. Arguably, the standards in the schedule are too low and below the current ACAS standard. The ACAS code was amended last year and

[Rob Marris]

appears in the ACAS handbook "Discipline at Work". The statutory floor in schedule 2 is lower than the standard that ACAS recommends.

There is nothing in schedule 2 about informing employees of their right to be accompanied if they are members of a recognised trade union. The schedule does not state that the outcome of the disciplinary procedure should be transmitted to the employee in writing. There are four limbs to the procedure, only one of which, the modified grievance procedure, refers to the outcome being communicated to the employee in writing.

Like my hon. Friend the Member for Aberdeen, Central, I have conducted industrial tribunals on both sides—for employers and employees—and like him, the first one that I did was for an employer, and I lost it. Those tribunals often grapple with different recollections of events. If only there had been at a crucial time a letter from an employer stating, "This is what I am doing, and this is why I am doing it," that would have helped a great deal.

The crux of my problem with the Bill, which I am sure can be resolved in discussion with the Government and in Committee, is clause 34, to which my hon. Friend the Member for Manchester, Central (Mr. Lloyd) referred. The clause would overturn the Polkey case. In Polkey *v.* A E Dayton Services Ltd., the decision was made by the Judicial Committee of the other place in 1987. At the time it was said—I think that this is a contemporary quote from the late 1980s—by Michael Rubenstein, who some hon. Members will know is a distinguished commentator on industrial relations matters and is a long-time editor of the Industrial Relations Law Reports:

> "Failure to follow a fair procedure will now"—

that is, after the Polkey case—

> "lead to a finding of unfair dismissal in a far higher proportion of cases. . . This, in turn, will re-emphasise to employers the importance of adopting a fair procedure before taking the decision to dismiss. That will lead to fewer employees being unfairly dismissed."

I make no apologies to the House for getting a little technical. Some hon. Members might think that the matter ought to be dealt with in Committee, but the problem with clause 34 overturning the Polkey case of 14 years ago goes to the crux of what the Government are properly and laudably trying to achieve through the Bill—a statutory floor for disciplinary and dismissal procedures. The clause encourages employers to dismiss first and ask questions later.

With the precedent of Polkey, the regime of the past 14 years required employers to do three basic things: to warn an employee if that employee was at risk of dismissal; to discuss what might or might not occur and what dissatisfactions the employer might have; and to consult the employee over dismissal. That is a pretty basic, low-level requirement. Even then, an employer could go before an employment tribunal and say that it would have been utterly futile to go through the procedure.

The procedures post-Polkey and until the Bill were minimal anyway. Now the Bill introduces a sea change in the minimum standards, as set out in schedule 2, which all employers are to adopt as a floor, though employers can and should adopt better procedures, not least the ACAS code that I mentioned. The standards in schedule 2 will be reflected in the contract of all employees. Everybody is supposed to work together, but under clause 34 the employer can go along to the tribunal and say, "Well, it would have made no difference if I had gone through a proper procedure. I would have still fired the so-and-so."

The employer can be lackadaisical and need not carry out a thorough investigation, the hearing and the internal appeal process can be a travesty, but the employer can go to the tribunal and say, "I would have fired the employee anyway. I don't like him," and get away with it. As far as I can tell, the increase in awards under clause 31(3) will not apply. Those are percentage uplifts, and a percentage uplift on nil is, of course, nil. It is unclear to me, and I hope the Minister will clarify this, whether under clause 34(3), an employee dismissed in those circumstances would get an award of four weeks' pay for the employer's failure to follow the minimum statutory disciplinary procedure.

In the explanatory notes, paragraph 153 states that the get-out clause for an employer, if I may call it that,

> "will only apply for procedures that go over and above the 3-step procedures"—

that is, the schedule 2 procedures—

> "that will now be part of the contract of employment."

Search as I might, I cannot find that in the Bill—that the get-out applies only if the employer has a better procedure but says that he did not follow it. I hope that the Minister will clarify the matter.

Mr. Lloyd: Does my hon. Friend agree that one way round the problem of the Polkey case would be to raise the minimum standard of the disciplinary structures to the level of the ACAS code?

Rob Marris: I agree that that would take us forward, but we would need to amend clause 34(2), which inserts new section 98A(2), which states that

> "an employee who is dismissed shall not be regarded for the purposes of this Part as unfairly dismissed because of failure by the employer to follow a procedure in relation to the dismissal if the employer shows that he would have decided to dismiss the employee if he had followed the procedure."

My hon. Friend's suggestion would assist by raising the standard to that of the ACAS code, but that subsection drives a coach and horses through the Polkey decision. That is unfortunate and would have consequences not intended by either side of the House, particularly by the Government. That is the case because one of the effects would be to enable an unscrupulous employer to get around the procedure by saying, "I would have dismissed this so-and-so anyway," while the good employer who follows the procedure is more likely to be at risk.

The summary of the regulatory impact assessment at the back of the explanatory notes states at paragraph 154 that employees will lose between £4 million and £6 million from the change. That is my interpretation of that paragraph. The median award for compensation in unfair dismissal cases in 2000-01 was £2,744. On that basis, the £6 million figure for losses to employees would mean that 2,200 employees were losing out. The £4 million figure produces a total of "only"—I put that word in quotation marks—about 1,450 employees. Thus, if I am reading paragraph 154 correctly, an awful lot of employees will still be losing out. I hope that my hon. Friend the Minister can help on that point.

Unless I am misreading the Bill, it is a little unbalanced. Of course, it is always difficult to consider Bills, as one may misread them and Ministers will be much better read on them than me. None the less, clause 33 ensures that the Secretary of State can make regulations effectively precluding the making of a claim to an employment tribunal unless the employee has complied and done their bit on the schedule 2 procedures, which include statutory disciplinary procedures and so on. If I am reading the clause rightly, it therefore locks out the employee—the applicant who initiates the employment tribunal proceedings—but not the employer.

Notwithstanding what Opposition Members say—one of them suggested that the Bill was tilting towards employees—that provision seems to tilt towards the employer. Through the pre-hearing process and so on, and depending on the regulations made by the Secretary of State, the employee can effectively be locked out and prevented from going to an employment tribunal at all. As it is employees who initiate employment tribunal applications, employers cannot be locked or freezed out in the same way, as they are the respondents.

In conclusion, I find the provision on costs a little worrying, although I shall not comment on it in great depth. I think that a proportion of 242 out of 240,000 was mentioned in relation to costs orders. The order on vexatious litigant costs is very rarely used, although I obtained one against a respondent company in the employment appeal tribunal; indeed, I was very pleased, as the appeal was a vexatious one. None the less, the provision is very rarely used. It has a deterrent effect on both applicants and respondents, which is fine. One never knows how many people have been deterred and have not made the application, so in one sense the raw figures that have been given do not tell us a great deal.

I would like the Government to address the question of preparation time. The tribunal can make an award in that regard, although it is unclear how it will do so. The Bill seems to be ambiguous as to whether the calculation will be made on the back of an envelope or whether there will be assessment-of-costs proceedings. None the less, the tribunal can in certain circumstances make an award against an applicant or respondent requiring them to pay the other side for its preparation time. The provision could include not only the preparation time of professional representatives, who would fall under the usual costs elements that have traditionally applied, albeit in a small number of cases, but, say, the time spent by a managing director in putting together the papers to fight what turned out to be a losing application.

I hope that my hon. Friend the Minister can enlighten me on that point, especially as I am not aware of any other part of our legal process in which such a procedure is allowed. For the past 13 years, the bulk of my work has been in civil litigation, but it has also involved some criminal and tribunal work, and I have never come across awards for preparation time. As a solicitor, when I succeeded—I have to tell the House that I mostly did so, as one picks good cases and hopes to give good advice—my clients would recover my legal bill, but no form of recompense for the time that they spent on the case as clients.

In a personal injury case, for example, much time could be spent by a client who has to go from their home in Wolverhampton in my constituency to Birmingham to see a specialist doctor, for an MRI scan or whatever, but they would not recover their time for going to Birmingham for a medical appointment in a personal injury case. When I failed to win in a case in which an employer was being sued, the employer's managing director did not add to the bill their time by including it in what used to be called taxation, but is now called assessment of costs. They added on their solicitors' time, yes, but not their own.

This seems a very curious provision and I am very uneasy about it, especially as it could, I believe, involve up to £10,000. That may not be a lot of money to a large business, but it would be an awful lot to a small business or an applicant. I hope that the Government will explain that point, as I am very uneasy about this novel concept of recovering costs for preparation time.

Mr. Hammond: Ever trying to be helpful, I think I am not mistaken in saying that the arrangements for recovering costs following planning appeals include the possibility of recovering preparation time. The hon. Gentleman might like to check out that point.

Rob Marris: I am grateful to the hon. Gentleman. I shall very happily check that point and I hope that I will do so with the assistance of the Minister.

I was slightly taken aback when the hon. Gentleman intervened, as I was about to sit down anyway, having finished my remarks.

8.26 pm

Hywel Williams (Caernarfon): Thank you, Mr. Deputy Speaker, for giving me the opportunity to speak in the debate.

Other hon. Members have welcomed the Bill and we in Plaid Cymru also welcome parts of it. I am sure that the hon. Member for Manchester, Central (Mr. Lloyd), who is leaving his seat, will be pleased to hear that. However, we also have some reservations. We welcome the proposals regarding parental leave, adoption leave, maternity pay and the equal pay questionnaire, among others, but we have reservations about the work-focused interviews for working-age partners of benefits claimants. We agree with the National Association of Citizens Advice Bureaux when it says that these plans could put vulnerable couples, including disabled people and partners who care for them, under pressure. We are also concerned that the inadequate minimum procedural standards for internal dispute resolution may become the only standards for employers, and we think that the proposal for costs awards might become disincentives. Those are, very briefly, some of the points that we want to make.

However much we welcome the Bill, our welcome is qualified because of its failure to address the deficiencies of the Employment Relations Act 1999, specifically in section 16 and schedule 5. The Government have an opportunity to remedy an injustice and they have been pressed to do so, but they have failed to take advantage of that opportunity in the current Bill. The 1999 Act introduced additional protection against dismissal for workers engaged in lawful industrial action. Under the Act, it is unfair to dismiss employees taking protected action—that is, lawful, official action—unless it lasts for more than eight weeks and unless the employer has taken such procedural steps as are reasonable to resolve that dispute. After eight weeks, the protection lapses. In our view, that undermines the ability of workers with a just

[Hywel Williams]

cause, who act reasonably and within the law, to oppose an unreasonable employer. Such an employer, who is determined to exploit the law for his purposes, can hang on for eight weeks and then sack striking workers.

I want to illustrate my point with the Friction Dynamex dispute, which has already been mentioned, and has continued in my constituency for more than 30 weeks. The Friction Dynamex workers were the first to be sacked following the introduction of the eight-week period. Some hon. Members attended a lobby by the sacked workers and their supporters last Thursday, and heard their powerful, direct testimony, as well as speeches by Mr. Bill Morris of the Transport and General Workers Union, among others.

The sacked workers are experienced and skilled long-term employees; many have 20 or 30 years' service. They have shown their commitment to the firm under several owners. For example, in the past five years, they agreed not to take a pay rise because of market conditions in their industry. They do not take strike action lightly.

The current owner took over in 1997. He tried to impose a four-day week without overtime, attendance at meetings without pay, the removal of bargaining agreements and a no-strike agreement. After many fruitless attempts to negotiate with the employer, the union held a strike ballot. The workers went on strike entirely legally, and initially for only one week. I accompanied them on the morning that they returned to work. As they walked back, the employer personally went up to the gates and locked them out. That is the measure of that employer.

The strike has continued for many months and the workers have conducted themselves with dignity and discipline. The union has tried to negotiate with the employer using the good offices of third parties, including the Advisory, Conciliation and Arbitration Service, and begun negotiations several times, only for the employer to pull back. Its efforts have been to no avail. In the meantime, the employer has recruited other workers from the unemployment register and continued his business.

The workers have maintained a 24-hour picket and have the overwhelming support of the local community. In July, we held a march and a rally in Caernarfon. It attracted massive and unanimous local support and was one of most affecting experiences that many of us who took part have ever had. The community was united in support of its workers. For many of us, it called to mind the longest strike in the industrial history of our country: streic fawr y Penrhyn—the great strike at the Penrhyn slate quarry which lasted for three years, against a robber baron quarry owner, a nobleman who used every foul trick to break the workers' resolve and the community's spirit. The comparison with the current dispute is apt.

What recourse remains to the Friction Dynamex workers after 30 weeks of determined action? They are taking their case to an industrial tribunal. However, they do not want a tribunal hearing but to work in fair and just conditions. In a well timed intervention, the hon. Member for Conwy (Mrs. Williams) called for a review to help them. However, a review will not help because they have been on strike for 30 weeks.

At the lobby last week, Mr. Bill Morris told us that he had not expected a Labour Government to enact anti-trade union law. The Friction Dynamex dispute shows the woeful inadequacy of the 1999 Act to protect workers who are engaged in a lawful dispute. The shortcomings of the labour law means that bad employers, not the workers, are protected. Protection against unfair dismissal must be extended. If it is justified for eight weeks, it is also justified thereafter.

The Bill might have been an opportunity to amend the 1999 Act and end the unjust eight-week rule. It unfortunately fails to do that.

8.33 pm

Mark Tami (Alyn and Deeside): I declare an interest as a member of the Amalgamated Engineering and Electrical Union, which is soon to become Amicus. It supported me before the election.

I welcome the Bill, which marks a positive development for employees and employers. It is disappointing to hear Conservative Members speak only about the rights of employers. They seem to ignore those of employees. When they are challenged to specify the so-called red tape that they would remove, they fall silent and appear incapable of answering the question.

The provisions on union learning representatives are especially welcome and put that role on a formal footing. That will greatly enhance workplace learning and give learning representatives the status that health and safety representatives have enjoyed for some time. That should be warmly welcomed.

It is a pity, and a verdict on British industrial relations, that we need to enshrine these rights in law, but it is clearly necessary because many companies refuse to accept the positive role that union learning representatives have. Given the new protections, however, I am confident that we shall see a substantial increase in the number of union learning representatives, which will be good for the country as a whole. Perhaps more importantly, the individuals who perform this demanding role will be able to receive the necessary training and support that they may have been denied in the past.

I hope that, alongside these measures, the Government will publicise the value of learning representatives, because they provide an important service in the workplace. They are a vital part of the partnership process, and represent an approach that I am sure we all want to see promoted in British industry. Partnership needs to be fostered. It does not just happen by accident. In any partnership, all parties must play their part. Such partnerships need the unions and the employers, along with the Government, positively to embrace and endorse these proposals, rather than being reluctant partners in the process. The role of union learning representatives should, if properly encouraged and nurtured, assist businesses and industry to become more efficient and competitive. It is a positive role, not a negative one, as some Opposition Members have suggested.

The provisions relating to paternity leave also give real meaning to an otherwise toothless right. For the majority of working people, the right to unpaid leave is not a right at all, because they simply cannot afford to take it. Although the rate set out in the Bill is relatively low—a maximum of £100 or 90 per cent. of earnings, whichever is the lower—it is at least a start, and is heading in the right direction. I hope to see further improvement in that level in the years to come.

The changes to maternity pay also provide important improvements to the current level. Improvements to maternity pay and to adoptive leave and pay are long overdue. They go some way towards addressing the pay gap that still remains between men and women in this country.

The proposals relating to dispute resolution are more difficult. The Government are right to tackle the issue, and to seek ways of encouraging conciliation and dispute resolution between employers and employees. As one who has always supported the partnership approach in industrial relations, I look forward to a time when all employers and employees share the same goals and aspirations. However, even in such an environment, we should not delude ourselves that disputes between employers and employees will not arise from time to time.

I am concerned that the impact of making it more difficult for employees to pursue tribunal applications could be to encourage employers to maintain a more confrontational approach, rather than to reach an agreement. In saying that, we must accept that tribunals are facing an increasing volume of cases. This is a result of their extended role and of their perceived role as the appropriate forum for dispute resolution.

In my previous incarnation as a trade union officer, I recall a number of cases in which employees ignored all the advice and recommendations of the union, the employer and everyone else, and regarded the tribunal as some kind of free chance to improve the offer on the table. Those are only a minority of cases, and ultimately it is the employees' right to do that. The result of such cases is that they do not get very far.

Mainly, resolutions are achieved because of the backstop of tribunals. Perhaps the uncertainty over the outcome aids the process. It is believed, wrongly in my view, that tribunal applications are spiralling out of control and that the system cannot deal with the increased work load—if it is accepted that there is an increased work load. Employees are far more aware of their individual rights, which is surely a positive development, and we must not put more obstacles in the way of individuals making cases. Indeed, we must assist conciliation and agreement.

In the first instance, therefore, we must provide much greater support and resources to the Advisory, Conciliation and Arbitration Service to help it with individual cases and collective problems. We must also properly fund the tribunal system to enable it to do the job that it is supposed to do. The simple fact is that the more we do to aid resolution rather than dispute, the less individuals will feel the need to resort to tribunals.

I fully support the proposals on vexatious cases, which for far too long have wasted everybody's time and resources. A few have made a mockery of the system. There has long been a need to tighten up here, but obviously we must not put unfair barriers in the way of good cases.

The statutory dismissal, disciplinary and grievance procedures should be broadly welcomed, although, as a number of hon. Members have said, much confusion would have been avoided by using the well-established ACAS code of practice, which has long been used by employers—even those who do not recognise trade unions. Employers are familiar with the code and it would have been a lot easier to adopt a process which everyone is aware and with which most people are happy.

I welcome the proposals, but we need to address the position of employees who, for whatever reason—instant dismissal, perhaps—may have lost all confidence in a company's internal procedures. That is particularly the case when there is little realistic chance of a return to the workplace. Furthermore, although the proposals rightly oblige the employee to follow the correct procedures, they do not place the same weight of obligation on the employer to do likewise.

If an employee is to be denied the right to apply to a tribunal for resolution until the internal procedures are complete, surely the employer should be under the same obligation not to impose change on the employee. Overall, the Bill is a step in the right direction, but we must address those specific points.

8.44 pm

Angela Watkinson (Upminster): I declare an interest as I employ two people in my constituency office in Upminster. I am not sure whether that qualifies me as a small business.

As a mother and an employer, I have mixed feelings about the Bill, which is like the curate's egg—good in parts. It will be welcomed by new parents, but not necessarily by other employees, and I have reservations about the ability of businesses, especially very small ones, to cope with yet more regulations and duties.

For me, least contentious is clause 1, which provides for a new statutory right to two weeks' paternity leave that must be taken within 56 days of the child's birth, provided that the employee has completed a qualifying period of 26 continuous weeks' service. That is accompanied by the right to return to work. I welcome the flexibility provided by the 56-day period.

If the child is born in hospital, the mother may not return home during the first week—or until even later, if the birth was complicated. In the first few weeks other help is often at hand from grandparents, other family members or friends and neighbours. It is when the initial interest wanes that the father's ability to spend two weeks at home with his [illegible] and child may be of greatest benefit. The mother may be recovering well, but the successive sleepless nights that occur so often in the early weeks can lead to exhaustion, and routine everyday tasks can seem a mountain to climb. Father and baby can also establish their own relationship during this time—something that has often been impossible in the past owing to lack of opportunity.

I am especially pleased that adoptive fathers have been included in the provisions. The application and approval process relating to adoption is long and stressful, and usually follows many years of disappointment. It is absolutely right that social services departments and adoption agencies take the greatest care in matching children to parents. The child concerned may have experienced more than one unsuccessful foster or pre-adoption placement, and the settling-in process is not always easy. The opportunity for the adoptive parents, and any siblings, to spend time with the new child as a family will be enormously helpful.

In most cases, 92 per cent. of the statutory paternity pay of £100—or 90 per cent. of the employee's average weekly earnings—will be recoverable by the employer. Small employers will be able to recover 100 per cent.

[Angela Watkinson]

Although the proposed arrangement will not impose a direct cost on employers, finding short-term cover for absentees is not easy. In practice, duties must often be covered by colleagues. A large helping of good will is needed, as employees without children, in particular, may resent having to perform extra duties and then not being eligible for benefits. They may also have caring responsibilities themselves, involving elderly parents or disabled family members.

Clause 17 increases maternity leave from 18 to 26 weeks, followed by 26 weeks of additional maternity leave. New and adoptive mothers will be given up to a year's leave. That will pose an important choice to new mothers during periods when most households require two incomes to meet all their outgoings, but it will enable mothers to spend more time with their children and to be more flexible in their plans for a return to work.

Having said that, I must add that small businesses will find it most difficult to accommodate employees by keeping jobs open—with no guarantee that those employees will return—while training temporary staff. A year's absence could present a small firm with considerable difficulties, especially when key staff are involved. That could, in the long term, deter employers from taking on female staff. The provision could therefore be a retrograde step for women of childbearing age, and for their employment opportunities. That is my main concern.

At a job interview during, I think, the 1960s, I was asked whether I planned to have any children. Implicit in the question was the knowledge that, if the answer was yes, my prospects of being appointed would be nil. Such questions are not permitted now, but I foresee other means of excluding women from the workplace, particularly women who are judged likely to be planning a family.

The duty to consider parents' requests for flexible working hours is not, I think, a suitable matter for legislation, as it could impose real management problems on a small organisation. Some employers already offer flexible working, and those that are family friendly will find it easier to acquire staff; but it should be remembered that the main function of an organisation is to produce goods or services. The job security of the whole work force, and the future viability of the firm, depend on its remaining in profit. I fear that an inevitable result of the Bill's enactment will be fewer job opportunities, especially for women; male employees will be seen as a more reliable and less complicated prospect.

There is no doubt that the number of industrial tribunals has increased sharply in the past 10 years, from 30,000 to 130,000. It has almost become an industry in itself. A lowering of the qualifying period for unfair dismissal cases from two years to one has contributed to the increase. The CBI reports that the result is an average cost of £633 million per year to United Kingdom industry.

The requirement for internal grievance procedures to be exhausted before an employment tribunal is permitted is a sensible step and should help to deter vexatious applications. I regret, however, that the proposal to charge applicants a modest amount for a tribunal claim has been dropped. It means that the claimant risks nothing, but a very small business could face a ruinous compensation claim.

The Bill seems at first to be good news for women employees. However, if those perceived benefits are not good for employers, especially small businesses, the end result could be very different. The Bill increases a regulatory burden that has been accumulating over the past four and a half years. Businesses need to retain the flexibility and competitiveness that over-prescriptive legislation will damage. Parts of the Bill will, I think, upset the delicate balance between employees' and employers' rights and so be detrimental to the position of women in the workplace.

8.51 pm

Mr. Russell Brown (Dumfries): Since their election in 1997, the Government's agenda has clearly been about social justice. Thankfully, social justice has been identified as a relevant consideration in the workplace.

My constituency is very much a rural one, but over the years it has had a fair amount of manufacturing. My previous employer was ICI, for whom I worked for 23 years. Regrettably, not long after I was elected to this place, ICI decided to give up its polyester film business. Nothing can be done when multinationals take such major decisions. Although it was one of the few employers in the constituency that provided well-paid jobs with good terms and conditions, it was, as one might expect, not the backbone of a rural area. Small and medium-sized businesses usually sustain such areas.

My constituency is seen as a low-pay area. The Government's social justice agenda, however, has ensured the introduction of a national minimum wage, which has meant so much to people. Additionally, the working families tax credit has assisted decent, hard-working families, and the new deal has been especially important for young people. Youth unemployment has decreased by about 70 per cent. in my constituency.

Although disappointing, the loss of manufacturing jobs has not been the end of the world. Despite that loss, in the past five years unemployment has decreased by about 33 per cent. in my constituency. Moreover, although unemployment has increased in many other parts of the country in the past two months and although my area is recovering from the serious outbreak of foot and mouth disease, unemployment has continued to decrease in my constituency. We cannot, be complacent, though. We anticipate that, early in the new year, as is the norm, unemployment in our area will increase because of the vast amount of seasonal employment.

Social justice, especially the opportunity to work, is giving people life chances. Nationally, the unemployment level is below 1 million and there are more than 1 million job vacancies. The Employment Service has the difficult job of matching individuals and their skills—or lack of skills in many cases—to vacancies. It is that issue of skill levels that I wish to address.

Many people who enter work after a long spell of unemployment—or who have never worked before—have low aptitude, lack self-esteem and feel shunned by every system that operates. They have often been let down by the education system. Union learning representatives in the workplace assist those who, often through no fault of their own, have found it difficult to gain employment. That is one major advantage of the union learning reps and I am delighted that the Bill will, at long last, recognise the role that they can play.

Business and industry have, over many years, recognised shop stewards and safety reps, and the need for them to have time off to perform their duties. Now we will see a similar recognition for union learning reps. Research suggests that they have a significant impact on increasing enthusiasm for learning among employees and employers. In particular, research has shown that union learning reps raise interest in training and development, especially among those with numeracy and literacy problems. ULRs share a level of trust with their members and can often engage those who would be embarrassed about admitting their learning needs to their employers or line managers.

The majority of ULRs have been in post for only around two years and their role has been innovative and will continue to develop as time passes. They undertake a wide range of activities, including undertaking training needs analysis, providing information on learning, and advice and guidance to individuals, and negotiating with employers on the learning and skills that people require for their daily jobs. ULRs also often broker learning provision with training providers.

The Bill provides for ULRs to be elected or appointed and to undergo training within a specified period. They will be entitled to reasonable paid time off for training and for carrying out their duties. They will also have protection against detriment, which has been vital for shop stewards and safety reps over the years.

The measures in the Bill further to support working parents are to be applauded. Mothers will now be given up to one year off work and, for the first time, fathers and adoptive parents will have the right to paid time off. That will be warmly welcomed by adoptive parents who have for too long felt disadvantaged, but business will also be helped by having the rules governing maternity, paternity and adoption leave and pay simplified. There is a clear need to improve on the provision that we have had in the past. Improvements in maternity rights have assisted many families and households, but the Bill will deliver real change to help women and mothers in work more than ever before. The Bill also recognises the valuable role that fathers and adoptive parents play in caring for their children and supporting their partners. It will have a real impact on people's lives, benefiting business, parents and, above all, the ones who mean so much—the children themselves.

My right hon. Friend the Secretary of State for Trade and Industry set up a taskforce on family-friendly employment policies in late June. I firmly believe that parents should have the right to work flexible hours when their children are young. I recently met a couple in my constituency whose son has a severe attention deficiency problem. It is not always possible to determine when a child with such a problem requires extra care and attention, but it is possible for a parent, in consultation with an employer, to ascertain when absence from work is required for case conferences or other meetings to discuss the child. Regrettably, my constituent is not receiving the co-operation of his employer, and is finding that taking time off work to deal with his son's welfare is costing him financially. He has endeavoured at each turn to co-operate with his employer, and has even offered to work exceptional hours to make up for the time that he has taken off.

I urge my right hon. Friend the Secretary of State to take on board the recommendations of the working parents taskforce, which is chaired by Professor George Bain. I believe that she gave an indication earlier this afternoon that she would, and I hope that in future the right to request flexible hours will be given to thousands of workers.

I turn now to fixed-term contracts. I used to be a shop steward, and I remember the time in the 1980s when about 60 per cent. of the work force who I represented were permanent staff, with the other 40 per cent. made up of people on short or fixed-term contracts. I intervened on the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale) and asked if he had ever been involved with a work force in which short or fixed-term contracts were used. I assure the House that that is not a happy working environment, and I do not want to be involved in such an environment in the future. I regret that the despicable mechanism of short and fixed-term contracts is still used in this country.

The European fixed-term work directive is due to come into force here in July next year. The Government's consultation exercise earlier this year on the implementation of the directive showed that fixed-term employees suffered pay discrimination. I am delighted that the Bill contains a power enabling the Government to make appropriate regulations, and that those regulations will be published in the coming months.

I appreciate that other hon. Members want to make a contribution, so I shall end by saying that there is much in the Bill to be commended. I have mentioned only certain aspects of the Bill, and it will be a pleasure to support it in the Lobby this evening.

9.2 pm

Mr. David Chaytor (Bury, North): I am pleased to be able to speak in support of the Bill this evening. First, I should declare an interest, in that I am a member of the Transport and General Workers Union.

The debate has featured many excellent contributions in support of the Bill, but more striking still has been the absence of heat or passion in the debate. That is an indication of the degree of consensus among hon. Members, which contrasts with the debates on industrial relations legislation in the early and mid-1980s, the era of Lord Tebbit. It is evident that great progress has been made, and it is a tribute to the Government that they have built a consensus with regard to further reform of industrial relations legislation.

It is also interesting that so few Conservative Members should have bothered to speak in the debate. Not one Conservative Back Bencher is in the Chamber at present, but I want to make particular mention of the contribution from the hon. Member for Upminster (Angela Watkinson). I have been a Member of Parliament for four and a half years, and today was the first time I have heard a Conservative Member speak with feeling about the responsibilities of child care and the difficulties encountered in balancing earning a living and rearing a family. I hope that the hon. Lady's contribution is a straw in the wind—an indication that attitudes in the Conservative party might be changing.

Earlier in the debate, we heard the ritual quotation of the wisdom of Ms Lea, the spokesperson of the Institute of Directors, who opposes as a matter of course every

[Mr. David Chaytor]

small step forward that the Government take towards improving the security and welfare of people at work. Of course, Ms Lea always says that disaster is looming. When the minimum wage was proposed, she said that it would be the end of civilisation as we knew it. No doubt she would have said the same had she been alive when slavery was abolished. The ritual condemnation from the Institute of Directors of any new proposed legislation is rapidly leading to a loss of credibility in its ability constructively to criticise Government proposals.

The response of the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale) was depressing. His argument suggested that the Conservative party as a whole has moved on little in the past 20 years—arguably, in the past 140 years—because it still considered improving the loyalty of the work force, developing their morale, involving them as part of a common enterprise in support of the business, and investing in their future skills as a short-term cost rather than a long-term investment that would ultimately bring benefits to the enterprise as a whole. I find that view intensely depressing.

The hon. Member for Maldon and East Chelmsford was also wrong when he said that the CBI opposed the establishment of learning representatives. It is clear that the CBI supports the principle of learning representatives, although it has one or two reservations about details in the Bill, such as the numbers of such representatives. I wish to express a note of caution about the CBI's comments on learning representatives. In its response to the Bill, it says that some companies with learning representatives have reported that they can play a useful role. That is not exactly strong enthusiasm; indeed, it is slightly patronising with regard to the contribution that learning representatives have made in the past few years.

I make that point because I wish to speak primarily about the role of learning representatives, although other aspects of the Bill are important. For example, I applaud the provisions on maternity, paternity and adoption leave and the dispute resolution procedure. I have experienced industrial tribunals as employee and employer, and fully support the Government's attempt to reform the operation of industrial tribunals, but I feel most strongly about learning representatives. It is one of the most important initiatives in the Bill.

Although I regret the CBI's lack of enthusiasm in supporting the principle of learning representatives, it has a point in expressing a reservation about the fact that the Bill does not specify the number of such representatives who can be established in the work force. That needs to be addressed in Committee. I do not share the CBI's views on wanting a voice in selecting learning representatives. I cannot see how any employer could possibly demand that it should be allowed to choose who should represent the trade union or the work force. However, the CBI has made a valid point about the numbers of learning representatives and the specification of numbers, given that the provision will lead to people having time off.

In my previous profession, I had some experience of vocational training in the work force in many parts of the north-west. I can say, hand on heart, that without exception, the companies that had a deep-seated commitment to investing in and training their work force and encouraged the involvement of trade unions were among the most progressive and successful companies in the Greater Manchester area. I pay tribute to the various trade unions which took the initiative some years ago to establish the concept of learning representatives.

As I said when I intervened on the Secretary of State, the Bill has in some respects been left a little behind by the rapidly developing debate about work force development. The performance and innovation unit today published its report on work force development. It expresses strong support for increased investment in this area. I shall briefly quote the summary of the report, in which the PIU argues that we should be

"empowering individuals and employers to increase their demand for workforce development"

and

"tackling the barriers of time and money that prevent individuals taking up opportunities".

I am not sure that, simply with the establishment of learning representatives, the Bill has fully risen to the challenge in the PIU report. Unless we can in due course—not necessarily in the Bill—establish a statutory right to leave from work for education and training purposes, exactly as we are now agreed on for maternity and paternity leave, we shall not begin to tackle the deep-seated skills crisis in the British work force. I hope that point can be considered in the Standing Committee. About 13 million British workers have no access to training. About a third of British workers have minimal skills in their chosen occupation. About a quarter of the British work force experience difficulties with literacy and numeracy. That crisis cannot be solved unless we have the right to paid education and leave.

The Bill—or a future measure—should focus on workplaces that have no trade union recognition agreements. In my constituency, apart from the health, education and transport sectors, few employers have a work force of more than 200—I can think of only five or six. The vast majority of workplaces have no trade union recognition agreement. Among British workers, the least qualified, the least motivated to obtain new skills and those who hold the most insecure positions are in non-unionised workplaces. That is where we need to focus our attention. Almost by definition, workplaces that have trade union recognition agreements have relatively progressive employers who are committed to investment in their staff. In Committee, I hope that we can consider the position of non-union recognised workplaces.

I applaud the Bill, and congratulate the Government on introducing an important improvement in the security of ordinary working people.

9.12 pm

Mr. Kevan Jones (North Durham): I declare an interest as a member of the GMB trade union and also as one of its senior officers for 12 years.

I, too, welcome the Bill. It builds on some of the basic rights at work that were introduced post-1997, many of which were opposed by the Conservative party. Those rights have been popular with the public since their introduction. The contributions of Conservative Members show their dilemma: such measures are popular with the public, but Conservative Members are stuck in an ideological straitjacket and have to oppose them.

Like my hon. Friend the Member for Bury, North (Mr. Chaytor), I welcomed the contribution of the hon. Member for Upminster (Angela Watkinson), who is no longer in the Chamber. The hon. Lady made a passionate and good speech in which she recognised the pressures on working parents. Unfortunately, her colleagues continue to hide behind the old language—that the measure will not provide basic human rights at work, but will result in red tape on business. They are falling back on the old mantra of the effects on small business.

I do not accept that. The measure will provide basic human rights that people should have at work. People throughout Europe and the rest of the world have enjoyed such rights for many years and now, thanks to a Labour Government, people in this country can also enjoy them.

I welcome the provision for paid paternity leave. As a trade union officer for 12 years, I know of the difficulties experienced by many fathers in getting time off work during the traumatic stage just after childbirth. In some cases, people were actually dismissed for taking time off. In 2001, that cannot be acceptable in a decent society.

Statutory paid adoption leave is also very welcome. Hon. Members have already mentioned the long process that adoptive parents have to undertake. The extension of statutory maternity leave will also be very welcome to many working mothers in North Durham. Maternity leave, too, is a basic human right, not a privilege.

My hon. Friend the Member for Alyn and Deeside (Mark Tami) mentioned that learning representatives will be put on a statutory basis. I totally agree with him that they can be beneficial to good industrial relations in the workplace. That is the approach that we should adopt—they will be good for business; they will not hamper it if they are introduced properly.

I have some concerns about the Bill. The number of industrial tribunals has grown, as has been mentioned. During my time as a trade union officer, I regularly appeared at tribunals in Newcastle. I have a lot of experience of representing union members at tribunals. The problem is that some of the clauses are intended to try to reduce the number of industrial tribunal applications. That is the wrong approach. The best approach would be to consider the Leggatt report fully and ensure that we introduce some changes. One of Leggatt's key proposals—I totally agree with him—is that tribunals should not be turned into courts of law, but that is already happening.

In my experience, taking the lawyers out of the process would make resolving employers' and employees' problems much simpler and quicker. I have some fond memories of representing a union member who worked for the Federation Brewery, but the case took 10 days to resolve. Frankly, it could have been resolved at an early stage, but the barrister was clearly not going to let it go once he had got his teeth into it. Clearly, that did not result in a better form of justice for the member or the company; it led to a lot of very expensive legal bills for the employer.

I shall refer next to some of the clauses that I am concerned about, some of which have already mentioned. Clause 22(2) deals with compensation for preparation time, and here I agree with my hon. Friend the Member for Wolverhampton, South-West (Rob Marris). I am not sure how the time that the management spend preparing cases will be calculated. Clearly, that clause will not apply to trade unions. Trade union officers, who are often not legally qualified, are involved in a lot of work for industrial tribunals, but there is no clause stating that they can claim money for their preparation time. That is a way to discourage people from making applications, which is very sad and will cause more problems than it will solve.

In my experience of industrial tribunals, pre-hearing assessments, which anyone can request, represent a way to sort out frivolous and vexatious cases. Those assessments can take place now, and there is no need to create further hurdles to stop people using their right to a judgment at an industrial tribunal.

Similarly, under clause 25, the use of the IT1 form will be mandatory, but that is a mistake. Many people do not have access to those forms. In my experience, those who are not represented by trade unions find it difficult to get hold of them. I do not understand what is wrong with allowing employees who feel that their cases should go to industrial tribunals to put them in writing—obviously within the permitted time limits. Again, that proposal is being wrongly used as a hurdle to try to stop people gaining access to industrial tribunals.

My hon. Friend the Member for Wolverhampton, South-West also referred to clause 29, which deals with the minimum disciplinary and grievance standards, which fall well below those of the Advisory, Conciliation and Arbitration Service. I would argue that the ACAS code is better and that the clause might cause confusion. I was always amazed by the number of employers, including many small businesses, who did not give contracts of employment to their employees. Insisting that people had contracts of employment would represent a better way forward.

Clause 34 relates to the Polkey case, which my hon. Friend the Member for Manchester, Central (Mr. Lloyd) mentioned. The clause will create a legal minefield and it will give a lot of work to lawyers. The Polkey case was resolved after long and expensive litigation, and this clause is likely to produce something similar.

Efforts need to be made to ensure that the Leggatt report and the lessons learned from it are fully implemented. Training for employees and working for compromise are the way forward. As my hon. Friend the Member for Alyn and Deeside said, we should also strengthen the role of ACAS by providing it with financial support and further statutory powers.

I support the Bill. It builds on the basic human rights of people at work that the Government have introduced since 1997, always in the face of the Conservative party's opposition.

9.21 pm

Mr. Philip Hammond (Runnymede and Weybridge): I draw the House's attention to my registered interests: I am the director of two companies, both of which fortunately employ people and hope to go on doing so in greater numbers in the future.

I can probably safely say that this has been a fairly predictable debate. The Secretary of State opened it with a rather patronising tone towards business, and I am sure that employers will have picked up on that. Labour Members have sought to persuade the Government to tilt the playing field further in the direction of employees and trade unions, while Conservative Members have focused on the costs, both direct and indirect, that the Bill will impose and the consequences of them.

This is a botch-potch of a Bill with a number of different themes woven together. Some of those themes we can accept and we support what the Government are

[Mr. Philip Hammond]

trying to do, but we have reservations about others. Time permitting, I shall say something about the specific merits and demerits of the proposals in each area.

Before that, I wish to make two general points. The first is that the Bill follows what has recently become a familiar pattern. It is largely an empty box—a skeleton of primary legislation—the full impact and effect of which we shall not be able to judge until we see the regulations that should accompany it.

Anyone reading the Bill without its explanatory notes will have little idea of the Government's intentions. The explanatory notes are exemplary in their clarity, but they are not part of the Bill; they have no legal or legislative force. Almost all the substantive comments made in the debate have related to the regime which the explanatory notes predict the regulations will put in force. If that is not an abuse of Parliament, it is certainly a poor use of Parliament's time. We will spend many hours in Committee scrutinising the primary legislation—the framework Bill—but if we are lucky, we shall have a maximum of only 90 minutes in a delegated legislation Committee for each set of regulations. That is not conducive to good scrutiny of a complex matter in which the detail in the regulations might critically affect the livelihoods and well-being of individuals and firms throughout the country.

The hon. Member for Twickenham (Dr. Cable), who is not in his place, rightly concluded that the Bill was balanced between the interests that employers regard as important and those that trade unions regard as important. Labour Members have made a concerted effort to persuade the Government to go further in the direction that the trade union movement would like to go. However, it is important, when we consider the Bill in Committee, that we understand precisely how the Government intend to regulate so that we see what the Bill's effects will be. I therefore ask the Minister to assure us that he will make the draft regulations available to the Standing Committee so that we can consider the substance and not just the skeletal form of the proposals.

Mr. Chaytor: Does the hon. Gentleman not accept that Labour Members have made the point that many employees are not members of trade unions and that we should consider their rights and job security as well? It is important to strike a balance between the work force as a whole and the employer, not specifically between the trade union and the employer.

Mr. Hammond: The hon. Gentleman made an interesting and constructive speech, and I acknowledge what he says. It struck me that, without exception I think, every Back-Bench Labour Member who spoke declared a trade union affiliation and I detect a trade union agenda.

Mr. Kevan Jones: We are proud of it.

Mr. Hammond: There is nothing wrong with that. Trade unions have their agenda and are entitled to pursue it.

My second general point is that the Bill has to be set in the context of the torrent of legislation and regulations that have been having an impact on business. The legislative burden is cumulative and every individual measure, however worthy in itself, adds to that burden. It is no coincidence that since the Government signed up to the social chapter, Britain has fallen from ninth to 19th in the world competitiveness league, and productivity growth has gone from being above the G7 average to below it.

The flexibility of British business—its ability to respond subtly and rapidly to changes in the economic environment which it faces—has been eroded by successive waves of regulation that impose direct and indirect costs on business. Small business is disproportionately affected by legislation like this Bill. We should never forget that small businesses comprise 99 per cent. of all businesses in this country. They employ 44 per cent. of the private sector work force and generate 37 per cent. of the output. Incidentally, they create virtually all the new jobs in the economy.

I note that the Under-Secretary of State for Trade and Industry, the hon. Member for Edinburgh, South (Nigel Griffiths), who has responsibility for small business, has just joined us. The health and prosperity of small business is vital to us all, generating the wealth that underpins not only individual prosperity, but quality public services. We damage them at our peril.

The lesson of many of our European neighbours has been that increasing the burdens associated with employment may benefit those who are fortunate enough to be in work, but that it is at the expense of those without jobs, and society as a whole, as firms slow down the rate at which they create jobs in response to any given economic stimulus. Other economies—for instance, Germany—have found it difficult to get back on the growth curve, because employers respond to economic stimulus in every way they can other than by hiring new workers, because of the burdens and rigidities that have been created in the work force.

I am happy to acknowledge that we have not gone as far as some other countries in the European Union in creating disincentives to the creation of new jobs. There is no mistake, however, about the direction in which we are travelling, and it is becoming urgent that we debate the balance that is to be struck.

Mr. Lloyd: I am grateful to the hon. Gentleman for giving way—I know he does not have much time.

The hon. Gentleman and his colleagues often say that we should not regulate; instead, we should allow the best employer to operate the best standards and then hopefully the worst employers will improve. The small firms sector is essentially composed of domestic competitors. Does the hon. Gentleman accept that it is uncompetitive to allow the worst employers to operate bad practices and that it disadvantages the best employer?

Mr. Hammond: The hon. Gentleman makes an interesting and good point, which I shall deal with in a moment. Below the legitimate small firm are firms in the black economy. Just as the large firm might think that it is competing against smaller firms with a competitive advantage, so the small firm is often competing at the margin against people who can undercut it by ignoring all regulations and paying no taxes.

On the specific proposals, the most immediately relevant to those who will benefit from them, and to the employers who will have to cope with them, are the proposed extensions of rights to paid and unpaid leave for maternity, paternity and adoption. Clearly, in isolation, there are good reasons for seeking to increase the compatibility of family life with both-parent working. At the level of the individual, it increases choice; at the level of the firm, it is an important aid to recruiting and retaining skilled workers; at the level of society, we all benefit from anything that creates more stable, durable families in which children have a better start in life and are more likely to grow up with the skills that we need, to become fully contributing members of society.

There is no doubt in my mind, either, that higher rates of statutory pay and longer periods of entitlement will help those employees fortunate enough to benefit, but we must not pretend that all that is cost free, because that would be disingenuous. All regulation in the workplace imposes costs, both direct and indirect, on employers, other employees and society as a whole. That is not to suggest that all regulation in the workplace is wrong, but simply to point out that business can absorb only so much in the way of cost burdens, and choices have to be made. That requires an open debate acknowledging that fact.

Mr. Kevan Jones: Which regulations does the hon. Gentleman consider appropriate, and which does he consider inappropriate?

Mr. Hammond: We went through that earlier. Clearly, I would prefer the lightest possible regulatory regime, with the state interfering only where there is a very clear market imperfection or failure that will not correct itself. We have to be clear that there are winners and losers in any regulatory intervention in the freedom to bargain, whether individually or collectively, between employers and employees.

Professor George Bain, who has been much quoted by Labour Members, said:

> "Very often it's a case of employee versus employee because one person's flexible working is quite often someone else's inflexible working".

Covering for an absent colleague in a very small business may impose significant additional burdens on others in the workplace and may cause great unfairness. When the Government intervene in the employment relationship, flexibility is always lost. That includes the flexibility to recognise the fact that individuals have different needs. Many workers will not benefit from extended maternity or adoption leave or the extension of parental rights, but may have other equally important caring responsibilities. It is not obvious to me that they should effectively shoulder the burden of improving the situation of their colleagues who are parents. That is why the debate needs to acknowledge that there is a limit to the burdens that can be imposed on business and that priorities are now being set by default, without any debate taking place.

There is no better example than part 1 of this Bill of legislation that can have a hugely disproportionate impact on the small business sector. The direct monetary costs to firms of implementing the additional pay and leave regimes will be small, and the benefits to the employee will be broadly the same in all cases. However, the indirect costs will often be significantly higher in small firms, perhaps outweighing the value of the benefit to the employee.

Government impact assessments always assume that work is simply redistributed to cover for absence, but in many small firms that is simply not practical. An employer with two staff cannot effectively redistribute the work load of one of them. He may be able to recruit a temporary replacement, but the most likely outcome is simply that the firm's capacity will be reduced during the period of absence—the marginal order will be passed up and, in a service business, the extra customer will be turned away. The effect could be even worse in a business that has a worker with a key skill who is to take time off.

As I told the hon. Member for Manchester, Central (Mr. Lloyd), the smallest businesses have to compete not only with larger rivals but, in many sectors, with foreign competitors and unfair competition from the black economy. The ability to be flexible and quick on their feet is their principal, and often their only, competitive advantage, and to stifle that advantage is to pull the rug from under the most dynamic sector of our economy; that in turn will impact on the rate of job creation.

Of course, the Bill's provisions are incremental; viewed in isolation, their impact is probably manageable. However, they do not exist in isolation, and are part of a torrent that has swamped small business and shows no sign of abating. Undoubtedly, regulation in the workplace has a cost that affects new job creation. There is therefore a debate to be had in society about the extent to which we are prepared to trade a reduction in the economy's job-creating capacity, which is detrimental to people who are not in work, for improvements in benefits for those who are in work. In my judgment, that debate is being stifled by the Government, who deny that those choices exist.

On the other hand, I am glad to be able to give a broad welcome to the other main strand of the Bill—the proposals to improve dispute resolution and tribunal procedures—although we are disappointed that the Government already appear to have bowed to union pressure and are clearly under considerable pressure from their own Back Benchers to tilt the playing field further in favour of the employee in tribunal proceedings. We want to explore a number of doubts further in Committee and I look forward to having the opportunity to do so. However, those doubts do not detract from the worthwhile attempt to achieve a better balance between the rights of employees to access a tribunal and the right of an employer to manage his business without vexatious or frivolous cases being brought.

I am unable to extend to part 4 my broad welcome for parts 2 and 3. The proposal to impose on employers a requirement to recognise and provide time off to unlimited numbers of union learning representatives without having any say in their selection or appointment smacks once again of a pay-off to the Government's union paymasters. Union learning reps can play a valuable role in the workplace, but that depends on the consensus that underpins their placement. The idea that the benefits experienced in some workplaces as the result of consensus can be extended to all workplaces by compulsion underlines the intellectual poverty of the Government's regulation-oriented approach.

I could go on to talk about the gold plating of the European Union fixed-term workers' directive in clause 45, but the point has been well made by a number of other Members.

Mr. Andrew Turner: Will my hon. Friend give way?

Mr. Hammond: I will not, if my hon. Friend does not mind, because I must give the Minister plenty of time to reply to our interesting debate.

[Mr. Hammond]

One issue that we want to explore in Committee is whether the measures on fixed-term workers are a genuinely misguided attempt to protect a group of workers who, on the whole, do not appear to need protection, or whether, as a Government Member may inadvertently have given away, there is a hidden agenda that seeks to stamp out unconventional forms of working relationships. The most controversial and significant clause is not yet in the Bill, but we all know that it is coming, hopefully during the Commons stages; it will deal with the right to consideration of an employee's request for part-time work. In its present form, the provision was described by Mr. Bill Morris as "a pyrrhic victory". From what we have witnessed so far this evening, it is apparent that the Government will come under enormous pressure from their own Back Benchers to turn the right to consideration of a request into a right to part-time working. On the face of it, the right to serious consideration of a request is innocuous enough, but it has the potential to become a serious threat to many smaller businesses if it develops into a right to part-time working. We shall seek a clear and unambiguous assurance from the Government that that will not be allowed to happen.

It is a political fashion for all parties to claim to put promotion of enterprise and the pursuit of competitiveness high on their agenda, which of course is a huge advance on the position just 10 years ago. However, the rhetoric changes more rapidly than the reality. The reality is that the Government are instinctively regulatory. The Chancellor this afternoon signalled that there was a raft of further burdens on the way. The Government talk the talk of deregulation, but last year alone introduced 3,865 new regulations—the highest number ever.

Now the Government—the largest and probably one of the least enlightened employers—have the temerity to lecture business on good practice, which they say is in business's own interest. The Bill has about it the unmistakable smack of the man from Whitehall knowing best. The Opposition remain unconvinced that regulation is the only or the best way to improve workplace morale and to secure better working relationships. Indeed, it is clear that an over-prescriptive regulatory regime could damage workplace relationships, especially in smaller businesses.

We accept that the broad objectives of the Bill are mostly well intentioned and, taken individually, may not appear to impose an unacceptable burden, but taken in context, they add to the burden of new regulatory compliance, administrative obligations and organisational inflexibility under which the camel of small business is currently buckling. We must scrutinise with the utmost care every additional straw that the Government propose to heap on its back.

We all aspire to a high-wage, high-employment economy, but we in the Opposition believe that we must generate the wealth before we distribute it. After three successive quarters of manufacturing recession, when business across all sectors is reeling under the seemingly unstoppable flow of new regulation, when the global economy is heading into a sharp downturn, and when jobs are being lost at an accelerating rate across UK industry, now is not the time to impose any new burdens which will make it less likely that Britain's economy will weather the gathering storm.

The Bill will increase burdens on business, reduce the competitiveness of British industry and cost jobs. I therefore urge my hon. Friends to support the amendment in the name of the Leader of the Opposition.

9.42 pm

The Minister for Employment and the Regions (Alan Johnson): I begin by declaring an interest: I am a member of the Communication Workers Union. It is a one-way process: I pay the union about £12 a month, and I receive nothing but the joy and pleasure of being a member of that great union.

Comments about the camel of small business have given us on the Labour Benches the hump. I have been trying to weave in a reference to the Foreign Secretary, but I have failed in the short time available.

As the hon. Member for Runnymede and Weybridge (Mr. Hammond) said, the debate has been rather predictable. It amazes me that although there is a new trade and industry Opposition Front-Bench team, nothing has changed. Listening to the contributions of the two Opposition Front-Bench spokespeople—spokesmen—one would not believe that we were discussing a Bill that will increase statutory maternity leave to 26 weeks.

We have been part of a World Health Organisation drive since the 1990s to encourage mothers to breast-feed for the first six months of their baby's life. We are extending statutory maternity leave to 26 weeks, increasing statutory maternity pay, which has been around the £62 mark for years, to £100 by 2003, and introducing statutory paternity leave. Anyone whose wife or partner had a child 20 years ago will remember that the woman spent a week to two weeks in hospital. Now, a woman who goes into a maternity unit is lucky if she is there for 20 to 30 hours. *[Interruption.]*

This might seem amusing to Opposition Members. I see that there are two women on the Opposition Benches. Judging by the contribution of the hon. Member for Upminster (Angela Watkinson), which I shall deal with shortly, it is high time that the Opposition had more women to represent the views of mothers.

Mr. Barker *rose—*

Alan Johnson: I shall not give way just yet.

We are talking about a Bill that introduces paternity leave and adoptive leave for the first time. Adoptive parents get no help whatever and we are trying to encourage them to work so that we do not have to keep children in care. Those must be laudable aims, but the Opposition meet them with the same sort of basic derision that we have heard time after time in such debates. We try to establish basic civilised minimum standards in the workplace and the Opposition oppose that at every turn.

Before I turn to the points made by those on the Opposition Front Bench, I should like to deal with some of those made by Back Benchers, who made extremely interesting and well thought out contributions to an important debate. My hon. Friend the Member for Stoke-on-Trent, North (Ms Walley), whose constituency I had the pleasure of visiting, raised the important issue of the equal pay questionnaire, which is part of the Bill but was mentioned very rarely. The questionnaire may make a small contribution towards closing the gender gap between men and women's pay. My hon. Friend also expressed her concerns about costs awards. Many examples have been received of cases in which people who were not legally represented were hampered and hounded by lawyers suggesting that the £10,000 was available in more than only vexatious cases. We have had enough such examples to announce in our response to "Routes to Resolution" that we will examine the operation of the costs regime and ask the employment tribunal system taskforce to consider the matter. My hon. Friend made an important point about the location of employment tribunals, which the taskforce will also consider in its deliberations.

Furthermore, my hon. Friend was also one of several Labour Members who mentioned the three-step procedure and their fears that it may interfere with the ACAS code of practice. Our view is that the three-step procedure is a minimum standard. In terms of introducing the procedure into all businesses, including small businesses, which would have more difficulty coping than some larger businesses, we think that a basic three-step procedure is right. The employment tribunals will still use the ACAS code as their benchmark and we will work with ACAS to ensure that the basic minimum procedure is user friendly. My hon. Friend made a number of other detailed points, so I hope that she will excuse me if I cannot get around to all of them.

The hon. Member for Twickenham (Dr. Cable), who explained to me that he could not be present for the winding-up speech, spoke about the all-work test. I need to refute the point that was made. He said that the Bill forced partners of disabled people to take an all-work test and to seek work. In fact, it provides encouragement for partners of disabled people, who will not be forced to take a medical test or required to seek work. The requirement is to attend a work-focused interview, whose purpose is to ensure that partners have the opportunity to discuss their work options and to be made aware of the support that is available to them.

My hon. Friend the Member for Aberdeen, Central (Mr. Doran), who is present in the Chamber, has long experience of these issues. Indeed, his experience as a lawyer underlined his contribution. He spoke about the way in which tribunals have changed since they were first introduced and about getting away from that. The original idea was that they would be formal but not legalistic or intimidating. We have moved a long way away from that idea and my hon. Friend made an important point in that respect. I do not know whether it is ever possible to get back to the original concept. None the less, the Bill and our response to "Routes to Resolution" encourage use of the ACAS arbitration scheme that has been in place since May. We also encourage fixed conciliation and fast track, and ask the ETS taskforce to consider how we can improve tribunals for users in particular. That will be a large part of the taskforce's work.

My hon. Friend the Member for Aberdeen, Central also mentioned the fixed-term work directive. My hon. Friend the Member for Manchester, Central (Mr. Lloyd) picked up on that point. We believe that, because of its nature, that directive should apply to employees. We believed that the part-time workers directive should apply to workers because of its nature. One of the nine unanimously agreed recommendations of the Bain taskforce is that the right to request flexible working should apply to employees, not workers. Many of my hon. Friends have made the point that that confusion should be tackled. As my right hon. Friend the Secretary of State said, we can use a provision in the Employment Relations Act 1999 to review the complicated worker-employee issue. We will start work on that early in the new year.

My hon. Friend the Member for Aberdeen, Central mentioned the Leggatt report. We do not want the proposals to suffer from planning blight. Leggatt makes a useful contribution, but it covers the whole tribunal system, not simply employment tribunals. We need to move on with the proposals.

The hon. Member for Hertford and Stortford (Mr. Prisk) made the second excellent contribution that I have heard from him in the past few days. He also spoke on Friday when I was present. He made an important point about single fathers. The parents of young children, including single fathers, will have the right to have their request for flexible working seriously considered by their employers.

The hon. Gentleman asked us to exclude small family businesses from the provisions. I was not clear to which provisions he wanted that exclusion to apply. Did he mean the right to maternity leave, to increased maternity pay, or to paternity leave? Did he mean the employment tribunal proposals, which Conservative Front-Bench Members welcomed? They are specifically designed to help small businesses, which usually end up in a tribunal because they have no basic procedures in the workplace.

Mr. Prisk: Will the Minister give way?

Alan Johnson: I have no time now, but I shall consider giving way later.

Michael Fabricant (Lichfield): The Minister has nine minutes.

Alan Johnson: The hon. Gentleman has not been present in the Chamber to listen to the important contributions.

Michael Fabricant: On a point of order, Mr. Speaker. The Minister accurately said that I had not been in the Chamber, but he inaccurately suggested that I had not been following the debate. I have been following it on the Annunciator.

Mr. Speaker: That does not really count.

Alan Johnson: I knew that the hon. Gentleman was part of the "No Turning Back" group, but I did not realise that he was part of the no turning up group.

Mr. Prisk *rose—*

Alan Johnson: I cannot give way, but I am dealing with the point that the hon. Gentleman made in the debate. He said that we were gold-plating the fixed-term directive. Conservative Front-Bench Members also made that point. Other member states already have or are expected to pass legislation to prevent pay and pensions discrimination

[Alan Johnson]

against fixed-term employees. Laws to implement the directive in Germany and France have already been passed.

Mr. Prisk: On a point of order, Mr. Speaker. I have been named by the Minister but not allowed to respond. I believe that there is a convention about that.

Mr. Speaker: It is up to the Minister.

Alan Johnson: It is not called naming, but responding to a contribution. The hon. Gentleman will learn as he goes along.

My hon. Friend the Member for Manchester, Central made the important point that he abhorred anti-parent rhetoric. I was surprised at the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale). Of all Opposition Front-Bench Members' arguments, claiming that other employees resented the parents of small children getting maternity leave and pay and parental leave was one of the worst.

We conducted the widest consultation on the document and talked to hundreds of employees—thousands through their representatives. That issue was not raised once. No employees said that they resented parents having time off to spend with their children. Everyone has a stake in ensuring that children are raised properly. Of course people who did not have children said that they also wanted flexible working hours. That is why we have established the work-life balance initiative. It is also the reason for all our work to spread best practice in this area.

My hon. Friend the Member for Manchester, Central also raised the point about the no-difference test in the employment tribunal proposals. We are saying that if an employer who has met the basic minimum standards—having a grievance and discipline procedure in the workplace and having given the employee written terms of their employment—makes a mistake on procedures beyond that, and if, in the view of the employment tribunal, that would have made no difference to the outcome of the case, it should not count against them. That seems fair. Indeed, if we do not introduce this measure, we may discourage employees from moving to the ACAS code of practice from a more complicated procedure.

The hon. Member for Bexhill and Battle (Mr. Barker) and my hon. Friend the Member for Wolverhampton, South-West (Rob Marris) made important points. The important but rather esoteric point relating to the detail of the employment tribunal proposals will best be left to the Committee. My hon. Friend the Member for Wolverhampton, South-West made a point about the right to be accompanied, the response to which I need to read into the record. We intend that the right to be accompanied will apply to the basic grievance and discipline procedure. That needs to be understood by my hon. Friend.

The hon. Member for Caernarfon (Hywel Williams) used the case of a serious industrial dispute to score cheap political points. This Government did not, at any stage, introduce anti-trade union legislation. There has never been a case in which employees could not be sacked by an employer for taking industrial action. Employers had either to sack them all or take them all back on. That was not something that Thatcher introduced in the 1980s; it has always been the case. We introduced measures—I do not remember Plaid Cymru opposing them—to ensure that workers were protected for eight weeks, and that if the employer had made no attempt to resolve the dispute, they remained protected from dismissal. The hon. Gentleman was, therefore, quite wrong.

This has been a fascinating debate, not least because it has exposed the new approach of the Conservative Opposition to the issue of rights and responsibilities in the workplace. They were against the minimum wage; they abolished the wages councils; they refused to consider parental leave as a point of principle; they refused to sign the social chapter; and they imposed burdens on business in their vindictive and spiteful attack on free independent trade unionism.

I will give the Conservatives an example of a burden on business. They introduced the provision that every company, big or small, had to write to its employees every time it gave them a pay rise, to remind them that if they paid their union dues through check-off, they had the right to withdraw. The Conservatives insisted that every employee should be re-recruited to the union every three years. That was a burden on business, introduced for a completely different reason.

Now, after two general election drubbings and nine defeats in nine by-elections, the Conservatives have a new tack. They remain the only mainstream centre-right party in Europe to oppose basic minimum standards in the workplace, but they disguise their hostility by describing civilised standards for women on maternity leave, for adoptive parents and for parents of small children as burdens on business.

The Conservatives now manage, in the words of their reasoned amendment, to

> "welcome measures which promote family friendly practices in the workplace"

while opposing this Second Reading. This subterfuge will be as unsuccessful as their previous attempts to block family-friendly policies.

We have aligned the rules for maternity leave and pay so that the same qualifying condition and the same notice periods apply for both. In other words, we have made it much easier for employees—and, of course, employers will also benefit from the measures. I therefore ask the House to support the Second Reading of the Bill.

Question put, That the amendment be made:—

The House divided: Ayes 134, Noes 311.

Division No. 87] [9.59 pm

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Browning, Mrs Angela
Burns, Simon
Butterfill, John
Cameron, David
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chope, Christopher

Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton–Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Djanogly, Jonathan
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Francois, Mark
Gale, Roger
Garnier, Edward
Gibb, Nick
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat–Amory, Rt Hon David
Hendry, Charles
Hoban, Mark
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Liddell–Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
Mercer, Patrick
Moss, Malcolm
Murrison, Dr Andrew
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Portillo, Rt Hon Michael
Prisk, Mark
Randall, John
Redwood, Rt Hon John
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(Mid–Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Dr. Julian Lewis and
Mrs. Cheryl Gillan.

NOES

Abbott, Ms Diane
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Margaret
Begg, Miss Anne
Beggs, Roy
Benn, Hilary
Bennett, Andrew
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brooke, Mrs Annette L
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Burnham, Andy
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donaldson, Jeffrey M
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
George, Andrew *(St Ives)*
George, Rt Hon Bruce *(Walsall S)*
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Havard, Dai
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Heyes, David
Hill, Keith
Hinchliffe, David
Hoey, Kate
Holmes, Paul
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Jowell, Rt Hon Tessa
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kidney, David
Kilfoyle, Peter
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Lammy, David
Lawrence, Mrs Jackie
Laws, David
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony
Llwyd, Elfyn
Love, Andrew
McAvoy, Thomas
McCabe, Stephen
McCartney, Rt Hon Ian
McDonnell, John
McIsaac, Shona
Mackinlay, Andrew
McNamara, Kevin
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice

Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Merron, Gillian
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morley, Elliot
Morris, Rt Hon Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Owen, Albert
Paisley, Rev Ian
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Price, Adam
Primarolo, Dawn
Prosser, Gwyn
Pugh, Dr John
Purchase, Ken
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, Angus *(Moray)*
Robinson, Geoffrey *(Cov'try NW)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rooney, Terry
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salmond, Alex
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Short, Rt Hon Clare
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, Dr Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watson, Tom
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Wood, Mike
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Younger-Ross, Richard

Tellers for the Noes:
Mr. Tony McNulty and
Mr. Nick Ainger.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 62 (Amendment on Second or Third Reading):—

The House divided: Ayes 307, Noes 131.

Division No. 88] **[10.15 pm**

AYES

Abbott, Ms Diane
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Margaret
Begg, Miss Anne
Beggs, Roy
Benn, Hilary
Bennett, Andrew
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brooke, Mrs Annette L
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Burnham, Andy
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donaldson, Jeffrey M
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
George, Andrew *(St Ives)*
George, Rt Hon Bruce *(Walsall S)*
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Havard, Dai
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Heyes, David
Hill, Keith
Hinchliffe, David
Hoey, Kate
Holmes, Paul
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian

Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kidney, David
Kilfoyle, Peter
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Lammy, David
Lawrence, Mrs Jackie
Laws, David
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony
Llwyd, Elfyn
Love, Andrew
McAvoy, Thomas
McCabe, Stephen
McCartney, Rt Hon Ian
McDonnell, John
McIsaac, Shona
Mackinlay, Andrew
McNamara, Kevin
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Merron, Gillian
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret
Morley, Elliot
Morris, Rt Hon Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Owen, Albert
Paisley, Rev Ian
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Price, Adam
Primarolo, Dawn
Prosser, Gwyn
Pugh, Dr John
Purchase, Ken
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, Angus *(Moray)*
Robinson, Geoffrey *(Cov'try NW)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rooney, Terry
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salmond, Alex
Sanders, Adrian
Sarwar, Mohammed
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, Dr Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watson, Tom
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Wood, Mike
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Tony McNulty and
Mr. Nick Ainger.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Browning, Mrs Angela
Burns, Simon
Butterfill, John
Cameron, David
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth
(Rushcliffe)
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Djanogly, Jonathan
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Francois, Mark
Gale, Roger
Garnier, Edward
Gibb, Nick
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Hendry, Charles
Hoban, Mark
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Liddell-Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
Mercer, Patrick
Moss, Malcolm
Murrison, Dr Andrew
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Portillo, Rt Hon Michael
Prisk, Mark
Randall, John
Redwood, Rt Hon John
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(Mid-Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela

Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Cheryl Gillan and
Dr. Julian Lewis.

Question accordingly agreed to.

Bill read a Second time.

EMPLOYMENT BILL (PROGRAMME)

Motion made, and Question put forthwith, pursuant to Order [28 June]:—

That the following provisions shall apply to the Employment Bill:

Committal

1. The Bill shall be committed to a Standing Committee.

Programming of proceedings

2. All proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further message from the Lords) shall be programmed.

Proceedings in Standing Committee

3. Proceedings in the Standing Committee shall (so far as not previously concluded) be brought to a conclusion on 22nd January 2002.

4. The Standing Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

5. Proceedings on consideration shall (so far as not previously concluded) be brought to a conclusion at Nine o'clock on the day on which those proceedings are commenced or, if that day is a Thursday, at Six o'clock on that day.

6. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at Ten o'clock on the day on which those proceedings are commenced or, if that day is a Thursday, at Seven o'clock on that day.

7. Sessional Order B (programming committees) made by the House on 28th June 2001 shall not apply to proceedings on consideration and Third Reading—[*Mr. Stringer.*]

The House divided: Ayes 294, Noes 134.

Division No. 89] **[10.27 pm**

AYES

Abbott, Ms Diane
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, Kevin
Beard, Nigel
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brooke, Mrs Annette L
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Burnham, Andy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cook, Rt Hon Robin *(Livingston)*
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
George, Andrew *(St Ives)*
George, Rt Hon Bruce *(Walsall S)*
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Havard, Dai
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Heyes, David
Hill, Keith
Hinchliffe, David
Hoey, Kate
Holmes, Paul
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kidney, David
Kilfoyle, Peter
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Lammy, David
Lawrence, Mrs Jackie
Laws, David
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony
Llwyd, Elfyn
Love, Andrew
McAvoy, Thomas
McCabe, Stephen
McCartney, Rt Hon Ian
McDonnell, John
McIsaac, Shona
Mackinlay, Andrew
McNamara, Kevin
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Merron, Gillian
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr Lewis
Moran, Margaret

Morley, Elliot
Morris, Rt Hon Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Price, Adam
Prosser, Gwyn
Pugh, Dr John
Purchase, Ken
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, Angus *(Moray)*
Robinson, Geoffrey *(Cov'try NW)*
Rooney, Terry
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Joan
Salmond, Alex
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Speller, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, Dr Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watson, Tom
Watts, David
Webb, Steve
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Wood, Mike
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Tony McNulty and
Mr. Nick Ainger.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John
Beggs, Roy
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Browning, Mrs Angela
Burns, Simon
Butterfill, John
Cameron, David
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth
(Rushcliffe)
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Djanogly, Jonathan
Donaldson, Jeffrey M
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Francois, Mark
Gale, Roger
Garnier, Edward
Gibb, Nick
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Hendry, Charles
Hermon, Lady
Hoban, Mark
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Liddell-Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
Mercer, Patrick
Moss, Malcolm
Murrison, Dr Andrew
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Prisk, Mark
Randall, John
Redwood, Rt Hon John
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(Mid-Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Cheryl Gillan and
Dr. Julian Lewis.

Question accordingly agreed to.

EMPLOYMENT BILL [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a) (Money resolutions and ways and means resolutions in connection with bills),

That, for the purposes of any Act resulting from the Employment Bill, it is expedient to authorise:—

(1) the payment out of money provided by Parliament of—

(a) any expenditure incurred by a Minister of the Crown or government department under the Act,

(b) any increase attributable to the Act in the sums which under any other Act are payable out of money so provided;

(2) the payment into the Consolidated Fund of any increase attributable to the Act in the sums payable into that Fund under any other Act.—*[Mr. Stringer.]*

Question agreed to.

PROCEDURE COMMITTEE

Ordered,

That Mr. David Drew be discharged from the Procedure Committee and Mr. Iain Luke be added.—*[Mr. Stringer.]*

PETITION

Meriden Gap

10.39 pm

Mrs. Caroline Spelman (Meriden): I have been asked to present a petition about the future location of the national football stadium. One of the proposed sites is in my constituency on greenbelt land known as the Meriden gap. It is a narrow strip of land five miles wide between Coventry and Birmingham and there is very strong local feeling about the possible siting of such an amenity on green-belt land on a point between two major conurbations. More than 2,000 signatures have been collected and the petition urges

the Secretary of State for Culture, Media and Sport to reject this proposed development on Green Belt land to ensure the continued protection of the Meriden Gap from such developments for present and future generations.

And your Petitioners, as in duty bound, will every pray.

To lie upon the Table.

"Women Empowering Women" Scheme

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Stringer.]*

10.40 pm

Miss Anne Begg (Aberdeen, South): I suppose I should begin by explaining what the women empowering women scheme is. It is not, as the title suggests, an organisation that is aimed at helping women looking to climb the promotion ladder and hoping to break through the glass ceiling, nor is it a company offering assertivees training to women, nor is it the latest feminist craze. The name is very misleading. The scheme should not have been called women empowering women. If I were to call it women exploiting women, women defrauding women or even women setting out to con other women out of lots of money, the House would have a much better idea of what this so-called giving scheme is all about.

The scheme has been rampaging through the Aberdeen area since the summer, leaving behind large numbers of women who are now up to £3,000 in debt. That is why I was keen to secure an Adjournment debate to highlight just how insidious and invidious the scheme is and the dangers that it poses.

What is the scheme? Perhaps it would be easier to understand it if I described it as a pyramid selling scheme that does not involve any hard work such as selling anything. Women are enticed into the scheme with the promise that if they hand over £3,000, they could get £24,000 in return. The women enter at the giving level when they hand over the money and then move up the pyramid to the receiver level when they get the pay-out.

The women are told that they cannot lose, that everyone is a winner and that it would be foolish to give up such a chance to obtain some extra money. The groups meet in each other's houses and the excitement means that it is very difficult to resist the hype. There is always someone there who has already won lots of money. However, that can happen only if there is a ready supply of new people with £3,000 to enter the scheme.

It does not take long for the supply of victims in an area to dry up, leaving the vast majority of those who have entered with little or nothing. For every person who gets £24,000, there must be at least eight others who get nothing.

My attention was drawn to the scheme in July when the Aberdeen newspaper, the *Evening Express*, ran a large spread about the excitement that the scheme was generating and named some of the people involved. They included a local police woman. The newspaper pointed out the dangers of the scheme and showed graphically how it was impossible for everyone to be a winner and how quickly an area could be saturated.

I had believed that the scheme had run into the sand or had moved to another area, but it appears that it began in the Isle of Wight and has worked its way north. However, I was shocked to discover in late October, when *The Press & Journal* in Aberdeen ran another story, that the scheme was still running. I heard stories of men being recruited to the scheme—it had now changed its name to "friends empowering friends"—and I was given a leaflet that was delivered to doors in Aberdeen and Aberdeenshire and that encouraged women to part with £100 to get £800 back.

All that smacked of desperation. The people who had been suckered into the scheme were desperately trying to get their money back any way they could. That is why I raise the issue now. It is the lead-up to Christmas and many women, including single parents, are desperate for money. They are being conned into believing that if they get their money into the scheme now, they will have extra money for Christmas.

I am very concerned that women who are already in financial difficulties are still being sucked into the scheme. None of them can possibly be a winner at this late stage. The winners are long gone; they won back in the summer. Those who are entering the scheme now are at the bottom of the pyramid and will never get their money back, far less win. It is sad speaking to the women who have lost out. They swallowed wholesale the belief that they could not fail, that the scheme was well run and that there would be an endless supply of new people willing to "invest", as the schemes call it, their money.

What I have found most insidious about the scheme is that it is wrapped in the cloak of women helping each other by investing in each other. Many of the early participants were intelligent women with good jobs. They had to be because they had to be able to put £3,000 into the pot and be willing to take the risk of losing it all. For those women, it was more like a gamble: they accepted that they might lose, and presumably they could afford to. It was not, however, the early participants who lost, but the poorer women they tricked into following them who could not afford the stake money in the first place, far less afford to lose it.

I also wonder about the morality of the so-called winners. They must know that in order for them to have won, a number of others must have lost. I wonder whether they have no conscience about exploiting others and possibly even their friends. I do not suppose that they declared their unearned income to the tax man either.

One of the women I spoke to said that the heart group that she joined had changed the rules as it went along. She had received no money and was puzzled that it could be allowed to do that. It was difficult explaining to her that it was a con from the start: if no money was being created, it was bound to run out if people were winning. In the early days some women praised the scheme because in this cynical day and age it was wonderful that women were trusting strangers with large amounts of their money. The trust did not last long, and if only they had been a bit more cynical they may have recognised the scheme for what it was—a complete fraud.

The woman that I spoke to on GMTV had invested a total of £600 in two different schemes and is yet to win anything, but she still has faith that she will soon get more than £2,000 back. "I've made lots of new friends," she said, and I wondered how long they will last when she loses her money to them, or they lose to her.

Mr. Simon Thomas (Ceredigion): I am sure the hon. Lady is aware that the scheme is nationwide. It is called the hearts scheme in my constituency where it has had a similar effect to the scheme in Aberdeenshire. Does she agree that the scam, which is in fact women impoverishing other women, is based on ignorance? Although the scheme is not illegal, and it remains to be seen whether the Government will make it illegal, it would be useful if local trading standards officers were given clear instructions on how to dissuade people from joining it. At the moment, the scam is feeding off the ignorance of women and some men, and surviving on the back of that. Perhaps we could do something to overcome that ignorance.

Miss Begg: I intend to ask the Minister whether the scheme is illegal under existing legislation, and I have several questions that I will pose later. The hon. Gentleman is right when he says that ignorance is the problem, but it is difficult to educate people about such schemes. No matter how much I said to the woman I met this morning about how the scheme cannot work, how it will run out and how there is no possibility of her winning, she did not believe me. It was difficult to persuade her that the arithmetic did not add up. Indeed, some areas are blaming the scheme's collapse on the bad publicity. They have not realised that it cannot succeed and cannot work.

I requested an Adjournment debate on the scheme for two reasons: to highlight the evil, as the hon. Gentleman said, and to generate more publicity to warn those who are contemplating getting involved of the dangers. I hope that trading standards officers in each area are doing that. Many local newspapers such as mine in Aberdeen have been useful and helpful in highlighting those dangers, although that has not always worked.

My second reason is that I want to ask the Government to ensure that there is effective legislation. I want such schemes outlawed. I know that the Government cannot legislate to stop people's greed, but many of the women now being drawn into the scheme are not greedy. Some just want to make a bit of extra cash so that they can get more for their kids this Christmas, and they are victims of a very clever con, which has fooled many intelligent people.

I know that the DTI has posted a warning about such schemes on its website, and although I am sure the website is extremely popular, it is not exactly a means of mass communication. Women in Aberdeen and the woman to whom I was talking this morning still have faith in the scheme simply continuing. They do not believe the warnings, but will always believe the hype. The *Evening Express* and *The Press & Journal* in Aberdeen have run a number of stories pointing out the dangers and giving dire warnings, but people are still joining the scheme in the north-east of Scotland. Education alone will not be enough, which is why we need to consider legislation.

I know that the Government outlawed the running of pyramid schemes in the Trading Schemes Act 1996, and regulations under that Act came into effect in 1997. I know also that the Minister, in a previous guise as the Minister for Competition and Consumer Affairs, issued a press release on 15 February 1998 with the headline "Griffiths Warns Against Get-Rich-Quick Schemes". Although my hon. Friend now has a different remit, he is obviously still interested in the issue.

[Miss Begg]

The regulations passed under the 1996 Act govern schemes involving the supply of goods and/or services. However, I understand that the intention of the Act was to outlaw money circulation schemes. That is borne out by an article in *The Times* of 6 February 1997, so this Government do not get the blame, but a previous one do. The article said:

> "New regulations aimed at stamping out fraudulent 'money circulation' scams come into force today".

If that was the intention of the 1996 Act, why has no case been brought against schemes such as "women empowering women"? Is the existing legislation defective in some way, or has it simply never been tested in court? If the Act does not apply, will the Government reform it to outlaw these odious schemes once and for all? The answer seems to hinge on the reference to providing goods and/or services.

It appears that some states of the USA have managed to legislate so that not only do those who originate or organise the schemes fall foul of the law, but it is illegal merely to participate in them. Under article 23 of the New York General Business Law, anyone participating in such a scheme can be charged with the commission of a crime and any money received by them can be confiscated. The Texas Deceptive Trade Practices Act defines an illegal pyramid promotion as a plan by which a person gives a consideration, usually money, for the opportunity to receive money that is derived primarily from a person's introduction of other persons to participate in the plan, rather than from the sale of a product. If the USA can do it, surely we can too. Perhaps we already have the legislation. I await the Minister's reply.

I appreciate that anything that the Government do will not change things overnight and it will not help those of my constituents who already face a bleak Christmas because they were duped into believing that they were investing in something that could not fail. Inevitably, it has failed, and badly. The experience of the hon. Member for Ceredigion (Mr. Thomas) suggests that it has failed all over the country. It has left behind far more losers than winners.

10.54 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): I congratulate my hon. Friend on securing this debate, on her excellent research and on her clear presentation. The whole House understands the concerns that have led her to raise the matter. She speaks not only for her constituents but for the many people who may have been duped by such schemes.

The Government are certainly concerned about the risks inherent in gifting schemes such as "women empowering women". As my hon. Friend spelt out, the danger of such schemes is that they depend on each participant recruiting several more to the scheme. I pay tribute to David Perry and *The Press & Journal* for highlighting the problems of such schemes and alerting people in the area and throughout the UK to them. A network of participants cannot expand indefinitely and will eventually break down. Participants joining a scheme late in the day stand a good chance of losing their original contribution as well as any chance of a return. Even those who join early may lose out if those whom they recruit to the scheme fail to recruit further participants.

No doubt, some people go into such schemes in full knowledge of the risks, but the Government are concerned about those who participate unaware of the risks; those who are misled by others when invited to join; and those who risk money that they cannot afford to lose. Earlier this year, specific warnings about the scheme were issued by trading standards officers. My right hon. Friend the Secretary of State for Trade and Industry, who has ministerial responsibility for women, commended the Department of Trade and Industry for reinforcing that.

I want to reiterate the message that I gave three years ago in the House warning the public of joining any scheme that promises something for nothing. That message was recently reinforced by the Department and the media. Indeed, earlier this year, my right hon. Friend added to those warnings. Sadly, some people have ignored all the advice about schemes that promise something for nothing. My right hon. Friend said that the Government would consider avenues for protecting the public from such schemes.

The "women empowering women scheme" received a great deal of media attention earlier this year. It appears to have emerged first on the Isle of Wight, and spread to other parts of the United Kingdom. It claimed to be restricted to women participants and operated by participants making a gift of £3,000 to a member of the network; they handed over that money in the expectation of receiving multiples of that amount as others joined the network.

Against that background, my right hon. Friend asked the Secretary of State for Culture, Media and Sport to consider such schemes in the context of possible changes in the legislation in response to the review report. The Culture Secretary confirmed that the case for changes to current gambling legislation to act against schemes such as "women empowering women" would be considered in the context of the follow-up to the review of gambling legislation. Of course, any changes in that area are likely to require primary legislation. In the meantime, I join my hon. Friend the Member for Aberdeen, South in urging women to avoid participating in any scheme that appears to promise something for nothing.

I am aware that the media speculated on the number of women who joined the scheme, but accurate figures are hard to come by. The way in which the scheme operates, by means of separate and independent gifting groups, makes it impossible to make any realistic estimate of the numbers involved. In the summer, a survey revealed that local trading standards offices across the country had received about 170 inquiries or complaints about the scheme, but that provides no reliable basis for assessing the number of people who handed over £3,000 in anticipation of collecting a lot more in return for little or no effort.

The scheme has been referred to as a form of pyramid selling or a pyramid investment scheme. Both descriptions are inaccurate. The scheme was considered carefully by trading standards officers, the Financial Services

Authority and the DTI. It did not purport either to trade in goods and services or to generate profit and income from investment.

The consensus of the enforcement officers, backed by legal opinion, is that the scheme operated as a form of chain letter and was outside the scope of legislation covering trading schemes, pyramid selling or investment services. The variety of descriptions highlights the difficulty of effectively defining a type of scheme that appears to be new to the UK and outwith the scope of current legislation.

Of course, all schemes where money changes hands are subject to the general criminal law on fraud, theft and deceit. Evidence of criminal behaviour is a matter for investigation by the police. In the case of the "women empowering women" scheme, promotional material has avoided using language capable of being interpreted as fraud or a definite promise of a return. So far as is known, no evidence justifying investigation by the police has been presented. None of the approaches to local trading standards offices included evidence of fraud, theft or deceit, and no satisfactory evidence has yet been produced.

It is apparent from the media coverage that many participants in the scheme acknowledged the risks inherent in it, but treated it as a form of gambling. Arguably, many participants saw no harm in taking such a gamble. Others may have seen no harm in making a gift—

Miss Begg: I accept that there are women who know that the scheme is a risk and a gamble, but there are others, particularly those who come in at the end of a scheme, who may not get the warnings or who, because the amount of money that they can invest has reduced to such an extent, think that the scheme is a sure-fire winner. Those are the most vulnerable women and probably the ones who have been most fraudulently treated.

Nigel Griffiths: My hon. Friend makes an entirely reasonable and cogent point. I can only hope, with her, that anyone who was on the dole, in stricken circumstances or on a very low income did not manage to gather the £3,000 to invest in the scheme and was, perhaps, exempt. Some, undoubtedly, were not.

Mr. Simon Thomas: The Minister is accurately setting out the problems posed by the scheme and how difficult it is to ascertain the extent of it, the involvement of individuals and how culpable they are when they join the scheme. Does he accept from me the point that was also made by the hon. Member for Aberdeen, South (Miss Begg)—that despite the difficulties, such schemes have been made illegal in several states such as New England? If the Government took account of that in their review of gambling law, it would send a clear message to back up the good advice already issued by the Government that people should not touch such schemes.

Nigel Griffiths: My hon. Friend asked me to make it clear that we will consider any prosecutions in New England and any changes in the law. I can give her a clear guarantee that we will do so. The point is well made. Our problem is framing the law to address such an alleged abuse.

The scheme, unfortunately, did not purport to trade in goods or services or to generate profit or income from investment. Someone has suggested uncharitably to me that there are a lot of mugs out there who will be suckered into such schemes—into giving up £3,000 for no promise of any return. I make no value judgment on how the scheme was sold and I condemn such opinions, but the consensus among enforcement officers, including trading standards officers and the like—this view is backed by legal opinion—is that the scheme operated as a form of chain letter and was therefore outside the scope of legislation covering trading schemes, pyramid selling or investment services. The variety of descriptions highlights the difficulty of effectively defining a type of scheme that appears to be new to the UK and outwith the scope of current legislation.

We know that there is a danger that, by changing or introducing legislation too quickly in response to a particular scheme in one form, we may open the door for some unscrupulous people to develop new variants that succeed in evading the law. In practice, it is not possible to introduce new legislation in response to every new scheme or variant of a scheme that comes along, so in the long term it is better to consider carefully whether legislation is the right approach and, if it is, what form it should take.

That is the approach that the Government are taking. We obviously want people to be protected against losing their money, but we do not want new situations to produce a bad effect. When my right hon. Friend the Minister with responsibility for women issued her warning about the scheme earlier this year, she explained that the Government would be considering very closely the avenues for tackling schemes of this sort. We are looking at the approach that is likely to be adopted in other countries, specifically in Europe, and also, as has been mentioned, in the USA. The evidence gathered to date is not completely conclusive because of the differences between the legislation of member states and between federal and state legislation in the USA. There is evidence that some member states and some states in the USA would regard the "women empowering women" scheme as a form of gambling. The fact is, however, that some may not regard it as such.

As hon. Members will know, the review of current gambling legislation chaired by Sir Alan Budd presented its report during the summer. Schemes such as the "women empowering women" scheme did not fall within Sir Alan's remit and he made no specific recommendation about them. Such schemes may, however, be relevant in terms of the strong concerns that he noted about lottery and other scams to which people can fall prey, many of which originate outside the UK, as the "women empowering women" scheme appears to have done. Sir Alan recommended that lotteries should be for the exclusive purpose of good causes.

Against that background, my right hon. Friend the Minister with responsibility for women asked my right hon. Friend the Secretary of State for Culture, Media and Sport to consider such schemes in the context of possible changes to the legislation in response to the review report. The Secretary of State has confirmed that the case for changes

[Nigel Griffiths]

to current gambling legislation to act against schemes such as WEW would be considered in the context of the follow-up to the review of gambling legislation. Of course, any changes in this area are likely to require primary legislation.

In the meantime, I join my hon. Friends and other hon. Members in urging people, and especially women, to avoid participating in any such scheme that appears to promise something for nothing. The Government are determined to take on board all the arguments that have been advanced in the debate and to take whatever actions are practicable and appropriate.

Question put and agreed to.

Adjourned accordingly at nine minutes past Eleven o'clock.

House of Commons

Wednesday 28 November 2001

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

DEPUTY PRIME MINISTER

The Deputy Prime Minister and First Secretary of State was asked—

Deregulation

1. **Paul Flynn** (Newport, West): What action is planned to reduce expenditure by way of deregulation. [15969]

The Parliamentary Secretary, Cabinet Office (Mr. Christopher Leslie): Mr. Speaker, my right hon. Friend the Deputy Prime Minister has asked me to apologise to you and to the House for his absence today. Deputising for the Prime Minister, he is undertaking a series of international meetings on a number of matters, including the coalition against terrorism and climate change.

The Government's programme of regulatory reform seeks to reduce burdens and costs for both the public sector and the business community. For example, by reducing the burden of paperwork and form-filling in schools, the Government have saved more than 2.5 million teacher hours in primary schools this year.

Paul Flynn: The Transport Research Laboratory has claimed that changing just one regulation would reduce casualties, avoiding the deaths of 140 people a year and 520 serious injuries. The Policy Studies Institute also claims that there would be immense benefits for the tourist trade and the elderly if we adopted European standard time and dumped the absurd practice of changing our times twice a year. Does my hon. Friend, who is in the infancy of what I am sure will be a brilliant career, do his best to bring more light to the nation and ensure that our waking hours more precisely match our working hours?

Mr. Leslie: I am not sure whether that is a compliment. There are pros and cons on both sides of the argument about keeping British summer time. One advantage would be lighter afternoons, and I suppose that the disadvantage would be darker mornings. I understand that an experiment took place in the late 1960s to retain summer time—that was definitely before my time.

Mr. Mark Oaten (Winchester): Does the Minister believe that yesterday's Budget statement will lead to less bureaucracy and red tape for business, or more? Can he give a commitment that the Cabinet Office will undertake a regulatory review and assessment on that Budget?

Mr. Leslie: The answer is yes. The Government are always making sure that we reduce red tape and burdensome bureaucracy wherever possible. Conservative Members object to measures such as the minimum wage, family leave and working time protection. They regard them as over-burdensome pieces of bureaucracy—I regard them as essential pieces of social reform.

Mr. Andrew Lansley (South Cambridgeshire): The Minister will recall that none of the initial orders under the Regulatory Reform Act 2001 that were subject to consultation implied any decrease in Government expenditure. However, one would have meant an increase—the vaccine damage payment scheme consultation. Can the Minister tell the House when that order is expected to be introduced to the House?

Mr. Leslie: I am afraid that I do not have that information to hand, but I will write to the hon. Gentleman about it. The programme of regulatory reform orders is beginning within Government so that we can use that tool as a mechanism for removing over-burdensome regulations wherever possible. I shall try and find out more information on that for the hon. Gentleman.

Mr. Tim Collins (Westmorland and Lonsdale): If it is the case, as the Minister claims, that the Government are deregulating and relieving burdens on business—I pay tribute to him for being able to say that with a straight face—why did the Director General of the CBI complain recently that last year more regulations had been passed than in any previous year in history?

Mr. Leslie: We have heard this story before. I think that the hon. Gentleman is talking about statutory instruments, 95 per cent. of which have no burdensome impact on business. He needs to distinguish between measures that introduce support and help for ordinary working people in this country. He regards those as unnecessary costs, whereas the mass of working people think that they are essential.

Sir Patrick Cormack (South Staffordshire): How many regulations have been abolished since the Government came into office in May 1997?

Mr. Leslie: A number of changes are made all the time in terms of reducing regulation. We are genuinely engaged in an earnest effort to reduce those regulations that are burdensome. If the hon. Gentleman has specific suggestions to make to the House and the Select Committee on Deregulation and Regulatory Reform, many Members will be willing and able to listen to them.

Government Regional Offices

2. **Dr. Stephen Ladyman** (South Thanet): If he will make a statement on the operational priorities for Government regional offices. [15970]

The Minister of State, Cabinet Office (Mrs. Barbara Roche): The Government offices for the regions bring together the activities and interests of many different Departments. The operational priorities of the Government offices are to deliver programmes to specific Departments and to achieve a joined-up approach.

Dr. Ladyman: I thank my hon. Friend for that reply. From my conversations with the Government office of the south-east, I know that it is committed to adding value to the work of other agencies and local authorities. I applaud it for that commitment. However, when it administers funds, such as the European social fund, on behalf of local authorities, there are times when it issues the funds in short-term tranches. That makes it difficult to build quality projects because it is difficult to recruit people under short-term funding. Will my hon. Friend ensure that any red tape—whether UK or European—that limits the projects to short-term funding is swept away so that we can build quality projects?

Mrs. Roche: I know of the interest that my hon. Friend has taken in the subject and that he has held constructive meetings with the Government office of his region. I understand his point. European programme funds cover a six-year period, but some of the match funding can be for all that period or it can be reviewed annually. I shall certainly consider the points that he raises.

Mr. Jonathan Djanogly (Huntingdon): Will not the increase of regional government lead to the death of the county councils?

Mrs. Roche: No. The hon. Gentleman should consider the commitment on regional governance that we made in our manifesto. We said that we would examine the issue and we have already told the House that we would introduce a White Paper on it. We particularly highlighted the case of unitary authorities.

Brian White (Milton Keynes, North-East): Will my hon. Friend ensure that, when regional development agencies adjoin each other, they work across regional boundaries in a seamless fashion and do not create new artificial boundaries?

Mrs. Roche: Yes, absolutely. The boundaries of the Government offices of the regions are always a contentious matter, and everyone will have a view on where the boundaries should be. I think that we have now settled the matter, but it is important that Government offices of the regions work together. We have the co-ordination unit to make sure that they do just that.

Government Policy Co-ordination

3. **Michael Fabricant** (Lichfield): What steps he is taking to co-ordinate the promotion of Government policy on *(a)* health care and *(b)* transport. [15971]

The Parliamentary Secretary, Cabinet Office (Mr. Christopher Leslie): Policy on health care and transport is obviously the responsibility of the respective Departments. However, the Prime Minister's delivery unit is working with those Departments to monitor effective efforts towards key targets, to take stock of progress made and to help to overcome the barriers or obstacles to delivery as rapidly as possible.

Michael Fabricant: I thank the Minister for that helpful answer. Does he agree that the job of promotion, which is what my question is about, is the responsibility of Government information officers? Will he join me in praising the work of the information officers who are employed by the civil service? Will he explain precisely why 16 out of 18 senior Government information officers have been sacked or pensioned off before their time by this Government since 1997?

Mr. Leslie: I am very happy to pay tribute to the information officers who work for the civil service. They do a fantastic job. There is obviously a constant change of personnel in all sorts of divisions. I am not sure to what the hon. Gentleman is alluding, but it is no wonder that his question relates to promotion. I know that he is always angling on that point.

David Taylor (North-West Leicestershire): Following the change in direction on health care so clearly articulated by the Chancellor yesterday and so warmly welcomed by many Labour Members, does my hon. Friend believe that greater investment will go into the promotion of what is without doubt a more democratic and more socialist agenda?

Mr. Leslie: As a democratic socialist, I certainly share my hon. Friend's view. Some £8 billion worth of new hospitals are being built, and 17,000 extra nurses and 7,000 extra doctors have been employed since 1997. We have still a long way to go. We have to maintain progress to ensure that we deliver a health service that is free at the point of use, available to all who need it and is of a high standard fit for the 21st century.

Regional Co-ordination Unit

4. **Mr. Bob Blizzard** (Waveney): If he will make a statement on the work of the regional co-ordination unit. [15972]

The Minister of State, Cabinet Office (Mrs. Barbara Roche): In particular, the work of the regional co-ordination unit is achieving better scrutiny of proposals for new area-based initiatives and the review of existing ones.

Mr. Blizzard: When my hon. Friend tries to co-ordinate the work of regional public bodies in the eastern region, will she examine the East of England Inward Investment Agency, which was set up by the previous Government? Will she consider the serious under-performance of that organisation and its failure to attract any inward investment to those parts of the region that need it? Why are we spending public money supposedly attracting firms to places where they would go anyway? Is that not rather like giving grants to people to sell ice creams on a hot day?

Mrs. Roche: I know that the agency is targeting potential investors in the oil, gas and renewable energy sector, but I will certainly consider the points that my hon. Friend raises. He might also like to know that a seminar organised by Business Link Suffolk, which involves the Government office, is taking place shortly. It will also involve a number of local businesses. I am sure that my hon. Friend's interest in that matter will be greatly appreciated.

Sir Teddy Taylor (Rochford and Southend, East): Will the Minister establish whether the unit was consulted by the Chancellor of the Exchequer on the distribution, as from Friday, of the exemption from stamp duty of 4,000 deprived wards in the United Kingdom? Will she also try to discover—this has astonished us in Southend—why the Milton ward, to which the Minister made an excellent visit, is not covered by those regulations, bearing in mind that it is more deprived than almost any other area of England or Wales?

Mrs. Roche: I know of the great interest that the hon. Gentleman has in deprivation, in particular how we can get help to the most deprived wards in the country. I am grateful to him for his remarks on my visit, which I greatly enjoyed. I will certainly consider the issue and bring it to the attention of my right hon. and hon. Friends across the Government.

Joyce Quin (Gateshead, East and Washington, West): Can my hon. Friend assure me that the regional co-ordination unit and her Department in general will work closely with regional development agencies in the run-up to the publication of the promised White Paper on regional government? Although regional government involves more than just economic development, does she agree that it will be essential for the RDAs to be at the heart of such governments when they are established?

Mrs. Roche: I can give my right hon. Friend that assurance. I have made a number of regional visits, as has my right hon. Friend the Deputy Prime Minister, to discuss that subject. We have met representatives of the Assemblies and the RDAs. It is clear that a great deal of good work is being undertaken on economic regeneration.

Public Services

5. **Mr. Peter Pike** (Burnley): What recent assessment his Department has made of the delivery of public services in the regions in England. [15973]

The Parliamentary Secretary, Cabinet Office (Mr. Christopher Leslie): Delivering improved local public services across all regions of the country is our top priority, and the Cabinet Office is working to ensure that Government offices for the regions play a key role in helping to deliver results.

Mr. Pike: My hon. Friend will know that the Deputy Prime Minister visited Burnley and east Lancashire twice recently. He will also be well aware of the problems that that north-west region faces, in particular the large number of empty private sector houses and the heavy dependence on manufacturing sector jobs. More than 30 per cent. of the work force are employed in manufacturing, which is experiencing major problems following 11 September. Will my hon. Friend make it clear that the RDA will play a key role in the regeneration of that part of the north-west and in the delivery of public services and jobs?

Mr. Leslie: I pay tribute to my hon. Friend for his work and efforts to rebuild the community, especially that in his constituency. He voices important concerns about the need to tackle crime and housing problems, and it is essential to rebuild the local economy. The Deputy Prime Minister considered such matters during his visit. The task force chaired by Lord Clarke will publish its report in December and is considering the issues that my hon. Friend raises.

Mr. Andrew MacKay (Bracknell): Does the Minister understand that if he closed down the hapless Government regional office in the south-east tomorrow there would be no tears in Bracknell or elsewhere in the region because we think that it creates unnecessary extra Government bureaucracy and is a huge waste of taxpayers' money?

Mr. Leslie: If the regional office in the right hon. Gentleman's area is such a waste of time why did his Government set it up in the first place? The Government offices for the regions need to be enhanced and supported so that we ensure that they work not just on traditional housing and regeneration issues, but on planning, environment and anti-crime measures. The area-based initiatives—not least those started by the right hon. Gentleman's Government—need to be properly reformed so that they make a difference on the ground. [*Interruption*]

Mr. Speaker: Order. Once again, I call for quiet in the Chamber. It is only fair to the Minister and to those who are asking a question.

Ms Joan Walley (Stoke-on-Trent, North): May I say how pleased I am to hear that the Minister is taking joined-up thinking so seriously? Some months ago I was promised someone on secondment from the Cabinet Office to assist with urban regeneration in Burslem. Will he consider whether those resources can now be made available to assist with the regeneration that is so urgently needed in north Staffordshire?

Mr. Leslie: It is important that there are secondments from central Government to localities where extra efforts are required. I shall certainly endeavour to look further into the case that my hon. Friend mentioned. We should not only focus on regeneration at the grass roots but delegate people from central Departments to areas where it matters most.

Mr. Roy Beggs (East Antrim): Does the Minister agree that the efficient delivery of public services can be disrupted and delayed by extended staff absences? Will he initiate an in-depth analysis to determine whether Departments and public services need to put in place arrangements to prevent such disruption and delay?

Mr. Leslie: I am responsible for overseeing the day-to-day running of the civil service, and I can certainly assure the hon. Gentleman that attention to sickness and absence levels throughout public services is central to ensuring good performance by a happy and healthy work force. I shall continue to try to monitor those important factors.

Mr. David Heath (Somerton and Frome): Does the Minister agree that the effective delivery of high quality public services depends less on the grand panjandrums of Whitehall and more on the morale and enthusiasm of the civil servants who work directly with the public throughout the country? To that end, does he agree that there is a need for a civil service Act and a national framework for civil servants' pay?

Mr. Leslie: The Government are certainly committed to introducing a civil service Bill when parliamentary time allows. On a national framework, my own feeling is that departmental managers need the flexibility to incentivise good performance in their own Department. We are in discussion with civil service unions and others about these issues.

Mr. Tim Collins (Westmorland and Lonsdale): Is it an aim of Government regional policy to reduce the north-south gap?

Mr. Leslie: There are differences within regions just as there are differences between them, and we have to ensure that each has an opportunity to develop its economic strategies in as fair and equal a manner as possible. There are serious issues that require attention. Of course, making sure that the most deprived areas of our country get the assistance that they need is a priority, and one which I would hope the hon. Gentleman shares.

Mr. Collins: It was a very simple question and it needed only a yes or no answer. Is it Government policy to reduce the north-south gap, or not? I have to say that if it is, Government policy is failing because the latest independent figures show that the gap is widening. Would the Minister like to try again? Is it his policy to reduce that gap—yes or no?

Mr. Leslie: Well, if the hon. Gentleman thinks that the policy is as simple as saying that the north is poor and the south is wealthier, I really think that he needs to get a grip. There are significant pockets of poverty and deprivation in the south of England, just as there are wealthier areas in the north of the country. We need to take a more sophisticated approach to the whole question.

Government Regional Offices

6. **Paddy Tipping** (Sherwood): What assessment he has made of the effectiveness of Government offices for the regions. [15975]

The Minister of State, Cabinet Office (Mrs. Barbara Roche): Government offices contribute to the delivery of the programmes of a number of different Departments. Those are set out in the corporate plan for the Government office network.

Paddy Tipping: Does the Minister agree that, when Government offices for the regions primarily deliver social policies, and regional development agencies primarily deliver the economic agenda, it is important that their aims and objectives fit closely? Is not the best way of ensuring that to work towards elected regional government across England as quickly as possible?

Mrs. Roche: If one looks at the different programmes, one certainly sees that some have an economic aspect and some a social aspect. It is clear that an area cannot be regenerated socially without economic regeneration. A White Paper on regional governance will be published as soon as possible.

Freedom of Information Act

7. **Helen Jackson** (Sheffield, Hillsborough): What steps he is taking to implement the Freedom of Information Act 2000 in his Department. [15977]

The Parliamentary Secretary, Cabinet Office (Mr. Christopher Leslie): The Cabinet Office established a new unit to ensure open government early last year, whose tasks include specifically implementing the provisions of the Government's Freedom of Information Act in the Department.

Helen Jackson: I thank my hon. Friend for his answer. Will he try not to be too timid about this excellent legislation, perhaps considering in the Cabinet Office at least embarking on full implementation of the Act next year, so that other Departments and, indeed, the 300 or 400 quangos covered by the legislation, can follow its lead?

Mr. Leslie: I am pleased to say that the Cabinet Office will be making progress on issuing publication schemes from—I think—next November. It is important that we get the whole area right, so that freedom of information legislation is implemented properly and thoroughly, and not in a half-hearted fashion. We want to put a greater volume of information into the public arena, and I shall certainly try not to be as timid as my hon. Friend suspects.

Dr. Julian Lewis (New Forest, East): If the Government are so keen on freedom of information, why is a mole hunt under way to find the identity of the public servant who leaked the existence of Jo Moore's disgraceful e-mail? Will the Minister give an assurance that if that person is found he will be promoted for furthering freedom of information, and not sacked?

Mr. Leslie: The hon. Gentleman is discussing a conspiracy theory, which is unusual for him. If he is looking for moles, the best we can find is the one from last week's by-election in Ipswich. If that reminds him of the true moles in this place, then so much the better.

Tony Wright (Cannock Chase): The Minister will know that there is disappointment about the Government's decision to delay implementation of the legislation. Will he ensure that the civil service does not take that as a lack of seriousness on our part and put it on the back burner, and that it is told that we are proud of being the first Government to have introduced such legislation and that we mean business with it?

Mr. Leslie: We are certainly proud to introduce the Freedom of Information Act, but we must ensure that we actively consider the new publication schemes, putting more information into the public arena. We must ensure that our commitment to open government is not only genuine but effective and efficient. Getting it right operationally is extremely important.

Norman Baker (Lewes): Is not the Government's commitment to freedom of information becoming a little threadbare? First, the Minister who was responsible for implementing it was sacked for being too radical, and then the proposals were watered down. Now we have an implementation date of 2005. Will the Minister publish the information that led him to conclude that 2005—an absurdly faraway date—would be an appropriate date for implementation, or is that too subject to exclusion from publication?

Mr. Leslie: I feel that sometimes a little congratulation from the Liberal Democrats would be in order, particularly since the idea of a freedom of information Act was opposed by the Conservative party during the 1997 election campaign. Ensuring that we implement publication schemes from next November is extremely important, and the Government are committed to that. We will find ways of ensuring that we get right the implementation of the Act.

Government Office for the North East

8. **Mr. David Clelland** (Tyne Bridge): When he last met representatives of the Government office for the north east. [15978]

The Minister of State, Cabinet Office (Mrs. Barbara Roche): My right hon. Friend the Deputy Prime Minister visited the Government office for the north east on 13 August, and I visited Government offices on 22 November.

Mr. Clelland: During the discussions, was mention made of the forthcoming White Paper on regional government, in particular the role of the regional development agencies? Does my hon. Friend agree that regional government without economic development powers would be a timid beast indeed; will she resist those forces in the Department of Trade and Industry who would retain powers over RDAs even after regional government is introduced; and will she assure me that RDAs will form an integral part of regional government?

Mrs. Roche: There have been discussions on regional governance. As for what that will be, my hon. Friend will have to wait until the White Paper is published.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [15999] **David Burnside** (South Antrim): If he will list his official engagements for Wednesday 28 November.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further such meetings later today.

David Burnside: Recently in Ulster, Her Majesty's Government have removed the royal title and the Crown insignia from the Royal Ulster Constabulary and prohibited the flying of the Union flag from police stations, and they plan to remove the royal coat of arms in courtrooms. Does the Prime Minister believe that those changes symbolise a deep-seated republican tendency at the heart of his Government? Do the Government intend to apply similar changes to police forces and the judiciary in England and Wales?

The Prime Minister: Let me make two points. First, the principle of consent—that Northern Ireland remains part of the United Kingdom as long as the majority of people there wish it—is absolute; it is the founding principle of the Belfast agreement. Secondly, the proposals are for consultation. It is important to ensure that we get the broadest possible support for a police service and criminal justice system that command support right across the communities. I hope very much that the hon. Gentleman will play his part in that effort, because it is an essential part of the new dispensation in Northern Ireland that we have both a police service—I pay tribute to the work that the RUC has done over many years—and a criminal justice system that command support and can be part of the new Northern Ireland that is being built.

Mr. Brian Jenkins (Tamworth): Will my right hon. Friend take this opportunity to update the House on the position of the 12 British tourists held in jail in Spain—[Hon. Members: "Greece."]—sorry, Greece for plane-spotting, especially Wayne Groves, a resident of Tamworth? Will he pass on to the British consulate the thanks of the family for the work its staff have done? Will he also take this opportunity to assure the many British tourists who are considering booking holidays in Greece that it is a safe place to visit?

The Prime Minister: I have spoken to the Greek Prime Minister about the issue and my right hon. Friend the Foreign Secretary spoke to his Greek counterpart today. I hope that the case can be resolved. Whatever the difficulties, most people understand that those people are indeed tourists. I hope that the issue can be resolved as swiftly and satisfactorily as possible.

Mr. Iain Duncan Smith (Chingford and Woodford Green): Has the number of patients waiting more than an hour in casualty gone up or down since the right hon. Gentleman became Prime Minister?

The Prime Minister: The number of patients waiting more than an hour in casualty has gone up—that is correct. However, the overall number of patients waiting has fallen by more than 100,000. In particular, the number of patients waiting more than six months has fallen.

Mr. Duncan Smith: In that case, will the Prime Minister tell us in what areas the health service has gone backwards under his Government, as his party chairman says?

The Prime Minister: I have just mentioned one, but perhaps I should read the entire quote from the chairman of the Labour party. He said:

> "The fact is there have been massive improvements in some parts of the NHS but other areas where we've . . . gone backwards".

If the right hon. Gentleman wants to look at both sides of the equation, let me give him one example of an area in which treatment has improved. In 1997, 63 per cent. of patients urgently referred with suspected cancer were seen within two weeks. Today, the figure is 93 per cent. By the end of the year, there will be 13 new anti-cancer drugs made available to NHS patients. By the end of next month, we shall have successfully introduced the maximum one-month wait from GP referral to treatment for children and for testicular cancer and leukaemia. By the end of this year, there will be a maximum of a one-month wait from diagnosis to treatment for breast cancer patients. In this year alone, we are putting into the NHS over 100 new cancer scanners.

Yes, in some areas there is still a very great deal to do, but in other areas where the extra investment has gone in, there have been improvements. The difference is that we on the Government Benches believe in a national health service system that is funded out of general taxation and is free at the point of use. The purpose of the Conservatives is to ensure that people are forced to pay for the treatment that they have.

Mr. Duncan Smith: I remind the Prime Minister that his chairman said that they had "gone backwards". The right hon. Gentleman does not want to answer that part of the question. Let me tell him that the number of people waiting over a year for their operations is up; the number of people waiting over three months to see a consultant is up; the number of people waiting more than an hour in casualty is up; and the number of unfilled GP posts is up.

The Prime Minister used to tell everybody that he had 24 hours to save the health service. Yesterday, his Chancellor said that he needed another 20 years. When did it go from 24 hours to 24 years?

The Prime Minister: If the right hon. Gentleman wants to look at areas where the NHS has improved, we find that the number of people waiting over six months has improved. The number of people waiting for cancer treatment has improved. The number of people waiting for cardiac treatment for over a year has improved. The number of doctors is up. The number of nurses is up. The number of beds in hospitals this year is up. The number of new hospital buildings is up.

Yes, it is true that the process will take substantial extra resources. The issue is whether those resources come from general taxation or from social insurance, which is specific taxation on employers or employees, or from forcing people to pay for private medical care. The fact is—I challenge the right hon. Gentleman directly on this—that it is the policy of the Conservative party to say that those who can should pay for some of their medical services.

Mr. Duncan Smith: The policy of the Conservative party is to improve the health service, not make excuses for it. *[Interruption.]* Oh yes, that is right.

As for the Chancellor, he gave us a long lecture yesterday about consensus. The consensus that the people outside the House know about concerns why they should have to wait in pain for routine operations or die sooner than their counterparts in Europe, and the fact that the fourth largest economy should be able to offer decent treatment to its people. Those are the consensus issues for the public.

The only consensus for the right hon. Gentleman, his Chancellor and his Government is that between him and the trade unions—*[Interruption.]* to make sure that there will be no change that threatens their vested interests. Why does the right hon. Gentleman always put favours to friends ahead of the interests of patients?

The Prime Minister: The right hon. Gentleman denied specifically that it was the policy of the Conservative party to say that people should pay for some of their treatment. Perhaps he would like to comment on the memorandum from the shadow Treasury spokesman to the shadow Chancellor dated 12 November—just two weeks ago—in which he said:

> "As you are aware, we remain vulnerable to the irritating attack that we are the party who will be cutting back on health care expenditure to reduce taxation."

He then goes on to say:

> "The only propositions which make sense are . . .
>
> (iii) the reforms which we will be proposing will end the NHS monopoly and will entail those who can afford it making some payment for their health care services."

In the interests of debate, perhaps the right hon. Gentleman will explain what was meant by that.

Mr. Duncan Smith: Perhaps I ought to remind the Prime Minister that all taxpayers in this country pay for their health service. He said only a couple of months ago that reforming the NHS was

> "a vital test for the modern Labour party".

He also said,

> "it's not reform that is the enemy of public services it's the status quo".

Does not the Chancellor's statement yesterday prove that he has flunked that test and that there is no further reform—none at all? He has handcuffed the Government to the whole status quo and the state monopoly. He has condemned patients to wait longer, suffer more and die earlier than our neighbours in Europe. The Prime Minister does not have a clue and does not have a cure for the health service.

The Prime Minister: There is a perfectly simple distinction between a national health service that should indeed be reformed, as the Chancellor said yesterday and as I say today, and the right hon. Gentleman's proposals to force people out of the health service to pay for their treatment—*[Interruption.]* There can be no other explanation of the words that he used. There are two issues in the debate. First, do we need more resources for health care in this country? Answer, yes. Secondly, do we get those extra resources from general taxation payments, from specific payments like social insurance in France and Germany, which is also a form of taxation, or by making people pay directly for their health care? We believe in the first. What on earth does the right hon. Gentleman believe in?

Mr. Robert N. Wareing (Liverpool, West Derby): Does my right hon. Friend agree that the time has come for a much more rational airports policy? Is it not ludicrous that congestion is being increased by the building of a fifth terminal at Heathrow, when many people, business men and tourists who live in the north of England have to traipse down to London before they can start their journey abroad? Is it not time to expand airports such as Liverpool, Leeds-Bradford and Newcastle? Is that not the rational approach to airports policy?

The Prime Minister: If my hon. Friend will allow me, I hope that he will add Teesside, in which I have a particular interest, to that list. We have to do two things. Because of the greater demands on air travel by a range of different sources, we will have to develop Heathrow, but we will have to develop our regional airports as well. That is one reason why the recent developments in Manchester are welcome. We therefore need to do both things, but I entirely agree that additional pressures on air travellers will mean that we need increased capacity.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): In January last year, the Prime Minister gave a specific personal commitment on national television that his Administration would raise spending on health provision in this country to the European Union average by 2005. What significance should we all read into the Chancellor's statement yesterday afternoon which made no mention of that whatsoever?

The Prime Minister: Only the Liberal Democrats could read the Chancellor's statement as being ungenerous in funding the national health service. The fact is, we need to increase substantially the resources going into the health service. The benefit of what the Chancellor said in the report that he launched yesterday is that, for the first time, we can have a serious and proper debate about where that money comes from. The one thing that is ludicrous to suppose, although there are parts of the media that did so this morning, is that the choice is between, on the one hand, a health care system funded by general taxation and, on the other, a better funded health care system that somehow comes for free. The issue in all cases will be how to fund that health care properly, given that we need a substantial increase in resources. We have made it clear that along with that increase in resources must come substantial reforms in the national health service to make it work efficiently.

Mr. Kennedy: Methinks the Prime Minister does protest too much. I just want a straight answer to a straight question—*[Interruption.]* I am trying to be generous. The Prime Minister committed himself to raising health expenditure in our country to the European Union average by 2005. Is that still the policy of his Government?

The Prime Minister: Of course it is. That is precisely the point of the Chancellor's announcement yesterday. With respect to the right hon. Gentleman, he is not being generous—we are. Whatever system we have, the money must come in the end from general taxation, from social insurance, or from people paying—*[Interruption.]*

Mr. Speaker: Order. Let the Prime Minister answer.

The Prime Minister: The purpose of what the Chancellor is saying is to get additional money into our health care system. After yesterday's statement, only the Liberal Democrats could still be saying that it is not enough.

Mr. Tony Banks (West Ham): We all share concern for the people of Afghanistan, but will my right hon. Friend show compassion for the animals of Afghanistan? Has he seen the pictures of the animals in Kabul zoo such as Marjan the lion and that poor black bear that had its nose sliced off by some barbarian? Will my right hon. Friend call to Downing street the concerned animal welfare organisations so that a relief operation could be mounted to save the animals in Kabul zoo and in Afghanistan? If he is prepared to do that, I know that millions of animal lovers throughout the country will be eternally grateful to him.

The Prime Minister: I understand the point that my hon. Friend raises; it has been raised by many people in the past few weeks. I cannot undertake to arrange the specific meeting for which he asks, but I will consider carefully what he said, and make sure both that the issue is taken up by Government and that he is given a satisfactory reply.

Q2. [16000] **Sir Michael Spicer** (West Worcestershire): Why cannot we have a proper public inquiry into the foot and mouth disaster? What does the Prime Minister have to hide?

The Prime Minister: There are inquiries into the foot and mouth outbreak, which will indeed be public. On any basis, those inquiries must look at all the various aspects of the matter. I do not believe that a full-dress statutory tribunal costing millions of pounds and probably lasting two or three years would be helpful to the farming industry or the future of farming production.

Q3. [16001] **Dr. Brian Iddon** (Bolton, South-East): Some health authorities are spending well below their target funding levels—about £13 million, in the case of Wigan and Bolton. Does my right hon. Friend agree that yesterday's announcement of extra money for the national health service, along with the fact that we are setting up new primary care trusts next year, provide an excellent opportunity to tackle that problem? That, in turn, would allow the Royal Bolton hospital to increase its capacity in order to meet an ever-increasing demand for its services?

The Prime Minister: My hon. Friend is right. It is not just the additional resources that are needed in the health service; we also need to carry out the reforms, in particular so that by 2004, 75 per cent. of the money in the health service will be spent through primary care trusts. That is a huge reform in itself. A series of negotiations is under way that will change the contracts of doctors, consultants and nurses to provide greater flexibility and better incentives. The national service frameworks in each main disease area will give us national minimum standards right across the piece. My hon. Friend is right. We must make sure that the money is properly spent to deliver better health care. The reform and the investment go together.

London Underground

Q4. [16002] **Richard Ottaway** (Croydon, South): What are his plans for the financing of London Underground; and if he will make a statement.

The Prime Minister: Our plans for the modernisation of the tube will unlock some £13 billion for investment and maintenance over the next 15 years. We believe that the public-private partnership is the best way to do that.

Richard Ottaway: I asked the Prime Minister what his plans were, not how he is getting on. Does he recall his manifesto pledge on the underground:

> "Better transport is crucial to the future of London. . . Labour plans a new public/private partnership to improve the Underground"?

That was not in 2001. That was in 1997, and nothing has happened since then. Will the Prime Minister show his commitment to devolution, stop arguing with the mayor, and fully involve the Greater London Authority in working out what is best for London's long-suffering underground passengers?

The Prime Minister: We will proceed with the plans that we have. I say to the hon. Gentleman that he is probably in a worse position than any other Member of this House to raise the issue of the tube. If we are quoting what people said in 1997, let me quote what he said in July of that year. He referred to the

> "now glaringly obvious success of railway privatisation"

and asked the Government to

> "admit that the privatisation of London Underground is the best way forward."—[*Official Report*, 29 July 1997; Vol. 299, c. 139.]

Engagements

Q5. [16003] **Mr. Peter Duncan** (Galloway and Upper Nithsdale): Will the Prime Minister confirm that, of the 416,000 stakeholder pensions that have been sold to date, a miserable 1 per cent. have been sold to the target group?

The Prime Minister: It is important, as we have said, that the stakeholder pensioner group is expanded, but as a result of the reforms that we have introduced, for the first time, many of the people in that group will have access to low-cost pensions; otherwise, they would simply have no access to pensions at all.

Q6. [16004] **Mr. Neil Gerrard** (Walthamstow): In the light of repeated statements by senior United States politicians and officials, including President Bush, suggesting that countries other than Afghanistan may become targets for the United States, will the Prime Minister confirm that he will not support the extension of military action to countries such as Iraq, Sudan, Somalia or Yemen?

The Prime Minister: First of all, it might be helpful to quote what President Bush actually said. He said:

> "Afghanistan is still just the beginning. If anybody harbours a terrorist, they're a terrorist . . . If they house terrorists, they're terrorists . . . I can't make it any more clearly to . . . nations around the world. If they develop weapons of mass destruction that will be used to terrorise nations, they will be held accountable. And as for Mr. Saddam Hussein, he needs to let inspectors back in his country, to show us that he is not developing weapons of mass destruction."

I totally agree with those sentiments. I have always said that this operation will have two phases. The first is in Afghanistan and our military action is focused there. The second is to take in a deliberative and considered way what action we can against international terrorism in all its forms. That has been the position from the beginning. It is the position of myself, the American Administration and everybody else in the international coalition, and that remains the case.

Q7. [16005] **Bob Russell** (Colchester): While I acknowledge that equality of opportunity for our young people is something that you support—[HON. MEMBERS: "He supports."] While that is something that he supports, is the Prime Minister aware that funding for young people in our sixth-form colleges is approximately 30 per cent. less than that provided for young people attending sixth forms in schools? I acknowledge that that problem arises from the formula created by the last Conservative Government, which provides roughly £1,000 a year less, but when will he increase the funding to the same level?

The Prime Minister: What we can say is this: we recognise that there is a gap between the way in which schools and sixth-form and further education colleges are funded. It is for that reason that an increase of, I think, about 12 per cent. in real terms, will be going to further education colleges. It is also for that reason that we have changed the way in which funding is provided to sixth forms in schools, sixth-form colleges and further education colleges, through the Learning and Skills Council. What we need to do, without in any way penalising sixth forms in schools, is to lift up the funding that is given specifically to sixth-form and further education colleges.

Q8. [16006] **Ms Julia Drown** (South Swindon): Does my right hon. Friend agree that, despite the significant additional funds given to Swindon schools under this Labour Government, it is wrong that areas with better exam results, such Chingford and Woodford Green, get £1,000 more per student than Swindon schools? Will he take steps to ensure that that inequality is addressed, not in two years' time, but in next year's settlement?

The Prime Minister: I think that what I can promise my hon. Friend is that we will make sure that Swindon gets the extra resources that are, of course, going to schools up and down this country. I understand the arguments about the standard spending assessment and how it is calculated. She will know that the Government are consulting on that now. I think that it is probably wise not to say anything more at this stage.

Q9. [16007] **Mr. Edward Davey** (Kingston and Surbiton): Does the Prime Minister think that the transportation of nuclear fuel and the production of nuclear power are more or less safe in Britain following the terrorist outrages of 11 September? What conclusion does he draw?

The Prime Minister: The conclusion that I draw is that the very strict regulations covering the transportation of nuclear waste should continue. They are, and have been, in force and are very carefully monitored. I do not believe that there is any increased terrorist threat in this respect.

Q10. [16008] **Mike Gapes** (Ilford, South): Does the Prime Minister agree that it is time that pensioners were rewarded for saving, and got a guaranteed income and guaranteed increases? Does he think that pensioners in households that receive £200 every winter for the rest of this Parliament will agree that that is a cock-eyed way of increasing pensions?

The Prime Minister: I do not know whether the right hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) will remember that those words were used to describe, I think, the minimum income guarantee and the winter fuel allowance, but that was wrong. What was announced yesterday for pensioners is in addition to the £200 winter fuel allowance and the free TV licences for the over-75s. Almost 5.5 million pensioners will benefit from the new pension credit, and there is also the minimum income guarantee. All this is about creating a stronger and fairer country, particularly for those people who have reached the end of their working lives and who need some security in their old age.

Q11. [16009] **Mr. Graham Brady** (Altrincham and Sale, West): Will the Prime Minister give a personal guarantee that there will be no change in the sovereignty of the people or the territory of Gibraltar without the self-determination of the people of Gibraltar?

The Prime Minister: We stick absolutely by the 1969 resolution, which makes it clear that there should not be a change in the constitutional status of Gibraltar without the consent of the people there. I strongly believe that the Brussels process—which was, after all, started under the previous Conservative Government—which allows Britain and Spain to discuss these issues sensibly, should go forward. It would be very unfortunate if it did not do so. I also believe—I say this frankly to the people of Gibraltar—that it would be better if the Chief Minister of Gibraltar and the Gibraltar Government participated in that process.

Mr. Graham Allen (Nottingham, North): My right hon. Friend spoke last week of missed opportunities in Europe. Does he agree that a European constitution which defined the rights of the nation states as well as the duties of the European Union, and which placed subsidiarity at the head of that text, would place a road block in the way of those who want a European superstate and reassure those who see Britain and Europe's future together?

The Prime Minister: I certainly agree with my hon. Friend that an important part of the debate on the future of Europe is to try to draw up a proper list of the competencies of the European Union. It is also important to ensure that when Europe needs to co-operate more effectively, it can do so, and to identify areas in which Europe may decide to do less. What was interesting about the paper prepared by France and Germany at the end of last week was that there was widespread acknowledgement across Europe that there may well be areas in which we need to work more closely together—for example, the single market, immigration and asylum, organised crime, and defence policy. There are, however, other areas—notably those relating to the regulation of the European Union—in which it is important that we take powers back from Brussels to the nation states.

Q12. [16010] **Mr. Dominic Grieve** (Beaconsfield): Seeing that it is now clear that taxes are going to have to rise, will the Prime Minister give an assurance that the zero rate on children's food and on clothes will be maintained?

The Prime Minister: They are fine ones to be telling us about VAT being extended. We have made those commitments quite clear, and they remain our commitments. The hon. Gentleman and his colleagues have to address this issue. If we believe that more resources are needed for health care, there are only three sources for those resources: general taxation, specific taxation such as social insurance, or forcing people to pay for private medical care. At some point, Conservative Members are going to have to say where they stand on this issue, and not simply in internal memorandums in the Opposition Treasury team.

Q13. [16011] **Paul Flynn** (Newport, West): Following the sad decision in the case of the terminally ill woman, Diane Pretty, who was told that the law would not allow her to die with dignity at the time of her choosing, does the Prime Minister think that it is time for a review of the Suicide Act 1961?

The Prime Minister: I am not in favour of reviewing that legislation. I understand the strong feelings it arouses, but this is a matter of conscience for hon. Members on both sides of the House. I am afraid that I am not in favour of amending the Act. I am sorry to give my hon. Friend the reply he does not want, but that is what I believe.

Mr. Nicholas Winterton (Macclesfield): Is the Prime Minister prepared to meet me later today to discuss yesterday's announcement by BAE Systems of 1,669 redundancies, a thousand of which are at Woodford on the periphery of my constituency? BAE Systems—British Aerospace that was—is ending regional jet production in this country. That is serious; the job losses in my constituency are serious. Are the Government prepared to consider what might be done to assist in this serious situation?

The Prime Minister: First, let me express my sympathy for the hon. Gentleman's constituents who are affected by the announcement. I understand that, later today, my right hon. Friend the Secretary of State for Work and Pensions will make announcements on how we can achieve the right rapid reaction response to job losses such as those in the hon. Gentleman's constituency. As for meeting me, I do not know whether that can be done today, but I am happy for us to meet as soon as we possibly can.

Speaker's Statement

3.31 pm

Mr. Speaker: Last week, I undertook to consider Members' concerns about ministerial replies to questions and to make a statement. It would be unwise for me to express a view on the adequacy of a particular ministerial answer. There are bound to be two views on that, and neither is a matter for me. The same is true of complaints about the transfer of individual questions. So I cannot alter the ruling that I gave last Wednesday and sit in judgment on particular answers. Faced with unsatisfactory replies, Members should seek advice—the Table Office is always ready to help—and then they should persist. One pointed question can, in my experience, achieve more than 20 vague ones. But I believe that the House would expect me to go beyond saying that the impartiality of the Chair makes it impossible for me to deal with individual cases. The House's legitimate expectations are contained in the 1997 resolution on ministerial responsibility. It is the duty of a Speaker to do what can properly be done from the Chair in support of the resolution. It is the duty of Ministers to act in the spirit of the resolution. The resolution says:

> "Ministers should be as open as possible with Parliament, refusing to provide information only when disclosure would not be in the public interest, which should be decided in accordance with the Government's code of practice on access to Government information."

While it is for the House at large, not the Chair alone, to hold Ministers to those obligations, I can best discharge my responsibilities by suggesting ways in which Members might help themselves. The Procedure Committee is undertaking a wide-ranging inquiry into

> "the extent to which the current system of questions contributes to effective parliamentary scrutiny".

I have no doubt that the hon. Member for Macclesfield (Mr. Winterton) will be happy to receive chapter and verse if any Member feels that the system is ineffective and scrutiny is being thwarted. The Committee has already sent round a questionnaire, and I am sure that many Members will want to take the opportunity to contribute to the inquiry.

Secondly, when Ministers refuse to answer questions, they are expected to indicate in their reply why they have refused by reference to the Government's code. The Public Administration Committee regularly looks into the pattern of answering and makes a report to the House. Again, Members aggrieved at a ministerial refusal to answer might get in touch with the Committee Chairman, the hon. Member for Cannock Chase (Tony Wright).

If Members individually take the appropriate steps to focus their experience through those Committees, and in other ways that may occur to them, the House collectively can make real progress towards better accountability.

Mr. Eric Forth (Bromley and Chislehurst): On a point of order, Mr. Speaker.

Mr. Speaker: I will take points of order later. First we must hear the statement from the Secretary of State for Work and Pensions.

Benefits Uprating

3.35 pm

The Secretary of State for Work and Pensions (Mr. Alistair Darling): With permission, Mr. Speaker, I shall make a statement on the annual uprating of benefits and pensions, on the pension credit, and on new measures to help more people into work.

As a result of the reforms that we have made, we are again able to do more to give more security to those who are unable to work and to those who have retired. This year, we will again increase some benefits by more than the usual uprating. We are also making fundamental reforms to reward savings. I will explain how the pension credit provides a radical departure from the social security system that we inherited, and announce further measures to provide a greater employment opportunity for those who can work.

First, let me deal with uprating. Most national insurance benefits will rise in the normal way, according to the retail prices index—which is 1.7 per cent.—and most income-related benefits will rise by the Rossi index, which is also 1.7 per cent. Details will be placed in the Vote Office, and will be published in the *Official Report.*

We are also doing more to help parents, so that families can balance their work and home lives. The standard rate of maternity allowance and statutory maternity pay will rise from £62.20 to £75 next April. That is the largest increase in maternity benefit since 1958, and will help about 340,000 families a year. In 2003 it will rise again, to £100 a week. Moreover, the sure start maternity grant will rise from £300 to £500 next year. In 1997, a new mother on income support would have received just £100 to pay for essential items; from next year, she will receive £500. That is a substantial increase for mothers on lower benefits.

This year we want to do more to help families who are bringing up children with disabilities. When we came to office, the extra money paid to low-income families with a disabled child was just £21 a week. Last year we increased it by more than £7 a week; this year I can go further. I propose to increase the disabled child premium by another £5 a week—on top of the normal uprating—to a new rate of £35.50. In 2003 it will rise again by £5 over and above inflation, to more than £40 a week on top of basic income support or tax credits. That will benefit about 80,000 children. It will give extra help where it is most needed: it will help families on low incomes, both in and out of work, with disabled children.

I want to announce a further change. In the past, people with the most severe disabilities found that if they or their partners were in work—often against all the odds—they lost entitlement to the independent living fund, which paid for their essential care. From April next year, the earnings of disabled people and their partners will no longer be taken into account in the independent living fund. That is worth an average of £130 a week to those families. At the same time, we will increase the capital limits in relation to the fund, to extend help to people with savings of up to £18,500. That is a £10,000 increase on the current figure.

We are also determined to boost pensioner incomes. In 1997, the poorest pensioners were expected to live on just £68.80 a week. Last year we increased the minimum income guarantee to £92 a week; from April next year,

[Mr. Alistair Darling]

the guarantee for a single pensioner will rise by £6 to £98.15 per week. That is an increase of £23 a week for the poorest pensioners, over and above inflation, since we came to office. For couples, the new rate will be £149.80.

So that all pensioners can share in the rising prosperity, the basic state pension will rise by £3 in April—by £4.80 for married couples. Widows' and bereavement benefits—which, because of the changes we made in 1998, are now paid equally to men and women—will also rise by £3.

As we promised in our manifesto, the basic state pension will remain the foundation of retirement income. That is why we have announced guaranteed rises for the future of at least £100 a year for single pensioners, and at least £160 a year for couples.

We also promised to do more to reward pensioners who have saved for their retirement. A year ago, I published a consultation document that set out our proposals to reward thrift. Today, I am publishing our response to that consultation, setting out how the pension credit will work. Copies will be available in the Vote Office. Tomorrow, I shall also publish the Pension Credit Bill.

All of us have met pensioners who struggled through their working lives to put something by for their retirement, but who then found that they are little or no better off than those who saved nothing. The pension credit will ensure that, in future, it pays to save. The credit works in two ways. First, it will bring pensioners' entitlement up to a guaranteed minimum level of at least £100 a week—or £154 for couples—in 2003, and it will increase in line with earnings for the rest of the Parliament. Secondly, the credit will provide an additional top-up to reward pensioners aged 65 or over who have saved for their retirement. So pensioners with modest second pensions and savings will receive more as a result of their thrift.

A further change is essential to reward savings. We shall abolish the rule that excludes pensioners with £12,000 or more in savings from any help and introduce a fairer system for taking into account income from savings.

About half of all pensioners stand to gain from the pension credit: more than 1 million pensioners from increased guaranteed income, and more than 4 million pensioners from the savings reward and the improvements to the rules on the treatment of savings. Two thirds of those who stand to gain from the pension credit are women, half of them over 75. On average, pensioners will gain £400 a year, with some receiving up to £1,000 a year. That is the difference that the pension credit will make.

Any pensioner with an income below about £135, or couples with an income below £200, will see their hard-earned savings rewarded with extra money, not penalised as in the past. We are also going to make it easier for pensioners to receive all their entitlements. Last year, I said that we would end the weekly means test and the endless form filling, and we shall. The pension credit will be calculated at the same time as the basic state pension, when people retire. For those over 65, whose incomes tend to be more settled, in most cases we shall reassess their income only every five years. Each year, they will see an automatic increase in their pension credit, after the uprating, and that will take account of any changes in their second pensions.

The pension credit will increase guaranteed income, end the weekly means test and reward thrift. It will also remove an injustice in the system: for the first time, it will pay to have saved. More than 5 million pensioners stand to gain from it.

I now turn to employment. In the past four years, we have introduced more help than ever before to make work pay and to make work possible. Today, with my right hon. Friend the Chancellor of the Exchequer, I am also publishing a paper that demonstrates the need to provide more employment opportunities to those who have missed out in the past. The analysis shows very clearly what happened when we did not have a system that actively helped people into work, and when the then Government took a hands-off approach to unemployment, leaving it all to chance. Between the 1970s and the mid-1990s, the number of lone parents and sick and disabled people on benefits trebled. A whole generation was written off.

Three immediate conclusions follow from that paper. First, we have to do more to help everyone of working age to get into work wherever possible. That is why, starting next year, we are extending the single gateway to the benefits system—Jobcentre Plus—across the whole country. Everyone of working age will have work-focused interviews to help them into jobs wherever possible.

Secondly, when people lose their jobs, the evidence shows that the quicker we intervene, the quicker people will get back into work. As the Chancellor said yesterday, our economy is well placed to deal with global uncertainty and the labour market is in a stronger position than in a generation. However, when people do lose their jobs and there are redundancies, we have to take action quickly. In many cases, jobs are available: every month, half a million people enter work or change jobs. So we need to do more to match people with the vacancies that employers are trying to fill. The fact is that 10,000 vacancies are notified to the Employment Service every working day.

Today, therefore, I can announce that, over the next two years, I am allocating an additional £6 million to the rapid response service which offers prompt help to those who have been made redundant. The money will be used by each region to put together the right response for people in their communities, ensuring that people affected by redundancy have the information and help that they need to find new jobs. The service will work to match people's existing skills to those needed by new employers, and it will ensure that retraining is available to help people move into new industries.

Thirdly, we have the lowest unemployment level for 25 years, but there are still people who need extra help to take up available jobs in their areas. Over the past four years, the new deal has established a new welfare contract, with more help and support than ever before, in return for greater responsibility on the part of individuals to help themselves. Today, I can announce a further measure that will build on the new deal to help long-term unemployed people who need more intensive help to get into work.

We will guarantee those people who qualify a full-time job, lasting up to a year, and paid at the national minimum wage. They will have the same employment rights, and they will be entitled to the same in-work benefits, as anyone else. In return, it is not unreasonable to require people to take up that opportunity. We aim to give people a choice of job, but they will not be able to turn down all offers and remain on benefit.

We will start that approach in six places from April next year, in areas in Sheffield, Cardiff, Oldham, Sunderland, Lambeth and east Ayrshire. We will follow those with a second group over the summer, covering areas in Leeds, south Manchester, Sandwell, Bristol and Greenwich. In the autumn, we will start further pilots in Hackney, Great Yarmouth, Knowsley, Rotherham and Coventry, with provision starting by the end of the year in Burnley, Wrexham, Dundee and Bradford. I will be writing to hon. Members who represent the constituencies involved to ask them to become involved in the new project.

We will pay for those jobs, working in partnership with employers, local authorities and organisations with experience in offering intermediate labour market opportunities. It is an investment of more than £40 million over two years to equip 5,000 people who are currently long-term unemployed with the skills, the support and the experience of work they need as a stepping stone to jobs in the local labour market.

Britain's unemployment is the lowest since the 1970s. The new deals have helped hundreds of thousands of people into work. We are determined to ensure employment opportunity for all—including those who have missed out in the past—and these measures will help us to do that. We are doing more to help people into work, and to help those who cannot work. We are also making sure, for the first time, that pensioners are rewarded for their savings. I commend this statement to the House.

Mr. David Willetts (Havant): I thank the Secretary of State for his statement. We welcome what he said about benefits for disabled people. At the heart of his statement, however, was a radical shift in policy on pensions. Hon. Members on both sides of the House used to regard the basic state pension as fundamental in determining the income of many pensioners. Those days are now over.

The minimum income guarantee is to be worth far more than the basic state pension and is to increase in line with earnings, not prices. It will provide the base for the pension credit. More than half of pensioners will therefore have their total income determined by that means test. The value of the basic state pension will be irrelevant for them. The Secretary of State made much play—as did the Chancellor yesterday—of the pledge that the basic state pension will always increase by at least £100, but he owes pensioners an answer to the following crucial question. Will those increases be passed on to pensioners who are on his means test, or is he only able to give that promise because it will cost so little—the value of the basic state pension being offset, pound for pound, against the minimum income guarantee and therefore, under the new regime, irrelevant for millions of pensioners? Will the Secretary of State confirm that, after the changes of which he is so proud, the only pensioners who will enjoy the full value of any increase in the basic state pension will be the most affluent pensioners, for whom it is a relatively modest part of their total income? Is that really what the Government mean by welfare reform?

By the time the Secretary of State has implemented his proposals, almost 60 per cent. of pensioners will be on means tests. Labour Members used to jeer at means tests, but today they cheer them. Surely, however, they must be concerned—I know that some of them are—by the implications of the policy for savings in general and the Government's stakeholder scheme in particular. How can the Secretary of State be so confident that he is rewarding savings when many more pensioners than ever before will face rates of benefit withdrawal of at least 40 per cent. A 40 per cent. marginal rate is bad enough, but for many pensioners it could be far worse. For a pension credit recipient who is also on housing benefit and council tax benefit, the marginal rate could be 91 per cent.

If pensioners do not lose housing benefit—I know that the Secretary of State mentions the point in his paper on the pension credit—when they receive the pension credit, it will mean that many more pensioners will be on housing benefit and will face those high marginal rates of benefit withdrawal even further up the income scale.

The Secretary of State's Department and the Treasury have made an art form of disguising true marginal rates by ignoring council tax benefit and housing benefit in the figures that they bring to the House. You, Mr. Speaker, made a very welcome statement a few minutes ago, in which you referred to the need to answer written questions fully. Last night, I tabled questions to the Chancellor about marginal rates of benefit withdrawal—*[Interruption.]* No, and I am giving him notice. Those marginal rates of benefit withdrawal were not merely the marginal rates of loss of pension credit, but included the loss of housing benefit and council tax benefit. I look forward to the Treasury's full answers to the questions that I tabled.

I also welcome the Secretary of State's complete climbdown on the capital rules for pensioners. When he announced that he was abolishing the old formula, he said that he would instead take account of the actual incomes that pensioners earned from their savings. We warned him then that millions of pensioners would be trapped in incredibly complicated and fine judgments with regard to reporting tiny changes in actual income. The right hon. Gentleman has now reverted to a formula almost identical to the one that he was denouncing until a few weeks ago. We welcome the fact that, instead of trying to measure the actual income from savings enjoyed by millions of pensioners, we are once more to have a far simpler formula for the treatment of savings.

Another question about the Secretary of State's pension proposals concerns the Government's promise that the pension credit would be introduced alongside the minimum income guarantee uprating in April 2003. I am glad that the Chancellor is in the Chamber today, as the table on page 170 of the pre-Budget report makes it clear that the cost of the pension credit when it is introduced in 2003-04 will be £975 million. However, that is only half the £2 billion that it is expected to cost in the following year.

That can mean one of two things—either that the Government are delaying the implementation of the pension credit beyond their original target of April 2003, or that the pension credit will be so complicated to claim that the Chancellor's forecast is that half of eligible pensioners will not be able to secure the credit in its first year of operation. I should be very interested to hear why the Secretary of State believes that the cost of the pension credit in its first year of operation will be half that of subsequent years.

[Mr. David Willetts]

I shall look with interest at the report compiled by the Secretary of State and the Chancellor on the new deal in employment. It is striking that, although unemployment has risen recently, the claimant count has risen by only a very modest amount, despite a dramatic increase in economic inactivity. We will read the debate on the matter with interest. The Chancellor suggested that there should be a big national debate on these questions, and we look forward to future debates on economic inactivity.

However, I hope that those debates do more than analyse the problem of economic inactivity. I hope that they analyse the effectiveness of the Government's claims to be tackling the problem. The Secretary of State knows, from the evaluations published by his Department, that many of the reforms for which he claims credit—such as the new deal for lone parents and the new role for personal job advisers—are not leading to more participants in the schemes finding work. That is what was promised, and the deficit is especially notable in the pilot areas. I hope that the debate analyses the effectiveness of the Secretary of State's policy measures, not just the increase in economic inactivity.

I regret that the Secretary of State omitted to refer to the changes in family benefits. The Chancellor has introduced four new tax credits already—the working families tax credit, the child care tax credit, the children's tax credit and the baby tax credit. He has now decided to scrap them, and to introduce two other tax credits—the employment tax credit and the integrated child credit. However, just in case any family in Britain was in danger of understanding the regime, the new credits have been renamed, even before they have been introduced. They are now to be called the child tax credit and the working tax credit, and they are not to be confused with the children's tax credit and the working families tax credit.

Do the Chancellor and the Secretary of State seriously expect Britain's hard-working families to negotiate their way around a system whose structure—let alone the rates involved—changes every year that the Government are in office? Is it any wonder that the National Association of Citizens Advice Bureaux gave a warning last week, which I wish the Chancellor had taken to heart? It said:

> "both the benefit and tax systems are complicated and intimidating to those lacking in financial literacy skills . . . The complexity of benefits and the claiming process is one reason why millions of pounds worth of benefits go unclaimed by people on low incomes . . . more needs to be done to ensure that all low income groups can claim the credits or benefits to which they are entitled".

That is the challenge which the Government must answer. The relentless tinkering with the structures of credits and tax credits does no service to the very families whom the Chancellor claims he wishes to help.

The Secretary of State and the Chancellor are still refusing to give any reliable figures for the cost of their new child benefits, although they are due to be implemented in 2003. I believe that the Chancellor is in clear breach of his own code for fiscal stability, which he published with the 1998 Budget and which was subsequently incorporated into the Finance Act 1998. The code for fiscal stability makes it clear that when the Government are planning measures with a fiscal impact, the cost should appear as soon as possible in the pre-Budget report or other economic statements. It states:

> "where the fiscal impact of these decisions and circumstances cannot be quantified with reasonable accuracy by the day the projections are finalised, these impacts should be noted as specific fiscal risks."

That is the code to which the Chancellor bound himself to bring transparency to fiscal policy. He has failed to live up to that in his treatment of credits and tax credits in his statement yesterday. We ought to know how much they are going to cost; that ought to have been covered in the Chancellor's pre-Budget report, and the right hon. Gentleman is in breach of his own obligations for having failed to provide that information.

The Secretary of State and the Chancellor have lost their way on welfare reform. Ministers have abandoned their promise to introduce a welfare reform Bill. They published figures only last week showing that the number of people claiming income support, which is the main means-tested benefit, is for the first time above the level that Labour inherited in 1997 and has reached almost 4 million.

The Government are means-testing more and more people for benefits. I had a letter from a pensioner in Huddersfield this morning. I am pleased to see the Chancellor in his place, because the letter is quite simple:

> "I seem to remember, before the 1997 election,"

Gordon Brown made a clear promise:

> "'If we win, all means-testing of pensioners will end.'"

> "Could you check this for me?"

What has happened to Labour promises about the abolition of means testing? Benefits expenditure is out of control, means testing is growing and the welfare reform Bill has been abandoned.

We read in the press that the Chancellor and the Secretary of State work hand in hand. It is true that they work together. The Chancellor puts more taxes on the pension funds that belong to pensioners and more taxes on families and the Secretary of State, then hands the money back in means-tested benefits for which he expects people to be grateful. The Secretary of State is no more a welfare reformer than the Chancellor of the Exchequer is a tax cutter.

Mr. Darling: I assume that that is it, Mr. Speaker.

Let me go through the various points raised by the hon. Member for Havant (Mr. Willetts). With respect, I think that it is the hon. Gentleman who has lost his way. I recall that this is the man who wanted to get rid of the winter fuel payment. He also wanted to get rid of free television licences, although his policy is now to give them even to people who do not have televisions.

The hon. Gentleman is also the proud owner of a pension reform policy that would require a 14-year-old boy to start saving £10 a week just to buy back his basic state pension. So much for the hon. Gentleman's concern about the basic state pension.

The Labour party has made it abundantly clear that the basic state pension will remain the foundation of pension provision. What is more, following my right hon. Friend the Chancellor's announcement earlier this year, we have guaranteed that the basic state pension will go up by at least £100 a year.

What the hon. Gentleman is actually saying is that he does not like the minimum income guarantee and the pension credit and, if he were to get into power, he would get rid of them. Let us be clear about that. It would mean that the floor of £100, which we think is the minimum that pensioners should have to live on, would go.

As for pension credit, Conservative Members might come to regret the position that the hon. Gentleman has taken today. The pension credit would mean that a 65-year-old with an occupational pension of £100 a month would receive £60 a month more. If the Tories got back in, that £60 would go.

At the next election, I would love to come out with any Conservative Member as they go canvassing in the evening, knock on the door and tell a 65-year-old with a £100 occupational pension, "If you vote for the Tories, it will cost you 60 quid." It would be a pleasure to accompany any Tory party canvasser on such an expedition.

On housing benefit and council tax benefit, the response that I referred to a moment ago makes it clear that people will not lose out as a result of the pension credit being introduced.

The hon. Gentleman also had something to say about the capital rules. Yes, we have listened to what Age Concern, in particular, has said. It said that, as far as the capital rules are concerned, it would be wrong for pensioners to have to account for every single penny of interest that they might earn. Therefore, as people have asked, we have kept the £6,000 disregard—which we ignore—and we have introduced a far fairer system.

Let me illustrate the difference between us and the scheme that the Tories promoted. If someone has £10,000 in the bank, that person would have been assumed to have an income of £16 a week under the old Tory scheme. Under the simpler, fairer system that we are introducing, that same person would be assumed to have an income of only £8 a week, half what the Tories were assuming. If the hon. Gentleman wants to argue about which system is better, I am happy to have that argument.

The hon. Gentleman asked about the timing of the pension credit. I have made it clear again and again that the pension credit will be introduced from October 2003. That is why the costings are as they are set out.

The hon. Gentleman then went on to talk about employment, but I am not sure whether he is for or against our proposals. He referred to the paper on the problems that we face as a result of people of working age being economically inactive—I am sure that, as a semi-academic, he will look forward to reading it—but he should realise that there is a difference between the Labour Government and the Conservative party. We have introduced policies to deal with what is undoubtedly a major problem. Through Jobcentre Plus and other measures we are systematically getting people back into work who were not in work before.

It is worth reminding the Conservatives about the new deal for young people. More than 300,000 more young people are now in work, double the number that would have been in work had it not been for the measures that we have introduced. The new deal for 25-plus means that nearly 75,000 of that group have gone into work and the new deal for lone parents has led to more than 100,000 of them going into work. None of that would have happened if the Conservatives had remained in office. Therefore, I take with a very large pinch of salt what the hon. Gentleman says.

The hon. Gentleman mentioned two other points. First, he said that income support levels are up. Actually, the number of people on income support is lower than it was in May 1997. He was of course including the fact that far more pensioners receive the minimum income guarantee. I will not apologise for the fact that more pensioners now get more money as a result of what we have introduced.

The hon. Gentleman then went on to complain about the complexity of tax credits and the integrated child credit. We are making sure that it is easier for people to obtain the access to the monetary help to which they are entitled. We are getting rid of the high marginal deduction rates, and it is worth remembering that, before the working families tax credit was introduced, many people faced more than 100 per cent. deduction. That has gone as a result of the working families tax credit.

Critically, in respect of the measures that we are introducing today and the child credit, we are making work pay for hundreds of thousands of people for whom it did not pay in the past. We are also making sure that we help families in a way that never ever happened under the Conservative party.

Critically, in relation to the pension credit, we are making sure that 5 million pensioners will get more money to reward their thrift. When one strips away everything that the hon. Gentleman said, the key difference between us and the Conservative party is that we want to make sure that we give all pensioners an increase in their income, that we do far more to combat pensioner poverty and, crucially, that we reward the 5 million or so pensioners in this country who have got nothing for their effort and thrift.

Under the Labour Government and under the pension credit, those pensioners will for the first time get a reward. I am willing to bet that that is another position that the hon. Gentleman has got himself into where it will not be too long before his Back Benchers come to him to say, "I think perhaps you ought to rethink your position because, once again, you've got it very, very wrong."

Mr. Steve Webb (Northavon): As another semi-academic, I thank the Secretary of State for his courtesy in making the statement.

On integrated child credit, will the right hon. Gentleman clarify the position of a two-earner couple, both on £20,000 a year who at present get a full child credit, who, when their incomes are added together, might get next to nothing? Those people do not know what their incomes will be the year after next. Will the Secretary of State tell them?

On pension credit, what computers underlie that complicated system? Will the Secretary of State confirm that his Department's spending on computers to run pensioner benefits has risen sevenfold, from £57 million to £432 million? Given that he will not tell us in written parliamentary answers why that has happened, will he tell us on the Floor of the House? Has it anything to do with the pension credit, perhaps?

Does the right hon. Gentleman accept that the pension credit is far more complicated to claim than the basic state pension? Is it not inevitable that a complicated benefit is

[Mr. Steve Webb]

less likely to be taken up than a straightforward benefit? Given that half a million people already fail to claim the safety net benefit—the poverty line benefit—will he confirm that he expects the take-up rate for the pension credit to be higher than it is for the minimum income guarantee? Is he confident that the proportion of those who claim their entitlement to the benefit will be higher—yes or no?

Finally, given that the pension credit is so straightforward, perhaps the Secretary of State can tell me one thing: how much pension credit will a single pensioner on a basic pension with an occupational pension of £40 be entitled to receive?

Mr. Darling: On the hon. Gentleman's last question, I can help by referring him to the excellent publication "The Pension Credit", which I presume he received with my draft statement. It has an extremely helpful table in the back which shows exactly how much someone gets for every pound of saving. I strongly commend it to him.

Mr. Webb: How much?

Mr. Darling: Being an academic, the hon. Gentleman should not be too hard on himself. He is after all, as we are constantly reminded in the Order Paper every day, a professor. If he cares to look at some of the evidence, he will see exactly how much someone can get from the pension credit.

The hon. Gentleman asked about computers. I will deal with that, although I cannot for the life of me understand what it has to do with the policy on pension credit. As I have told the House before, the Department for Work and Pensions computer systems are for the most part 20 to 30 years old. They are antiquated and in sore need of investment. We got that investment last year in the current spending review, which is why the figures in our departmental estimate for replacing the computers have increased. In our first term in office, just after the Conservatives had been in power, the money was not allocated to us. From this year, we have the money. We must replace the information technology systems. If we do not, they will be obsolete in about three or four years time. I understand why the hon. Gentleman, as a Liberal and a professor, would raise such a point, but it does not have much to do with the pension credit.

The hon. Gentleman also mentioned the complexity of the system. He will know, because he does know something about this, that the calculations behind the basic state pension are complex because of the contributions and the rest. As I said, it is the foundation of pension provision and it is important. The concept of pension credit is also straightforward. It does two things. It provides a floor beneath which pensioner incomes should not fall. If someone has a pension of less than £100, from 2003, we will top it up to £100. On top of that, we will reward their second pension or their savings, as the case may be.

I gave the example to the Conservatives and I will give it to the Liberals because it looks as if they will be knocking on doors with the same message—that they, too, will take away the pension credit. If they knock on the door—perhaps in the hon. Gentleman's constituency—of someone who is 65 with an occupational pension of £100 a month, that individual will receive £60 a month on top under the pension credit. The Conservatives and the Liberals will no doubt be fighting on the doorstep to persuade that person to vote for them on the grounds that they will remove £60 a month. There will, of course, be three of us on the doorstep, because I mean to be there to listen to the argument.

Mr. George Mudie (Leeds, East): I congratulate the Secretary of State on the many measures that he outlined, in particular the transitional employment scheme and its good tie-up with the national minimum wage. That will enable us in Leeds—I am delighted that he has included Leeds in the pilot areas—to put in work the 10,000 people in the inner-city, many of whom are from the ethnic communities, including Bangladeshis, Afro-Caribbeans and Pakistanis, and the thousands of one-parent families, all of whom have not had the opportunity to share in the nation's prosperity. My right hon. Friend deserves to be congratulated on the scheme. It seems bad after saying that, but I must draw my right hon. Friend's attention to a slight error: he has put Leeds in the second tranche of pilot areas. As we are very anxious to put those people into work, I wonder whether there is any flexibility to enable us to start earlier.

Mr. Darling: On the latter point, I did say that I would be writing to all the hon. Members who represent the areas concerned, and that will include my hon. Friend.

The first six areas are those in which we are reasonably confident that we can get the scheme up and running quickly. For the reasons that I stated, I want to set up the pilots as quickly as possible. As my hon. Friend will know, Leeds is an interesting case that shows why we need to take action. Its employment rate is about 80 per cent., one of the highest in the country, yet there are parts of Leeds—my hon. Friend highlighted those with an ethnic minority population—where the employment rate is only just over 50 per cent. If we genuinely want to provide opportunities and jobs for everyone, we need to introduce measures such as this to provide people who are not yet in work with far more intensive help than ever before.

Local leadership, including employers and Members of Parliament, is absolutely critical for this policy, as it was for the new deal, particularly in the early days. I believe that it will go a long way towards solving a problem that many people thought was intractable. I do not think that it is intractable, and it is worth putting in the extra effort to make sure that we get people into work. I am grateful for my hon. Friend's support.

Mr. Paul Goodman (Wycombe): The Secretary of State knocked on the door of Help the Aged yesterday, and Help the Aged said of the pensioner credit that it is complex and arbitrary, and will draw half of the older population into means testing. What is his response to that?

Mr. Darling: Naturally, I do not agree with the hon. Gentleman or the analysis to which he refers. The objective of our pension reform is to make sure that we help all pensioners, just as we help all children, but we give more to those who most need that help.

As a Conservative, the hon. Gentleman may care to remember his party's legacy to us. By 1997, the gap between the better-off pensioners and the poorest pensioners was as wide as it had been nearly 40 years earlier. We believed that to deal with that problem we had to give more money to those poorer pensioners, which was why we introduced the minimum income guarantee, and the guarantee element will continue. We believed also that for those millions of people who had done everything that successive Governments told them to do—Conservative and Labour Governments told people to save for their retirement—it was important to introduce a system that supported rather than penalised thrift.

The hon. Gentleman must be aware that if he had his way, and there was no pension credit, we would return to a system in which somebody who saved money would lose out. That cannot be right, which is why we are introducing what I regard as one of the most radical changes to the social security system for 50 years and moving to the credit system, which rewards people for their thrift. I should be very surprised if, once it has been introduced, another party were to come along and offer to remove money from over half of the pensioner population—it would certainly be a courageous step.

Mr. Chris Pond (Gravesham): Following the comments of my hon. Friend the Member for Leeds, East (Mr. Mudie), may I point out a further error by the Secretary of State? Gravesham is not included in even the second tranche of the pilot schemes for the transitional employment programme, although I have to admit that we have had considerable success in creating employment.

I very much welcome the fact that the scheme will include a basic minimum wage and the employment rights and in-work benefits that my right hon. Friend mentioned, so that people will not only be helped into work but be given an opportunity to move on to the next stage. Will he give a commitment that those in the scheme will also have the support of personal advisers to make sure that they can move into long-term employment and build an even better standard of living for themselves and their families in the years ahead?

Mr. Darling: I believe that unemployment in my hon. Friend's constituency has come down by over 44 per cent. since 1997, helped to a considerable extent by the various measures that we have introduced to get people into work, of which the new deal is the centrepiece. The new measure is in addition to all that, and will now be a major part of the work implemented by Jobcentre Plus. People will have their own personal adviser who sticks with them—that is central to the Jobcentre Plus approach. As my hon. Friend knows only too well from his previous occupation as well as his experience as a Member of Parliament, people who have been out of work for a long time very often need far more help and intensive engagement than those who have just come out of mainstream employment. The new measure will incorporate that feature, because it is essential to get people into work.

Lady Hermon (North Down): I warmly welcome the Secretary of State's statement, but may I draw to his attention what appears to be a slight oversight in relation to Northern Ireland? The 20 areas pinpointed for the new deal pilot schemes include areas in Scotland, Wales and England, but not a single one has been selected in Northern Ireland. I ask him to add at least one more area—if not two—that is in Northern Ireland.

Mr. Darling: It was not entirely an oversight, since these matters are the responsibility of the Northern Ireland Assembly. The hon. Lady did not mention pension credit, but I know that the Minister concerned is keen that measures we introduce are also introduced in Northern Ireland, as has been the case for a long time. As she will know, there are other measures operating in Northern Ireland that will help. I am quite sure that we will do everything we can to work with those in Northern Ireland, share experience and so on, because long-term unemployment is a problem no matter where it occurs.

Mr. Ernie Ross (Dundee, West): I also welcome everything that my right hon. Friend has said, particularly about transitional employment. Unlike my hon. Friend the Member for Leeds, East (Mr. Mudie), I want not flexibility but acceleration, so that my area is moved out of the last tranche and closer to the top.

My right hon. Friend is correct that, under the new deal, we have learned from the mistakes of the Conservative party and dealt with the holes as they have appeared. Today's proposal fills the last hole. With the best will in the world—with the intermediate labour market and new deal advisers working as closely as they can—there will always be one or two individuals who find it almost impossible to get a job. Someone must take responsibility for employing them in the short term in order that longer-term employment can be provided by the private sector. If the Government must take such responsibility, I fully support them in doing so. I welcome the scheme, but I want just a little acceleration for Dundee and Tayside.

Mr. Darling: Everybody wants to be first. I very much hope that, if the pilot projects prove to be successful, we can do more. My hon. Friend is right in saying that some people have substantial difficulties in entering the labour market. The advantage of what we are proposing is that people on the programme will gain experience of a full-time job, which in itself brings invaluable experience and discipline. As I have said, they will get the minimum wage and be entitled to all the rights and benefits that go with full-time employment. Long-term unemployed people, some of whom have substantial difficulties, have often missed the experience of going to work. Most of us here take such experience for granted, but many have just not had that opportunity.

If my hon. Friend has time to read the paper that the Chancellor and I are publishing today, he will see clear evidence of what happens when such measures are not taken. As he knows only too well from representing Dundee, there is now a generation of people—mostly over 50 and some in their 60s—who suffered grievously because they were abandoned. I am determined that that should not happen again.

Mr. Christopher Chope (Christchurch): Why is the Secretary of State ignoring the plight of 1 million pensioner households that are in council tax poverty, in the sense that they are spending more than 10 per cent. of their income on council tax each year? Do not his statement and that made by the Chancellor yesterday show

[Mr. Christopher Chope]

that, as a result of Government policy, council tax next year will rise by 7 per cent—four times the rate of inflation, as set out in table B11 of the pre-Budget report—and that even more than 1 million pensioner households will find themselves in council tax poverty? Is not that totally unacceptable?

Mr. Darling: I must say that I had no idea that the hon. Gentleman was a champion of people on low incomes. That escaped my attention during all the years during which he was a Minister and I sat on the Opposition Benches. I do not recall him expressing any such concern.

The Government have done a number of things to help people living in council houses and elsewhere—principally getting people into work and ensuring through the working families tax credit that work pays, and by introducing measures to help older people. A whole range of measures have boosted the income of people on low pay. The hon. Gentleman did not of course mention that he is against each and every one of them.

Mr. Andrew Dismore (Hendon): When going around my constituency explaining pension credit to my constituents, I have met pensioners who are somewhat suspicious of the programme—not for the reasons given by the Conservatives, but because they thought it was too good to be true that, at long last, a Government were recognising their long-standing complaint that they had been saving all their lives but had nothing to show for it. On behalf of the thousands of pensioners in my constituency, I congratulate my right hon. Friend on his statement. What plans does he have to make sure that all those who are entitled to it take up that important benefit?

Mr. Darling: On my hon. Friend's first point, I am sure that once pension credit starts to be paid, from October 2003, more and more pensioners will come to realise its benefit. If I were my hon. Friend, I would not worry too much about what the Conservatives say. Remember, theirs is the party that said that pensioners would not like the winter fuel payment—so certain were they of that that they intended to abolish the winter fuel payment. They have changed their mind, as they have on the minimum wage and other measures. That suits me fine: if the Tories want to take money away from people, Labour Members will be absolutely delighted to test that policy at the next opportunity.

My hon. Friend raises an important point about entitlement. When people retire, we have to write to them to say what their basic state pension is. Our objective is to make sure that at the same time we calculate their guarantee element and the credit. We intend to fix the award to pensioners over the age of 65 for five years so that we do not have to trouble them unless some major change in circumstances occurs. All that plus the IT to which the professor referred will ensure that in future we will have a far easier and a far better system for getting pensioners the money to which they are entitled.

Hywel Williams (Caernarfon): We in Plaid Cymru and the Scottish National party are concerned about the operation of the means test and its differential effect in areas such as ours, where incomes are low and there are many pensioners. Will the right hon. Gentleman tell us, not the number of people who are claiming minimum income guarantee but the percentage of people who are not claiming it? Does he foresee that percentage falling as his measures are applied?

Mr. Darling: The hon. Gentleman is right in one respect. The effect of pension credit is differential; basically, it gives more money to poorer people as well as rewarding those who have modest savings. I regard that as a good thing. Unfortunately, Scotland and Wales have more than their fair share of poor pensioners. That is why the minimum income guarantee proved so successful and popular in both countries and why I believe the pension credit will prove successful in both countries. When the hon. Gentleman has had a chance to reflect on his party's position—no doubt, the Scottish nationalists will do the same—I think that he will see that the pension credit will be welcomed in both countries. If those parties want to take a different view and to oppose the measure, I shall be extremely happy.

Gillian Merron (Lincoln): I welcome the announcement of more money going into the pockets of all pensioners, especially the poorest, as well as the simplification of the minimum income guarantee claim form—a change that was warmly welcomed by Age Concern in Lincoln. May I ask my right hon. Friend to ensure that his Department increases its efforts to find new ways in which to promote the take-up of minimum income guarantee, so that we can be sure that every pensioner who is entitled benefits both from the benefit and from the recent increases that he has announced?

Mr. Darling: I certainly intend to do that. I want two things to be developed in the coming years as new and better IT is implemented. We are starting to send annual pension forecasts to the working population, but we have a problem in that no one has to tell my Department when they move, so we do not always keep in touch with them. Once more regular contact is established, it will be much easier to get in touch with people as they approach retirement and tell them what their basic state pension is likely to be, as well as asking them about second pensions and so on.

In the coming years, we will get better, but in the immediate future we will, as my hon. Friend rightly urges us to do, continue to step up efforts to ensure that people get the money to which they are entitled. It has been our experience that as we increase the amount of money available, interest tends to increase. I am pretty confident that, as the years pass, more and more people will receive their entitlement. In future, people will wonder why it took so long for any Government to start to work to eradicate pensioner poverty and, critically, to reward those 5 million people with modest means who should have been helped long ago.

Mr. Gerry Steinberg (City of Durham): I welcome my right hon. Friend's proposals. The greatest grievance about which I heard in my constituency was from pensioners complaining that they were being penalised for saving when they were younger. The majority of pensioners to whom I have spoken are delighted with Government policies. They tell me that they are much better off than they have ever been.

I still have a big worry. Will my right hon. Friend assure me—I ask him to explain more fully—that his latest proposals will not mean that some pensioners will lose out in terms of council tax relief and housing benefit? When pensioners have been given increases in pensions, they often lose out in that way. They find that they are worse off at the end of the day. Can my right hon. Friend assure me that that will not happen this time?

Mr. Darling: My hon. Friend raises an important point. I can do no better than refer him to page 6 of the pension credit document, which he can send to his constituents. The passage clearly reads:

> "Nobody will lose Housing Benefit or Council Tax Benefit as a result of the Pension Credit."

I strongly commend the paper. It is a handy size for putting into an envelope, if my hon. Friend would care to send it to his constituents.

Mr. Chris Mullin (Sunderland, South): I am grateful to my right hon. Friend the Secretary of State for the fact that Sunderland is to be included in the pilots for the new programme that is aimed at the hard-core unemployed. The working families tax credit and the new deal have been of great benefit in Sunderland, where we have some of the most intractable unemployment problems.

May I put it to my right hon. Friend that the best way of dealing with the vast benefit culture that we inherited from the previous Conservative Government is to widen the gap between the world of work and the world of benefit, as we have been doing? Will he confirm that it is his intention to continue widening that gap?

Mr. Darling: My hon. Friend is right to say that it was necessary in the reforms that we put in place to ensure that it really did pay to work, and that people could see the difference. That is what the working families tax credit has done.

We shall keep these matters under review. Despite the fact that my right hon. Friend the Chancellor of the Exchequer is no longer sitting next to me, I do not think that I can give an undertaking on his behalf to widen or improve the working families tax credit just like that. However, my hon. Friend can take it from me that it is the Government's strategy progressively to ensure that it makes a real difference to people if they are in work.

In the programme that I have outlined, there will be a pilot in my hon. Friend's area. A single person who goes into work will be £40 better off a week than if they had stayed on the jobseeker's allowance. That is an example of how much better off people will be, but we certainly want to continue to do more.

Mr. Anthony D. Wright (Great Yarmouth): I thank my right hon. Friend for his statement, and certainly for the inclusion of Great Yarmouth in the new deal for the long-term unemployed. He will be aware that unemployment has fallen by 44 to 45 per cent. since 1997. However, we still have 5.5 per cent. unemployment. The new deal for the long-term unemployed will certainly be welcome.

Will there be any restrictions relating to the age of those who can come on to the scheme? Will there be restrictions on the numbers of people who are eligible for it? There are more than 900 long-term unemployed people in my constituency.

Mr. Darling: These are pilot programmes. They are aimed at people who have been through the new deal and are still out of work post six months. However, many people go into work immediately after being on the new deal. To start with, and as part of the pilot programme, we want to ensure that as many people as possible can get on to the programme and benefit from it. We shall evaluate the position and see how well they do with a view to extending the programme.

I am aware that in my hon. Friend's constituency—I have visited it on a couple of occasions—he has some intractable problems. Great Yarmouth has gone through some quite substantial structural changes. I believe that the experience that we build up from the pilots will show us new approaches which work, and we want gradually to roll them out. It is critical that we ensure that we can do more, and not only in this area. It should be remembered that there is also a new deal for disabled people, a new deal and other measures for lone parents and a new deal for the over-50s. They are all designed to ensure that they help people. I hope that a combination of measures will result in people getting into work.

Paul Flynn (Newport, West): The Secretary of State will know of the great campaigning appeal to restore the earnings link in pensions. Had we done so from 1998 until now, the single pension in 2002–03 would be £78.25. We are close to that level, and could raise it by spending £1 billion from the national insurance scheme. If we did that, there would still be an unneeded surplus, in addition to contingency funds, of £11 billion in the national insurance scheme. I urge my right hon. Friend to take such action so that we can go back to the public with an offer. We can face the pensioners now with great pride, but if we restored the link we could offer them a great triple crown of achievements—winter fuel payments, additional payments now for those who are losing out and the restoration of the link.

Mr. Darling: It will not surprise my hon. Friend that I cannot agree with him. Anticipating that he might be in the Chamber and that he might catch your eye, Mr. Speaker, I did some research. It is a fact that 98 per cent. of pensioner families are better off as a result of measures that we have introduced since 1997 than they would have been with an earnings-linked basic pension.

The critical difference between us is that I believe we ought to pay more to the people who need it most. I have never entirely understood the argument that we should pay exactly the same to, say, Lady Thatcher and the poorest pensioner. I do not think that that approach is fair—*[Interruption.]* Conservative Members think that it is; we have to part company on that.

The measures that we have introduced mean that we are giving the poorest pensioners an average of £15 a week more than they would have got without the minimum income guarantee. As for the pension credit, it is our policy to encourage people to save for a second credit. The pension credit means that it pays to save; that is not the case at present. Our approach is fairer and much

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better, which is why, my hon. Friend will not be surprised to learn, we do not intend to change it. It is the right approach and, come the next election, people will see that it is.

Civil Nuclear Liabilities

4.32 pm

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): I wish to make a statement about the future management of public sector civil nuclear liabilities. I would also like to inform the House of changes in BNFL's financial position and the outcome of work on the company's future strategy. I am sure that the House will forgive me for what will necessarily be a detailed statement on an important issue.

In the 1940s, 1950s and 1960s, the Government and the nuclear industry focused on the development and application of nuclear technology for civil and weapons purposes. Sellafield, Dounreay and most other major nuclear sites in the United Kingdom date from that period. Much was achieved and the nuclear industry now makes a significant contribution to the British economy. However, the early years of the industry created substantial liabilities in the form of wastes that needed to be treated and plants that needed to be decommissioned.

The industry operates within a rigorous, robust and transparent regulatory framework that insists on the highest safety, health, environmental and security standards. The proposals that I will outline this afternoon show our commitment to deliver a clear and focused long-term strategy to address the liabilities and set the course for the next hundred years. They make it clear that the Government's priority is to ensure that the legacy is managed safely, securely and cost-effectively in a way that ensures the protection of the environment.

Responsibility for the management of the legacy currently rests with two public sector bodies: BNFL and the United Kingdom Atomic Energy Authority. In undiscounted terms, BNFL's 2001 accounts estimated the total liabilities for which it was responsible at £35 billion, £28 billion of which was linked to those historic liabilities. In addition, the UKAEA, for its part, has management responsibility for more than £7 billion of liabilities. I should stress that those liabilities do not represent a financial obligation owed to creditors.

Instead, these nuclear liabilities are redundant radioactively contaminated facilities, equipment and materials which need to be dismantled and disposed of under demanding safety and environmental regulatory conditions. In the earlier years of the nuclear programme, the standards of environmental care and regard for long-term safety were not as stringent as those that we apply today. Only limited and often superficial records of what the facilities contained were kept. Indeed, the clean-up challenges involved were not recognised as such until well into the 1980s.

As a result, those dealing with the legacy today have to wrestle not only with significant technical challenges but with the basic problem of determining what exactly they are dealing with. I pay tribute—and I am sure that the whole House would wish to pay tribute—to those working in the nuclear industry for their efforts on our behalf. The work required to deal with the legacy extends decades into the future, and the costs involved are inherently uncertain. Over the next 10 to 15 years, the work is expected to cost approximately £1 billion a year, although the level of expenditure will decrease over time.

The work, which is incredibly important to all of us, involves huge technical and managerial challenges, but offers exciting opportunities for engineers, managers and scientists. Nuclear decommissioning and clean-up is an environmental programme that needs the same focus, intensity and technological innovation as the original nuclear development programme. We must face up to our responsibilities for that programme and not leave them to future generations.

Our priority is that the nuclear legacy is dealt with safely, securely, cost-effectively and in a way that ensures protection of the environment. We need to build on the best efforts of BNFL and the UKAEA and the real progress that they have made in recent years. We now need a revised structure that strengthens the emphasis on converting legacy facilities, and wastes, into forms that will keep them safe for decades to come, pending their eventual disposal. We need a structure that can provide the strategic direction and influence across the UK required to sustain a clean-up programme that will extend into the next century.

Eighteen months ago, my right hon. Friend the Member for Airdrie and Shotts (Mrs. Liddell), then the Minister for Energy and Competitiveness in Europe, announced that, as part of the wider quinquennial review of the UKAEA, Government would reconsider their ability under current arrangements to ensure

> "accountability and efficiency in the control (and safe discharge) of nuclear liabilities."

The reports on that review are being published today and I have arranged for copies of them to be placed in the Libraries of the House. That review and work on BNFL's future strategy both underlined the need for a sharper focus on liabilities management. We have therefore decided to make two fundamental changes to the present arrangements for managing public sector civil nuclear liabilities.

First, we are clear that it is only by managing the liabilities as a whole that we can achieve the necessary focus and strong strategic control and direction. I therefore propose to set up a Liabilities Management Authority responsible for Government's interest in the discharge of public sector civil nuclear liabilities, both BNFL's and the UKAEA's.

I see the Liabilities Management Authority as providing the driving force and incentives to get on with the job of systematically and progressively reducing the hazard posed by legacy facilities and wastes. It will have a specific remit to develop an overall UK strategy for decommissioning and clean-up.

The LMA will work in partnership with site licensees—at the outset, the UKAEA and BNFL—as well as the safety, security and environmental regulators, to achieve the most effective and safe means of discharging the liabilities. It will look to deepen the level and breadth of expertise in nuclear clean-up in the UK and to foster competition as a means of achieving that. Consistent with the need to ensure the highest safety, security and environmental standards, it will look to optimise the use of those skills by developing the opportunities for liabilities management, including the management of licensed nuclear sites.

The LMA will look to develop a strong supply chain, and a skills base capable of sustaining the clean-up programme over the long time scale that is required. In doing so, it will build on the existing industry work force whose scientific, professional and engineering skills are widely and rightly recognised. It will operate in an open and transparent fashion.

Secondly, to enable the LMA to exercise its role across the whole public sector civil nuclear liabilities portfolio, the Government now propose to take on responsibility for most of BNFL's nuclear liabilities and the associated assets. The most significant of those will be the Sellafield and Magnox sites. Previous Administrations have accepted responsibility for all of the UKAEA's liabilities and financial responsibility for some 50 per cent. of BNFL's liabilities. Most of BNFL's liabilities represent the legacy of nuclear development programmes carried out before its establishment in 1971 and the operation of the Magnox stations in the public sector throughout the period. BNFL has currently earmarked funds for the majority of its liabilities. Our current intention is that those assets will be transferred to the Government when we take on responsibility for the liabilities. Responsibility for the assets and liabilities associated with BNFL's commercial fuel, reactor services and international clean-up businesses will remain with the company.

Expenditure on public sector civil nuclear liabilities already forms part of the Government's expenditure plans and covers non-discretionary public sector activities that Government will have to continue to finance one way or another. In other words, today's announcement will have no impact on the Chancellor's two fiscal rules. The aggregate effect on the overall public sector balance sheet will be neutral. Indeed, the new structure offers the prospect of a lower burden on the taxpayer.

The establishment of the LMA and the transfer of assets and liabilities from BNFL and the UKAEA will require primary legislation. We will introduce a Bill at the earliest opportunity. A White Paper to be published next spring will set out in more detail our overall approach to discharging the UK's public sector civil nuclear liabilities. It will spell out the role of the LMA and how it is expected to operate in practice, and address a range of associated issues. It will complement the consultation process on long-term waste management arrangements that is currently under way and draw on the responses to it.

Before the LMA is established, my Department will take steps to strengthen its existing capability for overseeing work on the nuclear legacy. That will include acquiring a more detailed knowledge of the legacy liabilities and their management, and of the Sellafield site in particular, and incentivising and monitoring performance against key performance indicators.

I should like to turn now to the future strategy for BNFL. Hon. Members will recall that the Government have been looking at the prospects of introducing a public-private partnership into BNFL's business. On 29 March last year, my right hon. Friend who was then the Minister for Energy and Competitiveness in Europe informed the House that problems with BNFL's business had resulted in a reassessment of the prospects of PPP. She explained that the earliest possible date for the introduction of any PPP into BNFL could not be before the latter part of 2002.

Also at that time, BNFL's new chairman, Hugh Collum, and its new chief executive, Norman Askew, set out to turn the company's performance around and to carry out a fundamental review of its strategy. They have already done a great deal to refocus the company. It has met all the recommendations of two out of the three Health and Safety Executive reports and made solid progress in implementing those of the third. It has

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reshaped its management structure to provide greater accountability, including the appointment of an overall site director for Sellafield and its management as a single unified site. It has begun to win back customer confidence and is committed to delivering the highest standards of safety and environmental performance.

The board has brought a greater emphasis to liabilities management and has endorsed the need for a sharper focus on nuclear clean-up. Under its direction, the company has, over the past 18 months, been reviewing its approach to tackling the most hazardous wastes at its sites. It agreed an approach to handling highly active waste with the HSE in February this year. It has also developed a new strategy for processing its intermediate-level wastes, which the board endorsed today. Under the new strategy, which the company has discussed in outline with all its regulators, it is proposed that the wastes will be removed from existing, ageing stores as soon as is reasonably practicable and will be treated and packaged to enable them to be stored safely for decades.

That new approach means that BNFL now estimates that it needs an additional £1.9 billion to provide for its share of the liabilities. On 31 March 2001, the company's accounts were already dominated by its provision for nuclear liabilities. As a result of the increase in provisions for liabilities, the current estimated value of the company's total liabilities now exceeds the value of its total assets by some £1.7 billion. The proposals that I have made for restructuring the industry more broadly, including removal of most of BNFL's liabilities and associated assets from the balance sheet, will address that situation.

I have been kept closely informed about the company's position, which has been monitored over the past year. BNFL's chairman informed me today that the company's board has concluded that its long-term liabilities are now estimated to exceed its assets, and also that the company will continue its operations because of its strong cash position. He stressed that the position as outlined in the company's last annual accounts, in July this year, still holds good today. The accounts stated that

> "the Group had more than adequate resources to continue in operational existence and to meet all liabilities as they fall due for the foreseeable future and for a period of at least 10 years."

The company has, however, called a shareholders' meeting, as it is required to do under section 142 of the Companies Act 1985. I have also been assured by the chief inspector of nuclear installations that BNFL's financial position will not in itself have any impact on the safety of BNFL's operations. He confirmed that the nuclear installations inspectorate would continue closely to monitor BNFL's activities to ensure that it continued to maintain and, as appropriate, improve its safety performance.

The company has been working on its future business strategy, the primary focus of which must be and will remain the management and discharge of liabilities at Sellafield. Without detracting from this, BNFL's strategy is to continue as a broad-based provider of nuclear products and services, exploiting for that purpose the strong nuclear scientific, technical and engineering knowledge base and resources that are the key assets of the business. Its strategy was developed to support its two groups of customers: Governments and nuclear electricity-generating companies. The company continues to carry out its strategy through its four business groups: fuel manufacture and reactor services; spent fuel and engineering; Magnox generation; and nuclear decommissioning and clean-up.

The company's strategy work reinforced the Government's own conclusion that a sharper focus on nuclear clean-up was needed. This is particularly the case at Sellafield, which will account for two thirds of the LMA's overall liability. Given the high level of safety, environmental and operational interdependencies, it is important that Sellafield continues to be managed as a single, unified site. The efforts of its dedicated, talented and skilled work force are key to ensuring that the site is managed effectively.

For now, BNFL remains responsible for the management of its liabilities and for the current decommissioning and clean-up programmes, including those at Sellafield. The proposals that I am outlining today will not affect the company's existing contractual commitments to its customers in any way. I know that the company is determined to continue to improve its performance and cost-effectiveness, including through greater use of private sector contractors when appropriate. The LMA will work towards placing those site management responsibilities on an incentivised basis, with appropriate performance targets.

Similar arrangements will be put in place for the management of the Magnox stations, Capenhurst, Drigg and the nuclear licensed sites for which the UKAEA is responsible. Performance will be kept under review by the LMA, in consultation with the regulators. Changes will be made where options for improving management arrangements are identified, which enhance safety and operational efficiency and secure better long-term value for money for the taxpayer.

Let me emphasise again that the Government's priority is the safe, secure and cost-effective discharge of liabilities in a manner that ensures protection of the environment. To achieve this we need to ensure that we are able to draw on the broadest pool of expertise possible, using the best of what the public and private sectors have to offer, and rewarding those who deliver. I know that the management teams at BNFL and the UKAEA share those priorities, and are determined to build on what has been achieved to date.

For BNFL as a business, it is now important that its management and staff have the opportunity to deliver on the good work already begun to improve the company's performance. Public-private partnership remains a target for the company. The Government, for their part, recognise that a PPP could, in the right circumstances, be right for BNFL's businesses and improve the management of liabilities at Sellafield. However, the company and the Government recognise that much has to be done if this is to be possible. In 2004-05, we will reconsider the scope for a PPP. In doing so, we will consider the overall performance of BNFL's businesses, advice from the LMA—which by then will have gained real experience in the best means of discharging liabilities—and the views of the industry regulators.

Management and work force have made considerable progress in their efforts to turn the company around—progress that I and, I hope, the whole House acknowledge today. They have responded positively to the challenges they faced over the past 18 months, but there is still more to do. We want a successful BNFL that performs better. The approach that I have outlined gives BNFL and its people the chance to demonstrate success across all its four businesses—in particular, in managing nuclear liabilities—and to seize the opportunity for PPP.

For the UKAEA, that approach provides a clear opportunity to build on its positive efforts to make progress in liabilities management. As with BNFL, it gives the UKAEA the chance to demonstrate that it can deliver the results and the performance that the LMA and the Government want to achieve. It will be incentivised to do so and its performance will be kept under review.

The proposals set out in the statement reflect discussions with BNFL, the UKAEA, the HSE, the environment agencies and the Office for Civil Nuclear Security. Much more work is needed to take the proposals forward, and further discussions are needed with those and other interested parties, including the European Commission.

The approach that I have outlined today shows that we are gripping the challenges posed by nuclear liabilities management. We have identified a way forward that will deliver the necessary strategic approach and overall control. It is a challenge for the industry, as well as for the Government, but I know that it is welcomed by the chairmen and chief executives of BNFL and the UKAEA.

The objective for us all is to ensure that this essential work continues to be carried out in a safe, secure and cost-effective manner that ensures protection of the environment.

Mr. John Whittingdale (Maldon and East Chelmsford): I thank the Secretary of State for letting me have an advance copy of her statement. I also declare an interest in that my constituency contains Bradwell power station, the oldest commercial nuclear station, which is scheduled to commence decommissioning in just four months.

In principle, we broadly welcome the Government's decision to transfer the civil nuclear liabilities of BNFL and the UKAEA to the new LMA. As the Secretary of State said, the nuclear industry is unique in that the liabilities created by building and operating nuclear power stations stretch into the future for up to 100 years. As a result, any calculation of their size on a discounted basis is so dependent on assumptions that any figure is largely notional.

The restructuring announced by the Secretary of State is a book-keeping exercise to the extent that it transfers liabilities from one state-owned entity to another. I would be grateful if she made it absolutely clear that there is no additional cost to the taxpayer, either now or in the future, as a result of that change.

Will the Secretary of State confirm that the principle set out under the Conservative Government that liabilities should remain with assets has not been breached? Will the nuclear liabilities remain with the Department of Trade and Industry budget, and how will they be treated by the Treasury under resource accounting procedures?

Will the Secretary of State give more details of the amount accumulated by BNFL to meet the future cost of liabilities that will also be transferred to the LMA? Will she confirm that it is about £8 billion and that, under current estimates, it should still be sufficient to meet about 80 or 90 per cent. of the cost of the future discharge of those liabilities?

On BNFL, will the Secretary of State confirm that the technical insolvency to which she referred results from historic liabilities that will go to the LMA and that the company should be able to operate profitably on a purely commercial basis? Will she make it clear that this is not another Railtrack and that the restructuring does not represent a handout to the company from the taxpayer?

Will the Secretary of State say what discussions have taken place with the European Commission about whether clearance is required for the changes under the rules governing state aid? Will she confirm that, having removed the liabilities from the company, there is no reason for it to remain in public ownership?

What is the justification for a public-private partnership? Does the Secretary of State accept that there is no longer any long-term strategic reason for the company not being 100 per cent. private sector owned? What is the long-term future for the UKAEA and might it, in due course, be transferred to the private sector?

Will the Secretary of State say why it was decided that the Sellafield mixed oxide plant and the thermal oxide reprocessing plant should also be transferred to the LMA? Will she state for the record that that is not related to the viability of those businesses, following the MOX data falsification problems in 1999?

What implications has the restructuring for BNFL's existing employees, many of whom are my constituents? If BNFL is to continue managing both the Sellafield site and the Magnox stations, will the employees remain employed by the company with no effect on either their conditions or their job prospects?

Will the Secretary of State confirm that the LMA will put the operation, management and eventual decommissioning of the Magnox stations and Sellafield out to competitive tender? Can she say whether that will apply to Bradwell power station in my constituency, which will stop generating in March?

Will the LMA operate on an independent basis? Does the Secretary of State envisage that it could become responsible for the whole nuclear waste inventory if British Energy chose to contract with it? Can she say what arrangements will be made to ensure proper financial accountability? Will the LMA also retain responsibility for proper third-party liability insurance against the possibility of a nuclear accident at one of the plants that it owns?

The Secretary of State will know that significant liabilities remain with British Energy, relating to the power stations operated by that company. Can she say what is the Government's attitude to British Energy's request that responsibility for the pre-1996 spent fuel and waste liabilities, relating to electricity generated when its nuclear plants were in Government ownership, should also be removed?

I understand that the energy review being conducted by the performance and innovation unit has not yet been completed, but does the Secretary of State accept that her statement has considerable implications for the whole future of nuclear power generation in this country? Does she accept that one aspect of that is the need to establish a common United Kingdom solution to the problem of waste management? Does she recognise that until it is established, no decision will be made on whether replacement nuclear power stations will be built? Does she accept that the seven-year time scale proposed by the

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Minister for the Environment for the radioactive waste management review is wholly unacceptable, and is being viewed as a means of blocking any future development of nuclear power, whatever the outcome of the PIU review?

Ms Hewitt: I shall do my best to respond to the hon. Gentleman's numerous questions.

I can readily confirm that, as I said in my statement, there is no change in the overall public sector liabilities. The liabilities will indeed be held on the DTI balance sheet. We will look at resource accounting and budgeting in more detail in due course. The assets and the liabilities will be transferred together to the LMA when it is created.

I can also readily confirm—although I was surprised that the hon. Gentleman raised the issue—that BNFL is certainly not Railtrack, and that we are not in the process of bailing anyone out. Let me add that, contrary to reports that I understand featured on the BBC this morning, this is not about privatisation. As I said in my statement, a public-private partnership remains a target for BNFL. We recognise the potential benefits of a PPP for BNFL's businesses and for liabilities management at Sellafield, but a great deal must be achieved if that is to be possible—which is why we will reconsider it in 2004–05.

We do not believe that state aid issues are implicit in the arrangements, but we are discussing that with the European Commission.

The hon. Gentleman mentioned the Sellafield Magnox plant and THORP, and whether they should be transferred to the LMA. We have considered that carefully. It is clear that it would be immensely damaging to our prime objective—safe and responsible management of the liabilities—for the Sellafield site to be split.

We are not prepared to compromise safety by splitting the site. Therefore, THORP and the Sellafield MOX plant will transfer to the Liabilities Management Authority.

I am sure that the hon. Gentleman will agree that employees' skills and expertise, and the efforts that employees are making in the company, are hugely valuable and admirable. No change for the staff at BNFL arises from the proposals, except perhaps the prospect of greater work as the company develops its business. We shall set out in the White Paper to which I referred our proposals on the detailed operation of the LMA. However, when the LMA is placing contracts for work, I should expect that to be on the basis of competitive tendering.

The hon. Gentleman raised the issue of British Energy. It is in a different position, and the issue of its liabilities was settled before it was put into the private sector some years ago.

Finally, on the broader issue of the United Kingdom's energy needs and our future strategy, we are undertaking in the PIU study a comprehensive review of the UK's energy objectives and how those are best met. The question of any new nuclear power stations will of course be for the generators. As I understand it, none of them has yet come forward with proposals for new nuclear build. However, the overall strategy will be considered by the Government in the light of the PIU energy review and its report.

Dr. Jack Cunningham (Copeland): I warmly welcome and strongly support my right hon. Friend's important statement, which at long last begins seriously to address issues that have been neglected for too long. Her statement will be widely welcomed in west Cumbria, not only on the Sellafield site by employees of BNFL and of the United Kingdom Atomic Energy Authority, but much more widely across the north-west of England—in Lancashire, Greater Manchester and elsewhere—where many of the very large contracts placed by BNFL employ many thousands of engineering workers.

I welcome the decision to create a Liabilities Management Authority as an important step forward in this policy development, but I have two questions about the move. First, what nature does she envision for the authority? Will it be a public limited company or an executive agency, or will it have some other public body status? It is important that we make that decision very quickly. We certainly do not want a hiatus in the considerable improvement in dealing with those problems of historic wastes at Sellafield and elsewhere.

Secondly—this is a fairly important question as we know what Chancellors of the Exchequer are like—will the investment fund and the income that it earns be ring-fenced for the sole use of the authority? It is important that we make that clear, too.

My right hon. Friend is absolutely right to resist suggestions that management authority on the Sellafield site should be divided. We have been down that route once, with the previous board of the company, and as we all know that was disastrous. She must retain a unified management structure there. She must ensure that none of the changes undermines the increasingly successful management and operation of the Sellafield site, where continuing improvement is necessary.

Ms Hewitt: I am very grateful to my right hon. Friend for his welcome for the proposals and also for his reference to the workers not only in his constituency but across Cumbria and the north-west. I hope that the assurance of their future will be particularly welcome in the light of the devastating effect that foot and mouth disease has had, in particular, on the economy in Cumbria.

I am also grateful to my right hon. Friend for his question on the precise status of the Liabilities Management Authority. It will be neither a plc nor an executive agency, but a statutory non-departmental public body that will be accountable to Ministers, and through us to Parliament, for the management of the liabilities.

The funds currently with BNFL for meeting the cost of the liabilities will transfer with other assets to the LMA, and they will indeed be ring-fenced as my right hon. Friend has requested.

Mr. Andrew Stunell (Hazel Grove): I thank the Secretary of State for her statement, which was complex and comprehensive. She confirmed that the THORP and MOX plants form part of the assets that are to be transferred to the LMA, perhaps in an implicit admission that they are liabilities rather than assets, but there is also an operating nuclear plant on that site. Is it her intention that it should also be taken over by the LMA? Would not that give the LMA a range of functions that would be inappropriate given its strategic direction?

I note that, in essence, the statement said that any plans to privatise even part of BNFL have been delayed for two years. The Liberal Democrats welcome that delay and hope that it will be extended. Our view is that BNFL has been a huge and expensive nuclear dinosaur. It made big losses last year and it has massive liabilities. Does the Secretary of State agree that she is fattening up the balance sheet of BNFL by taking away those liabilities and defying a central tenet of environmental policy—that the polluter pays for the mess that they create? Does she further agree that her proposals will give a massive subsidy to the nuclear industry at a time when UK energy policy is in the middle of a fundamental review? Will not any subsidy or write-off of debts now undermine that review and also possibly breach EU competition rules?

Are the liabilities now being transferred intended to be joined by additional liabilities created in the future, either by BNFL, by the UKAEA or by a future nuclear programme? Will we obscure the transparency of waste-generated costs in the future? Will the public have to bear the liabilities incurred by the Sellafield MOX plant in their entirety? In what way will the economics of the MOX plant be translated—perhaps I should say distorted—by taking them out of BNFL and putting them into the LMA? I remind the Secretary of State that the start-up of that plant will instantly generate a huge amount of additional nuclear waste that will need to be dealt with in due course.

Who does the Secretary of State intend should bear the liabilities for any additional nuclear plants that are built in this country? Will those liabilities be translated straight to the LMA or will they form part of the economic and business cases of those schemes when they come forward for consideration? Our view is that the statement should have been made after the energy review was published. Does the Secretary of State accept that once again the true cost of the nuclear industry is being lost and disguised and that the statement undermines the fundamental energy review for which we are waiting?

Ms Hewitt: I regret the tone as well as the content of the hon. Gentleman's response to the statement. I shall stress again that BNFL is a publicly owned company. We are transferring what are existing public sector liabilities, which can never be anything other than public sector liabilities, from one part of the public sector to another part of the public sector in order that they can be more transparently, rigorously and effectively managed for all our benefits in the future. Those are historic liabilities, as I took some pains to explain. They arise from the early part of the civil and military nuclear defence industry.

By explaining to the House what has happened in the company in terms of the change in the valuation of those liabilities, and by proposing to transfer the liabilities and the corresponding assets to a separate Liabilities Management Authority, we will increase the transparency and accountability of the responsibility for those liabilities.

The operation of the Sellafield MOX plant was approved on its merits. The economic case was thoroughly assessed earlier in the year by independent consultants, who concluded that the plant's operation would have a clear and positive net present value, and that no additional risk would be imposed.

The hon. Gentleman also asked about future policy. That is an important matter, and it will be considered in the energy review.

Mr. Martin O'Neill (Ochil): I welcome the announcement by my right hon. Friend the Secretary of State. The fact that she has been able to make it today is due in no small measure to the work of the new management and staff over the past two years. It is now possible to assess properly the extent of the liabilities.

When the Select Committee on Trade and Industry, of which I am Chairman, tried to make some sense out of the books of the UKAEA and BNFL, we discovered that there had been severe operational problems and more than a suggestion of smoke and mirrors about the conduct of bookkeeping in the past. Neither company will have anywhere to hide now that the liabilities are to be placed under an appropriate authority. However, probably for the first time in their existence, both will now have a clear role and clear financial accountability.

In some respects, the LMA will be a shell operation, and the work will be performed by the same people who have performed it hitherto. Will my right hon. Friend assure the House that the LMA will not become another regulator in the industry? At present, as well as the local authority regulators, there are inspectorates covering the environment, health and safety and nuclear installations. All go about their business quite correctly, but it would be unfortunate if a layer of bureaucracy were to be laid on top of the activities of companies that are beginning to make their way in a positive sense. We must guard against that from the outset, so that the people who have done so well see today's announcement as a vote of confidence, and not as a question about their future capability.

Ms Hewitt: I warmly welcome my hon. Friend's remarks. We have been very grateful for the work that his Select Committee has done in the investigation of these matters. I also entirely agree with what he said about the enormous work done by the new management and staff to deal with the sorry situation that they inherited.

I agree, too, that the regulatory apparatus for the industry is complicated, but the need to ensure safety, security and environmental protection means that it has to be so. However, I assure my hon. Friend that the LMA will not be another regulator in addition to those that already exist, and neither will it be another layer of bureaucracy. It will be a customer for the effective management of nuclear liabilities.

Mr. Michael Jack (Fylde): I am sure that the BNFL workers in my constituency will welcome the Secretary of State's kind words about the quality of the work force, and that they will also welcome today's announcement.

Will the Secretary of State say a little more about who will determine the performance criteria and rules for the LMA? Will she also make it clear that income from the transferred assets will continue to be reinvested in the facilities necessary to carry on the work of disposing of waste nuclear material?

In addition, will she respond to the question posed by my hon. Friend the Member for Maldon and East Chelmsford (Mr. Whittingdale) about the incompatibility between the time scale of the inquiry by the Department for Environment, Food and Rural Affairs into the disposal of radioactive materials, and the pace at which the right hon. Lady understandably wishes the LMA to work?

[Mr. Michael Jack]

Finally, will the right hon. Lady say a little more about how the additional liabilities worth £1.9 billion identified by BNFL will be covered? Will that be the sole responsibility of BNFL?

Ms Hewitt: First, there is no conflict between the time scale for the consultation on nuclear waste management initiated by my right hon. Friend the Secretary of State for the Environment, Food and Rural Affairs, the energy review, and the work that we are setting in train to establish the Liabilities Management Authority. As I said earlier, there are no immediate proposals from any of the nuclear generators for new nuclear power stations. It therefore makes sense for the Government to consult on the appropriate measures to be taken in future for waste management arising from nuclear electricity generation. As I said in my statement, the responses to that consultation will help to inform the White Paper that we will publish next year on the LMA.

We will have more to say about the income of the assets that will be transferred and the establishment of performance indicators for the LMA, its accountability to Ministers, and thereby to Parliament, when we publish the White Paper.

Mr. Tam Dalyell (Linlithgow): May I strongly welcome the fact that the Government are grasping the nettle of civil nuclear liabilities? I also welcome their recognition of the clear difference between the UK's national legacy of nuclear waste arising from the early days of weapons and civil programmes in the 1940s, 1950s and 1960s and that from current operations. Is it not now clear that waste policy must reflect the fact that the knowledge to deal with such material already exists? Waste policy must make the distinction between the national legacy and the arisings from current operations. In fact, does not today's statement make it possible to have a proper economic assessment of the value to the economy and, indeed, the environment of the new nuclear stations at Sizewell, Hinkley and Hunterston, in which I, for one, passionately believe?

Ms Hewitt: I entirely agree with my hon. Friend about the need for waste policy to distinguish between the historic liabilities—which we can do nothing to get rid of but must manage as effectively as possible and ensure that the environment is protected—and the current liabilities arising from continuing operations. As I said in my statement, there will be no transfer to the LMA of the liabilities that arise from BNFL's commercial operations. That transparency, along with the continuing work to estimate the real costs of these liabilities, will assist better policy making in future, as my hon. Friend has suggested.

Mr. Michael Weir (Angus): On behalf of the Scottish National party and Plaid Cymru, I give a guarded welcome to the statement. I say "guarded" because we would like to know more about the role of the LMA. The Secretary of State promised to publish a White Paper in the spring. She was asked earlier whether the LMA would be completely independent, and I do not think that she really answered the question. Can she confirm that it will be completely independent of BNFL and the United Kingdom Atomic Energy Authority?

The Secretary of State said that it is proposed that current wastes will be removed from existing, ageing stores as soon as reasonably practicable and will be treated and packaged to enable them to be stored safely for decades. She will be aware, as the Minister for Industry and Energy certainly is, of the problems at Dounreay and the uncertainty about what is in the shaft. Is it proposed to remove waste from the sites to other areas or will it be re-stored in new stores on the existing nuclear sites?

Ms Hewitt: I am grateful for the hon. Gentleman's welcome for the statement, even if it is guarded. He is right to ask me about the status and independence of the LMA. I apologise for not dealing with that earlier.

The intention is that the LMA will act on behalf of Government but that it will operate at arm's length from Government. We will exercise strategic control, but the running and development of the LMA will be down to its board and management team, which will be independent of the companies with which it will contract. A framework agreement will define the authority's aims, objectives and responsibilities, and its relationship with Government. We will have more to say about that in the White Paper.

On the question of Dounreay and other sites, I was describing the future strategic intention of BNFL when it comes to dealing with historic wastes. There are no immediate proposals of the kind to which the hon. Gentleman referred.

Tony Cunningham (Workington): I very much welcome the Government's decision to reconstruct the UK's public sector nuclear liabilities. Does my right hon. Friend agree that the assets of BNFL lie very much in its work force, thousands of whom live in my Workington constituency? They have a unique technical, scientific and engineering knowledge base. The decision will mean that BNFL will be able to use the tremendous skills of its work force to the absolute maximum.

Ms Hewitt: I entirely agree with everything that my hon. Friend has said. The real assets of BNFL are, indeed, its people and their extraordinary technical expertise. That expertise is recognised world wide and the management has succeeded on building on it in the period since the earlier, rather unfortunate, incidents took place. The statement and the new arrangements will give the company and its work force the chance to build on their recent successes.

Mr. Nick Gibb (Bognor Regis and Littlehampton): Is not the truth that the statement provides a bail out of an insolvent BNFL? It is insolvent because of the transfer of Magnox Electric to BNFL in 1998; insolvent because of BNFL's bad performance in the United States; insolvent because of the Government's appalling handling of the MOX data falsification, which wrecked relations with customers in Japan; and insolvent because of the inordinate delay in the approval of the MOX plant.

Now that all the strategic decision making about reprocessing and MOX lies at the Department of Trade and Industry, with BNFL as a mere contractor, will the Secretary of State tell the House what the intentions are? Does she want more reprocessing contracts or does she want to concentrate solely on managing the liabilities and minimising the expense to the taxpayer? Will she commit herself to keeping the House informed about the profitability or otherwise of the commercial operations—namely, the THORP and the MOX plant operations—that will be taken over by the LMA, so that any losses generated by those operations are not simply obscured in the overall nuclear liabilities taken on?

Ms Hewitt: My hon. Friend the Minister for Industry and Energy was recently in Japan, where he met not only Ministers but representatives of BNFL's customers. I do not think that they would recognise the hon. Gentleman's description of our current relations with the Japanese Government and with BNFL's customers there.

On the future operations of BNFL and the LMA, I have already said that the new arrangements will provide much greater transparency of the liabilities and the assets. I shall, of course, continue to keep the House fully informed.

Paul Flynn (Newport, West): Is not the statement an attempt unfairly to rig the energy market in favour of nuclear power to the detriment of other power producers? Although the military legacy is certainly a national legacy, the civil nuclear industry has always been an economic basket case and has never been viable without public handouts. If we are to discharge the nuclear industry from the legitimate legacy of the past, will we charge it for the new legacy that has arisen since 11 September?

We know that France has installed surface-to-air missiles in its power stations and that jets have been scrambled near Sellafield after an emergency there. An agency in France has claimed that if an 11 September attack took place on a nuclear-powered processing plant such as that at La Hague or Sellafield, it would produce 60 times the amount of caesium that was released at Chernobyl. Who will pay for the additional costs of defending those sites? What would we have to pay to insure against 60 Chenobyls?

Ms Hewitt: The nuclear industry in the United Kingdom provides about 25 per cent. of the electricity on which all of us—both domestic consumers and business—depend. I think that the industry has served the economic needs of the country very well.

The historic liabilities that were the subject of my statement are there regardless of the future of nuclear power generation. They have to be managed in the most effective and environmentally responsible manner possible. I hope that my hon. Friend will agree that the arrangements that I set out in the statement are a real step forward in that direction.

My hon. Friend also raises the important issue of the security implications that arise from the atrocity on 11 September. We and the director of civil nuclear security have reviewed security procedures in the light of that attack, although for obvious reasons I do not propose to go into the detail of those arrangements. Each country makes its own judgment of the measures that are necessary to ensure the security of its infrastructure, including nuclear power stations. The RAF certainly maintains a high state of readiness in support of the air defence of the United Kingdom, and that readiness was reviewed in the light of the attack on the United States.

John Thurso (Caithness, Sutherland and Easter Ross): May I welcome one aspect in particular of the quinquennial review? It relates to the UKAEA pensions office located in Thurso in my constituency. I understand that the review praises the office for being particularly efficient and effective. As it has been the subject of two quinquennial reviews, could the Secretary of State give it time out from the next quinquennial review, because it has clearly done such a good job?

On Dounreay, significant changes will clearly be made as a result of the announcement of the new statutory body, but they should not alter the practical priorities for the UKAEA. Will the Secretary of State assure me that the Dounreay site restoration will proceed as planned, in a full and effective manner?

Ms Hewitt: First, I agree with what the hon. Gentleman says about the excellence of the pensions administration for the UKAEA. The office will continue to operate out of Thurso. Secondly, one reason for the recent change at Dounreay was to ensure that it was possible to focus more effectively on the management of the liabilities. I am sure that the hon. Gentleman would join me in welcoming that.

Mr. David Chaytor (Bury, North): I welcome the statement and congratulate my right hon. Friend on getting to grips with the issue so early in her term of office. My only regret is that the statement was not made 30 years ago. Had that been the case, we might have had a better understanding of the economics of nuclear power generation and avoided some of the worst public policy mistakes of the past 50 years.

First, is it not the case that the liabilities to which my right hon. Friend referred are not the totality of historic liabilities? The sum of £42 billion—£35 billion for BNFL and £7 billion for the UKAEA—constitutes only a minority of the total sum of liabilities and decommissioning costs in the United Kingdom, which stands at £85 billion. The additional £43 billion is presumably primarily for decommissioning costs and the liabilities of British Energy. Will my right hon. Friend assure the House that there will be no Government bail out of the liabilities of British Energy or other private nuclear establishments?

Secondly—

Mr. Speaker: Order. The hon. Gentleman has done very well indeed.

Ms Hewitt: I am grateful to my hon. Friend for his remarks. I agree that it would have been better had we understood 30 years ago the scale of the problems and the challenges that were building up. Our knowledge of the liabilities and the technical possibilities that are available to manage them change with each generation. The board has delivered the best available current estimate of the liabilities, which we have put before the House today. No doubt the estimates will continue to change, especially in the light of new technical expertise.

My hon. Friend is right that the liabilities that I propose to transfer to the LMA represent only part of the total liabilities of the industry. I readily confirm, as I said earlier, that there is no proposal whatsoever to transfer the liabilities of British Energy, which were dealt with when the company was privatised, to the public sector.

Dr. Stephen Ladyman (South Thanet): May I also express my support for my right hon. Friend's excellent

[Dr. Stephen Ladyman]

announcement? In response to the few voices raised against it, will she make it clear that the nuclear power industry, alone among energy producers, has to take account of its lifetime costs, including the cost of decommissioning, in working out its figures? We have a legacy liability today because that industry alone contains and manages its environmental waste while other energy producers are allowed simply to throw it into the atmosphere and ignore it.

On a point of clarification, if the new authority is to contract for services from BNFL, how will the prices for those services be set, given that there is no market at present to set them?

Ms Hewitt: My hon. Friend raises two extremely important points. I hope that one of the outcomes of the performance and innovation unit energy review will be an analytical base for a better understanding of the real costs of different energy sources, so that future decisions between energy sources can be made on a true comparison of those costs.

My hon. Friend's second point, on the non-existence of a market in the management of nuclear liabilities, is very important. Part of the remit of the LMA, and of my Department before the LMA is established, will be to try to encourage the development of a growing market in the management of nuclear liabilities so that we get a wider choice of operators and a better sense of what the price would be.

British Remand Prisoners (Greece)

5.32 pm

Mr. John Randall (Uxbridge): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 24, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

the plight of the 12 British tourists who are still being held in custody in Greece.

You will be aware, Mr. Speaker, that they have been accused of espionage although it seems that some of those accused are not certain whether any charges have been laid against them. Yesterday they were remanded in custody for at least a further week. Bail was refused. My constituent, Mr. Peter Norris, is one of those held, but many hon. Members have been expressing strong concerns about their constituents. I am particularly grateful for the efforts of my right hon. Friend the Member for Haltemprice and Howden (David Davis), my hon. Friends the Members for West Suffolk (Mr. Spring) and for East Surrey (Mr. Ainsworth) and the hon. Members for Twickenham (Dr. Cable), for North-West Leicestershire (David Taylor) and for Tamworth (Mr. Jenkins).

Mr. Norris has told me, through his daughter Estelle, that the charges are ludicrous. All 12 tourists are bona fide aviation enthusiasts who have followed their hobby in many places around the world without problems for many years. As a fellow resident of Uxbridge, I know that Mr. Norris is a locally known expert on that subject and has written articles in the Uxbridge *Gazette* for over 20 years.

At the three air bases that the tourists visited they were officially signed in. They were told not to bring cameras, so they left them in their vehicle. There has been mention of a secret air base. Apparently, this is where a soap opera is filmed, with episodes shown weekly on Greek television. The tourists have even seen episodes showing the air base while they have been in prison. In fact they never even entered the base, but were at an adjacent go-kart track, which had a view over the film-set air base. It is hardly the stuff of John le Carré. These are ordinary people pursuing their hobby.

This incident is fast becoming a real problem in relations between our two countries, and many people now thinking about holidaying in Greece may well want to reconsider any decision in light of what is going on. This over-reaction is frankly not the behaviour that we expect from a democracy and a fellow European Union state. I know that members of Her Majesty's Government have been talking to their counterparts in Greece, and that the consular department of the British embassy in Athens has been active in trying to look after the welfare of those in prison. However, I ask for this debate now so that we in the House have the opportunity to express our views, and in my case my extreme displeasure, at this unnecessarily harsh and unwarranted treatment of British subjects by one of our European Union partners.

Mr. Speaker: I have listened carefully to what the hon. Gentleman has said and must give my decision without stating any reasons. I am afraid that I do not consider that the matter that he has raised is appropriate for discussion under Standing Order No. 24. I cannot therefore submit his application to the House.

Point of Order

5.35 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): On a point of order, Mr. Speaker. First, may I thank you for the clarification that you have given the House with regard to the resolution of March 1997. I would very much appreciate your guidance on two points.

The first is this: you will know that, as a general proposition, the Table Office will not accept questions when an answer to it has been given in the recent past. You will appreciate that a number of right hon. and hon. Members, myself included, have recently tabled questions in respect of which they have not received satisfactory answers, and in their view have not received an answer that corresponds and complies with the guidance that you have given today. Given that, would you consider expressing the view for the guidance of the Table Office that it should be generous in the interpretation and acceptance of questions tabled, with a view to getting further and more satisfactory replies?

The second point on which I would welcome your guidance is as follows: will you confirm that any practice of burying bad news by Ministers—clipping out bits of information at times most propitious to them—does not comply with the guidance and interpretation that you have given this day on the resolution of March 1997?

Mr. Speaker: I have nothing to add to the statement that I made today. The right hon. and learned Gentleman should submit these problems to the Public Administration Committee. That is the best advice that I can give him.

BILL PRESENTED

TAX CREDITS

Mr. Chancellor of the Exchequer presented a Bill to make provision for tax credits; to amend the law about child benefit and guardian's allowance; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed. Explanatory notes to be printed [Bill 59].

Prime Minister (Office, Role and Functions)

5.37 pm

Mr. Graham Allen (Nottingham, North): I beg to move,

That leave be given to bring in a Bill to define the office, role and functions of the Prime Minister and First Lord of the Treasury; to make arrangements for his appointment; and for connected purposes.

Thomas Paine argued in "The Rights of Man" that

"a government without a constitution is a power without a right."

Power unacknowledged is power unaccountable. Power unbounded is power uncontrolled. The time has come for this Parliament to acknowledge and define the true extent of the power of the United Kingdom prime ministership.

We will all be stronger for recognising the central truth of British politics: the office of Prime Minister towers over our democracy. This mighty oak casts a long and chilling shadow over all of us who are drawn close to it—[HON. MEMBERS: "Hear, hear."]—regardless of which party is in office. We all know that there is no political office like it in the democratic world—the concentration of power, the scope of decision making, the span of patronage, the control of both Executive and legislature, plus the informal abilities to set the agenda and dominate access to the media.

I and my sponsors—all departmental Select Committee Chairs and of all parties—make no partisan or personal points. The development of the office under all incumbents over the past century has made a myth of the notion of parliamentary sovereignty, a lie of collective Cabinet government and a near terminal hollowing-out of our political parties. Our politics, once a rich and varied diet of interaction and competition, has given way to McPolitics—a dumbed-down, one-dimensional relationship between a prime ministership and an insatiable media, with the rest of us reduced to spectators, bit players and cheer-leaders.

All of us in this House should be anxious that at some point in future—in different hands; in less wholesome hands—such awesome prime ministerial power could overwhelm and threaten our democratic culture. We cannot rely for ever on prime ministerial benevolence and self-discipline. Stronger institutional bulwarks are needed to keep vigil over our democracy. It is our duty in this House, and one that Downing street can no longer neglect, to think on those issues and propose some practical answers. Before then, a more routine and obvious obligation falls on us as parliamentarians: to define the office that is so central to our politics to give it statutory life and legalise the existing institution of the prime ministership. That is the intent of the Bill.

So much of the office still lies in a shadow, a mystery, much of it veiled in the royal prerogative, the Crown at No. 10 Downing street—all of it outwith parliamentary consent. A handful of our statutes make passing reference to the office, all on minor matters such as the appointment of bishops and so on. None define it. None consolidate it in one place so that all can see the magnificent spread, the frightening reach, of prime ministerial supremacy. After almost 300 years that oversight should be put right, for without definition there can be no limits, and without limits the office itself will become a threat to representative democracy.

[Mr. Graham Allen]

I recently asked the current Prime Minister to define the prime ministership. He replied:

> "The Prime Minister's roles as head of Her Majesty's Government, Her principal adviser and as Chairman of the Cabinet are not . . . defined in legislation. These roles, including the exercise of powers under the royal prerogative, have evolved over many years, drawing on convention and usage, and it is not possible precisely to define them."—[*Official Report*, 15 October 2001; Vol. 372, c. 819W.]

Parliament can and should help the Prime Minister. If it walks like a prime ministership and if it talks like a prime ministership, let us ensure, on the hard countenance of a parliamentary Bill, that it is a prime ministership. The House has many precedents on which to draw: every other liberal democracy is meticulous in describing its key political office; in addition, the House itself has recently delineated the role of the First Ministers in Scotland and in Wales. Our will may be suspect, but our competence is not.

Of course, the office has changed since the time of Walpole, who became the first Prime Minister in 1721 and who spent his day eating Norfolk apples on the Treasury Bench. Each incumbent has added something and the office inexorably continues the trend of accumulating power—but that is no force of nature; it is not beyond our control. I propose that we in Parliament stop spectating and make a conscious decision that the evolution has gone far enough—that we define the prime ministership as it is now in law, and that the Executive power should not grow further without the clear consent of this Parliament or a future Parliament. If Parliament does not have the responsibility to draw that line in the sand, it has no real purpose at all and our transition to the dignified part of the constitution is complete.

Defining the prime ministership does not weaken it and it is not my intention to do that, but neither does my acceptance of a strong Executive imply acceptance of a feeble Parliament. We do not have to choose between the lyrics and the music of our democracy. Indeed, being clear about what the prime ministership can do will only help Parliament to rediscover and redefine its own destiny as we are squeezed between devolution, Europe and globalism. It will give us a sustainable role for the future.

A healthier Parliament will be a help to the prime ministership. We in this place can add value through accountability, scrutiny, value for money and even delivery of policies. All those are reasons why the current Prime Minister and those to come should welcome—indeed, initiate—a new relationship with Parliament, rather than stand in its way.

My unambitious Bill is designed merely to consolidate in one statute all the prime ministerial powers that already exist. The one modest innovation is to suggest that Parliament takes its part in the process of choosing our Prime Minister. Parliament has become the electoral college that briefly flickers into life on general election night, with the media left to acclaim the prime ministerial winner.

The Bill proposes that the day after the election the House meets, just as the Bundestag in Germany meets, and elects the Prime Minister. The Prime Minister would then go to the palace in the normal way. Symbolically at least, that would acknowledge the House as the ultimate source of Executive power. It would be some riposte to those who say that Parliament is just bypassed and is a rubber stamp, or that the elective dictatorship is not even elective.

As the new century begins, knee deep in political cynicism and failing participation, we have a clear and present duty to prepare ourselves for the future and to examine our institutions without exception, however exalted, to ascertain whether they and we measure up. We cannot examine a shadow behind a veil, a Prime Minister with unacknowledged powers who is shrouded in the mysteries of an unwritten constitution. Let us now bring our mightiest office out of the darkness into the dawn of democracy, and into the light of the law.

The contract that our society has with government must be written down. I ask, therefore, that the House consents to allow my Bill to be printed, and that an open, non-partisan debate can begin on the future of the Executive and the legislature.

As the prime ministership approaches its 300th birthday, we might dare to assume that Walpole's experiment is here to stay. Now, our mature democracy deserves to see the office revealed honestly for what it truly is. If it chooses, this Parliament can start to bring the prime ministership, and with it itself, into the new millennium.

5.47 pm

Tony Wright (Cannock Chase): I shall be brief, but perhaps not as brief as one former Prime Minister, Clement Attlee, of whom it was once said that he would never use one word when none would do. Mr. Attlee would not survive for five minutes in today's world of soundbite and spin, but that is our loss and not his. He would disapprove strongly of the Bill. He was the quintessential Cabinet chairman, who said and believed that a Prime Minister must remember that he is only the first among equals. However, with people like Ernie Bevin, Herbert Morrison and Nye Bevan at the Cabinet table, that was a reminder that was unlikely to be necessary.

I turn to the Bill. My hon. Friend the Member for Nottingham, North (Mr. Allen) is a dangerous man. He has written a seditious tract, which he has been disseminating among a gullible public, and now he introduces a subversive Bill. It may seem innocuous enough. It claims only to constitutionalise the position and powers of the Prime Minister, now to preside over his own Department. The fact that it blows a hole through Cabinet government is the least alarming aspect of what is being proposed. My hon Friend's real intention is to engineer nothing less than a constitutional revolution, though he is not honest enough to say so.

The House will begin to understand why I describe my hon. Friend as a dangerous man and why this is a subversive Bill. He believes that the power of the personal executive has increased, is increasing and should not be diminished but recognised. That is what the Bill would do. That is surely outrageous enough. It makes a mockery of all our preoccupations about whether there are too many special advisers in No. 10, whether the Cabinet Office has been annexed to a Prime Minister's Department and whether Cabinet government is now dead. How dare he mock our concerns in this way. How can we go on warning of the dangers of a Prime Minister becoming a President when my hon. Friend has the nerve to suggest that a British Prime Minister with a secure majority and a unified party already has far more unchecked power than an American President could ever dream of?

But it gets much worse. My hon. Friend seems to believe that a system of strong government needs a system of strong accountability. Again, that may sound reasonable, but does the House understand that it means an end to Parliament as we know and love it? We would have to stop being happy hamsters on a wheel and become eager beavers, required to think for ourselves in holding the Executive to account and debating the great issues of the day; nobody would write our press releases for us and there would be no collective line to save us the effort of thinking. Instead of representing Parliament to the people, we would have to start representing the people to Parliament.

The parliamentary pantomime would have to close down and parliamentary sketch writers who lampoon us would be out of a job. Lazy journalists who are interested in us only if we depart from the script would have to start taking us seriously. Do we really want to go down that road? That only begins to touch on the enormity of my hon. Friend's proposals. We depend on the Executive. We may call ourselves a legislature, but we know that our secret dream is to join the Executive; that is what having a job in this place means. We sit by the Executive's table, hoping to touch the cloth and ready to catch any crumbs that fall. We may only become the Parliamentary Private Secretary to a Parliamentary Private Secretary, but that gives purpose to our lives.

My hon. Friend wants to deprive us of our dreams; he wants to take nanny away from us and turn us into grown-ups. The House will understand why he has to be stopped. What is all that nonsense about the separation of powers? In the 18th century, we may have told ourselves that that was how our Government worked, but it was the secret of good government. The Americans and others may even have believed it and acted upon it, but we soon took the precaution of abolishing it. The ultimate wisdom of that course of action stands revealed today in the multi-faceted personage of our illustrious Lord Chancellor, but it also stands revealed in the glories of a supine Parliament and a passive people. We believe in strong, unchecked and unencumbered government, which has taken all the old prerogative powers of the Crown and kept them for itself. That has given us the most concentrated system of unchecked power of any democracy in the world, and we love it.

We pride ourselves on our strong Government; we believe in the idea of winner takes all as long as we are the winner. We do not intend to share power with anybody, certainly not a second Chamber. We like things the way they are; we like to be able to talk about the glory of parliamentary sovereignty while having the convenience of the Executive exercising it for us. If the Executive invite us to abolish habeas corpus in, say, an hour or an afternoon, we are happy to oblige. If they are kind enough to fix the membership of our Select Committees for us, it would be churlish to want to do that for ourselves. We may sometimes say that we would like things to be different, but the truth is that we need our comfort blanket and do not intend to give it up lightly.

We do not want the Executive to be taken away from us, as my hon. Friend proposes in his Bill. Of course, it almost was taken away. In 1701, exactly 300 years ago, the Act of Settlement decreed that henceforth no placeman of the Monarch—a Minister to us—could be a Member of Parliament and all advice given to the Monarch by the Privy Council should be seen by Parliament. The Whigs rightly had nothing to do with that kind of restriction on prerogative power, and the provision was repealed before it could be implemented. So we never had a separation of powers, and the legislature and the Executive became one.

Now the Bill wants to take us back 300 years and sever Parliament's dependency on the Executive. It does not have the courage to propose a written constitution, which is the inevitable end of the process. Fortunately, knowing the House of Commons as I do, I am confident that it will prefer to cling to the apron strings of Executive power and have nothing to do with my hon. Friend's dangerous and subversive Bill.

Question put and agreed to.

Bill ordered to be brought in by Mr. Graham Allen, Mr. Nicholas Winterton, Mrs. Gwyneth Dunwoody, Mr. Archy Kirkwood, Mr. David Curry, Donald Anderson, Mr. Michael Mates, Jean Corston, Mr. John Horam, Mr. Chris Mullin, Dr. Ian Gibson and Mr. Edward Leigh.

PRIME MINISTER (OFFICE, ROLE AND FUNCTIONS)

Mr. Graham Allen accordingly presented a Bill to define the office, role and functions of the Prime Minister and First Lord of the Treasury; to make arrangements for his appointment; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 19 July, and to be printed [Bill 60].

Orders of the Day

Civil Defence (Grant) Bill

Order for Second Reading read.

5.57 pm

The Parliamentary Secretary, Cabinet Office (Mr. Christopher Leslie): I beg to move, That the Bill be now read a Second time.

The Bill is designed to apply the standard disciplines that cover public expenditure to a relatively small part of local government spending—the sum used to finance the administration of local authority emergency planning units totalling less than £20 million this financial year. It is important to stress at the outset that the Bill does not set the level of spending, but provides a mechanism for determining grants and the fair and equitable distribution of expenditure.

The Bill is a short, two-clause measure that will formalise the Government's practice of designating a formula to allocate resources, and allow Ministers to put in place a more effective strategic framework to manage the allocation of grants to local councils for emergency planning purposes under regulations made under the Civil Defence Act 1948. The Government are now engaged on their third comprehensive spending review, the purpose of which is to match public expenditure with our policy priorities so that we can achieve outcomes that make a real difference to the people of this country. Naturally, we want to be sure that the prioritisation process is reflected on the ground and can take effect. In short, we want the money to be spent for the intended purpose and allocated in a fair and reasonable manner.

The grants that we make to local authorities for the purpose of civil defence have always been intended for that specific purpose. The grant supports the local authority emergency planning units which prepare, train and exercise plans that guard against the risk of a variety of emergencies and disasters. Emergency planning officers ensure that local authorities, in conjunction with emergency services, are ready to respond effectively to every potential eventuality. To do so, local authorities need certainty and the ability to plan ahead. They need to know how much the Government are going to make available in support of emergency planning activities for each financial year, and need a clear indication of what will be available provisionally for future years. They need to know how the total is going to be allocated among them so that they can make their own calculation of their share of the cake.

With this knowledge, local authorities will be able to approach the task methodically and with a stronger commitment for the longer term, in a field which, by its nature, is all about planning ahead. Until this year, local councils had that certainty, but a recent legal challenge deprived them of it. The Bill will restore that certainty and the framework that allows local authorities to plan ahead with confidence.

Traditionally, the Government have always distributed the civil defence grant by a formula. Until autumn last year, each authority was given a set sum, with various additions, depending on the type of authority and population. However, last year, the Merseyside fire and civil defence authority lodged a judicial review to challenge its own formula allocation for that year, for which it obtained leave to move in the High Court.

It subsequently transpired that a lacuna exists in statute law, unusually inhibiting the Government's grant allocation powers in this small field of local government finance. Accordingly, the Home Office agreed to review its grant allocation to Merseyside for that year, so in the end the case did not proceed to a full judicial hearing. Nevertheless, the point had been made that the Government could no longer distribute the grant according to a pre-determined formula, and local authorities in England and Wales were thereafter able to claim any amount of money for emergency planning on an individual demand-led basis, rather than a national strategic basis.

That has caused problems for both local authorities and the Government, and the inability to plan ahead financially is clearly undesirable. The Government need to ensure that the civil defence grant is allocated on a national strategic basis according to a fair formula, and is not soaked up in a distorted or haphazard manner. That is the purpose of this short Bill. The House may find it helpful if I set the measure in the wider context of emergency planning and civil contingencies activities currently in operation.

Mr. Tim Collins (Westmorland and Lonsdale): On the funding implications of the Bill, the Minister explained at the beginning that the Bill was about setting up a mechanism, rather than determining a level of grant. He will remember that when the Minister for Police, Courts and Drugs, the right hon. Member for Southampton, Itchen (Mr. Denham), was responsible for the measure, when it was still a Home Office matter, he issued a press release on 22 June accompanying the publication of the Bill, in which he stated:

> "This short, technical Bill would enable us to return to the previous funding levels for the Civil Defence Grant."

The explanatory notes provided by the Home Office point out that since the legal case, expenditure in the current financial year is expected to rise from about £14 million to £19.5 million. The comments of the Minister for Police, Courts and Drugs imply that the Bill will enable a return to levels of about £14 million a year—in other words, roughly a 25 per cent. cut in the expenditure in the present financial year. I should be grateful if the Minister would comment on that and tell the House whether he expects, as a result of the passage of the Bill—assuming that it goes through both Houses—that funding would return to the previous levels, as set out by his right hon. Friend in the summer.

Mr. Leslie: I shall deal later in my speech with the hon. Gentleman's points about the current financial situation. Suffice it to say that the Government have not yet made a decision about the next financial year, other than the usual pencilling in of the £14 million referred to in the press release.

There are many different aspects to the subject of emergency planning and civil contingencies activities, ranging from the detection of risk, through prevention, protection and preparedness, to the response and recovery activities following an emergency situation. Spending on preparing and planning for emergencies and disasters at a local level—the limited subject of the Bill—is not the same thing as our expenditure on responding to and recovering from disaster.

Let me give the House some idea of the scale of our commitment to the emergency services in England and Wales, which bear the brunt of the work tackling the consequences of disasters. Large sums of public money are being spent on front-line emergency services—for example, more than £9,000 million this year for the police, £775 million on the ambulance service and £1,650 million on the fire service.

As one of the Ministers working closely on civil contingency issues, especially since 11 September, I know that we can take great comfort from the fact that our emergency services are among the best in the world. We have an impressive resource with a track record of dealing with extremely demanding situations in an efficient and professional way.

Of course, much of the public expenditure spent on the blue-light emergency services goes towards preventive planning work. Avoiding and thwarting disaster in the first place is clearly preferable to the task of recovering from it, and the emergency services reflect that in their priorities. That applies also to the work of other protective agencies; for example, the efforts of those involved in coastal and flood defences, with their budget of £377 million this year. Since 11 September a further £30 million has been made available to the Metropolitan and other police forces.

The expenditure on those principal emergency service activities dwarfs the expenditure that we are discussing today on the administration of local emergency planning units, which of course play an important role. However, the House will appreciate that it is necessary to illustrate the bigger picture—the jigsaw—in which the civil defence grant is just one small piece.

To put today's business in context, I emphasise that this small but important Bill is not the Government's only or last word on bringing our civil contingencies arrangements up to date—far from it. As hon. Members may know, following 11 September, the Government set in hand a swift and comprehensive review of all our plans and arrangements to deal with emergency situations. Under the leadership of the Home Secretary in his capacity as Chairman of the Cabinet's Civil Contingencies Committee, significant work is under way to strengthen the resilience to disaster of the whole of the United Kingdom, with particular emphasis on key facilities in the capital and also on our ability to cope with chemical, biological, radiological or nuclear attack.

Mr. Andrew Miller (Ellesmere Port and Neston): My hon. Friend will know that I asked a parliamentary question yesterday that was answered today. I asked the Secretary of State for Transport, Local Government and the Regions whether he has any plans to restrict public access to information on major chemical sites held on public registers on security grounds. The answer that I received suggests that those registers will, understandably, be restricted, because of the sensitivity of some of the information. For the benefit of the public, will my hon. Friend reinforce the point that that does not imply that the Government are seeking to diminish those security arrangements, and are indeed increasing them?

Mr. Leslie: I hope that my hon. Friend accepts that the Government are making sure that all our arrangements to protect large chemical sites and other areas of hazard are always updated and improved. In the light of the events of 11 September, we have looked again at the information that is available about key areas. Without going into detail, I can tell my hon. Friend that the Home Secretary and others involved in the Cabinet's Civil Contingencies Committee have been looking closely and making sure that extra protective measures to prevent potential attack are put in place at key sensitive sites.

The civil contingencies secretariat, now located at the Cabinet Office—which explains why I am introducing the Bill—has been engaged in the co-ordination of efforts across all Government Departments. That is a top priority and good progress is being made in reviewing and improving systems. Simultaneously, we have pressed ahead with the emergency planning review launched by the Deputy Prime Minister with a consultation document issued at the beginning of August.

The Government believe that we will need a new statutory framework for dealing with civil contingencies to replace the Civil Defence Act 1948. Responses to the consultation are being analysed following the closing date at the end of October, and a clear consensus is emerging.

In drawing together the results of the emergency planning review and the wider ongoing exercise to strengthen our civil contingencies capabilities, the Government intend to consider how best to apply the lessons learned in a new piece of legislation. Naturally, I am not in a position today to anticipate the legislative programme or timetable, but the Government are looking at reform and modernisation for the longer term. Today we are primarily focused on an interim measure dealing with a small but still significant part of our much wider effort to deal with emergencies.

Local authorities currently carry out emergency planning services under the Civil Defence Act 1948, which was introduced after the second world war and imposed on local authorities the statutory duty to plan a defensive response to hostile attack. That Act was supplemented by regulations, most notably in 1953 and 1993, which outlined more details on expenditure and provided for changes in local government and the creation of new types of local authorities. The Civil Protection in Peacetime Act 1986, which had been a private Member's Bill, provided for local authorities to use their civil defence resources not only in response to hostile attack, but for peacetime emergencies. It is now generally recognised, however, that that legislation is anachronistic and that new legislation is required. As I said, it is anticipated that the emergency planning review will recommend a way forward and that new legislation will be introduced when parliamentary priorities allow.

The civil defence grant enables local authorities to fulfil their civil defence duties by formulating multi-agency plans to respond to any eventuality that may arise. Local authority emergency planning officers liaise with their local emergency services counterparts, other local authority departments, local NHS trusts, the Environment Agency, local business operators, voluntary organisations, faith and community groups and others in order to prepare arrangements for responding to emergencies. Thus, the civil defence grant is spent by local authorities on staff salaries and expenses, office accommodation and service costs, telephones, emergency planning team support costs, training and exercising.

[Mr. Leslie]

The civil defence grant does not pay for equipment for responding to emergencies or for the response itself. Local authority costs incurred during an emergency can be reimbursed under the Bellwin scheme, which is named after Lord Bellwin, the Minister in the Department of the Environment, as it then was, who introduced the system in the 1980s. The scheme allows for reimbursement at 85 per cent. for anything more than 0.2 per cent. of a local authority's annual budget. All responsible authorities will have some funds in reserve and they should be expected to utilise them, but the Government are prepared to assist them with extra costs. During the floods last year, exceptional payments were made at 100 per cent. under the Bellwin scheme. In the light of recent experiences, the Department for Transport, Local Government and the Regions has announced that the Bellwin scheme is being reviewed.

The Bill contains only two clauses. It substitutes new provisions for section 3 of the Civil Defence Act 1948 in so far as it applies to authorities in England and Wales. New Section 3(1) of the Act confers on the designated Minister—currently, that is the Home Secretary—a grant-making power to every authority that has a civil defence function. New section 3(2) requires that Minister to determine the aggregate amount of grant each financial year and the specific grant for each authority, and to publish those amounts and the criteria by which they have been calculated. New section 3(3) allows the Minister to use different criteria in relation to different authorities and to vary determinations.

New section 3A of the 1948 Act allows the designated Minister to pay a discretionary grant to any authority with civil defence functions. New section 3B provides for the Minister to determine when grant is paid, ensures recovery of any over-payment of grant and allows conditions to be applied to the payment of that grant. Those provisions are very similar to measures contained in sections 46 and 47 of the Police Act 1996, but as the amounts of grant involved are not on the same scale, those provisions have not been replicated. We hope that the Bill will have effect from the next financial year, which would allow the Government to return to the position that we were in before last year's legal action.

Andrew Selous (South-West Bedfordshire): The Minister has been speaking about the grants that are given to local authorities for emergency planning. Is he aware that, in Bedfordshire, the Government's intended plans would result in a 33 per cent. cut in the emergency planning budget? That would cause us to lose an emergency planning officer and an emergency planning assistant and ensure that we could not mount one of the three eight-hour operational shifts that are required in respect of an emergency planning assistant. The matter is causing great concern to my county council.

Mr. Leslie: I shall try to find out a bit more about the situation in Bedfordshire. My understanding is that the estimate for spending in 2001–02 has increased by 53 per cent. in one year; that is, since the previous financial year. That illustrates the point about the demand-led budget that we are discussing. I entirely accept that we need to find new ways of allocating sufficient resources for emergency planning purposes, but I hope that the hon. Gentleman will accept that we need a nationally strategic and coherent framework in which to allocate resources.

Mr. Collins: As the Minister is speaking about the way in which the system is working now, before the Bill completes its passage, will he address the very interesting remarks that are reported in the excellent Library note that was prepared for the purpose, among others, of this debate? The note reports a conversation between an Officer of the Library and a Cabinet Office official. The conversation deals with the way in which the system works after the Merseyside legal case and prior to the passage of the Bill. It is stated that a local authority must have conversations with central Government about what it would propose to spend, agree with central Government about what it will spend the money on and also spend the money reasonably and within an agreed budget. Will he confirm that that is how the situation works currently and that it is not the case, as might have been implied by what he told my hon. Friend the Member for South-West Bedfordshire (Andrew Selous), that a county council can jack up spending however it likes and without any basis for doing so?

Mr. Leslie: Clearly, that was one of the corollaries of the resolution of the legal action. The question about finance for local authorities, which have naturally increased their claims for this financial year, involves a number of criteria, including the reasonableness test. The difficulties arise for the Government when they are trying to assess the many local authority bids. For example, the process of assessing and auditing reasonableness might be disproportionate to the grant that is paid in the first place, which, at £15 million to £20 million, is relatively small. We need to find a formula system that can allocate the resources far more efficiently and a demand-led, authority-by-authority system.

Mr. Don Foster (Bath): While the Minister is speaking about the current system—his implied criticism was almost that local authorities were flinging everything into the pot and trying to get as much money as they could—will he accept that the situation was not helped by the fact that the Home Office, which wrote to all local authorities, specifically stated in its letter of 22 December that it did not intend to issue guidelines to them about what they should include in their bids?

Mr. Leslie: The provisions on what may or may not be paid for by civil defence grant have not changed. Local authorities have a fairly limited series of activities that can be paid for under the regulations that I mentioned—a point that I hope to develop later. The issues and subjects on which the money can be spent have not altered. It is simply a question of ensuring that the sums themselves are reasonable. It is that whole process that has been focused on the demand-led side of things and which explains why the Government feel that we need to have a more formula-based approach to these matters, such as that which applies to all other aspects of local government expenditure.

The Government have acted responsibly in the past by advising local authorities what grant they would receive for three consecutive financial years and allowing them to budget and plan their finances accordingly. We intend to proceed just as responsibly in the future. As I said, the Bill does not set the level of grant, which is decided by Ministers.

The end of the cold war saw a gradual reduction in the amount of civil defence grant allocated in the 1980s and early 1990s, largely because the original purpose of planning for response to hostile attack from a foreign power had subsided. In recent years, however, the level of civil defence grant has reached a plateau at just over £14 million. The legal challenge has destabilised the budgeting process, leaving the Government with no way of managing expenditure. No responsible Government can stand by and let that situation continue, so the Bill will provide the remedy.

Bids have come in from local authorities totalling approximately £22 million, and later reducing to £18.5 million, as the opportunity has arisen to use the deficiencies in the legislation. Local authorities usually contribute to their emergency planning services from their own general funds. However, this year, many authorities are naturally making the most of the opportunity to get the money from central Government and may be spending their own resources on other items. However, the distortion to the budgeting and planning process cannot be allowed to continue.

While the Bill seeks to close the loophole in the law, the Government recognise that the financing of local emergency planning needs to be reconsidered, and that is why we are seeking to redress this matter on a longer term basis through the emergency planning review.

Although the Bill received its First Reading on 22 June, and was therefore prepared before the tragic events of 11 September, it remains a necessary instrument in the Government's policy for a more strategic and comprehensive national resilience framework involving the work of local authority emergency planning officers. The Government recognise and applaud the work that local authorities have done in emergency planning. The result of that work over many years is that they were prepared to respond to the various emergencies that have occurred in the past year or so—the fuel dispute, the unexpectedly extensive flooding last year, and the foot and mouth outbreak this year.

Although the events of 11 September have heightened awareness levels, local authorities have not been asked by the Government to do any significant extra work at this stage, not least because well-worked plans capable of tackling a number of eventualities are already in place. Obviously, local authorities have been reminded to ensure that their emergency procedures are up to date.

Local authority emergency planning officers provide a valuable service, co-ordinating the planning and preparations necessary to deal with emergencies in any shape or form. Their work alongside the emergency services is of immense value, and goes a long way to ensuring that the effects of any disaster on a local community are mitigated as far as possible. The Bill will help local authorities to continue to carry out those functions by providing them with a fair, open and secure framework for funding. I commend the Bill to the House.

6.21 pm

Mr. Tim Collins (Westmorland and Lonsdale): I am grateful to the Minister for setting out a number of the issues before us with a considerable degree of clarity. It is helpful for the House to have the chance to debate civil defence issues. We shall discuss in a moment whether this is the right legislation at the right time.

Public interest in civil defence is arguably at its highest level for 15 years, since the concerns about the nuclear arms race that prevailed in the 1980s. I hope that there will be cross-party consensus on the idea that the first duty of a Government of any colour is to provide for the safety of their citizens and for protection against the consequences of armed or hostile attack. I am delighted that the Prime Minister said very much the same thing in our debate on 8 October. When commenting on the events of 11 September, he said:

> "We must safeguard our country . . . Our first responsibility is the safety of the public. Since 11 September, every one of our arrangements has been under scrutiny."

He referred to

> "extensive contingency planning"

and said:

> "We are doing all that we reasonably can to anticipate the nature of, and thwart, any potential retaliation."

He also said that

> "we would be foolish to be anything other than highly vigilant".—[*Official Report*, 8 October 2001; Vol. 372, c. 813.]

One of our contentions is that, contrary to what the Minister said, the Bill—which was prepared before 11 September—has not been adequately revised in the light of the events of that day, and of the consequent changes in Government policy and in the national security status. I should stress, as I have before in the House and elsewhere, that I have no criticism of the Government's general handling of the crisis, or of the Prime Minister's decision immediately to align this country with the United States. Indeed, I would say that the Prime Minister's conduct of these matters has been superb. It is in that constructive spirit that I hope that we can discuss the civil defence implications of what happened on that day.

We are dealing with a crisis on an historic scale. Those are similar to the words used by the Prime Minister in his speech to the Labour party conference, when he said that

> "the events of 11 September marked a turning point in history, when we confront the dangers of the future."

He said also that

> "every reasonable measure of internal security is being taken"

and that those who had committed the acts on 11 September

> "will not desist from further acts of terror."

In other words, the need for civil defence in this country is probably at its highest for many years, and the nature, imminence and seriousness of the threat to our citizenry is at its height. Yet, although the Government have not made any final decisions, the Minister confirmed in his response to my earlier intervention that they are "pencilling in" a reduction of about 25 per cent. in the amount provided by central Government to support the civil defence activities of local authorities.

It is worth putting that in context, because the Home Secretary wrote to every hon. Member on 9 November to say that

> "the Government has been scrutinising every one of our arrangements for protecting the public . . . We do not believe that the overall level of threat to the UK has increased beyond the heightened levels following the events of September 11."

[Mr. Tim Collins]

It is, therefore, the judgment of the Home Secretary that the threat to the people of the United Kingdom has reached "heightened levels" since 11 September. He went on:

> "Our objective is to do everything that can be done to enhance our resilience and protect our key facilities, utilities and essential services."

The Home Secretary has, of course, gone further still, as we heard earlier this week during our consideration of the Anti-terrorism, Crime and Security Bill. He formally issued a declaration under the European convention on human rights, in relation to the provisions that he intends to introduce in that Bill. He cited article 15, which states that

> "in time of war or other public emergency threatening the life of the nation"

it is permissible for him to act in the way that he is in relation to detention and habeas corpus.

The Government are telling us—entirely accurately and wholly responsibly—that we are in the midst of a

> "public emergency threatening the life of the nation",

while proposing to go ahead with legislation drafted long before 11 September—I have no criticism about the fact that it was drafted then—for the purpose of restricting and perhaps reducing the amount of money that local authorities choose to spend on civil defence.

Mr. Leslie: It is important that the hon. Gentleman understands the scope of the expenditure that we are discussing in the civil defence grant. We are considering the administration of local authority emergency planning officers, not expenditure on response to or recovery from disasters. Perhaps the hon. Gentleman will put that into the context of the wider measures that the Government have taken.

Mr. Collins: I am grateful to the Minister for saying that, because I was about to come to the importance in any civil defence of the local dimension. I shall quote from documents prepared by the emergency planning department, which used to be in the Home Office and is now in the Cabinet Office. Its website states:

> "The first response in any disaster is at the local level."

It goes on to stress that point further, as part of a question and answer feature referring to integrated emergency management. I understand that this is the official Government policy on emergency planning:

> "The prime responsibility for dealing with disasters lies at local level where resources and expertise are best placed to provide an effective response."

So, in answer to the Minister's point, of course we welcome the Government's announcement of additional resources for the police, the armed forces and many others who would have a role in dealing with the consequences of—God forbid—another attack, or other disaster linked to or consequent on the events of 11 September. However, the Minister must acknowledge the point made by my hon. Friend the Member for South-West Bedfordshire (Andrew Selous) that we are not talking about theoretical, "paper" or arbitrary changes in the quality of local authority responses and abilities to plan for emergencies. We are talking about local authorities contemplating making significant reductions in their staffing levels.

My hon. Friend referred to the fact that his local authority may have to remove a member of staff without whom it cannot maintain its emergency call centre 24 hours a day. None of us knows when a disaster or problem might occur, but it would be a matter of concern if one happened in the eight hours out of 24 for which there was no cover. The Local Government Association takes a similar view:

> "Emergency planning and response are core functions of local authorities".

Those matters are not bolt-on additions or peripheral, nor are they unimportant to local authorities in emergency planning and responding to a disaster, whether it be man-made or natural.

Dr. Julian Lewis (New Forest, East): Surely the distinction drawn by the Minister between pre-disaster planning and post-disaster responses is false. Is it not a fact that the planning that we have to undertake is naturally on a much larger scale since 11 September and therefore requires much greater resources?

Mr. Collins: My hon. Friend is right. I make no particular criticism, as none of us has 100 per cent. or even 1 per cent. ability to foresee everything that will happen, but a Home Office consultation document published in August—before the events of 11 September—and entitled "Future of Emergency Planning in England and Wales", which no doubt informed the Bill's drafting, says at paragraph 4.14:

> "In the last decade or so, there has been a clear reduction in the threat of war".

That is the context in which the Government made policy relating to emergency planning.

I shall deal with the money provided by central Government for civil defence, but before the Minister or another Labour Member points it out, let me make it clear that the reduction started not in 1997 but in 1990. That was the year after the fall of the Berlin wall and the liberation of eastern Europe from communism, so it is hardly surprising that Governments of both political colours through the 1990s operated on the assumption that war was less likely.

Although my hon. Friend the Member for New Forest, East (Dr. Lewis) knows more of the detail than me, we remember that those of us who take an historical perspective always begin to worry when the Treasury or the Home Office says that war is unlikely in the next 10 years. Several of my hon. Friends recall that that was the Treasury assumption in the 1920s and early 1930s. Sad to say, there is recent evidence that the Treasury, as well as the Home Office, is again operating on that basis.

Whatever people may have thought, reasonably or unreasonably, before 11 September, surely that assumption cannot be so readily endorsed post-11 September. Whether we describe the current situation as a war or not, we should be cognisant of the fact that the press spokesman of the US President, the leader of the international coalition, said on Monday that the President is conscious that the US is "a nation at war".

If the President believes that his nation is at war, there is a serious question mark over whether the United Kingdom, as America's closest ally in those proceedings and other matters, should operate in similar manner. I repeat that the Home Secretary said that we are in the midst of a

"public emergency threatening the life"

of the state.

Let us deal with the precise reasons behind the Bill, which, as the Minister rightly said, relate to the legal action brought last year by the Merseyside fire and civil defence authority. He set the exact position out in detail and with some clarity, but neglected to say that the Home Office chose not to contest the case. Therefore, it is perhaps no surprise that the judge upheld the authority's case and ruled that under current legislation there is no provision to introduce cash limits.

Let me immediately make it clear that, as a Conservative Front Bencher, I am hardly likely to say that cash limits are evil and should be resisted at all times. Labour Members will be aware that my party is re-profiling its view on public services, but I hasten to add that that does not mean that we are suddenly in favour of spending any sum that anyone suggests for any public purpose whatever. Clearly, we are not.

However, although we are dealing with serious circumstances and a context that the Minister was kind enough to confirm, the legal situation means that local authorities cannot spend under the civil defence heading money unrelated to civil defence or emergency planning. They must spend sums that are reasonable and, in the context of the crisis, their spending is not gigantic.

We must ask whether the Bill is the most sensible civil defence measure that the Government could introduce at a time when many civil defence experts believe that there is a more urgent need for other legislation. I shall set out the possibilities in a moment, and a number of my hon. Friends want to point out that, since the introduction of the Civil Protection in Peacetime Act 1986, which slightly regularised procedures, local authorities have often used civil defence funds made available to them to deal with other emergencies and difficulties.

We must reflect on the fact that, in the past 12 months, there have been not one, not two, but three largely unexpected but very serious public emergencies in this country—although I do not blame the Government for every aspect of those. First we had the fuel crisis, then the floods, which affected large parts of England and Wales. Then we had the foot and mouth crisis. In such circumstances, we must wonder whether the Government are acting wholly appropriately in introducing the Bill.

I said that I would touch on the way in which civil defence grant has been reduced, and, once again, I acknowledge that it peaked and began to fall under the Conservative Government. However, it has continued to fall since 1997. Although local authorities may be mildly interested in the exchanges that take place across the Floor of the House about who did what when and what happened before and after a general election, they perhaps focus not on that but on the fact that the reduction is 38 per cent. in cash terms since 1990 and some 55 per cent. in real terms. That is clearly a substantial cut on any basis.

Mr. Leslie: Perhaps I may re-profile the hon. Gentleman on a couple of points. He will be aware that the civil defence grant budget has levelled off at about £14 million since 1997, so there has been no reduction on our watch. Most importantly, it must be reiterated that the Bill is not about setting the budget for the next financial year. That is a matter for Ministers and a debate for another time. What we have to deal with is the question whether there should be a formula to allocate the grant.

Mr. Collins: If the Minister wants to do so, he would be right to point out that the Government inherited low inflation when they came to office in 1997. We have difficulties with their economic mismanagement, but they have not succeeded in achieving high inflation since 1997, nor have they achieved zero inflation either. In 2001, £14 million does not buy what it bought in 1997, so a freeze in cash terms is the same as a continued fall in real terms.

I come specifically to the Minister's reiteration of the centrepiece of his case: the fact that the Bill is about procedure not outcome—about creating a possibility for a Minister to set a rate rather than about determining that rate. The Minister for Police, Courts and Drugs was previously responsible for these matters and I have already put to the Minister what his right hon. Friend said in the official press release of 22 June, which described the Bill. He said:

"This short, technical Bill"—

no doubt that is a description with which the Minister will happily concur—

"would enable us to return to the previous funding levels for the Civil Defence Grant."

Let us now consult the explanatory notes accompanying the Bill, which tell us the difference between the previous and the current levels. According to them,

"in the current financial year expenditure is expected to rise from approximately £14 million"—

the level that the Minister mentioned—

"to £19.5 million."

No one needs a GCSE in maths to work out that moving from £19.5 million back to £14 million—in other words, returning to the previous funding levels—means not keeping expenditure the same or increasing it, but reducing it. In fact, it means reducing it in cash terms by about 25 per cent., and in real terms by rather more.

When I put the point to the Minister earlier—I am happy to give way to him again if he wishes to intervene—he did not say "We do not intend to reduce spending on civil defence". Nor did he say "There may have been a one-off increase recognising the existence of past difficulties, but we do not want any further increases". What he said was "We have pencilled in £14 million—again—for the future". Those sound to me like the words of a Minister who is preparing to reduce the amount spent in the current financial year.

Our case is this. Regardless of whether such action would be right in normal circumstances and regardless of whether it will be right in two or three years, it is difficult to see that it can be right now, after what happened on 11 September and given what the Prime Minister, the Home Secretary and others have said about our present situation.

Earlier this afternoon, I mentioned to my hon. Friend the Member for Buckingham (Mr. Bercow), the shadow Chief Secretary to the Treasury, that I intended to refer to the figure of 686 billion. He visibly blanched: he definitely whitened. That is, of course, an American rather

[Mr. Collins]

than a British figure, but it is worth noting that since 11 September Congress has appropriated $686 billion to deal with the domestic implications of what happened then, and that it is currently discussing with the White House whether an additional $40 billion should be provided purely for what it calls homeland security—something that is in many respects, although not all, similar to civil defence as provided in this country.

I do not suggest for a moment that we should move from £14 million to the equivalent of $40 billion. Nevertheless, it is at least interesting to note the United States belief that the present international situation requires not a small—not even a significant—but what on any terms would be described as a dramatic increase in allocations for all aspects of what it calls homeland security.

I suspect that the vast majority of those outside the House who knew that we were debating the Civil Defence (Grant) Bill would assume that it had been presented by the Government, in the light of a major international emergency, to improve, enhance and expand civil defence. In fact, its purpose is to constrain, limit and perhaps even reduce local authority contributions to civil defence.

Members should note what the Local Government Association said in its submission to the emergency planning review. I am not sure whether this was said before or after 11 September, but the impact is perhaps even more powerful if it was said before that date. The association said:

"there needs to be a real and substantial increase in financial support for emergency planning work".

It referred to huge demands on emergency response work, and said that

"work would need to be undertaken to identify the right level of funding",

but expressed the view that a

"substantial increase would . . . be justified".

I am not arguing that any or all demands for increases should be granted, or that public expenditure control should be abandoned. I am saying that, according to powerful voices inside and outside the country, it is more than slightly odd that the Government should present this Bill in the present circumstances.

Geraint Davies (Croydon, Central): Does the hon. Gentleman accept that the press release to which he continually returns was pre-11 September? Does he accept that the view that a formula-driven approach could lower expenditure to normal levels was expressed in that light? Does he also accept that, by definition, a formula-driven approach can also be adjusted upwards in different circumstances? I am sure that such adjustments will be made.

Mr. Collins: I do not know whether the hon. Gentleman has a hotline to the Chancellor of the Exchequer, but if the Minister had said that, I would have been very interested and, to an extent, reassured. In fact the Minister, speaking long after 11 September—I do not know whether the hon. Gentleman was present—confirmed today that the Government had pencilled in £14 million, again, for future supplies of the civil defence grant.

The hon. Gentleman's assumptions would be entirely reasonable if the Government had reviewed the position post-11 September, and had recognised that, at least for a short time, it would seem difficult to justify a return to wholly normal peacetime grant levels; but the Government do not appear to be there yet. Perhaps they will get there as a result of the hon. Gentleman's submissions, and those of my hon. Friends and others. I very much hope so.

Mr. Leslie: May I just clarify the issue of the grant for last year, this year and next year? When I spoke of "pencilling in", I was referring to the comprehensive spending review allocation. As the hon. Gentleman will know, we allocate resources for a three-year period, and we hope to do the same for the next three-year period. We are still engaged in discussions about the next comprehensive spending review. No decisions have yet been finalised: we are obviously looking at the whole post-11 September situation, but many other large sums are being spent on civil contingencies—not least the £30 million confirmed by the Chancellor yesterday, to be devoted to policing in London and elsewhere.

Mr. Collins: What the Minister says is entirely right, and very reassuring. It simply reinforces my point. If the Government have recognised that they need to increase resources in all other areas, why are they producing legislation that they themselves say is likely to result in fewer resources in this connection? I realise that it is not the only aspect of civil contingency planning, but it is an important part.

We must also ask why the Government thought it necessary to present this Bill if they were going to present legislation on civil defence. A strong consensus is emerging among those with a degree of expertise and experience that there is an urgent and increasing need for new legislation in this field, but not for this Bill. People who deal with these issues feel that what is needed is swift legislation to modernise the Civil Defence Act 1948, and to provide a new statutory basis for emergency management. Encouragingly, the Minister seemed to suggest that the Government recognised that need; indeed, it is mentioned in some of their consultation documents.

According to the Local Government Association:

"The current framework . . . does not ensure participation: that can only be secured by the imposition of a statutory duty."

The association speaks of the need for a new duty of civil emergency planning, and describes in some detail what it would like to happen. It has also said that it

"strongly supports a new statutory duty of civil emergency preparedness".

It feels strongly that the present system does not deliver the level of effectiveness in terms of local response to civil contingencies—which, of course, may or may not be related to the events of 11 September—that is needed in the present climate.

Many people are concerned about the way in which the whole business has been run. It is not just that this is not the Bill that should have been produced. The Government were entirely right to present legislation on civil defence, although many of us would argue that the legislation should have addressed the very concerns that the Minister touched on, and on which I know he is consulting. I do not doubt his personal commitment for a moment, but we need a degree of clarification—which, it must be said, cannot be found in the local authority world at the moment—in regard to who, in the present Government, is responsible for these matters. The hon. Member for Bath (Mr. Foster) and his hon. Friends have asked a number of questions about that, and I pay tribute to them. The hon. Member for Romsey (Sandra Gidley) asked a very piercing question a little while ago, and the ministerial response was not all that it might have been.

I shall give a classic example of the point. Today, I visited the Home Office website and found a statement on emergency planning. Although it is interesting that the Home Office still has an emergency planning website, the statement begins with these very reassuring words:

> "You may have been aware that since the General Election a decision has been awaited concerning the ministerial responsibility for emergency planning, and hence the parent department for the Emergency Planning Division (EPD). It has now been announced that ministerial responsibility for emergency planning is transferred from the Home Office to the Cabinet Office."

The statement is dated August, which is apparently the last time that the Home Office emergency planning site was updated. Moreover, slightly disconcertingly, there was no link between the website and the Cabinet Office. Furthermore, in October, the Home Secretary was still responding to parliamentary questions with statements saying, for example, that he is "the Minister responsible" for civil defence preparations and that all matters were still under review following the events of 11 September.

In the face of all the uncertainty and lack of clarity about exactly where emergency planning staff had gone—although their responsibilities have been transferred to the Cabinet Office, many staff still work in the Home Office—the general secretary of the Emergency Planning Society, which has great knowledge of these matters and with which the hon. Member for Carshalton and Wallington (Tom Brake) is associated, said:

> "Our emergency planning is a shambles . . . If a disaster like the terrorist attacks on New York was to occur over here, we couldn't possibly cope. Councils and the emergency services have never planned to deal with something that big."

That is the scale of the problem facing us, and that is the nature of the difficulty caused by the fact that the Government have chosen to introduce this Bill rather than a different one.

Mr. Don Foster: The hon. Gentleman has been dealing with confusion about which Department is responsible. Did he, like me, note with interest that, when detailing the Bill's various provisions, the Minister specifically said that the Home Secretary is the designated Minister responsible for determining the formula? What are the hon. Gentleman's thoughts on that?

Mr. Collins: The hon. Gentleman is on to an extremely important point, and I did notice that slip.

Mr. Leslie *rose*—

Mr. Collins: Perhaps the Minister is about to reassure the hon. Member for Bath (Mr. Foster) and me on that point. We look forward to his doing so.

Mr. Leslie: I do so enjoy re-profiling, the joys of which I am learning minute by minute. We began the process of creating the new civil contingency secretariat at the Home Office precisely because we wanted to have at the centre of Government the ability to inter-relate with all Departments at a moment's notice. I think that many people have recognised the need for that. The process of creating it has reflected the responsibilities of the relevant Cabinet committee.

The Home Secretary chairs the Civil Contingencies Committee, which has three Sub-Committees. One of the Sub-Committees deals specifically with London resilience and is chaired by my right hon. Friend the Minister for Local Government; another specifically addresses chemical, biological, radiological and nuclear issues and is chaired by my right hon. Friend the Minister for Police, Courts and Drugs; and I chair the United Kingdom resilience Sub-Committee at the Cabinet Office. The responsibilities have been divided in that manner after 11 September. Hon. Members should, however, always bear it in mind that those matters are under the Home Secretary's leadership and that there is a transfer of functions order to establish the civil contingencies secretariat.

Mr. Collins: I am not sure that that does clarify matters. I noticed, however, that in a slip of the tongue—I hope that he will forgive me for picking it up before it is rewritten by *Hansard*—the Minister mentioned the civil contingencies secretariat at the Home Office; it is of course at the Cabinet Office. Nevertheless, I pay tribute to his powers of memory in explaining the situation. When he was trying to remember who was in charge of each of the Sub-Committees, he looked a little like someone trying to do their nine-times table but grinding to a halt after reaching 81. Although there was a painful expression on his face when he did it, he got there in the end.

The whole point that Conservative Members and, I believe, Liberal Democrat Members are making is that if the situation is not instantly clear and on the tip of the tongue for one of the responsible Ministers, how can it be clear to the public? Should we not consider having a Cabinet Minister with sole and specific responsibility for the matter, as is the case in the United States which has created the post held by Tom Ridge?

Mr. Don Foster: Speaking of ministerial slips, did the hon. Gentleman note the interesting way in which the Minister said that some of the arrangements at the Home Office were being made there to ensure that they were "at the centre of Government"? Is that not an odd phrase to be used by someone who works in the Cabinet Office?

Mr. Collins: I did notice that. However, in fairness to the Minister, I think that that was a slip of the tongue and that he meant to say the Cabinet Office rather than the Home Office. We have probably had enough fun with him on that point, and I think that he understands where we are coming from.

The final series of points that I shall make on the Bill relates to the fact that this is the House's first opportunity to debate issues arising from civil defence, emergency planning and the way in which the Administration have handled unexpected crises and difficulties. The history of those matters has been not at all encouraging. We have had, as I said, a fuel crisis. Many people in my part of the world, in Cumbria, believe that the Government might have reacted rather more rapidly to that crisis if the petrol

[Mr. Collins]

stations had started running out of fuel in London and the home counties rather than in the north and north-west. There have been many criticisms of the way in which the crisis was handled.

We can also debate the way in which the floods were handled at about this time last year. The floods produced a commitment by the Government that they would review those matters but there has not been a great deal of activity since then. I know that some of my hon. Friends may wish to develop that point in later speeches.

Finally, and most seriously, we had the outbreak of the foot and mouth crisis. I do not propose going into that matter in any depth, other than to point out that many hon. Members will have read the very powerful *Private Eye* report which states that the outbreak

"was allowed to escalate into the worst epidemic of the disease the world had ever seen."

For my constituents and many others, not only in Cumbria but elsewhere, the Government's mismanagement of the outbreak was spectacular. At various times in the crisis, to defend themselves against the charge that they must have known the true situation before the last few days in February, when the official announcement was made, the Government said that they had contacted various people to get hold of railway timbers, for example, because that was part of "contingency planning"—which is particularly relevant to this debate. If the Government had a contingency plan, it was not a very good one. I think that emergency planning was better at local authority level than it was in central Government, but even that planning was not as good as it could have been had we had proper, adequately funded civil defence and emergency planning.

Mr. Mark Francois (Rayleigh): This point is in no way party political. I simply ask my hon. Friend to join me in paying tribute to emergency planning officers across the United Kingdom who have had to deal with the three crises that he has rightly outlined. Many of them have also been working extremely long punishing hours since the events of 11 September to refresh and update whatever plans their local authorities had on the books. I think that it is appropriate, especially in a debate such as this, for the House to recognise the very real effort that they have made on behalf of the communities they serve.

Mr. Collins: My hon. Friend makes a powerful and important point with which I think that hon. Members on both sides of the House will be happy to agree. Those people are at the forefront of public service. They make a huge difference to people's lives, and when they do their work well they make the difference between life and death for many of our fellow citizens. We should pay tribute to them and commend them for their work. I hope that emergency planning officers will feel that although there will necessarily be some differences between the parties in these debates, every hon. Member will wish to join my hon. Friend in paying tribute to their work. I am sure that every hon. Member would also wish to give them strong backing and strong endorsement.

Sadly, the Government—who are handling the general international situation admirably, with the full-hearted support of the Conservative party—have a record domestically not of resolving crises so much as creating them and making them worse. To adapt the famous insurance slogan, the Government always make a drama out of a crisis.

Our fear about the Bill is that the Government are irresponsibly trying to reduce vital aspects of planning and public protection at the worst possible time. They have ignored the need for different, much needed and urgent legislation on civil defence by choosing to introduce the Bill instead of considering the matters it covers as part of a wider civil defence Bill. Consequently, the legislation is inappropriate and dangerously irrelevant at the moment. It has been introduced by a Government who have not demonstrated on this issue the grip and competence that we would wish.

For those reasons, we have no choice but to oppose the Bill tonight, in the hope that it will encourage the Government to think again and to recognise that the issues are deeply important and that, especially in the crucial atmosphere prevailing since 11 September, local authorities need and deserve the strong backing of central Government. Local authorities should not feel that irrelevant and unnecessary penny-pinching will restrict them, at this of all times, in their vital activities.

7.1 pm

Mr. Andrew Miller (Ellesmere Port and Neston): The first assurance I seek from my hon. Friend the Minister is that the emergency planning that the hon. Member for Westmorland and Lonsdale (Mr. Collins) mentioned—the restructuring of the Conservative party—will not be funded by the Bill. We need to examine the issues calmly and carefully. This country has a superb record, under successive Governments, of planning to avoid risk. We try to avoid putting our citizens in positions where they could face some of the serious risks that we have seen as a result of appalling accidents and human error in other countries. Of course, nothing is ever perfect and human error does creep in. Notwithstanding the military issues that have been mentioned, both acts of God and human error need to be taken into account.

We have an exceptionally good record, and the first issue that the Minister's Committee should consider in seeking to minimise the cost to the public is the continued planning for further risk avoidance. I have spoken to the Minister about the need for a fresh look at some overfly zones and the holding patterns for areas that are, by their very nature, hazard sites. As I said earlier, a written question was answered today on the issue of access to information about major chemical sites, some of which was previously held on public registers. I am sure that the House will be glad to hear that steps are being taken to ensure that sensitive information will, at least temporarily, be held on a more restricted basis. It is, however, important to reassure our constituents that the commitment of the Government and the security services to public safety is not only maintained but enhanced during this difficult time.

The hon. Member for Westmorland and Lonsdale mentioned the fuel protest several times. That is a bit rich for a Conservative Member, whose party supported the fuel protesters who put my constituents' lives at risk. When the protest started, the blockade at the Stanlow refinery meant that emergency vehicles could not gain access to the site. The hon. Gentleman will know that if an accident occurs in an oil refinery, it requires rapid reaction. In Cheshire, we have a superb network, in partnership with the in-house fire services of some of the chemical companies, that includes the Cheshire fire authority and the other fire authorities in surrounding areas, to provide a rapid response to any emergency. Those fuel protesters prevented access and, had there been a crisis, the outcome could have been very serious.

If that argument does not persuade the hon. Gentleman, perhaps a description of events when Friends of the Earth decided to blockade Stanlow this summer—supported, I may say, by the Liberal Democrats—will do so. When I visited the emergency planning room to see how the matter was being handled, I saw that the first comment written on the whiteboard recorded the fact that public fire vehicles could not gain access to the site. I hope that the whole House will agree that emergency vehicles must have easy access to such important sites in case of any incident occurring.

The public information issue is especially interesting. Work is being done that may have an impact on the long-term planning undertaken by my hon. Friend the Minister. Hon. Members will recall that some years ago, under the previous Administration—I make no criticism of them on this point—the old Ministry of Defence siren systems were removed. Several concerns have been expressed in my constituency, and others that contain chemical sites, that the warning systems in place are not adequate. People do not understand what the sirens mean. They do not know whether a certain siren sound means, "Get the hell out of here", or, "Close your windows and stay indoors." They do not even know which siren signals the all clear. A generation ago, those signals were well understood because, for reasons we all know about, the siren system was in regular use.

I hope that my hon. Friend, within the framework of the Bill and the broader study of emergency planning, will consider some of the newer technologies that could assist in the provision of warning systems. One hon. Member—I can never remember his constituency—mentioned the emergency planning officers, and they have done a superb job. Members of the Emergency Planning Society have also considered some of the newer technologies, and—to give one example, which would not necessarily be the whole solution—it has been suggested that a national alert and information system could be developed using selectively addressable digital television systems. For less technical hon. Members, I can explain that that means that digital television receivers can be programmed with a range of identifiers. As a result, any group in the population can be selectively informed of any risk that might exist. As the technology advances, the interesting question arises of whether other Departments should be included in the debate.

Mr. Francois: For the record, I inform the hon. Gentleman that my constituency is called Rayleigh. It is in Essex, and I am honoured to represent it.

The hon. Gentleman makes an important point. An effective warning system must be understood by everyone. For instance, in 1940, everyone knew what it meant when the church bells rang. I hope that the Minister will take that on board.

Mr. Miller: I thank the hon. Gentleman for that intervention. I hope that the Department will consider the application of the technology that I have described, which was brought to my attention by a member of the Emergency Planning Society.

Some military considerations have been raised. The BBC's website is reporting what is happening in the US, where the security services are considering in what circumstances additional security will be required. I am sure that our security services will do the same.

The space shuttle Endeavour is due to take off again on Thursday. For the first time, a 30-mile no-fly zone around the launch site at the Kennedy Space Centre has been imposed. That is based on the assessment of risk, and we in this country must consider the relationship between our civil defence on the ground and the use of military services.

In the previous debate, my right hon. Friend the Secretary of State for Trade and Industry gave a clear assurance that, since 11 September, the RAF has been on stand-by to deal with any problems to do with nuclear safety. That is a fresh dimension that needs to be taken into account.

I wish to comment on the proposed funding regime, and on the review of standard spending assessments. My district emergency planning liaison officer recently sent me a copy of a document containing the local response to the review of emergency planning drawn up by the chief executives of the district councils in Cheshire, and by the chief executive of the county council. A combined response of that sort is appropriate in Cheshire, where areas of risk spread across district boundaries. That requires local authorities to work together.

I commend the document to my hon. Friend the Minister. In response to the question of whether funding should be delivered through the SSA, it states that

> "Cheshire Chief Executives have grave concerns over the proposal to support emergency planning activities through the SSA, and would like to see a continuation of a specific grant."

That contrasts with the removal from SSAs of ring-fenced sums of money, which is what most hon. Members want the review of SSAs to recommend. However, it is possible that some common ground exists. The chief executives go on to state that they

> "feel that the proposed system . . . will only work if adequate, transparent and robust funding mechanisms"

are in place. Equally, the direct responsibilities of shire districts must also be considered in any study that is undertaken.

It is sad that so few hon. Members are in the Chamber this evening to debate these matters, which have important ramifications for areas such as mine where there are large hazards. The relationship between our civilian emergency workers and the more obvious aspects of emergency response after 11 September must be examined.

I congratulate my hon. Friend the Minister on the Bill. It is a simple measure that will put us back on an even keel, but a much more long-term study should be undertaken to guarantee to citizens that the House takes seriously the risks that some people face. Parliament and Government must give proper resources to meet the needs of the emergency services.

7.16 pm

Mr. Don Foster (Bath): The House readily and rightly pays tribute to the various emergency services—the police, fire and ambulance services—when there is a

[Mr. Don Foster]

major civil emergency in this country. However, hon. Members rarely congratulate the people behind the scenes who plan and co-ordinate the activities of those organisations. On behalf of my party, I therefore join in the tributes that have been paid to all those who work in civil defence, and to the emergency planning officers.

On 15 May 1997, I had the pleasure of speaking after the Minister made his maiden speech in the House. I recall that I referred specifically to the quality of that speech and the confidence with which it was delivered. Nothing has changed: the Minister lives up to the high expectations that we had of him. I am grateful for the way in which he described the Bill's contents, and for the way in which he set out what he called the "bigger jigsaw" of the country's civil defence structure. I am sure that the House is grateful for the opportunity to raise various issues in respect of civil defence, as they affect the Bill.

It is always interesting to follow the hon. Member for Westmorland and Lonsdale (Mr. Collins). I pay tribute to him for introducing a new word into the lexicon of Conservative thinking, which he did when he spoke about the "re-profiling" of the party's views on public services.

However, the hon. Member for Westmorland and Lonsdale frightened me a little later in his speech when he kept mentioning the billions of pounds that the Americans are to spend on what they call "homeland security". I wonder whether the hon. Gentleman is getting ideas. For a Conservative Member to consider spending billions on public services would be a significant U-turn, although it is one that Liberal Democrat Members might welcome.

The hon. Member for Westmorland and Lonsdale made some important points. I agree with him that the Government are right to acknowledge that a problem exists at the present time, and that some form of legislation, at some point, is needed to regularise the way in which grants are awarded to the bodies responsible for planning and co-ordinating civil defence arrangements. However, I share the hon. Gentleman's view about dreadful timing. At the same time that we are debating the Bill, the Home Secretary is seeking to rush through the Anti-terrorism, Crime and Security Bill because apparently we are facing a national emergency.

Underlying the wording of the Bill seems to be at least the possibility of an intention to cut the money provided by the Government to support and plan for vital civil defence work including, of course, anti-terrorism measures. My fear is that if the measure is about both capping and cutting resources for councils which plan our civil defence arrangements and co-ordinate the work of various emergency services, we will have a real difficulty on our hands.

Over the past 12 months we have had floods, foot and mouth, terrorist bombs and the terrible events of 11 September. Just when we need the professionalism of our emergency services, it appears that the Government are sneaking in a 28 per cent. cut in the civil defence budget in what they call a short technical Bill.

Mr. Leslie: The hon. Gentleman's point about finance has been made before this evening. Let me make it clear again that the Bill is about enabling Ministers to set a formula to allocate the grant, not about the level of the grant. Post-11 September, we are looking again at all funding arrangements. Although the previous comprehensive spending review pencilled in the sum of £14 million for that three-year period, we are reconsidering the arrangements in the light of all the representations that are being made.

Mr. Foster: I am grateful to hear the Minister repeat what he has said already. However, when the Bill was introduced on 22 June, the press release issued by the Minister for Police, Courts and Drugs, made the Government's underlying intention very clear. It says, very specifically:

> "This short technical Bill would enable us to return to the previous funding levels for the Civil Defence Grant."

If the Minister is saying that the Government have changed their view, I would be delighted to hear it. Much more importantly, those responsible for civil defence planning around the country would be ecstatic. However, the Minister has not come to the Dispatch Box and said that he disowns what the Home Office Minister said on 22 June. The hon. Member for Croydon, Central (Geraint Davies) said that he is confident that the Government will make changes, but the Minister did not assure him that a decision had been made. If the Minister is about to do so, we will be delighted.

Mr. Leslie: It is a simple point, and I will try and reiterate it clearly. The Bill is about enabling the Government to set a budget. It does not allocate the amount; those decisions have yet to be made. We are trying our best to calculate the level of civil defence grant for the next financial year.

Mr. Foster: Once again, the Minister has had the opportunity to stand at the Dispatch Box and disown the words of the Home Office Minister on 22 June. He could legitimately say that in the light of the events of 11 September, the Government have had second thoughts. He could say that what the Home Office Minister said in the press release at the time was reasonable, that they had intended to cut the figure from £19.5 million down to the previous level of £14 million, but that in the light of what happened on 11 September, they intended to raise the figure after all. The Minister has been given the opportunity to say that about five times, yet he has not done so. Therefore, there will remain significant doubt in the minds of many Members in the Chamber and anyone listening to the debate as to whether the Government intend to reduce the level of funding by 28.2 per cent. Until we get a clear statement from the Minister, I fear that that is the only interpretation that we can make of the Bill, because the only official statement that we have had on its meaning was in the press release of 22 June.

I go further. The Home Office Minister had the gall to say:

> "The new arrangements would improve local authorities' ability to plan their expenditure when fulfilling their statutory responsibilities for civil defence."

From what we have discovered so far today, that surely means that authorities can plan better but will probably have less to plan with.

Mr. Collins: Does the hon. Gentleman also notice that, similarly, the Minister said earlier that the court case had "deprived"—I think that was his word—local authorities of clarity. It may or may not have deprived them of clarity, but it has given them rather a lot of money that the Minister seems anxious to take away.

Mr. Foster: That is absolutely right. One reason why we will seek to amend the Bill and delay the implementation of the new arrangements is to give each authority an opportunity to make it clearer to Ministers than they have been able to do so far the significant pressures that they are under and why there must be improvements in the level of funding rather than cuts, if cuts are to be made.

To illustrate how concerned I am, I shall refer to the work of Bath and North East Somerset council's civil emergency planning unit. It has a Government budget of £51,000 to cover all its work. That is clearly inadequate, so the council adds another £74,000 from its own coffers, making the total amount of money available to the unit £125,000, the majority of which is not provided by the Government.

I accept the Minister's point that that is not the only amount of money that is available to be spent when an emergency occurs. I fully accept that the Government have made additional sums of money available to local councils through the Bellwin fund, which, I acknowledge, will be changed. However, before my council can even get its hands on the Bellwin money, it must spend up to £340,000 of its own money. Major emergencies therefore draw heavily on the council tax payers in the area.

The Minister will acknowledge—indeed, he already has done, given the way in which he introduced the Bill—that the money the Government make available through the civil defence grant budget is intended to cover a wide range of activities that relate to the planning, preparation and co-ordination of the likely activities of the various emergency services. It covers staff salaries, training activities, and so on.

My local authority has £125,000 to spend on those activities. In the past 12 months, it has had to deal with floods and the effect of foot and mouth in the area. It has had to prepare for the possibility of plane crashes, terrorist threats and, most recently, it has had to consider how it might handle possible anthrax or chemical attacks. My constituency is particularly vulnerable because it has a significant Ministry of Defence presence, although it receives no additional money for that.

Out of that £125,000, £98,000 goes on salaries. The remaining budget, to be spent on training, high-tech communications, IT equipment, emergency planning preparation, community schemes—including public meetings and community education—is a mere £27,000. Because of everything that has happened, the demands placed on the unit are at an all-time high.

The Minister mentioned training in the list of items for which the unit should have responsibility. Out of this huge amount of £27,000, my local unit is allocated £1,300 for training. Like all the other units, the only specialist training it can get is in north Yorkshire, and although the cost of that is subsidised, more than £1,000 would have to be provided for two members of staff to go on training courses. That now leaves only £300 to pay for the Virgin train fares and nothing for other courses during the rest of the year.

The unit and all units are expected to have high-standard communications equipment. Until recently, the Government advised my unit to invest in the Dolphin project for its communication system. It spent a lot of money but, unfortunately, the Dolphin system went bust. The unit, like other units, is now being advised to make arrangements to link into the police and the Home Office's airwaves project. That will cost £10,000 of the unit's money but, given the budget that I have just described, it does not have £10,000. Therefore, it cannot link into that huge communications system.

I have given a number of examples that show that the current level of funding is totally inadequate for the range of activities for which a unit, such as the one run by my local council, is responsible. The Government recently advised it to try to get involved in a business continuity scheme to enable local economies to weather the storm of an emergency, but it cannot afford to do that. It wants to set up a flood warden scheme so that local people can advise other local people about floods. It also wants to set up other schemes, but it simply does not have the money to do so.

Funding is a big issue for the unit in my area and for others throughout the country. That is why so many people have raised so many times the issue of the sums of money to be made available. They desperately want a much clearer answer from the Minister than we have heard so far.

The Minister is right to say that the current arrangements are based on the Civil Defence Act 1948 and the amendments to it that have followed. As he acknowledged, the Act is obsolete and new legislation is desperately needed to put civil defence on to a footing fit for the 21st century. However, I was somewhat surprised by what he said about how the planning for the future was going. In December 2000, following the Leeds castle meeting, we were told that there would be a review of civil defence legislation. However, he has told us today that the consultation did not begin until August this year, with the consultation period ending in October. Will he explain why there was such a long delay between the promise made in December 2000 and the start of the consultation in August? Perhaps more importantly, when might we expect new legislation to be introduced? He merely told us today that that depends on when priorities will allow.

In the meantime, many things could be done that do not require further legislation. Since 11 September, a great deal of information has been sent by a variety of civil servants to civil defence units around the country. The units have received information from the Cabinet Office, the Home Office, the Department of Trade and Industry, health authorities, Government offices of the regions and many others. Clearly, in many cases, that information is welcome, but I hope that the Minister is aware that complaints are often made that the information provided by the different organisations has been contradictory. There is, therefore, a need for much greater co-ordination of the communication between the Departments and the units.

I understand that that point was raised with the Minister when he met representatives of the Local Government Association on 15 September. I am told that at that meeting he undertook to find ways of improving the means of communication between Departments and local

[Mr. Foster]

councils. Perhaps he can confirm that the Government intend to do that, because that would be of great interest to local councils.

According to the minutes of that meeting provided by the LGA, I note that, when the Bill was discussed, the Minister undertook to

> "Reconsider the Civil Defence (Grant) Bill currently before Parliament."

I know that the LGA raised a number of points with him. However, as the Bill remains in exactly the same form as it was when it first appeared in June, it is clear that he has not decided to make any changes. I hope that he can explain why.

In the Minister's response to the many questions about finance, he has stood at the Dispatch Box and told us that the Bill is not about the amount of money involved, but about establishing a formula for the distribution of grants to the various bodies. I understand entirely that that is the Bill's purpose. However, if that is what it is meant to be about, I fail to understand why, as clause 1 makes clear, the new section 3(3) of the 1948 Act will state:

> "The designated Minister—
>
> (a) may use different formulae or other criteria in making determinations for different authorities".

Surely that means that the Bill is not about creating a formula but about creating several different formulae at the whim of the designated Minister. If the Minister so chooses, he can say to a particular authority that the formula is such that it will receive no money whatever. I hope that the Minister will explain why the Government believe it is necessary to have a system with different formulae that gives huge discretion to, at the moment, the Home Secretary.

Mr. Collins: The hon. Gentleman is on to an extremely important point. In response to the Minister's point about trying to provide certainty for local authorities, he will notice that the new section 3B says that the grant should

> "be paid in such manner and at such times as the designated Minister determines . . . a grant for a financial year need not be paid in that year".

It could even be paid in instalments. How on earth that is supposed to help the long-term financial planning of local authorities escapes me.

Mr. Foster: The hon. Gentleman must have good eyesight, because he has read the next part of my speech. I was about to make that very point. Not only is the Home Secretary able to use as many different formulae as he wants, but he will have the power to pay whatever money the formulae decide is appropriate whenever he chooses. As the hon. Gentleman rightly said, that hardly helps local authorities to plan their activities efficiently.

Mr. Leslie: Now that we are dealing with the provisions of the Bill itself it is important to reiterate what I said about how the establishment of the formula replicates—but not exactly—provisions in other standard local government grant arrangements. The provision is simply a form of words that exists in other local government finance legislation. It will give Ministers the flexibility to examine specific projects or initiatives in an area that might have a long-standing emergency planning need. That is why we need the powers that currently do not exist in statute.

Mr. Foster: I had hoped that the Minister would have explained the need for a range of different formulae. However, his answer is largely to say that that is what has always been done. That does not necessarily make it right.

The Minister referred to specific projects that the Government might want to fund, but he has already told us that they provide vast sums of money to fund such projects outside the normal planning process. There is a mechanism for that, so we have not had a clear explanation as to why that particular provision is in the Bill.

I also hope that the Minister will turn his attention to when the funding is to be paid. Although I entirely accept that the Bill seeks to resolve a technical problem that resulted from the challenge mounted by the Merseyside fire and civil defence authority, I genuinely fear that it could create more problems than it will solve. It will certainly create considerable uncertainty about how the funding will be calculated and when it will be paid. As we have said, there are real fears that it could lead to cuts in funding for civil defence at the very time when its importance has been brought home to us by the appalling events of 11 September.

As I bring my remarks to a close, it is appropriate that I should include the words of the manager of my council's civil defence planning unit who said to me only the other day:

> "Over the past 10 years, these services have been trimming the fat from the bone—but now that the bones themselves have been diagnosed with osteoporosis, we really do need emergency treatment".

That opinion will be echoed by many emergency planning officers around the country. The Government need to provide more than technical legislation to sort out the mess that they are in. We need a clear commitment on the security of funding and the level of funding for this vital service.

7.40 pm

Geraint Davies (Croydon, Central): It is unfortunate that the hon. Member for Westmorland and Lonsdale (Mr. Collins) said that he opposes the Bill because it is irrelevant, inappropriate and penny-pinching, because we are just beginning to understand its basis. In essence, it provides a rational mechanism for delivering money. It is not about setting the grant itself. It is important to make that clear, irrespective of what was said in a press release dated, I think, 22 June, because that cannot be set in the context of post-11 September and the atrocity on that day.

I am a former leader of London's largest authority, which was responsible for budgets, including the civil defence grant. I am also a member of the Public Accounts Committee, which is dedicated to ensuring that public expenditure delivers value for money. From the view of the customer, in terms of budget management and projection, and the taxpayer, in terms of delivering value for money, the Bill is appropriate and necessary.

The hon. Member for Bath (Mr. Foster) did not mention this, but the legislation will be superseded in a wider context within the next couple of years. *[Interruption.]* I will come back to that if there is a problem with it.

Mr. Don Foster: The hon. Gentleman is more illuminating than the Minister. He told us that he is confident that the budget figures will increase and, despite what the Minister said, he now tells us that new legislation will be introduced within two years. I would be grateful to know his source of information.

Geraint Davies: It is known that the Government intend to introduce emergency planning legislation because the Deputy Prime Minister mentioned it for something like 2003 or 2004. That information is in the public arena. As I understand it, we are moving quickly to ensure that we do not have a blank-cheque approach in the aftermath of the Merseyside decision. Prior to that, and since the Civil Defence Act 1948, decisions were made on a reasonably even basis. Since the Merseyside decision, the Government have been open to a certain amount of financial exposure. Instead of future grants being determined by a rational formula, they could be decided arbitrarily. That is not in the interests of the taxpayer or, indeed, of local authorities, which need certainty when they plan for emergencies.

There is a need to act quickly. The Government are doing that. It is important that the overall budgets, which vary between £14 million and £19 million, are set in the wider context. That is not a large sum considering the total expenditure that is put aside for responses to disasters by the police, the fire service, ambulances and so on, which is provided through the Bellwin scheme. Hon. Members referred to the clarity of the formula and executive management, but the Minister made it clear that that is within the wider remit of the Home Secretary, who chairs the Cabinet Civil Contingencies Committee.

It is important that the level of grant is decided rationally and that it is appropriate for current circumstances. It is also appropriate to protect taxpayers. There must be accountability and the money's use needs to be rationally explained. The grant allocating method should be brought into line with all other Government grant allocating methods. It is the only grant from Government expenditure that is not formula-driven, and that anomaly needs to be sorted out.

We need to update the 1948 Act, which was introduced to deal with hostile attacks from abroad. I appreciate that the Civil Protection in Peacetime Act 1986 extended local authority responsibilities from wartime planning to peacetime planning for flooding, train crashes, plane crashes, chemicals and so on. In the light of other events that have occurred, such as the flooding in 2000, the fuel crisis and foot and mouth, the legislation is overdue for amendment, especially because of the Merseyside decision.

Mr. Nicholas Winterton (Macclesfield): The hon. Gentleman is making a constructive speech, but does he believe that true need will be met by the legislation, or is an expectation being built up that may not materialise in the grant?

Geraint Davies: I believe that true need will be addressed. The alternative is to do nothing and face the uncertainty of a blank-cheque situation. If that happens, we will not know how much money will be spent or where it will be spent. It is important to have a rational basis that is flexible and targets money appropriately to the areas of need.

The grants will be cash-limited and formula-driven, but there will be opportunities for project-based financing. There is also an option for Ministers to exercise discretion. Although we can plan rationally for various scenarios, we must consider that the nature of disaster and terrorism is uncertainty, and the planning system might have different configurations for different places. For instance, the needs of London are different from those of other towns, cities and villages.

The formula offers an opportunity for rational targeting, formula-driven, project-based funding and some discretion. Alongside that, I am pleased that there is a chance to have a service level agreement to ensure that consistent and growing standards of service delivery are met. In the past, we did not have the quality assurance or the means to ensure that we got the output that the public require and the value for money that we demand.

I am pleased to support the Bill. From the local government point of view, the Government clearly intend to consult the Local Government Association further. Some authorities might have irrationally overspent and not be delivering high-quality services. That will be addressed. In time, the wider needs of the legislation will be a consideration. Basically, the Bill offers an opportunity to deliver the level and quality of service that we need for emergency planning and to provide value for money for the taxpayer.

7.49 pm

Mr. Peter Luff (Mid-Worcestershire): Civil defence is something that we all hope that we never need, but we understand that if we do, it must work, and work well. Certainly New York's emergency services worked well in the aftermath of 11 September, and I join the Minister in paying tribute to all those who work in the British blue light emergency services. We are well served, and sometimes we take them too much for granted.

People who are called to emergencies are contemporary heroes, but their heroism will work only if there is proper co-ordination behind the scenes to ensure that their services are delivered in the right way at the right time and are the right response to particular circumstances. That is why the Bill is so important.

The Bill is an emergency response to an uncontested court action, as my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) said. I do not much like it. I am not saying that cash limiting is wrong—quite the opposite—but when one is considering how to restructure the funding for any national or local government service, it must be done against an intellectually consistent and honest background.

The Government are reviewing all such legislation and that will provide an intellectually honest and coherent background for a proper review of the financial arrangements that support it, and that is the right way to proceed. One should start with the intellectual analysis, and move on to finance, rather than the knee-jerk reaction of rushing through a Bill whose only effect, as my hon. Friend said, will be to cut the expenditure available for co-ordination at a crucial time in our nation's history.

There are two reasons for opposing the Bill: the fact that the legislation is being reviewed and the fact that the world has become a more dangerous and uncertain place since the Bill was published. We all know that the origins of civil defence lie in concerns about the cold war, but our enemies are now more complex, subtle, sophisticated and, indeed, numerous. Foot and mouth disease is but the latest. We must also deal with flooding, which I shall discuss in detail later.

[Mr. Peter Luff]

There are long-standing hazards resulting from industrial processes. I have three tier 1 COMAH—control of major accident hazard—sites in or near my constituency that cause the emergency planning authorities of Worcestershire a great deal of concern. The sites are well managed, but the authorities need to keep a careful eye on them and plan properly for responses to anything that may happen. Of course, there is also the question of the post-11 September world, which has featured heavily in speeches so far. Far from getting better, the civil defence front is getting worse and more complex. Hon. Members have mentioned the fuel crisis, and there was the millennium bug. Who knows what scientific disaster we will have to confront next?

My hon. Friend spoke about the hundreds of billions of dollars voted by Congress for civil defence purposes in the United States. I was struck by the fact that, while we have cut £10 million from civil defence expenditure for the understandable reasons that have been set out, the national Federal Emergency Management Agency in the United States co-ordinates emergency responses to natural or man-made disasters with an annual budget of $300 million. It has access to contingency funds of $2 billion, 2,900 staff and more than 4,000 reservists. That is a sign that that country takes civil defence seriously.

We know that we need fundamental change, and the review has rightly begun. I cannot remember who launched it, because I am so confused about where responsibility for the subject lies, but someone in the Government deserves credit for doing so in August, before the events of 11 September heightened the need to act. I am delighted that the Government say in the discussion document on which we were invited to comment by the end of last month that greater consistency is needed in the delivery of emergency planning. They are considering precisely the legislative changes that, in principle, the House should welcome.

I am also delighted that the Government are seeking views on funding arrangements, proposing that civil defence arrangements should be supported through the standard spending assessment alongside other locally delivered services, rather than being put in a special pigeonhole. That may be a sensible way to proceed. I understand that the responses to the document have been very favourable, giving the Government a clear mandate and consensus on which to proceed. All that is very encouraging, so why this grubby little Bill now?

The chief emergency planning officers of the west midlands region discussed the Bill at one of their regular liaison meetings. Not one of them felt that it was needed, especially in view of the review of legislation, so what does it do? As my hon. Friend said, it cuts expenditure, but it does so highly capriciously. The explanatory note is a model of obscurantism, and just the sort of explanatory note that, we are learning, is a non-explanatory note. Let me offer my own version:

"This Bill gives the designated Minister the power to vary the Civil Defence Grant, payable to grant receiving Local Authorities on an annual basis, at will. Under its provisions, he will be enabled to use different criteria in determining the amount of grant to be paid to different authorities across the country.

Further, the grant could be held back and not paid for an indefinite number of years after that to which the grant applies. In the intervening period, the amount previously determined could retrospectively be altered.

In order to ensure almost complete uncertainty for local authorities, he will be given the power to decide arbitrarily that the grant payable to any particular authority will be reduced to zero from the original determination and this could be announced at any time, even after the grant period has started, leaving local authorities without any resource to carry out their Civil Defence functions."

Mr. Leslie *rose—*

Mr. Luff: I think that I know what the Minister is going to say, but I will let him say it anyway.

Mr. Leslie: The hon. Gentleman is trying his best to provoke me. I genuinely do not wish to make a party political point, because I understand that, at some point in the past, the Conservative party had a principle of sound financial management. The Bill's purpose is not to set the grant but to impose a formula system, like that for all other local government funding arrangements, to ensure that we can plan strategically nationwide. Does he support that?

Mr. Luff: I am glad that I did not anticipate the Minister's intervention, because I thought that he would ask a much more difficult question. The Bill's financial effects are set out in the explanatory note; the formulae lead to the conclusion that money will flow to local authorities. He is dancing on the head of a pin. His argument has some intellectual respectability, but I am afraid that, politically, it does not engage me at all, which I find disappointing.

The Minister was really saying that he could give Worcestershire a certain sum and the council could budget for it, but he could sit on it for months or even years and then decide not to pay. So much for the certainty to which he referred in his opening remarks. So what if the hon. Member for Croydon, Central (Geraint Davies) ran a local authority? Judging from his remarks and considering the effect that I think that the Bill will have on local authorities, he has gone native now. I hope that the Minister finds my suggested explanatory note helpful; perhaps he will consider revising the Government's version when the Bill goes to the other place.

I am glad that we have heard a lot about flooding, which is one issue that gives the matter such great urgency and importance. I declare an interest in two senses: I was Chairman of the Agriculture Committee when it produced its July 1998 report, just three months after my constituency suffered catastrophic flooding. We began the inquiry before the floods, and they occurred during it. We talked about confusion of departmental responsibilities, and when the floods in my constituency occurred, at Easter 1998, the Deputy Prime Minister, who was Secretary of State for the Environment, Transport and the Regions, turned up to see what was going on. He then discovered that he should not have been there, because the matter was the responsibility of the Ministry of Agriculture, Fisheries and Food, but we were glad to see him during an exceptionally serious event for my constituency.

In April 1998, Wychavon district council experienced serious flooding in 60 of the 91 parishes in its area, one of my constituents died and many came very close to dying. I have in mind the experience of one of my constituents who lives near what is normally a harmless bubbling brook, Bow brook, and who had to swim through 6 ft of diluted sewage to get from his garage to his front door. He nearly died in the process, and it was a terrifying experience.

The Agriculture Committee report of three years ago still bears careful reading. I re-read it today, and I believe that my hon. Friend the Member for Westmorland and Lonsdale may have been on the Committee.

Mr. Collins *indicated assent.*

Mr. Luff: Indeed. The report was so radical that the *Daily Express* splashed, if that is the right metaphor, across its front page the headline, "Let Britain Sink Say MPs". That was not quite what we had in mind, but it certainly made people read the report. It highlighted the dangers of the increased flooding risk in the United Kingdom, often in very dramatic terms.

Those dangers arise from a range of factors: the Government's plan to build lots of new houses on flood plains, climate change and the fact that the nation is tipping slowly into the English channel, which I believe is called geomorphic tilt. That means that huge numbers of our population are at increased risk of flooding, so civil defence becomes much more important.

I know that for two-tier authorities such as mine, most of the practical burden of dealing with flooding falls on district councils, not the county councils, which are the authorities for the purposes of the Bill. I pay tribute to the staff of Wychavon district council who did so much three years ago. They gave up their Easter break and worked tirelessly to run welfare centres, open rest centres, clean up the mess, arrange for dehumidifiers, certify whether food was fit for human consumption, examine the structural stability of buildings, check electricity supplies—particularly in touring caravan parks—deal with fallen trees and so on.

As Carl Craney, the head of housing and engineering services at Wychavon, told me today:

> "In emergencies like these, district councils rely on the good will of the staff that they do little or nothing to deserve."

Certainly, district councils are not rewarded by the Government for the work that they do to plan for emergencies—that function is reserved for the county council. We owe it to counties such as mine that have suffered so disastrously to ensure that flooding arrangements are properly co-ordinated.

The county council produced a report. I was not sure about that, as I thought that perhaps the district council should do so, but never mind. It dealt with a flooding emergency in my county last year, asking,

> "What can be done to minimise the future impact of floods?"

The first recommendation was

> "Do not cut Home Office grant for emergency planning."

It was made by the then Liberal and Labour-controlled council, but it seems that the Government are ignoring it.

Apart from flooding, I want to mention other regular issues that are now of increasing concern. I talked about my tier 1 COMAH sites, which need to be properly controlled and monitored. Proper rehearsals should be held for the kind of eventualities that we might face. To give the House an idea of the kind of site that I am talking about, I should add that I am delighted to have Royal Ordnance at Summerfield in my constituency. It makes rocket motors for a wide range of defence purposes. It is bidding for a new contract—I was lobbied by it only today—and I hope that it gets it. Rocket motors are dangerous things. Huge amounts of explosive and inflammable material are held at the site. It is important that my county has the resources to ensure that such issues are properly addressed.

I had thought that I might talk at length about terrorism, but as others have done so, I merely note that all kinds of new terrorist and broader microbiological risks emerge daily. We have talked about foot and mouth disease, but what other microbiological hazards are evolving to confront us? What new microbiological hazards are being planned by those who do not like our lifestyle or approach, or bear some bizarre grudge against western society? We do not know. The need for emergency planning does not diminish but grows.

I asked my local authority what it thought about the Bill, and I say to the hon. Member for Croydon, Central that this is what Worcestershire county council said. It said that it finds

> "the provisions of this Bill to be draconian and totally unnecessary. The Cabinet Office is currently carrying out a fundamental review of Emergency Planning, with a view that an Emergency Planning Bill shall be introduced before or during 2003, when this Bill"—

the Civil Defence (Grant) Bill—

> "would come into force. It is anticipated that the Civil Protection Bill will impose a statutory duty on all local authorities for emergency planning and that this will probably bring about a change in the way that this service is funded.
>
> It appears on the surface that it would be far more logical to leave the current arrangements in place and incorporate this Bill within the provisions of the proposed Emergency Planning Bill, which at most on the current timescales proposed would only extend the current arrangements for one financial year."

Mr. Nicholas Winterton: My hon. Friend spoke at length about flooding. Does he accept that as well as local authorities—the Bill relates to local authority grants—public utilities should be involved in seeking to create a policy to prevent flooding? At the moment, they cannot take the action that they want to take owing to shortage of money. The village of Eaton in my constituency suffered severe flood damage and danger to health from sewage. Such issues are involved in this debate.

Mr. Luff: I am glad that I gave way to my hon. Friend, as I always am. He makes a powerful point. There is a desperate need to overhaul and reform the structure of flooding policy, which is bewildering and confusing to us all. An earlier Select Committee report found some 240 different authorities and agencies involved in one way or another with flooding issues. The classic division is between the Environment Agency, district councils, county councils and water companies. There is a need to ensure proper co-ordination. That makes the provisions of the Bill so much sadder for me. I am sorry that the Minister has fallen for the line sold by others. I hope that he will listen to the wise words of Worcestershire county council and even at this late stage withdraw the Bill and reintroduce it later as part of a more comprehensive solution to the problems that we face.

8.3 pm

Tom Brake (Carshalton and Wallington): I shall be brief. I declare a non-pecuniary interest as the chairman of the National Council for Civil Protection, and a personal interest as my wife works for Sutton council and is one of its emergency planning officers.

The NCCP is an advisory or pressure group that is extremely active in promoting emergency planning best practice. Its members are principally drawn from the emergency planing community in local authorities. It has met representatives of the Home Office to discuss these matters on a fairly regular basis.

I shall not go into whether the Government are intending to downsize the sum of money that can be allocated to emergency planning from £19 million to £14 million because I know that the Minister would intervene to point out that the Bill is about not a formula but drawing up a system of formulae. That is rather hard to pin down. What is clear, however, is that local authorities are not in a position to plan properly. They are having to set budgets without knowing exactly where they stand.

It is worth pointing out some of the risk associated with any downsizing of funding allocated for emergency planning. Hertfordshire council has received additional moneys that have been used to identify the homes in which elderly people live—and specifically those on flood plains—and to confirm whether such homes have adequate emergency plans in place should flooding occur. I understand that such projects would be at risk if the money allocated was reduced to £14 million.

I also understand that the Government have issued guidance saying that, as well as normal arrangements for emergency planning, local authorities should be putting together a central Government advisory team, which is supposed to consider terrorism and hostage scenarios. They are also supposed to be drawing up a joint health advisory cell to consider chemical and biological threats. Such systems are obviously not in place currently and will require officer time—that is what emergency planning is mainly about—to implement them and ensure that they work. Again, if the sums of money are reduced, such systems will probably not be implemented.

The Minister said that he cannot predict the legislative timetable. I wish that he was as successful at doing so as the hon. Member for Croydon, Central (Geraint Davies). Will the Minister at least give an assurance that he will personally make the matter top priority and fight for legislative time to be made available for such a Bill? Given the different crises in the past few years—whether it be the fuel crisis, foot and mouth, terrorist threats or flooding—such a Bill is clearly a top priority.

Does the Minister expect—preferably before but possibly after a review and consideration of the legislative programme—a mechanism to emerge to ensure the wider promotion of best practice in emergency planning? Members have referred to some of the omissions from the website. From talking to people in emergency planning, I understand that the content is very limited and that much more must be done about promoting best practice. Rather than simply telling local authorities that, for example, they should be reviewing their arrangements for mortuaries and how to go about decontaminating bodies if necessary, the Government should provide some best practice advice on such matters. That would mean that each authority would not then draw up an individual plan, even though someone somewhere had already done the work.

As the Minister has said, the Bill is specifically about the system of formulae to be implemented. I hope that there will very soon be an opportunity to return to the subject in order to deal with emergency planning in a much wider sense.

8.9 pm

Mr. Mark Francois (Rayleigh): I begin by apologising to the Minister for missing the first few minutes of his opening speech. I serve on a Select Committee, and even with all the modern technology of the 21st century, one cannot be in two places at once. I came hot foot to the debate, but missed the first couple of minutes. I served for seven years in the Territorial Army, including in a home defence role, and I shall bring a little of that experience to bear on the debate. I shall directly address the Bill later, but begin by putting the debate into an historical perspective.

The emphasis on civil defence has broadly been declining since the second world war, at the end of which Britain had formulated a highly efficient civil defence system. During the battle of Britain, the courage of pilots in the air was matched by that of those serving in the civil defence network on the ground in units such as the Auxiliary Fire Service and the Royal Observer Corps. Without such people the effective defence of the UK from attack would not have been possible. Even to this day, we continue to owe them a great debt for helping to defend freedom.

With the advent of the cold war the emphasis in civil defence planning changed, in particular to reflect the new nuclear era. Considerable effort was expended on adjusting civil defence planning to cope with the prospect of nuclear attack on the UK by the Soviet Union. A series of emergency bunkers was created and both national and local government officials trained for the eventuality, however difficult it might have been to contemplate. It transpired that the democratic west won the cold war and helped to bring freedom to eastern Europe, as well as to Russia itself to some extent. All those who were part of that apparatus played an important role, in their own discreet way, in that most welcome extension of democracy.

I pay tribute in particular to the members of the Royal Observer Corps. For many years, ROC volunteers trained to help Britain to deal with aerial and ultimately nuclear attack. Those who served in the ROC were highly trained to deal with perhaps the worst of all imaginable events: a nuclear attack on their country. From their series of posts and bunkers around the country, they would have been responsible for plotting the nature and extent of any such attack and informing the Government of the extent of the damage. They trained for all that in the knowledge that they might have to continue to operate even after their own families had become casualties.

Thankfully, with the end of the cold war the possibility of such an all-out assault receded. The corps was disbanded as a result. It is always difficult for members of a unit or organisation who have worn their uniform with pride, as the volunteers of the ROC certainly did, to accept the order to stand down. However, they have the satisfaction of having done an important job quietly and thoroughly. The ROC performed a valuable service for this country for many years and I pay tribute to its members.

The end of the cold war did not necessarily entail the end of all threats to the security of the UK—far from it—but that point was not fully appreciated by the new Government in 1997. The 1997–98 strategic defence review had important implications for civil defence planning in the UK. It switched Britain's planning assumptions towards a largely expeditionary strategy: the concept was one of greater flexibility and mobility and the ability to project forces to trouble spots around the globe. As the then Secretary of State for Defence George, now Lord, Robertson put it at the time,

> "If the war is no longer going to come to us then we may have to go to the war."

That had implications for resource allocation and the switch towards expeditionary warfare was made at the expense of home defence, including civil defence. Not only was the Territorial Army severely cut, which I believe was a great mistake because the TA has great potential in times of domestic emergency, but the civil defence infrastructure was further run down, to the point where many professionals working in the field were becoming increasingly alarmed and, at the same time, demoralised by the low priority that the Government appeared to attach to their work. It is that overall trend of running down domestic defences that provides the background to the Bill.

When professionals in the field began to protest about the low priority given to their work, some accused them of crying wolf. The atmosphere was almost such that people voicing concerns and asking questions about civil defence in a post-cold war world were regarded as alarmist. That led to the Merseyside fire and civil defence authority feeling obliged to take the Government to court for failing to meet their statutory obligations. The Government declined to contest the case, and that led to the introduction of the Bill. It is important that our debate is seen in that context.

All that took place before 11 September. Since then, there has been a great deal of discussion about the possibility of so-called asymmetric attack on the UK by terrorist groups of the type whose actions people in the United States have had to suffer. In the debate on the Anti-terrorism, Crime and Security Bill a few days ago, Ministers took pains to argue that the UK faced a genuine national emergency,

> "threatening the life of the nation"

as a result of events in the United States, and that the serious risk justified our derogation from certain aspects of the European convention on human rights that were inconsistent with some of the measures in that Bill.

It is utterly inconsistent for one set of Ministers to argue in the House that the UK faces a genuine domestic emergency, and other Ministers to argue a few days later for legislative powers to reduce spending on civil defence. Either we face such a threat or we do not. We should allocate our resources, including funding for civil defence, accordingly. I happen to believe that more must be spent in that respect, so I deprecate the spirit of the Bill, which would facilitate precisely the opposite.

Mr. Miller: Nonsense.

Mr. Francois: I refer the hon. Gentleman to the Bill. New section 3B(4), on payment, states:

> "An authority shall repay to the designated Minister any sum which . . . exceeds the amount to which the authority is entitled under that section for that year (whether or not by virtue of a varying determination under section 3(3)(b))."

If the Bill is designed to enhance the resources given to civil defence, why is it necessary for the Government to include a clawback provision? No Labour Member has defended that point so far.

This country has survived many threats to its security down the centuries. Now, we face a new and in many ways more invidious threat than we have faced hitherto. We need to guard against the threat of terrorism and asymmetric warfare, just as we have guarded against all other threats. That means spending more on civil defence, not less. When the total allocated to local authorities for civil defence last year—£20 million—is around half the cost of a single Eurofighter aircraft, we have got the balance of our planning wrong.

The first duty of Government, above all others, is defence of the realm. We forget that at our peril. From what I have heard today, I believe that we are in real danger of forgetting that tonight.

8.18 pm

Mr. Collins: With the leave of the House, Madam Deputy Speaker.

We have had a useful and constructive debate. If the Minister is unable to deal with all the points raised now, perhaps he will write to those who have spoken.

The hon. Member for Ellesmere Port and Neston (Mr. Miller) made an extremely important point about the need to clarify what different siren sounds mean. He was entirely right to draw that to the House's attention. I also strongly endorse his comments on the importance of no-flying zones. He will understand why the matter is of no small concern to my constituents, one of whom recently pointed out to me, using a somewhat morbid phrase, that his home at Windermere was only 25 miles "as the radiation flies" from Sellafield. Greater clarification would be appreciated, although I should say that the measures already taken by the Government in that respect are most welcome.

My hon. Friends the Members for Mid-Worcestershire (Mr. Luff) and for Rayleigh (Mr. Francois) and the hon. Member for Bath (Mr. Foster) all paid important tributes to emergency planning officers, which I am sure will be supported by all hon. Members on both sides of the House. We should applaud the officers' work.

The hon. Member for Bath was entirely right when he said that we all accept that legislation of some sort to deal with funding matters in this context is needed at some stage, but as he said, the Government's timing is dreadful. He said that he looks forward to introducing amendments when the Bill is considered in Committee to delay its effect. He will have the support of the official Opposition in doing so, and perhaps we can work together on that. I look forward to that because his party and mine have recently taken joint control of Cumbria county council, and are doing a great deal better there than the previous Labour local authority.

[Mr. Collins]

The hon. Member for Croydon, Central (Geraint Davies) made, perhaps unintentionally, a slightly entertaining speech. He tried to argue that the Government were not about to cut civil defence funding. For the Minister's benefit, he went on to announce that new legislation would be brought forward in the next two years. The Minister was a little less certain than the hon. Gentleman about that. However, it was an interesting contribution.

My hon. Friend the Member for Mid-Worcestershire rightly said that heroism works only when there is proper co-ordination behind the scenes. I am sure that he is right to say that it would have made a great deal more sense to address finances as part of an overall framework of legislative reform, and not on their own. I am sure that he was right to pay tribute to the work of his local district council. I was taken by the quote that he provided from Worcestershire county council, which described the proposed legislation as draconian and entirely unnecessary.

My hon. Friend the Member for Macclesfield (Mr. Winterton) made a typically constructive contribution. He spoke of the need for utilities to be brought within a proper legislative framework. The hon. Member for Carshalton and Wallington (Tom Brake), who is a great expert on these matters as the chairman of the National Council for Civil Protection, made a helpful and positive contribution.

My hon. Friend the Member for Rayleigh, whose expertise in these matters as a former member of the Territorial Army is important, was right to pay tribute to the work of the Royal Observer Corps. His tribute was entirely appropriate and well informed, and it should be endorsed by everyone in the House who loves freedom. It was interesting that he referred to the words of Lord Robertson, who said some years ago that the war would no longer come to us. Sadly for the citizens of New York, it came to them. That must influence the way in which we approach these matters.

The Opposition genuinely believe that the Government have got this one wrong. It is the wrong Bill at the wrong time. It is a misguided response at a time of national emergency, to use the Home Secretary's words. That is why we shall be voting against the Bill. We ask the Government to reconsider the measure.

8.22 pm

Mr. Leslie: With the leave of the House, Madam Deputy Speaker.

I want to respond to what has been a brief but constructive debate. It has allowed the Government to explain—I hope that it will not be necessary to do so more frequently—that the Bill is about enabling the Government to set a formula for the allocation of grant, and not the actual level of spending.

The hon. Member for Westmorland and Lonsdale (Mr. Collins), in opening and responding to the debate on behalf of the Opposition, mentioned the great work of the emergency services and others. Indeed, he complimented the Government's handling of events post-11 September. I welcome those remarks. I am sorry that he has concluded that he will actively oppose the Bill. It seems that he is opposing a national strategic approach to emergency planning funding, which is extremely regrettable. The Government want a planned and fair distribution of grant. The hon. Gentleman appears not to want that.

My hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) made a number of legitimate suggestions for improving public protection. He referred to the demise of the old warning sirens that were in place in the cold war era. I know that the Government are reviewing the adequacy of public warning systems and I hope that announcements will be made on that. My hon. Friend talked about no-fly zones around sensitive sites. He will be aware that following discussions in another place, the Departments involved will be taking up a number of his suggestions. He has given much attention to the Bill and has scrutinised it, and I value enormously his contribution.

The hon. Member for Bath (Mr. Foster) also paid tribute to the work of local emergency planning officers and others. He gave examples of work that is undertaken in his local authority area and the issues that are faced. He talked about demands on budgets, the need for training and the wish to see better communication systems. We need to reinstitute the ability to allocate a formula that is based on a series of criteria on a range of issues. We need legal authority to do that, and that is precisely what the Bill is designed to achieve.

My hon. Friend the Member for Croydon, Central (Geraint Davies) has much experience as a former leader of his local council and as a member of the Public Accounts Committee. He understands entirely the need for the rational allocation of grant. He correctly summarised the Bill's provisions.

The hon. Member for Mid-Worcestershire (Mr. Luff) raised a number of questions, in particular the flooding in the Wychavon area. He also referred to one possible cause of his geomorphic tilt, which I feel I may be suffering from at this time of the evening. Civil defence grant covers only the funding for local emergency planning units; it does not cover responses to floods. I understand that the budget is rising from £66 million for the financial year 2000–01 to £114 million in the financial year 2003–04. There is an increase in the amount that we are allocating to flood prevention. The hon. Gentleman also mentioned issues surrounding the control of major accident hazard sites. These are being reviewed by the Cabinet's Civil Contingencies Committee.

The hon. Member for Carshalton and Wallington (Tom Brake) has a great deal of knowledge about civil contingencies and emergency planning. I welcome his contribution. He specifically urged the Government to bring forward wider emergency planning legislation as soon as possible. The truth is that we are still learning many lessons, particularly after the events of 11 September. We intend to bring forward a Bill as soon as parliamentary time allows. We must ensure that we are covering all the relevant issues in such legislation.

The hon. Member for Rayleigh (Mr. Francois) made an interesting speech. He paid tribute to the Royal Observer Corps and the Territorial Army. He discussed the end of the cold war. I disagree with his conclusions about the Bill, but I understand the experience from which he speaks.

Several Members talked about the level of funding, especially those who spoke from the Front Benches. The issue of reprofiling spending has arisen throughout the debate. I am learning at all times. The Bill does not set the budget for civil defence grant, but it enables Ministers to do so. Ministers have yet to set the 2002–03 financial year resource. The question this evening is whether we should have a formula for allocating such grant.

We accept that we should reconsider financing for local authority emergency planning units. That is why we have the emergency planning review. Discussions are continuing, especially following the events of 11 September, in respect of the next comprehensive spending review. We will be considering all the representations that we are receiving from local authorities. The Local Government Association, in particular, has made representations, and we are trying to build on our continuing dialogue and regular communications with it. Its representations will be taken into account as far as possible. We are actively investigating the question of a formula based on the standard spending assessment.

To revisit the point about the Civil Contingencies Committee, it is chaired by the Home Secretary, although the civil contingencies secretariat is based in the Cabinet Office. It is clear, to me at least, where those organisations sit; I hope that that helps to clarify the matter for the House.

While the Government intend to consider new legislation on a range of civil contingency issues, this short Bill is required in the interim to re-establish a national strategic approach to civil defence grant allocation. The Government are concerned that, following the legal challenge, the costs of assessing the individual claims of each authority's bid to check whether they are reasonable is both disproportionate and burdensome, given the total size of the budget. A formula allocation is easier and more cost-efficient in administrative terms. Moreover, a system led by authority demand would fail to take account of the need for prioritisation and fairness across the country as a whole, so the Bill is needed now to reassert the importance of a comprehensive and planned nationwide emergency planning framework.

The hon. Member for Bath, among others, mentioned the need for a fundamental re-examination of civil contingencies work, which is currently under way in the emergency planning review and will address many specific representations on the level of grant and how best it should be allocated. The review specifically asked for comments on whether funding for local authorities should be made through the SSA. In the meantime, the basic building block of statute law is needed to give the Government the ability to implement the existing scheme and any new schemes.

There can be no doubt that the events of 11 September have caused significant anxiety across the world and in our own communities. Part of the process of ameliorating that concern is the demonstration that, as a society, we are well placed to cope with whatever emergencies may arise. The Bill reflects a mere fraction of the work required to tighten up our national resilience framework, but it is important nevertheless. It is a necessary tool in the delivery of effective emergency planning co-ordination across the country, and I commend it to the House.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 292, Noes 159.

Division No. 90] **[8.30 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Margaret
Begg, Miss Anne
Bennett, Andrew
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Caborn, Rt Hon Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Rt Hon Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Corston, Jean
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Havard, Dai
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*

Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr Lewis
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Rooney, Terry
Ross, Ernie
Roy, Frank
Russell, Ms Christine *(Chester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheridan, Jim
Short, Rt Hon Clare
Simon, Siôn
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Winnick, David
Wood, Mike
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Ivor Caplin and
Mr. John Heppell.

NOES

Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John
Barrett, John
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Rt Hon Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L
Butterfill, John
Calton, Mrs Patsy
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, Rt Hon Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton–Brown, Geoffrey
Collins, Tim
Conway, Derek
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dodds, Nigel
Doughty, Sue
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Francois, Mark
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David
Heathcoat–Amory, Rt Hon David
Hoban, Mark
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Letwin, Oliver
Liddell–Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Oaten, Mark
Osborne, George *(Tatton)*
Ottaway, Richard
Paice, James
Price, Adam
Pugh, Dr John
Randall, John
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob

Spring, Richard
Stanley, Rt Hon Sir John
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Dr Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Trend, Michael
Trimble, Rt Hon David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Widdecombe, Rt Hon Miss Ann
Williams, Hywel *(Caernarfon)*
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George
Younger-Ross, Richard

Tellers for the Noes:
Dr. Julian Lewis and
Mr. Charles Hendry.

Question accordingly agreed to.

Bill read a Second time.

CIVIL DEFENCE (GRANT) [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52 (Money resolutions and ways and means resolutions in connection with bills),

That, for the purposes of any Act resulting from the Civil Defence (Grant) Bill, it is expedient to authorise—

(1) the payment out of money provided by Parliament of grants made by a Minister of the Crown to authorities with functions under section 2 of the Civil Defence Act 1948, and

(2) the payment of sums into the Consolidated Fund.—*[Angela Smith.]*

Question agreed to.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

REHABILITATION OF OFFENDERS

That the draft Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) (No. 2) Order 2001, which was laid before this House on 19th November, be approved.—*[Angela Smith.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

LEGAL SERVICES COMMISSION

That the draft Community Legal Service (Cost Protection) (Amendment No. 2) Regulations 2001, which were laid before this House on 30th October, be approved.—*[Angela Smith.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

INCOME TAX

That an humble Address be presented to Her Majesty, praying that the Double Taxation Relief (Taxes on Income) (Lithuania) Order 2001 be made in the form of the draft laid before this House on 14th November.—*[Angela Smith.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

INCOME TAX

That an humble Address be presented to Her Majesty, praying that the Double Taxation Relief (Taxes on Income) (The Hashemite Kingdom of Jordan) Order 2001 be made in the form of the draft laid before this House on 14th November.—*[Angela Smith.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NURSES AND MIDWIVES

That the draft Nursing and Midwifery Order 2001, which was laid before this House on 15th November, be approved.—*[Angela Smith.]*

The House divided: Ayes 289, Noes 152.

Division No. 91] **[8.44 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Margaret
Begg, Miss Anne
Bennett, Andrew
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Browne, Desmond
Bryant, Chris
Burden, Richard
Burnham, Andy
Caborn, Rt Hon Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Rt Hon Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Corston, Jean
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Michael *(Worcester)*
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*

Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Havard, Dai
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith
Hinchliffe, David
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Lloyd, Tony
Love, Andrew
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr Lewis
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Reed, Andy *(Loughborough)*
Robertson, John
(Glasgow Anniesland)
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheridan, Jim
Short, Rt Hon Clare
Simon, Siôn
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Speller, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Winnick, David
Wood, Mike
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Ivor Caplin and
Mr. John Heppell.

NOES

Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Rt Hon Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Brooke, Mrs Annette L
Butterfill, John
Calton, Mrs Patsy
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, Rt Hon Menzies
(NE Fife)
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cotter, Brian
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dodds, Nigel
Doughty, Sue
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Francois, Mark
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David
Hoban, Mark
Hogg, Rt Hon Douglas
Holmes, Paul
Horam, John
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lamb, Norman
Laws, David
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick

Moore, Michael
Murrison, Dr Andrew
Oaten, Mark
Osborne, George *(Tatton)*
Ottaway, Richard
Paice, James
Price, Adam
Pugh, Dr John
Randall, John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Dr Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Trend, Michael
Trimble, Rt Hon David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Watkinson, Angela
Widdecombe, Rt Hon Miss Ann
Williams, Hywel *(Caernarfon)*
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Charles Hendry and
Mr. David Wilshire.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

HEALTH PROFESSIONS

That the draft Health Professions Order 2001, which was laid before this House on 15th November, be approved.—*[Angela Smith.]*

The House divided: Ayes 292, Noes 113.

Division No. 92] **[8.55 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Margaret
Begg, Miss Anne
Bennett, Andrew
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Browne, Desmond
Bryant, Chris
Burden, Richard
Burnham, Andy
Caborn, Rt Hon Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Rt Hon Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Corston, Jean
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Michael *(Worcester)*
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Havard, Dai
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith
Hinchliffe, David
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meale, Alan
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr Lewis
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick

Pearson, Ian
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Reed, Andy *(Loughborough)*
Robertson, John
(Glasgow Anniesland)
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheridan, Jim
Simon, Siôn
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Winnick, David
Wood, Mike
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Ivor Caplin and
Mr. John Heppell.

NOES

Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Rt Hon Virginia
Brady, Graham
Brazier, Julian
Butterfill, John
Cameron, David
Campbell, Gregory *(E Lond'y)*
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dodds, Nigel
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Fox, Dr Liam
Francois, Mark
Gale, Roger
Garnier, Edward
Gibb, Nick
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Hoban, Mark
Horam, John
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moss, Malcolm
Murrison, Dr Andrew
Osborne, George *(Tatton)*
Ottaway, Richard
Paice, James
Price, Adam
Randall, John
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Sayeed, Jonathan
Selous, Andrew
Simmonds, Mark
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Swayne, Desmond
Swire, Hugo
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Trend, Michael
Trimble, Rt Hon David
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Watkinson, Angela
Widdecombe, Rt Hon Miss Ann
Williams, Hywel *(Caernarfon)*
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. David Wilshire and
Mr. Charles Hendry.

Question accordingly agreed to.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 18(1)(a) (Consideration of draft deregulation etc. orders),

REGULATORY REFORM

That the draft Regulatory Reform (Special Occasions Licensing) Order 2001, which was laid before this House on 16th November, be approved.—*[Angela Smith.]*

Question agreed to.

Foot and Mouth (Tatton)

Motion made, and Question proposed, That this House do now adjourn.—*[Angela Smith.]*

9.6 pm

Mr. George Osborne (Tatton): I am grateful for this opportunity to raise the ongoing hardship and distress that the aftermath of foot and mouth disease continues to cause to so many of the people I represent. I make no apologies for choosing a narrow subject tonight—the impact of the disease in my constituency—although if I had known that I would have an hour and 24 minutes to talk about the impact of FMD, I might have broadened the scope of the debate to allow more of my hon. Friends to join in the debate. However, I would welcome any contributions that they might wish to make.

The issues that I shall raise affect all rural constituencies, both those that were particularly badly hit in Devon and Cumbria and those that never had a case of FMD. Tatton was not the worst affected area, but it did suffer from the effects of FMD. The first outbreak occurred at Little Leigh in the west of the constituency on 25 March. Outbreaks at Over Peover and Sproston followed, and the last outbreak was identified at Crowley on 29 May. During those two months, there were seven confirmed cases in the Tatton constituency, out of a total of 17 cases in Cheshire. I should say that I checked the Department website today and it listed only 16 cases, but I am reliably informed by the county council that the correct figure is 17. My constituency had the largest number of any one of the county's constituencies.

Given that I have a little more time to cover the issues, I shall briefly break—as I willingly concede—the agreement I made with the Minister's private secretary a couple of days ago and touch on some of the issues surrounding the Government's handling of the disease, although I hope to do so in a non-partisan spirit. I certainly do not wish to repeat the extremely heated exchanges that I read about between the Minister and my hon. Friend the Member for Macclesfield (Mr. Winterton) in the debate in Westminster Hall some days ago.

The issues that I hope any inquiry—I shall deal later with the question of a public inquiry—will cover include the Government's immediate reaction to the outbreak in the first few days of receiving news of the disease. We need to know how those crucial hours were handled by Government Ministers. We need to know whether those three days in which livestock movements were allowed to continue were crucial to the spread of the disease. I hope that the inquiries will also examine the epidemiological evidence that might show that the outbreak would have been much smaller—as some have suggested—if the Government had imposed movement restrictions immediately, rather than waiting for those crucial three days.

I hope also that the inquiries, when they are conducted, will look at the way in which animals were disposed of. There is great concern in farming communities that the large funeral pyres used at the beginning of the outbreak contributed to the spread of the disease. It was felt that thermal currents from large pyres spread the virus over large areas.

Moreover, there is concern in my constituency, especially in the western part, about the way in which the animals were transported by road through uninfected areas. The first outbreak in my constituency was very close to one of the main A roads used for the transport of a large number of animal carcases to the rendering plants near Runcorn. I hope that the inquiries will also consider that issue.

I hope, too, that the inquiries will consider whether the Government need to adopt the draconian new powers proposed in the Animal Health Bill. There is little understanding in farming circles of why the Government believe that they have to act in that way now, when the great many other matters arising out of the foot and mouth outbreak will not be attended to until lengthy inquiries have been conducted.

Miss Anne McIntosh (Vale of York): I congratulate my hon. Friend on securing this debate, which will be rather longer than he expected, in prime time. Was there any evidence in his constituency of the Department's officials breaking their own very strict biosecurity rules and entering clean premises after working at infected ones?

Mr. Osborne: There were no such cases in my constituency. We were lucky, if that is the right word, in that the disease had been raging for several weeks before an outbreak was reported in my area. As a consequence, by the time the disease occurred there, the Army had been involved and the Government had sorted out their methods of culling and disposal. The culling in my constituency was well handled by the Army, but I know that that is a real issue in many other areas. Again, I hope that the inquiries that will be held will look at that matter.

The question of when the Army should be brought in is crucial to future consideration of how such outbreaks should be handled. I believe that the Northumberland report—

Mr. Deputy Speaker (Sir Michael Lord): Order. This is not a general debate on foot and mouth disease. I should be grateful if the hon. Gentleman would confine his remarks to the impact of the disease on his constituency.

Mr. Osborne: I am grateful for your guidance, Mr. Deputy Speaker. I shall briefly round off my remarks by saying that none of the matters that I have set out can be dealt with by the various inquiries that the Government have set up. People in my constituency do not understand why a full and independent public inquiry will not be held. Such inquiries have been held to investigate rail disasters and the bovine spongiform encephalopathy—

Mr. Deputy Speaker: Order. That is rather a long rounding off.

Mr. Osborne: Thank you, Mr. Deputy Speaker.

I shall now focus on the present, and on the future. There are four issues that directly affect my constituency, and which cause great distress and hardship for my farmers and rural business.

The first matter is the heavy financial losses suffered by many of my farmers. Although the disease did not break out on their farms, their businesses were all but destroyed by the Government's movement restrictions. I shall give one example out of dozens in my constituency. In June, I went to see Mr. Ken Gee on his

[Mr. Osborne]

farm in Mobberley. Those who know my constituency will know that Mobberley is some distance from the locations where outbreaks of the disease occurred, but Mr. Gee was as badly hit as almost any farmer in the constituency. When I visited his farm, he showed me two prize cows. In early February, he had agreed to sell them for a couple of thousand pounds. However, the Government's movement restrictions came into force a few days before they were due to be sold, and the animals could not be moved anywhere. By the time of my visit, the cows were more than 30 months old, and therefore unsellable under the Government's BSE regulations. They were good only for the over-30-months scheme. They were worth a fraction of what Mr. Gee had budgeted for and, as a result, his farm suffered a financial loss which was, for him, considerable. The reason has nothing to do with the way in which Mr. Gee runs his farm or conducts his biosecurity arrangements. It has everything to do with the combination of two, quite understandable, Government regulations. One prevented cattle movements in the midst of the epidemic and the other, for good human health reasons, prevented the sale for consumption of cattle over 30 months of age

In a written question last week, I asked the Under-Secretary, the hon. Member for Scunthorpe (Mr. Morley), whether farmers like Ken Gee, who have suffered heavy losses solely because of the Government's regulations, would receive any compensation. I received this answer:

> "The Government have considered very carefully whether it would be appropriate to pay compensation for losses incurred on cattle which went beyond the 30 month age limit because of movement restrictions imposed during the earlier part of the foot and mouth disease (FMD) outbreak. We have concluded that it would not . . . . The Government do not compensate farmers, or businesses, for other, indirect losses."—[*Official Report*, 21 November 2001; Vol. 375, c.315 W.]

In other words, the Government have, by deliberate—albeit understandable—action made someone's property all but worthless, and they will not provide compensation. Why not? Why have they reached this conclusion? I should be grateful for the Minister's explanation.

I have used Mr. Gee's two cows as a simple and single example of one of the many thousands of ways in which the Government's foot and mouth regulations have caused huge losses to farmers in my constituency and across the country who are not directly touched by the epidemic. Indeed, it is commonplace in farming circles these days to remark that in many ways it was better to have the disease than not to have it. I heard that myself when I visited the National Farmers Union in Chelford a couple of weeks ago. The farms that were infected went through the trauma and shock, which I do not underestimate, of seeing their livestock destroyed, but at least they received full compensation, their business was kept afloat and cash flow was maintained. Those who did not have the disease on their farm but were next to areas being culled may have suffered almost as much trauma and loss of business but they have received nothing, and many of them in my constituency face ruin.

The Minister for Rural Affairs (Alun Michael): I do not wish to interrupt the hon. Gentleman's flow, but he said one thing that could be open to misinterpretation. He is right that farmers whose animals were culled received compensation. He then referred to cash flow. Compensation was not paid for loss of income for farmers, any more than it was for other businesses that were affected. That is a clear dividing line.

Mr. Osborne: I am grateful to the Minister for making that point. What I meant by cash flow was that they had money going through their bank account. Many other farmers who did not have the epidemic on their property have had no money flowing through their bank account: on the contrary, money has been flowing out of their bank account.

The first issue relating to the impact of foot and mouth in my constituency is the large indirect loss that so many of my farmers incurred as a result of the Government's emergency regulations. What do the Government propose to do to help them? Without help, some of them will simply go to the wall.

The second issue is support for rural businesses and tourism in my constituency, which continue to suffer great hardship. I am grateful to the English Tourism Council, which sent me a letter when it saw that I had secured this Adjournment debate. It makes it clear that the problems in my constituency are shared by many other constituencies, with a projected overall loss in England of £5.2 billion. However, this is not the place to go into the broader effects of the foot and mouth epidemic on the English tourism industry. I will concentrate instead on Tatton.

I am not sure whether the Minister has ever been to Stockley working farm at Arley in the course of his duties. If he has not, I invite him to do so. This summer, I visited Mark Walton, who runs the working farm with his family. Mark Walton has done everything that every Agriculture Minister for the past decade has been urging farmers to do.

Mr. Nicholas Winterton (Macclesfield): Diversify.

Mr. Osborne: He has diversified, as my hon. Friend the Member for Macclesfield (Mr. Winterton) says from a sedentary position. This May, after two years of preparing to go organic, he finally did so. He has sought to break down the barriers between town and country and to increase our understanding of agriculture. He has established a thriving tourism business on a working farm. So successful has he been that each year, from Easter onwards, 50,000 visitors come from the towns and the cities to his farm. A visit costs £4 for adults and £3 for children, and I venture to suggest that it is about the best value for money that one can get for a day out in Cheshire. Many of the visitors are in school groups from inner-city Manchester and Liverpool who have never seen a farm before.

The farm has 50,000 visitors a year, but not this year. This year, not a single visitor has come to Stockley working farm and not a single pound of income has been earned by this once thriving rural tourist attraction. It has been closed to the public since February as a result of the foot and mouth restrictions.

I am delighted to say—this may be an opportunity for the Minister to put it in his diary—that Stockley will open its doors for three special weekends in the run-up to Christmas. They will be fantastic days out for children and adults alike, and I hope that many thousands of people will come to enjoy them. None the less, however successful those Christmas specials are, they will not come close to making up for the £200,000 of income lost this year. They will be of little comfort to the 50 or so people who would have worked part time at Stockley this summer, but none of whom the farm has been able to employ this year. Losing 50 jobs in a rural area such as Arley is a huge blow to the local economy. It is a tragedy in human terms to the families who rely on that summer work.

Since foot and mouth hit, Mark Walton has done everything by the book at Stockley. He has applied for special grants from the Department for Environment, Food and Rural Affairs; he has sought advice from business links; and he has spent hours putting together an application to Cheshire county council's rural recovery taskforce. He has not asked for large sums of money or for massive compensation. All he wants is a little help to enable him to promote the special Christmas weekends at Stockley.

Mr. Mark Francois (Rayleigh): Does my hon. Friend accept that there is parallel between what happened in his constituency of Tatton and what happened in my constituency of Rayleigh? If I can explain briefly, Marsh Farm country park which was very much orientated towards children—

Mr. Deputy Speaker: Order. We are not dealing with the hon. Gentleman's constituency.

Mr. Osborne: I am sure that my hon. Friend's point about the many rural tourist attractions and working farms across the country that have been hit would have been a good one. What happened at Stockley working farm has no doubt been repeated all over the country. I would have drawn the terms of the debate a little more widely if I had known that I would have been able to detain the House for so long. However, I did not know that, so I shall proceed.

Mr. Nicholas Winterton: I must inform you, Mr. Deputy Speaker, that my constituency is adjacent to Tatton and it is in the same borough.

My hon. Friend waxes lyrical about a particular farm and its activities. Is he aware that a member of that worthy farming family, which has taken such initiatives, appeared at a seminar that I attended in my hon. Friend's constituency at Quarry Bank mill in Styal. It was promoted by Macclesfield borough council and was about healthy eating and healthy food sourced locally. The farm and farming family to which my hon. Friend referred have done everything possible in their power to help themselves and to serve the public.

Mr. Osborne: I am grateful to my hon. Friend for bringing to the House's attention the excellent meeting at Quarry Bank mill about which I have heard good reports. The mill is another excellent tourist attraction and I encourage the Minister to visit it if he is ever in Cheshire.

My hon. Friend's point about the Walton family and Stockley is the one that I made. They have done everything by the book. In a previous incarnation, I was a special adviser at the late lamented Ministry of Agriculture, Fisheries and Food and I remember helping to write speeches for NFU annual conferences. We advised farmers to diversify and to go organic, but all that happened at Stockley working farm. All it wants is a little bit of money to promote its special Christmas openings, but it is not getting a penny. It is receiving no support from the Government and nothing from the county council's rural recovery taskforce, which is sad because we are friendly with the council. The only help that Stockley working farm received throughout the entire year was some welcome emergency rate relief from Macclesfield borough council, which my hon. Friend the Member for Macclesfield (Mr. Winterton) and I know so well. The farm also received a £200 cheque from a member of the public who felt more sympathy for its plight than the Government do.

The Government talk of a rural recovery and helping rural communities to help themselves. Ministers from the Prime Minister down talk of encouraging diversification, but for many rural farm businesses in my constituency it has been just that this year—all talk. I want to know when we can expect to see some action and obtain some help for businesses such as Stockley farm.

My third issue relates to the assistance—or, indeed, the lack of assistance—that the Government are providing to Macclesfield borough council. Earlier this summer, under Special Grant Report (No. 86), Ministers decided to help the local authorities that they said had been particularly affected by foot and mouth. As the Minister knows, that help comes in the form of a rebate for emergency rate relief that is provided by local authorities for hard-hit rural businesses, exactly the kind of emergency rate relief that Macclesfield borough council was able to provide to Stockley working farm.

I was fortunate to be on the Standing Committee that considered the special grant in July. Indeed, it was my first Standing Committee. I said that I welcomed the valuable support for local councils that were dealing with the impact of the disease. What I could not understand then, and cannot understand now, is why Macclesfield borough council alone among the six borough councils of Cheshire does not qualify for the support. It is nonsensical. Of the 16 or 17 outbreaks in Cheshire, four occurred within the borough council area and a further five occurred within a mile or two of the administrative boundary. In other words, nine of the 16 cases in Cheshire, which have had a huge impact on the farmers and rural businesses in the Macclesfield borough council area, do not qualify for help because the council does not qualify for help.

By contrast, Chester City council and Ellesmere Port and Neston borough council—neither of which have had to cope with a single outbreak—have been designated as foot and mouth affected areas and receive Government support. The Minister explained in a letter to my hon. Friend the Member for Macclesfield on 26 July that unlike Ellesmere Port and Chester, Macclesfield borough council did not qualify because it was not rural enough. He said:

> "These arrangements have been designed to target help in those areas where it is most needed. The additional funding is available to the English authorities that are wholly or mainly rural".

That has to be one of the most bizarre and illogical decisions ever taken in Whitehall. I implore the Minister to visit Cheshire and see with his own eyes the difference between the miles of farmland in the Macclesfield borough council area and the miles of petrochemical works in the Ellesmere Port area, which is not, by anyone's definition, a rural area.

Mr. Richard Bacon (South Norfolk): I, too, congratulate my hon. Friend on securing this debate. I am interested in what he says about Ellesmere Port and its vistas of petrochemical plants. Does he agree that the main criterion for financial assistance should not be the degree of ruralness, if there is such a word, but the degree of the impact of foot and mouth?

Mr. Osborne: My hon. Friend is correct. The Minister's letter also said that 151 English rural borough councils had been provided with financial support, but there is no distinction between those which have been hit by foot and mouth and those which have not, and those parts of the country where there was no outbreak and those were there were heavy outbreaks. That is illogical. If my hon. Friend has not been to Ellesmere Port, I am happy for him to visit my constituency, from where we can get in the car and drive to Ellesmere Port to see that it is not a rural area. It could not possibly be a rural area as there are no green fields. It has a good shopping centre and many petrochemical works.

Mr. Nicholas Winterton: I am grateful to my hon. Friend for giving way again. Will he emphasise to the Minister that his constituency and part of the borough of Macclesfield make up the most heavily livestocked area in Cheshire? It is extraordinary that an area that is overwhelmingly rural and agricultural should not qualify for business assistance under rate relief, whereas, as my hon. Friend said, huge urban areas such as Chester and Ellesmere Port do. That is nonsense, but the Minister was not prepared to do anything about it.

Mr. Osborne: My hon. Friend is absolutely right. I remember that we both sought, but were unable to secure, meetings with the Minister and the chief executive of Macclesfield borough council to put our case. The situation is crazy, and it confirms the worst suspicions of many of those who live in my borough council area that some people in Whitehall have never left the M25 area and know about no other part of the country than that just a few hundred metres from this place.

I commend Macclesfield borough council for the sterling job that it has done in providing emergency rate relief for hard-hit rural businesses out of its own pocket. However, with the proper Government support that it deserves, it could be doing even more, and that is a great tragedy. I urge the Minister and his colleagues to reconsider the council's status under Special Grant Report (No. 86) because it just does not make sense.

The fourth and final issue, and perhaps the most important and pressing, arises from the impact of foot and mouth disease on livestock markets. Again, I shall illustrate my point with an example from Tatton. Chelford, in the south of the constituency, is one of the largest livestock markets in the country. The last sale of real livestock to be held at Chelford took place on 22 February, nine months ago. Since then the auctioneers have lost, at the very least, more than £500,000 in lost commission on sales. Five full-time people have been made redundant, and 19 part-time people, almost all from low-income families, have also lost their jobs. Many other small businesses, which relied on the market trade for their income, have closed, including the country clothing stall, the fencing supplier, the hedging man and the small Land Rover dealer. I am not overstating the case when I say that the closure of the livestock auction at Chelford has torn the heart out of the rural community in that part of Cheshire.

We all understand why markets in England had to be closed immediately the disease was discovered. Indeed, as I have already argued, they should have been closed a couple of days earlier. We understand also why they had to remain closed while the epidemic raged, but no one can understand why English and Welsh livestock markets are still closed today, two months after the last confirmed foot and mouth case in the whole country and long after similar livestock markets in Scotland and Northern Ireland have reopened.

As Mr. Rodney Bacon of the north-west NFU said in a letter to me last week:

> "Cheshire farmers retained their stock and have gone through a lengthy period of restrictions on stock movements . . . The key must be the re-opening of livestock markets. They are an essential element of the chain, especially for farm to farm movements."

Alan Gardiner, the chairman of the Cheshire county NFU, phoned me today because he knew that I was leading this debate and emphasised that the reopening of the livestock markets is now the most important issue facing local farmers.

To an extent, Chelford market has taken matters into its own hands. Last month it began holding digital auctions in which sellers could look at digital photographs of the stock. I am happy to pay tribute to the fact that one of the Government's rural recovery schemes even contributed a couple of hundred pounds to provide the digital camera. I am glad to say that the auctions have been a moderate success, but I have to tell the Minister that they may pose a much greater risk to biosecurity than live auctions.

According to farmers to whom I have spoken in preparation for this debate, buyers do not, of course, rely on the digital photograph but go from farm to farm to check out the stock. That poses enormous risks of cross-farm contamination. If everyone went to Chelford market, they would be registered and disinfected together and be able to be traced if there were ever a problem. None of those measures applies to a digital auction.

Despite the overwhelming case for reopening livestock markets such as Chelford, they are still closed. What is more, they have been given no idea from the Government about when they might open. As Gwyn Williams, partner of Chelford market, said in a letter to me last week:

> "A great many farmers in your constituency will, in normal times, market their livestock through our auction sales at Chelford Agricultural Centre."

He then says, as I have pointed out, that the market has not been held since February. He continues:

> "Despite regular meetings being held with DEFRA, we are now no nearer finding out when we will be able to reopen livestock markets nationally, or, indeed, under what conditions we will be expected to operate.
>
> All businesses have to plan for the future and we are no different. We need to investigate possible further investment, decide upon employment issues including staff requirements and possibly reorganise the way in which we run some of our non agricultural auction sales . . . To date, despite a multitude of proposals having been put to DEFRA by our National Livestock Auctioneers' Association and despite several promises having been received from DEFRA, we have received no draft conditions for the reopening of markets post FMD, nor have we received any clear signal as to when, provided there are no further cases, we will be able to reopen."

With the indulgence of the House, I should like to read more of the letter. It is extremely well written and makes the points more elegantly than I could. It continues:

> "All this is extremely frustrating. Very few businesses can survive for this period of time when approximately 70 per cent. of their turnover has been removed. As you may be aware, we have made several redundancies and laid off quite a number of full time and part time staff, a situation which is common to most livestock markets throughout the UK.
>
> The auctioneering industry is under greater pressure now than ever, not only for economic reasons, but also, it would appear, from several vociferous pressure groups who are against the reopening of livestock auctions."

Mr. Williams makes a good point; there is a strong rumour afoot in the farming community that not reopening livestock auctions is part of a secret DEFRA plan to restructure the industry. The Minister might use this opportunity to quash such stories, which I am sure are untrue.

Mr. Williams goes on:

> "I would be grateful if you could take up the cudgels upon our behalf. There appears to be a concerted move within government and DEFRA to pass the blame for the foot and mouth disease epidemic onto the farming and livestock market industry. Every utterance about livestock markets concerns some reference to the part which they played in the spread of the disease.
>
> It would be helpful if it could be pointed out quite clearly to all those in authority that neither the farming industry nor the livestock market industry played any part whatsoever in the introduction of foot and mouth disease into the UK."

Mr. Williams is of course referring to an entirely separate debate about food import controls. Many people in this country do not understand why the Government do not introduce them.

The letter ends:

> "As you can tell from the tone of this letter, I, along with other livestock auctioneers throughout England and Wales, am becoming increasingly frustrated at what appear to be delaying tactics by DEFRA concerning the reopening of markets, for whatever motives they may have. Markets are already up and running in Scotland and in Northern Ireland and obviously the longer we are shut, the more difficult it will be for us to regain levels of trade previously enjoyed.
>
> In the interests of promoting and protecting the whole rural business community, it is essential that livestock auctions are reopened as soon as possible and, through our National Livestock Auctioneers' Association, we are attempting to garner support from all the major farming organisations.
>
> I would be grateful if you could do what you can in order to assist in putting pressure upon Ministers and DEFRA to make some positive contribution to promoting the reopening of markets."

I read that letter at length because it raises such important points. I should be very grateful if the Minister responded to Mr. Gwyn Williams' points.

Mr. Francois: My hon. Friend has done well to secure this debate on behalf of his constituents. He paints a sombre picture of conditions in his constituency resulting from the outbreak. Will he remind the House how long it has been since an outbreak of foot and mouth has been recorded in his constituency? That would reinforce his message about the time that has elapsed since the last outbreak while Ministers continue to insist that the facilities should not be reopened.

Mr. Osborne: As I said earlier, the last outbreak of foot and mouth in my constituency occurred on 29 May—a full six months ago—yet Chelford market remains closed, as does every other livestock market in England and Wales, even though livestock markets in Scotland and Northern Ireland are open. I recall that Scotland had a large number of cases of foot and mouth. Will the Minister, who has experience of both English and Welsh agriculture, explain why English and Welsh livestock markets are being treated differently from livestock markets in other parts of the United Kingdom? He must end the damaging uncertainty and give a clear signal as to when livestock markets in England and Wales will reopen, because businesses cannot continue in such uncertainty.

Mr. Bacon: In speaking about livestock markets, my hon. Friend paints a picture of administration by DEFRA that inspires confidence in no one. In the light of that, does it surprise him that farmers have little confidence in either DEFRA or the proposals now being introduced, which many regard as draconian, in the Animal Health Bill? If DEFRA had a track record of greater administrative competence, it might have gained more trust than it currently has.

Mr. Osborne: My hon. Friend makes a good point. In my constituency, DEFRA is regarded with great suspicion—although I recall from my time at MAFF that that Department was not highly regarded by the farming community either. There is an extraordinarily high degree of suspicion among farmers in my constituency about what DEFRA is up to.

There is also great frustration because of the delays that many of my local farmers have encountered in their dealings with DEFRA. I have sent several letters to the Department to which no replies have been received, and I believe that I have not received replies to several written questions, but my experience pales into insignificance compared with that of farmers I have met throughout the period. They tell me of hours spent on the phone, hitting the redial button, trying to get through on engaged lines, trying to get livestock movement permits, and so on.

Mr. Nicholas Winterton: There is one point that my hon. Friend has not yet raised in his excellent speech on behalf of his constituents: it is the current Government's unfortunate record on payments to farmers. If the payments were made on time, farmers would at least have some cash flow, however limited. Will he urge the Minister to make prompt payments to livestock farmers whose life at the moment is hell?

Mr. Osborne: My hon. Friend makes an extremely good point. I have been told—I do not know whether it is true; perhaps the Minister can clear up the issue—by my local NFU branch that there are now administrative delays in getting payments to farmers because of bureaucratic problems at DEFRA—

Mr. Winterton: Strikes.

Mr. Osborne: Whatever the cause, it is creating further hardship for our farmers, so I urge the Minister to sort out the problems. When farmers are expecting a cheque from the Department, there is nothing more frustrating after all the hardship that they have experienced than the failure of the cheque to arrive, owing to simple administrative reasons or industrial action. It is inexcusable that delays continue.

[Mr. Osborne]

We had a rather pathetic letter from the Secretary of State for Environment, Food and Rural Affairs, who explained that the delays in dealing with correspondence and written questions were due to administrative problems caused by winding up MAFF and creating DEFRA. That begs the question why that was done in the middle of a foot and mouth epidemic. It was a crazy bureaucratic rearrangement. Whatever the arguments are for whether there should be a Ministry of Agriculture, Fisheries and Food or a Department for Environment, Food and Rural Affairs, it was a crazy thing to do in the middle of a foot and mouth epidemic. Farmers in my constituency are paying a price for those Whitehall shenanigans and rearrangements.

Mr. Bacon: On the question of payments, does my hon. Friend agree that one of the issues that exacerbates the problem is the marked contrast between the slowness of the Ministry in paying and the rapid payments that farmers used to secure at livestock markets?

Mr. Osborne: My hon. Friend makes an extremely good point.

I am happy to say that farmers receive pretty prompt payments from Macclesfield borough council, which my hon. Friend the Member for Macclesfield and I know so well. Livestock markets provide immediate income. Indeed, they are vital. A market such as Chelford in my constituency is essential to farm-to-farm sales that keep the cash flow of farms going.

It would be interesting to hear from the Minister, in the many minutes that are available to him, whether the 21-day restriction that has been imposed on moving animals to markets and then moving them off farms back to markets, and so on, was introduced only for the foot and mouth epidemic. Once the Government finally decide that they can reopen livestock markets, will the 21-day limit go? If it is a more permanent feature, it will remove—I am not sure whether this is the correct agricultural term—liquidity from the market. It will prevent many farmers who move stock to and from livestock markets such as Chelford from carrying on their trade.

Mr. Mark Hoban (Fareham): My hon. Friend mentions livestock markets, and has referred to the lost commissions of the proprietors of the Chelford market, which amount to about £500,000. Has any estimate been made in my hon. Friend's constituency of the loss suffered by farmers in other rural businesses as a result of the foot and mouth epidemic?

Mr. Osborne: I have not seen any figures, but I imagine that they are considerable. The £500,000 that the Chelford market estimates it has lost relates only to lost auction sale commissions. The market proprietors were expecting commissions and sales to be much improved this year, had it been a normal agricultural year. They have also lost money because stallholders are no longer there, and the same applies to other passing trade.

A separate problem has been created because the proprietors have had to open a car boot sale on Sundays, which causes great distress to people who live close to the livestock market. There are many direct and indirect costs.

I shall bring my remarks to an end so that the Minister has plenty of time to respond to them.

Mr. Nicholas Winterton: I have not spoken yet.

Mr. Osborne: Indeed. If other Members wish to contribute to the debate, they are more than welcome to do so.

I hope that the Minister will appreciate that I have tried to be as reasonable as possible in putting the case for my constituents. I have not resorted to party political point scoring—*[Interruption.]* The hon. Member for Carlisle (Mr. Martlew) laughs, but I have not engaged in an attack on Labour's understanding of the countryside. I have not referred to many of the things that I used to write when preparing the Agriculture Minister's party conference speech, as opposed to his NFU annual conference speech.

I have tried to bring home to the House, through a series of specific examples from my constituency, the real hardship that foot and mouth continues to cause in the area which I represent six months over the last outbreak, and two months after the last outbreak in the country generally.

I have not gone on at great length about the recent past—I have not sought to betray entirely the agreement that I made with the Minister's private secretary. Instead, I have spoken of the hardship that farmers who escaped the virus but have not escaped the consequences of it now face. I have talked of the crippling losses to rural businesses, such as Stockley working farm, and made a plea for support for my local council. If any council in Cheshire is rural, it is my borough council. Most important, I have urged the Government to reopen the livestock markets that are vital to the revival of agriculture in Britain. In the remaining 40 minutes, I look forward to hearing about my constituency from my colleagues and to hearing the Minister's response.

9.50 pm

Mr. Nicholas Winterton (Macclesfield): Mr. Deputy Speaker, you represent a rural area. While in the Chair, inevitably you have to be impartial, but I am sure that you will have recognised many of the problems of your own constituency in what my hon. Friend the Member for Tatton (Mr. Osborne) said, even though Cheshire is much more livestock-oriented than the east of the country.

I support entirely the case advanced by my hon. Friend. I must emphasise both to him and the Minister the fact that I have represented an agricultural rural constituency for 30 years in this place. In addition, I come from a family that has been closely associated with farming for more than 150 years, so I speak with understanding and knowledge of the countryside, rural communities, farming and agriculture. I used to accompany my late father onto farms when I was only three or four years old, so I have a great and close affinity with farmers. What my hon. Friend said about the farmers of Tatton and their present position is accurate to the word, the letter, the crossed t and the dotted i.

From time to time, I fear, the Minister seems to believe that Opposition Members are making up stories about the problems faced by their farmers. As I understand it, he represents a central Cardiff constituency; if there is a farmer in it, I should be surprised. Perhaps he will say that there is but, as far as I know, there is not. I hope, therefore, that he will listen to those of us who speak on behalf of farmers and support the case that my hon. Friend made on behalf of his farmers.

The Macclesfield and district branch of the NFU and all the associated NFU branches in the area support 100 per cent. the views expressed by my hon. Friend. I want to emphasise that because we are not here, as he said, to make party political points. We are lobbying and making representations on behalf of farmers and those who work in the countryside. Perhaps it is only in times of crisis and war that the countryside and those who work in it to maintain it and produce food are properly appreciated. The farmers of Tatton, like those in many other parts of the country, have gone through a war—the foot and mouth epidemic, which hit them horribly.

Like my hon. Friend, I shall refer to Chelford market. I hope that he will not mind me saying that, for 25 years, the market, which he described in detail, along with the valuable role that it fulfils—was part of my constituency. I know Marshall's—Frank R. Marshall as it used to be called—in Chelford market well. Even now, with the permission of my hon. Friend, I frequently visit the market because, of course, it is important not only to the farmers of Tatton, but the farmers of my Macclesfield constituency as well.

On the importance of Chelford market, not only does it pay regularly and promptly the farmers who bring in their stock to sell at the agricultural centre in Chelford, but it gives them a fair and transparent price for their stock. They are not held over a barrel by the large superstores, which have done so much damage to farmers, particularly in recent times to the farmers in Tatton and in Cheshire as a whole.

I hope that the Minister for Rural Affairs, who is to reply to the debate, will respond positively to the request made by my hon. Friend the Member for Tatton that the Government announce the opening of cattle markets and auctions in the immediate future, if we are to save many of them from liquidation and going out of business.

My hon. Friend the Member for Congleton (Mrs. Winterton), who is the shadow agriculture spokesman, told me tonight that, regrettably, there is talk that two important cattle auction markets may be closing. *[Interruption.]* My hon. Friend the Member for Congleton asks me from a sedentary position not to name them, but they are important auction markets with an excellent reputation, and they may well close. That must not happen to Chelford, in the constituency of my hon. Friend the Member for Tatton.

Sadly, as my hon. Friend the Member for Tatton said, the Minister for Rural Affairs was not prepared to meet a delegation from Macclesfield about the second matter that I shall discuss—the business rate relief scheme resulting from the foot and mouth epidemic. I hope that the right hon. Gentleman will announce promptly that the auction markets, particularly Chelford, will be opened at an early date, to prevent further financial hardship for those who run that excellent auction market, which is so important to Cheshire and a much wider area, and also for the benefit of the livestock farmers of Tatton and the adjoining constituencies.

I am happy to give way if the Minister wishes to intervene. If not, I shall move on to the matter which probably prompted him almost to rise: his reluctance and that of the Under-Secretary of State for Transport, Local Government and the Regions, the hon. Member for Southampton, Test (Dr. Whitehead), to meet my hon. Friend the Member for Tatton, myself and the chief executive of the borough council when we requested a meeting to express our concern about Macclesfield borough's ineligibility for assistance under the scheme.

Alun Michael: I thank the hon. Gentleman for giving way. He is a little repetitious on that topic. Will he acknowledge that it was courteously explained to him on a number of occasions that the topic does not fall within my portfolio of responsibilities, and that he was directed instead to the Minister with that responsibility, who responded to him exhaustively and conclusively on the topic?

Mr. Winterton: I am afraid that the Minister did not reply exhaustively, and certainly not to my satisfaction. The Minister for Rural Affairs is aware that the Minister for the Environment, the right hon. Member for Oldham, West and Royton (Mr. Meacher), when there was a slightly different departmental structure in Government, had agreed to meet me, even during the general election campaign. Unfortunately, that did not prove convenient for the Minister for the Environment or me. When I sought to follow up the matter immediately after the election, it was initially dealt with by the Minister for Rural Affairs, but perhaps conveniently for him, the responsibility was transferred to the Minister in the Department for Transport, Local Government and the Regions. I must repeat that I am afraid that, as a senior Member of the House, I would have expected a Minister to meet me at my request—

Mr. Deputy Speaker: Order.

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Ainger.]*

Mr. Winterton: I am grateful for your intervention, Mr. Deputy Speaker. I have now regained my breath in my ferocious attack on the Minister. When I rightly had to resume my seat, so that you could carry out the procedures of the House, I was saying that, although the responsibility for meeting me and dealing with the matter was passed to a more junior Minister in another Department, that Minister was not prepared to meet me—a senior Member of the House—my hon. Friend the Member for Tatton and the chief executive of the borough council. I believe that, if Ministers are seriously requested to meet Members of Parliament who have an important issue to raise on behalf of their constituents, they are beholden to find time to do so. I say to the Minister that even the Prime Minister of our country, speaking today from the Dispatch Box, agreed to meet me on a matter that relates to my constituency. I must say that if the Prime Minister, for whom I have the highest regard, is prepared to meet me, I should have thought that a junior Minister would be prepared to meet any Member of the House.

Alun Michael: I can answer robustly for the reason why I referred the hon. Gentleman to another Department: it was not merely another Department, but the correct one. The Minister whom he says declined to meet him did so

[Alun Michael]

on reasonable grounds, but is not present to respond to his remarks. I suggest that he should take up the matter with that colleague rather than in this debate, which is, as I understand it, about the impact of foot and mouth disease in Tatton.

Mr. Winterton: I am afraid that that is the very matter that I am now discussing, as I am dealing with the impact of the foot and mouth epidemic on Macclesfield borough council, whose area includes the constituency of Tatton. My hon. Friend the Member for Tatton, who has advanced a brilliant case in this debate, myself and the chief executive of the borough council, who could have given an accurate breakdown of the costs in the Macclesfield borough under rate relief, wanted to present the case on behalf of the borough of which Tatton is a part.

Mr. Bacon: I, too, have read on my Order Paper that this debate is about the impact of foot and mouth disease in Tatton. I am wondering, therefore, whether the right Minister is present to respond. Is it correct for the Minister who is present to respond to the debate, or is this another DEFRA cock-up?

Mr. Winterton: It is a governmental cock-up. Unfortunately, responsibilities for dealing with this matter lie—I shall give the Minister credit for this—with two Departments. There is no doubt that the impact of foot and mouth on Tatton relates also to the Government's ability or willingness to assist an area that has been badly hit because of restrictions on movement imposed as a result of the foot and mouth outbreak.

Alun Michael: The hon. Gentleman is paying a lot of attention and giving a lot of time to one specific topic. He referred a moment ago to the wish of the chief executive of the borough council to provide knowledge and expertise to the Minister at the Department for Transport, Local Government and the Regions and that that Department was losing out by not taking up his invitation. Can he therefore explain why the borough council did not respond to the request made by the Local Government Association for information on the number and extent of applications for hardship rate relief in relation to foot and mouth disease when those matters were being discussed between the Local Government Association and that Department?

Mr. Winterton: I can explain that very simply. My borough council and its chief executive, Mr. David Parr, were dealing at the time with my hon. Friend the Member for Tatton and me. The borough council believed—wrongly, it now appears—that we had more direct access to Ministers than local government organisations did. As the information that would have been given to the local authority concerned had been provided to my hon. Friend and me, why would there be any wish to duplicate it? I believe that I have given the right answer.

I still hope to this day that the Parliamentary Under-Secretary in the Department for Transport, Local Government and the Regions will be prepared to meet my hon. Friend the Member for Tatton, the chief executive of Macclesfield borough council, Mr. David Parr, and me to discuss this matter, even at this late stage. Perhaps, when the Minister replies, he will tell us that he will request the Parliamentary Under-Secretary to arrange a meeting with us.

I hope that the Minister has heard the last part of my speech, and I hope that he will deal with it when he replies. I want to give him sufficient time to reply on this important matter relating to the Tatton constituency and other areas of our countryside, so I shall say only that this is an important issue. Farmers are still suffering, and in Tatton, they still have severe cash flow problems. As my hon. Friend rightly said, those few farmers who had their herds of livestock culled are in a much better position than those who did not, and who have had no cash flow at all because of the restriction on livestock movements. That relates not only to the Tatton constituency but to many others, and particularly to the adjoining constituency of Macclesfield, which I have the honour to represent.

Please will the Minister accept that, although there may not have been an outbreak in this country for some two months, the financial problems and the trauma of what those farmers have experienced still face the farming industry, particularly the livestock sector that dominates the constituencies of Tatton and Macclesfield? At this late stage, will the Minister be understanding of that, and positive in what he is about to say in response to this debate?

10.7 pm

Mr. Mark Francois (Rayleigh): I shall be brief, to allow the Minister the maximum time to reply to the large number of serious points that have been made. I congratulate my hon. Friend the Member for Tatton (Mr. Osborne) on his speech. He spoke for more than 45 minutes on the plight of farmers in his constituency, and expressed polite but firm frustration at the situation there. Having heard him, I must say that that situation sounds very difficult, not just for the farmers, but for the other businesses which rely directly or indirectly on the farming community for their livelihood. My hon. Friend performed a good service on behalf of his constituents this evening, and I hope that when the Minister replies, he will do so in a manner that fully and properly acknowledges that.

10.8 pm

The Minister for Rural Affairs (Alun Michael): I congratulate the hon. Member for Tatton (Mr. Osborne) on securing this debate, and on the style with which he introduced it and occupied the considerable amount of time that was rather unexpectedly available to him. I shall explain why I disagree with a great deal that he said, but I accept that he made his points reasonably, and I shall respond in a like manner. His approach obviously had a positive effect on the hon. Member for Macclesfield (Mr. Winterton), which made the debate—so far, at least—pleasurable as well.

The hon. Member for Tatton confessed to association with the farming policies and method of presentation of Ministers in a Conservative Administration, which took the edge off his more general criticisms. I had hoped that his experience would lead to restrained references to the officials who serve the Government and the public. I pay tribute to the enormous commitment and dedication shown by the hard-working staff who not only serve the farming communities in ordinary times, but put in immense extra effort during the foot and mouth period. Indeed, many civil servants from other Departments came, or were seconded, to contribute in the front line.

The hon. Gentleman made it clear that he questions the ethos of the Ministry of Agriculture, Fisheries and Food. As he served there, he is better placed than I to comment, but I hope that he agrees that that question mark does not hang over the dedication and hard work of individual civil servants or their willingness to serve the public.

Mr. George Osborne: I apologise to Department for Transport, Local Government and the Regions officials if I strayed over the line in attacking them. I know from my time at MAFF that they are extremely hard working and that they have dealt with one crisis after another. Indeed, they are badly put upon by politicians and the wider community alike. They do not deserve that.

Alun Michael: I am grateful to the hon. Gentleman for responding. I had hoped that he would take that view and we have put the point on the record across parties.

Mr. Bacon: This evening, I received an e-mail from a solicitor who dealt with many foot and mouth outbreaks and the battle between the Ministry and farmers that resulted from them. She says that there are indeed some Department for Environment, Food and Rural Affairs officials who emerge with great credit, and they had to work hard in trying circumstances. However, she added, "But not many."

Mr. Deputy Speaker: Order. This intervention is widening the issue. I would be grateful if the Minister did not respond in general terms.

Alun Michael: I am grateful, Mr. Deputy Speaker. We have made the cross-party point about the dedication of officials. Many are developing their talents within the new ethos of DEFRA, and I hope that that continues to be the case.

The hon. Member for Tatton rightly commented on the fact that foot and mouth disease has devastated rural communities everywhere. There was particular pressure on areas with a large number of cases, such as Cumbria, Devon, North Yorkshire and so on, but the damage to farming communities and the rural economy applies everywhere. The example of Tatton is replicated in many constituencies across the country.

For that reason, there will be a warm welcome in Tatton and elsewhere for the news that the designation of the last remaining foot and mouth infected area in England will be lifted at midnight. That landmark move follows extensive blood testing of sheep and clinical examination of cattle in the Brough and Kirkby Stephen area of Cumbria. It marks the end of a massive blood testing programme in the 3 km protection zones.

The successful completion of serological testing in the remaining 3 km protection zones over the past few weeks led to the release of over 17,000 farms from infected area status. There are still restrictions and care needs to be taken, but that is good news, not just for Cumbria, but right across the country. I take care in making those comments, because we need to be sure that everything is done with care right to the end. We must ensure that foot and mouth disease does not return. In the 1960s outbreak, there were no additional cases for some 25 days, but the disease returned. We need to hesitate to celebrate, but there is good news, which will be welcomed across the House.

The impact of foot and mouth disease has been devastating in the way that I described, but that must be put in context. In October, unemployment in Tatton was 1.5 per cent., which is down 7.9 per cent. since October 2000. In Macclesfield, the figure in October was 1.3 per cent., which is down 12.5 per cent. since October 2000. Unemployment in England generally is more than double those levels.

Mr. Nicholas Winterton: The Minister's figures are accurate, and reflect the ebullience of the area that my hon. Friend the Member for Tatton (Mr. Osborne) and I represent. Does the Minister accept, however, that many who work in the countryside are self-employed, and that their problems are therefore unlikely to be reflected in unemployment statistics?

Alun Michael: I certainly would not suggest that unemployment statistics show the whole picture, and I did not do so in this instance. I was trying to put in context the difficulties experienced in the rural economy. I feel that we should take account of the figures, and recognise that unemployment levels are low—which, I think, is testimony not just to the efforts of the constituents of the hon. Member for Tatton, but to the successes of the Chancellor of the Exchequer and the Government. Perhaps it was too much to expect the hon. Member for Macclesfield to join me in paying that tribute. We can achieve a certain amount of unity across the Floor of the House, but at some point it becomes unrealistic to hope for consensus.

The hon. Member for Tatton mentioned payment delays. Let me put the record straight. There were delays, particularly in April and May, owing to the sheer number of payments that had to be made. There was an enormous burden of work, but the resulting backlog was eliminated in May. The target for payments is three weeks, and is now mostly being met. All but about £170,000 of the estimated £1.2 billion has now been paid. It should also be mentioned that farmers are allowed 14 days in which to decide whether they want to appeal against valuation of slaughtered animals: that in itself affects the time it takes to deal with payments.

The hon. Gentleman referred to the 21-day rule. The rule was introduced to combat foot and mouth disease, and will certainly apply until the disease is eradicated; what will happen after that is still being discussed. It is a powerful disease-control tool in the process of slowing the spread of the disease, but we are happy to examine counter-arguments carefully, especially as we reach a point at which we can progressively lift some of the restrictions.

When considering the way in which rural communities have responded to foot and mouth, we should bear in mind the unity of purpose that has emerged. That often happens during emergencies, or when there is particular pressure. I chaired the rural taskforce that examined the impact of the disease across the community—especially the economic impact and the impact on non-farming business, which the hon. Gentleman mentioned. I thought

[Alun Michael]

that by the time we started to draw up the report, the unity that had been achieved might well be dissipated: individual members might promote, for instance, the case for local government, the case for the National Farmers Union or the case for tourism. It was a genuinely positive experience to observe the unity of purpose and the attempt to secure consensus, and I think that that is reflected in the report that we published on 18 October.

Farmers have acknowledged the importance of tourism to the rural economy. The hon. Gentleman rightly mentioned the impact on tourism in his constituency. I am not sure that, a year ago, we would have heard so much about the interdependence of different elements of the rural economy; certainly I did not hear such comments then, but they should be encouraged. The Department seeks to work with colleagues across Government—I have been working particularly with the Under-Secretary of State for Culture, Media and Sport in his capacity as tourism Minister—to find ways of helping the recovery of tourism in rural communities.

There is a fine line to be drawn. We want to be confident that the disease has been eradicated and that we can plan for the future, but meanwhile we should send clear messages about the attractions of, for instance, working farms. We want people to feel that they can return to the countryside, and by enjoying themselves there, give financial support to those attractions. I hope that we judge that moment right and that we shall have the support of hon. Members on both sides of the House in seeking to send that positive message. Both farming and non-farming businesses need recovery and to get back to business as normal more than anything else. I hope that the House can unite on that point.

The hon. Member for Tatton also mentioned the creation of DEFRA. The change has created a strong major Department whose central pillar of responsibility is to promote the interests of rural communities in Tatton and elsewhere. That was not the situation before. The Department also links responsibility for environment and conservation with responsibility for farming and food, which is to the benefit of all rural communities. I also pay tribute, in the case of Tatton, to the North West Regional Development Agency for the way in which it has switched priorities and supported initiatives to help rural communities. I shall return to some of those points in more detail if time allows.

The hon. Gentleman, however, also referred to what he described as draconian new legislative measures. Those measures have recently been debated in this place and I shall not seek to go over old ground. I simply say that the measures are not draconian but practical. If we are so unfortunate as to have a fresh outbreak we need to be able to nip it in the bud. Let us hope that there is not a fresh outbreak. However, if there were one, I am sure that Opposition Members, including those who spoke in this debate, would be the first to castigate a Government who had failed to ensure that the necessary powers are available.

There were culling delays in some places, and the hon. Gentleman rightly referred to the need for speed when culling is necessary. However, delays were caused in Brecon and elsewhere when culling was challenged, thereby extending the time in which the outbreak continued to spread. I simply ask Opposition Members to consider the alternative and what they would say if circumstances were to change. Let us hope, however, that they do not.

The hon. Gentleman also pondered whether foot and mouth disease could have been spread by the pyres which, as he said, proved to be such a dramatic symbol of the disease's impact in the early stages of the outbreak. A risk assessment was made of whether foot and mouth disease could be spread by pyres, and veterinary risk assessments of course look very carefully at the veterinary evidence, but that assessment concluded that the risk of transmission by that means was very small indeed. There has been no evidence whatsoever that transmission, or any individual case, was caused by it. I therefore hope that we can put that issue to one side, although I am sure that the inquiries examining the science and the procedures that were followed may well wish to look at the evidence and will reach their own conclusions.

I am pleased that the hon. Gentleman mentioned tourism. He also mentioned a working farm that had diversified and established a thriving tourism business. I have visited many such locations which were, as he said, devastated by foot and mouth disease. Their situation is one of the reasons why, in the business recovery fund, we have provided for help for marketing among the other forms of help available to businesses that have been affected by foot and mouth disease.

We have also taken very seriously the issue of food import controls. However, we need to examine the evidence carefully as there has sometimes been an inclination to generalise on that topic. Nevertheless, I assure the hon. Gentleman that not only DEFRA but the Government generally are taking a strong interest in ensuring that those controls are as strong as they should be.

The third of the four main points that the hon. Gentleman made—although, as my reply indicates, he managed to touch on an enormous number of other points too—concerned Macclesfield borough council. The hon. Member for Macclesfield also sought to make that point.

It is necessary to point out that rate relief is available to all businesses suffering hardship because of the outbreak of FMD, other than farms that are already fully exempt from rates. That includes rateable businesses in Macclesfield. Central Government funds at least 75 per cent. of the cost in all cases, so it would be wrong to suggest sweepingly that the Government have not done anything to help.

The hon. Gentleman is also aware of the debate that took place on the special grant report. Clearly, authorities that are not predominantly rural will have a wider spread of economic activity and so a lower proportion of businesses would be affected by FMD. The pressure on those authorities would be less, so those authorities should have proportionately fewer cases of hardship relief and should not face the same high costs as other authorities.

We agreed to consider the case for extending the scheme. Much additional information was provided, by the Local Government Association in particular, which went to the trouble of finding out the experiences of the member local authorities to assist with the review. That led to the second special grant report approved on 17 July which extended the scheme to all 151 rural authorities and provided additional help in 37 of those areas worst affected by the disease, based on the number of cases at county level. Both rurality and the specific impact in terms of the number of cases were considered.

The 151 authorities covered were all wholly or mainly rural areas in England, according to the standard definitions used more widely by the Countryside Agency. Of course, definitions can always be argued over, but much help was provided to Macclesfield, as to other authorities, by the Government. I repeat the point that the borough council did not respond to the LGA's request for information on the number and extent of applications for hardship rate relief related to FMD, even though it was made clear that the Government were willing to consider the case on the basis of that information.

Mr. Winterton: I actually provided that information to the Government. Do they want it from dozens of sources? I provided the information provided to me by the chief executive of the borough council.

Alun Michael: It was good of the hon. Gentleman to do that. I am not sure on what date he did that, but I make the point again that the case was considered by the Government in terms of the impact on individual local authorities that faced an especially heavy burden, as well as providing help to all local authorities.

I recognise that Tatton was hard hit by FMD in the context I described earlier.

Mr. George Osborne: I recognise that this has been a very short debate, but I would be grateful if the Minister would respond to the points made about the livestock markets in the last two minutes of the debate. My farmers would certainly appreciate his reply.

Alun Michael: I am happy to respond on that point. I was asked why markets in England and Wales are still closed when Scottish ones have re-opened. The last case in Scotland was on 30 May. The last case in Wales was on 12 August and the last case in England was on 30 September. Veterinary and scientific advice is that markets in England and Wales should not re-open until early next year. The timing and conditions for re-opening markets are under active discussion with the Livestock Auctioneers Association. I assure the hon. Gentleman that we take the issue seriously.

The association has received draft conditions and has commented on them. The discussion continues with those directly involved. The association is meeting DEFRA officials again tomorrow and stakeholders have been told that market re-opening is under consideration for early in 2002. I assure the hon. Gentleman that there is no secret plan to do down that or any other part of the rural economy.

There are many issues on which I could wax more eloquently if I had had the time to reply that the hon. Gentleman took in his introduction, but it is only fair to say that the Government have responded positively to the demands and pressures on the rural economy. We recognise that the impact on farmers and on non-farming businesses has been devastating. That is why we have sought to respond and why we have not—

The motion having been made at Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at half-past Ten o'clock.

House of Commons

Thursday 29 November 2001

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

TRADE AND INDUSTRY

The Secretary of State was asked—

Construction Industry

1. **Mr. Desmond Swayne** (New Forest, West): If she will make a statement on the prospects for the construction industry. [16469]

The Minister for Industry and Energy (Mr. Brian Wilson): The prospects for the United Kingdom construction industry are good despite the present economic uncertainties. The industry has enjoyed an extended period of growth and most industry experts forecast that this will continue. The industry continues to benefit from the rethinking construction process initiated by Sir John Egan.

Mr. Swayne: I thank the Minister for that answer. He will be aware of the acute shortage of skilled operators for plant. What estimate has he made of the impact of the European physical agents vibration directive and, in particular, the European Parliament's amendment to the common position? What effect will that have on the industry, and what action is he going to take to defend the common position?

Mr. Wilson: I think that the hon. Gentleman is referring to the use of vibratory tools and vehicles. Our position is not to support the amendment, which could in some cases result in only two or three hours' use of such tools and vehicles in a day. On the other hand, we must get a sense of balance on the construction industry. It does not have a good record on health and safety. He lifts his eyes heavenwards, but he should look at the statistics because many people are killed and injured in that industry, which is why Sir John Egan and I have made health and safety one of our top priorities, working with the industry to address that record. We should not lightly dismiss health and safety measures.

As part of my responsibilities, I see the effect of vibration white finger on people who have been exposed to the uncontrolled use of vibratory tools. Let us not sneer at such matters. We should get a sense of balance. In this case, we believe that the balance has gone too far the other way, and we will work to redress that position.

Mr. Michael Foster (Worcester): The brand new hospital project in Worcester is nearing completion. At St. Barnabas primary school in my constituency four dilapidated mobile units are being replaced by four permanent classrooms. I understand that such projects are taking place up and down the land. What assessment has my hon. Friend received of the impact that such work will have on the construction industry?

Mr. Wilson: My hon. Friend is right. Record levels of investment are being made in health and education, some of which is going into construction projects up and down the country. I do not know the details of the specific project that he mentions, but a huge instrument in supporting that programme is the use of public-private partnerships. PPPs are justified because they offer value for money, make it possible to do so much more and, at the same time, generate tremendous activity in the construction industry.

Having said that, some 40 per cent. of procurement in the construction industry comes from the public sector. We are working to ensure that that is done better and more effectively. If we can make sure that it is carried out on a more rational basis, we could have even more building projects, like the one that my hon. Friend mentions, for the amounts that are being invested. We have to do all that better and keep the levels of investment going. One of the biggest beneficiaries of that will be the construction industry and those who are employed in it.

Bob Spink (Castle Point): Does the Minister accept the great value that self-employed construction workers add to our economy? If so, will he replace the IR35 legislation with something that really tries to tackle tax abuses in the system without unfairly impeding genuine people working in the construction industry?

Mr. Wilson: On this side of the House we believe in fairness in taxation and do not support devices to get around that. Of course there is a role for genuinely self-employed people in the construction industry, and many are in that position. However, we are much more sceptical about the role of companies that treat people as self-employed, relieve themselves of responsibilities towards those individuals and therefore use self-employment as a means of cutting cost. That is not fairness in taxation. It is also not fairness in employment.

John Cryer (Hornchurch): Is my hon. Friend aware of the Harvey report, which suggests that there are 300,000 to 400,000 bogus self-employed workers in the construction industry? Is he also aware that that has led to a deep fragmentation of the industry? There has been an undercutting of health and safety measures, and 105 people died on construction sites last year. That might not matter very much to the Opposition, but it certainly matters to us. Will my hon. Friend undertake to review the construction industry with our hon. Friends in the Treasury, and consider bogus self-employment in particular?

Mr. Wilson: My hon. Friend makes two excellent points. Self-employment has a role; bogus self-employment does not, and it is far too deeply embedded in the practices of the construction industry. It is undoubtedly one of the factors that leads to the appalling safety record which, as he says, is so lightly treated by the Opposition. I am pleased that the safety issue is being taken seriously in the rethinking construction process, under the leadership of Sir John Egan.

One of the major priorities of the rethinking production programme is to treat people with respect in the construction industry. If projects can be better planned and implemented, if more work can be done off-site and if we have proper employment practices in the industry, undoubtedly we shall reduce the disgraceful number of deaths that my hon. Friend mentioned. The process must be systematic and we must work with the industry. That is why the rethinking construction programme is so important.

Mr. Robert Key (Salisbury): No one is sneering at industrial injury or vibration injury that is caused by anything from jack hammers to sewing machines. It was a Conservative Government who saw the beginning of a continuing process in 1994. The Government have brought us to a ridiculous position, where farms, factories, articulated lorries and forestry are involved. The construction industry will be ruined, and life will be made impossible for small family farmers. We expect the Minister of State to use the six-week conciliation period to go to Europe to sort out the problem, and stop the nonsense that is so damaging. It gives the European Union a bad name.

Mr. Wilson: As it is a sworn role of the Conservative party in its current manifestation to give the European Union a bad name, whether fairly or unfairly, I am not surprised by the hon. Gentleman's comments. I absolve him. I am sure that he takes these issues seriously. However, I can assure him that the response of Members sitting behind him does no credit to his party.

We take the issue seriously in terms of its impact on business. We also take health and safety issues seriously. I shall be pleased to work with the hon. Gentleman and those of his colleagues who share our concerns. We can surely cut across parties by addressing the fact that there are about 10 deaths a month in the construction industry. The industry also manages to kill one pedestrian every month. Surely we can do better than that, and we can do it by working together on a non-partisan basis.

Aviation Industry

2. **Paul Goggins** (Wythenshawe and Sale, East): What action she is taking to assist the aviation industry following the 11 September terrorist attacks. [16470]

13. **Mr. Wayne David** (Caerphilly): If she will make a statement on the progress which has been made in providing support to the aerospace and airline industries since 11 September. [16482]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): This Government were the first to underwrite insurance for UK airlines and service providers after 11 September to ensure that the airlines could continue flying. My right hon. Friend the Secretary of State for Transport Local Government and the Regions is considering whether further aid should be offered to the UK airline industry. We have been in close contact with the aerospace industry since 11 September, and will continue to work with it to help deal with the impact of the terrorist attacks and to ensure a strong future for the industry.

Paul Goggins: My right hon. Friend will know that this has been a difficult week for the aviation industry in the north-west, with the announcement of further job losses at BAE Systems and at Airtours. May I draw her attention to the plight of 620 staff at FLS Aerospace at Manchester airport who undertake essential aircraft maintenance work? They were recently served with 90-day notices.

In welcoming the action that the Government are already taking, will my right hon. Friend join me in urging FLS to co-operate fully with the work force, Manchester Airport plc and other companies in striving to retain as many of these skilled jobs as possible?

Ms Hewitt: My hon. Friend is right to say that these are difficult times for the airline and aerospace industry. I share his dismay at the impact of the terrorist atrocity upon his constituents and others who work in the industry, particularly those at FLS Aerospace. I understand that the company is hoping to avoid compulsory redundancies. We shall do everything possible to work with it to ensure that as far as possible these highly skilled workers stay in employment. Where that is not possible, we will do everything that we can to ensure that workers who are made redundant get new jobs as quickly as possible.

Mr. David: I thank my right hon. Friend for her response. I am sure that she will share my concern about the fact that there have been 350 jobs losses announced at GE Aircraft Engine Services at Nantgarw near Caerphilly in south Wales. Will she say what discussions have taken place at a European level about possible support for the industry?

Ms Hewitt: I entirely share my hon. Friend's concern about the impact of the situation on his constituents and others at GEAES in south Wales. I understand that it is one of the world's leading companies in aero-engine repair and maintenance. I know that every help is being given in Wales to the company and its workers; my right hon. Friends the Secretary of State for Transport, Local Government and the Regions and the Chancellor have both been in discussions with our counterparts in the European Community about what support should properly be given to the industry.

Mrs. Patsy Calton (Cheadle): Will the Secretary of State make a full statement on 1,000 jobs lost in my constituency this week at BAE Systems at Woodford? Will she comment on the further losses expected at Manchester airport, especially at FLS Aerospace and Airtours? How far are they due to 11 September, and what is she doing to ensure that the skills involved are not lost to the nation?

Ms Hewitt: The hon. Lady makes an extremely important point. We must all understand that the atrocity of 11 September and subsequent events have severely damaged the airline and aerospace industries. In north America, for example, there is a decline of 30 to 40 per cent.

in passenger numbers; in Europe, the decline is between 10 and 20 per cent. We will continue to work with companies and affected workers to support them in every way that we can. However, I also stress to her that the aerospace industry in particular remains fundamentally strong. Despite the devastating job losses, particularly at British Aerospace, the longer-term future remains bright with new orders recently placed for Airbus, and Lockheed and its British partners securing the contract for the joint strike fighter. I am sure that she welcomes that as much as I do.

Mr. Patrick McLoughlin (West Derbyshire): Does the Secretary of State realise that it is not just British Aerospace? The sudden announcement today by Rolls-Royce will lead to problems, particularly in the Derby area, where a huge number of job losses were confirmed this morning; I know that she will be aware of that. Will she have urgent talks with her colleagues at the Ministry of Defence to see if there is any way in which some of those announcements can be alleviated by looking at defence contracts? Will they consider whether the defence industry could have a beneficial impact on the aviation industry, particularly at this severe time?

Ms Hewitt: The announcement this morning of the job losses at Rolls-Royce is confirmation of an announcement made some weeks ago following the events of 11 September. We have already awarded £750.000 million to the east midlands taskforce, to help particularly with the appalling effect of those redundancies in Derby and Derbyshire. I have already had discussions with my right hon. Friend the Secretary of State for Defence on those matters.

Mr. Lindsay Hoyle (Chorley): Will my right hon. Friend consider introducing a summit for the aviation industry and those who supply it with components? Is she aware of the job losses both in Lancashire and among suppliers? What hope can she give them of bringing forward orders such as those for large aircraft, which will bring the work back? Work on the joint strike fighter order is far away; we need work now if we are to continue in future.

Ms Hewitt: I am, of course, aware of the redundancies to which my hon. Friend referred. My right hon. Friend the Secretary of State for Culture, Media and Sport and other colleagues have done everything that they can to strengthen security at airports and restore passenger confidence in air travel. Fundamentally, that is the best way to assist the industry right through the supply chain. Of course, my hon. Friend the Minister for Industry and Energy and I will continue to work very closely indeed with the aviation and aerospace industries to see how we can support them in both the short and longer term.

Regulatory Impact Assessments

3. **Mr. Christopher Chope** (Christchurch): If she will meet the Small Business Service to discuss the recommendations of the National Audit Office report "Better Regulation: making good use of regulatory impact assessments"; and if she will make a statement. [16471]

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): I am discussing the NAO report with the Small Business Service. I thank the hon. Gentleman for asking me to make good use of regulatory impact assessments. How about this: RIAs have identified that 94 per cent. of the costs on business result from two measures, the national minimum wage and the working time directive? The first is now supported by the hon. Gentleman's party; the second is one on which the Conservatives abstained in Brussels in 1993.

Mr. Chope: The Minister's typically complacent response to the serious recommendations of the NAO shows that the Government merely pay lip service to reducing the burden of regulation on small businesses, while that burden is increasing all the time. What will be done to ensure that the Small Business Service produces the report recommended by the NAO in recommendation 26.vii, and what action has the Department taken in response to the earlier recommendation of the better regulation taskforce that it become a champion of small retailers, who find that they are spending up to five full days every month dealing with Government administration?

Nigel Griffiths: The NAO put the record straight and commended us for using regulatory impact assessments to avoid £150 million in costs to business on one measure alone. Of course it is important that we do everything that we can to minimise red tape. That is why we have appointed a Minister with responsibility for regulatory reform in every Department, established a ministerial panel for regulatory accountability, and passed the Regulatory Reform Act 2001 to provide a fast track for reducing burdens and scrapping outdated legislation. The hon. Gentleman speaks with some authority on the matter. When he was a Minister in the six years after 1986, 18,434 regulations were passed.

Mr. Adrian Bailey (West Bromwich, West): Does my hon. Friend agree that small businesses are for ever complaining about the alleged burden of red tape? Can he update the House on the progress made by the deregulation unit in the Department of Trade and Industry?

Nigel Griffiths: Good progress has been made. Many small businesses do not have the resources—the legal and accountancy advice—available to large businesses. That makes it necessary for every Government Department to think small first. It is important to remind the House, as my hon. Friend has done, that a great deal of valuable work has been carried out by Government. That is perhaps one reason why Arthur Andersen research shows the UK as the country that provides the most overall friendly entrepreneurial environment, fostering growth companies most effectively.

Mr. Philip Hammond (Runnymede and Weybridge): The Small Business Service was set up less than two years ago to champion the interests of small business in Government. The Minister confirmed this morning that he will discuss the report with the Small Business Service. Can he explain why his right hon. Friend the Secretary of State found it necessary to strip the Small Business Service of that role, leading directly to the resignation of its respected chief executive, Mr. David Irwin? Can he tell the House which crony of the Government his right hon. Friend intends to put in place of Mr. Irwin as the new small and medium-sized enterprise tsar?

Nigel Griffiths: The Opposition spokesperson is wrong on both counts. The role of the Small Business Service has been strengthened, and Mr. David Irwin, who has shown excellent leadership and ensured that the Small Business Service is helping thousands of businesses through Business Links and other Government measures, has informed me that he is serving out his full contract. There is no question of him resigning.

Ms Debra Shipley (Stourbridge): What assessment would my hon. Friend make of the impact of the Chancellor's speech on small businesses in my Stourbridge constituency, bearing it in mind that half of them are located in the black country—a very deprived area?

Nigel Griffiths: We must ensure that the communities for which my hon. Friend speaks enjoy the general economic prosperity. The Phoenix fund and other DTI measures are ensuring that companies get a chance to start and to grow in such communities. I know that she will welcome the simplification of tax for small business that was announced the day before yesterday, among other useful measures. The VAT simplification is helping up to 900,000 businesses, and the simplification of taxation for small businesses is helping up to half a million firms. I hope that all those measures will persuade more firms to locate in her constituency.

Investment

4. **Mr. David Amess** (Southend, West): If she will make a statement on changes in trends in inward investment into the UK in the last six months. [16472]

The Minister for Employment and the Regions (Alan Johnson): The trend in the past six months has been for overseas companies, especially from the United States, in the aftermath of 11 September, to delay plans for investing abroad. That reflects worsening global economic conditions. Invest UK continues to register successes and receive fresh inquiries from north America and our other traditional sources of foreign investment in Europe and Asia-Pacific. We are confident that we are maintaining the United Kingdom's position and attracting more inward investment than any other European nation.

Mr. Amess: Sadly, I do not share the Minister's confidence. Will he explain to the House how, according to an Ernst & Young survey, the number of inward-investment projects coming to Britain has dramatically fallen in the past six months? Is not it a fact that, under the previous Conservative Government, there was a competitive advantage that this wretched and incompetent Government have completely frittered away as a result of increased taxation and more regulation and red tape?

Alan Johnson: We are all in danger of getting vibration injury when the hon. Gentleman asks a question in the House. He has not kept abreast of what has been happening in the global economy in the past six months. With regard to his question, the OECD report published only this week stated that the UK was

"better placed to weather the downturn than its other 29 members."

The recent economic intelligence unit report confirmed that the UK has been one of the most attractive business locations in the world for the past four years and said that we were likely to remain so for the next four years. We are third in the world at attracting inward investment and the No. 1 in Europe. That is a splendid record, especially in comparison with that of the previous Conservative Government.

Mr. Andy Reed (Loughborough): While I recognise the importance of inward investment—as a former economic development officer, I can say that my colleagues and I spent a lot of time trying to attract it—does the Minister agree that the vast majority of jobs in constituencies such as Loughborough will come from the growth of local firms and, in particular, an innovation and science base in places such as universities? What measures is he taking to ensure that those firms and other places receive equal support in growing small and local jobs? In particular, may I refer him to companies such as DataLink Ltd. in my constituency, an engineering firm that has seen 37 per cent. growth last year and doubled its work force?

Alan Johnson: My hon. Friend makes an extremely important point and speaks from some experience. We set out earlier this year in a White Paper our plans to help local businesses to develop the good ideas that emerge from our universities and translate them into good products on the market. In terms of inward investment, last year alone, Invest UK recorded 869 decisions to invest in the UK, which created 71,500 new jobs.

Sir Robert Smith (West Aberdeenshire and Kincardine): Does the Minister recognise that one of the major attractions of this country for inward investment is the UK offshore oil and gas industry for production and exploration? Does he also recognise that the maintenance of the current infrastructure in the North sea is vital to the success of that industry and to the viability and attractiveness of future inward investment, and that nothing must be done to close down prematurely any of that existing infrastructure or damage that attraction and the ability to get the full potential out of the North sea?

Alan Johnson: In general, we have had some excellent announcements recently about investment in the North sea. However, my hon. Friend the Minister for Industry and Energy tells me that he would be very pleased to speak to the hon. Gentleman about the specific points that he makes.

Mr. John Whittingdale (Maldon and East Chelmsford): The Minister completely failed to address the points made by my hon. Friend the Member for Southend, West (Mr. Amess). The Ernst & Young study that showed the fall in inward investment is clear about what caused it. It points to declining competitiveness, rising costs and less flexible labour markets. The *Financial Times* has reported that, this year alone, about 8,000 jobs have been lost as a result of companies switching production to lower-cost countries overseas.

Has it not come to something when even the European Commission reports that the regulatory burden in Britain is heavier than anywhere else in the whole European Union? Are we not now paying the price for that in lost business, investment and jobs?

Alan Johnson: I tend to think that behind that question is the suggestion that the introduction of the national minimum wage, and of the right to four weeks' paid holiday a year, is somehow affecting our competitive position in the world. That is just not the case. The previous Conservative Government had a pitiful record on attracting foreign inward investment. Under the Tories, foreign direct investment dropped to £7 billion in 1994. Under this Government, it had rocketed to £88 billion in 2000. We need no lessons from the Opposition on attracting inward investment.

Andy Burnham (Leigh): The Minister is aware of the problems of the decline in manufacturing industry in my constituency, and I am grateful for his help in addressing them. Is he aware of the good news of the increasing role that small local companies are playing in my constituency—particularly innovative local companies that have gone from being small businesses to medium-sized businesses, such as Patak's, and Waterfields Bakeries? How does the Department propose to recognise and reward innovative good practice in small companies, and turn good ideas into business success stories?

Alan Johnson: My hon. Friend raises an important point. One of our main projects to encourage small businesses to innovate and be more creative is the SMART award—the small firms merit award for research and technology. I am pleased to announce that my right hon. Friend will release details later today of the latest 37 companies to benefit from the DTI SMART funding scheme. The SMART award has increased annual turnover in the economy by £2.4 million for every £1 million invested. It has boosted annual turnover and annual exports, and is part of the Government's commitment to help companies to turn new ideas and technology into prosperity and jobs.

Nuclear Waste (Liabilities)

5. **Mr. Michael Jack** (Fylde): If she will make a statement on the arrangements for making adequate financial provision for future liabilities for the disposal of nuclear waste. [16473]

The Minister for Industry and Energy (Mr. Brian Wilson): Provisions for future liabilities for the disposal of nuclear waste continue to be the responsibility of the individual nuclear operator concerned, be that public sector bodies such as the United Kingdom Atomic Energy Authority and British Nuclear Fuels plc, or private sector bodies such as British Energy. However, the right hon. Gentleman will be aware that my right hon. Friend the Secretary of State for Trade and Industry made a statement to the House yesterday about the future management of public sector civil nuclear liabilities.

Mr. Jack: I am delighted that the tabling of my question prompted the Secretary of State's early announcement. Has the Minister seen any of the comments by Friends of the Earth following that announcement? It claims that British Nuclear Fuels plc was bankrupt and

"an expensive and highly dangerous liability".

It also suggested that there should be no new nuclear development. Will the Minister take this opportunity to rebut those claims by Friends of the Earth? Will he also put on record that THORP and MOX have a good commercial future, and that his right hon. Friend's announcement yesterday should in no way be taken as a barrier to the further development of civil nuclear power in the United Kingdom?

Mr. Wilson: From what the right hon. Gentleman has quoted, I would have thought that, by Friends of the Earth's standards, that response was fairly mild. Some people are irrevocably opposed to the nuclear industry in all its forms, and they will make their statements, comments and allegations. They certainly do not cause us to deviate from the course of securing a balanced energy policy for this country. The decision fully to go ahead with MOX was based on a report that demonstrated its significant viability and on the fact that most of the business was already in place. So I do not take those claims seriously. I believe that BNFL will have a successful future in the form in which it will operate, and I pay tribute to the work force and the management who, in recent times, have turned round many of the problems that undoubtedly existed.

Mr. David Drew (Stroud): I welcome the statement by my right hon. Friend the Secretary of State. Will my hon. Friend the Minister recognise the complexities of the nuclear industry and the need to consider its different component parts? The Magnox headquarters at Berkeley is in my constituency. Will he open his door, so that we can examine how properly to evaluate the way in which the industry should go forward from here? Such discussions are urgently needed.

Mr. Wilson: The energy review being undertaken by the Cabinet Office performance and innovation unit is under way, and the nuclear industry and the wide range of questions attached to it is only one of the areas it is covering. My door is always open for discussions. A Magnox power station in my constituency is being decommissioned, so I would be pleased to discuss with my hon. Friend the future of Magnox, BNFL or any other aspect of the industry.

Mr. John Whittingdale (Maldon and East Chelmsford): Yesterday the Secretary of State twice refused to answer this question, so perhaps the Minister will do so now. Does he accept that there is no possibility of proposals for new nuclear development being made until the Government take a decision on their strategy for handling radioactive waste, whatever the PIU report says in a couple of months? How can he justify the delay of up to seven years proposed by the Minister for the Environment, which will prolong uncertainty in the industry and put a blight on it?

Mr. Wilson: I certainly do not think that my right hon. Friend avoided the question in any way, but it is somewhat pejoratively posed. In our view, there is no sequential arrangement that nothing will happen in the nuclear industry until the waste report appears; nor do I recognise the figure of seven years. Clearly, it is desirable to get answers on waste in a shorter time frame, working both nationally and internationally, but no one currently is making proposals for nuclear power stations. However, they may at any time and they certainly are not prevented from so doing by the factors to which the hon. Gentleman refers.

If there is to be nuclear new build in this country, the time scale for working up those proposals and having them properly considered long before construction would itself be substantial. If such developments are to happen—that is a commercial judgment for the companies involved—there is no reason to suppose that they would happen sequentially; they could happen in parallel.

Dr. Stephen Ladyman (South Thanet): Does my hon. Friend agree that yesterday's announcement on civil liabilities frees BNFL to become the world-class company that we all believe that it should be, secures thousands of jobs around the country and opens up the opportunity for BNFL to lever in other expertise and begin a real attack on the foreign markets, particularly in the old eastern bloc where there are billions of pounds to be made by exploiting British expertise in the clean-up of those countries?

Mr. Wilson: I agree with my hon. Friend. Much of the thinking behind the statement that my right hon. Friend made yesterday involved ensuring that BNFL can get on with its business, that morale can be raised and that there is no shadow hanging over the company. On that basis, there is a great deal of interesting and potentially profitable work to be done. That is the role for BNFL, and it will enable the skills and excellence in the company to flourish.

Sellafield

6. **Mr. Michael Weir** (Angus): If she will delay support for the extension of the MOX facility at Sellafield, pending the results of the energy review. [16475]

The Minister for Industry and Energy (Mr. Brian Wilson): No. My right hon. Friends the Secretaries of State for Health and for Environment, Food and Rural Affairs announced their decision on the justification of MOX manufacture on 3 October. The commissioning and operation of the Sellafield MOX plant is now a matter for BNFL, subject to the satisfaction of the relevant regulators.

Mr. Weir: I thank the Minister for that answer, but does he agree that, whatever our personal views on nuclear power, it is folly to proceed with the plant before the energy review group reports on whether the UK should have further new nuclear power stations? I do not know about him, but we do not yet know what the review group will recommend, and pressing ahead with the plant has already caused concern about pollution in the Irish sea. I believe that two court cases have been brought by the Irish Government, and, obviously, new possibilities as to the operation of the MOX plant have been raised following 11 September. Would it not be the ultimate irony if the energy review group recommended against new nuclear stations in the UK while the new plant is allowed to operate, manufacture and reprocess fuel for others?

Mr. Wilson: I see no such irony. The case for the MOX plant has been fully tested and it was recently subject to an independent economic consultancy report, which found the project to be very healthy economically. Many problems that the hon. Gentleman claims to exist have been tested in the courts in response to an action by Greenpeace, which was thrown out.

It was not the Irish Government but the Irish political party Fianna Fail that put out advertisements at the weekend. According to Ireland's own competent monitoring body, the Radiological Protection Institute of Ireland, at the highest estimate Sellafield would account for less than 2 microsieverts per year. The average intake in Ireland is estimated to be between 2,000 and 20,000 per year. I think that that puts things into proportion.

Mr. Bob Blizzard (Waveney): Does my hon. Friend agree, in the context of the energy review, that if we are to focus firmly on security of supply as well as on environmental matters, it is essential for us to maximise the extraction of gas from the North sea, and also to push ahead with renewables such as offshore—

Mr. Speaker: Order. The main question is about Sellafield. The Minister cannot answer the hon. Gentleman's question.

Mr. Nick Gibb (Bognor Regis and Littlehampton): Both the thermal oxide reprocessing and the mixed oxide plants are to be transferred to the new Liabilities Management Authority. What will be the commercial arrangement between the LMA and BNFL for the operation of those plants? Will BNFL operate them on a management contract basis, with the LMA taking the risk, or will BNFL continue to shoulder any losses, although it will no longer own the plants?

Mr. Wilson: The details of the arrangements will be in the White Paper to be published in the spring, but there is certainly a commitment to transparency. That is part of the reason for the establishment of the LMA: the aim is to separate historic liabilities from current and future liabilities, and to apply that same principle of transparency within the authority.

Postal Services

7. **Mr. Mark Lazarowicz** (Edinburgh, North and Leith): What steps she is taking to improve postal services. [16476]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): We have given the Post Office greater commercial freedom so that it can improve its services and performance. We have established a new independent regulator, which has set tough standards of service for Consignia and is monitoring them closely. New licensed operators will also help to give consumers more choice and better services.

Mr. Lazarowicz: When I tell the Secretary of State that the Edinburgh postcode area recently topped the

UK-wide list of complaints about delivery services, she will understand my concern. What progress is being made with the implementation of the conclusions of the performance and innovation unit review of postal services? May I ask her to intervene in the meantime, and ask Consignia to improve delivery services for my constituents?

Ms Hewitt: I entirely understand and share my hon. Friend's concern. The service currently provided by Consignia is simply not good enough. The PIU report, which he mentioned, was more to do with the future of the post office network than with Royal Mail deliveries, but we are working effectively with the company to implement the recommendations. The "Your Guide" pilot, in particular, will help those using post offices to obtain information on a wide range of other Government services. That is going very well.

Let me make it clear that I expect management and unions, which have been asking for more commercial freedom for years, to work together to use the freedom that we have given them to deliver a better service to customers, in my hon. Friend's constituency and everywhere else.

Mr. Richard Page (South-West Hertfordshire): Does not that response show how far adrift the Secretary of State is from reality? Is she not aware that over the last two years there has been a record number of sub-post office closures? Is she not aware of the appalling industrial relations that have led to poor deliveries? During the last election, many of my constituents in the Watford area did not receive their postal votes. Is she not aware of the record losses of Parcelforce, which are hitting day after day? Is she not aware of the international competition that is coming along? Is she not aware of Monday's announcement of Consignia's losses, £100 million of which are operating losses? That is particularly important and worrying.

Will not the Secretary of State do the decent thing—*[Interruption.]*

Mr. Speaker: Order. That is enough.

Ms Hewitt: I am not going to take any lectures on the Post Office's performance from the hon. Gentleman and his colleagues who had the opportunity when they were in government to give the Post Office the commercial freedom that the management and the unions wanted. If the previous, Conservative Government had done that when it should have been done, years ago, the company could have begun to get a grip on what are very deep-seated problems.

I make it very clear that steps have already been taken to strengthen Consignia's management and improve the company's performance. Earlier this year, a new finance director, Marisa Cassoni, joined the board, and the company is now recruiting a chief executive for the new Post Office Ltd. to run the post office network. We have also appointed Allan Leighton as a non-executive director to take a special interest in the post office network. Consignia's chairman, Dr. Neville Bain, who has led the company through this first stage of reform and modernisation, will stand down as chairman when his term expires at the end of this year. We will appoint a new chairman as quickly as possible.

Mr. Martin O'Neill (Ochil): Does my right hon. Friend share my disappointment in the half-yearly figures that have been announced? In some respects, she has anticipated my comment that the patience of many of us who regard ourselves as defenders of a public postal service is becoming severely strained. We require drastic steps of an even more far-reaching character than those that she has announced to ensure that the postal service can be successful in the public sector.

Ms Hewitt: I entirely share my hon. Friend's view of Consignia's results which were announced on Monday. They were disappointing and reflect the deep-seated problems within the company and the challenges facing it in a rapidly changing market for postal services not only in the United Kingdom but across Europe. I am glad to say that, in the wake of the report by Lord Sawyer on industrial relations in the firm, management and unions have started to work together much more effectively. They have just renewed the commitment to a moratorium on those industrial difficulties. I have made it quite clear that we expect, and the independent regulator also expects, the company significantly to improve its performance. I hope that that is precisely what the management and the unions together will now deliver.

Dr. Vincent Cable (Twickenham): Does the Secretary of State acknowledge that one of the consequences of the disastrous losses being recorded at Consignia is that it will no longer be able to sustain by cross-subsidy the universal service obligation under which letters are delivered across the United Kingdom at a constant rate? Does she intend to intervene to ensure that the Post Office's social obligations in that respect are fully maintained?

Ms Hewitt: I do not accept the assumption in the hon. Gentleman's question, but remind him that the first duty of the regulator whose post we created in the Postal Services Act 2000 is to maintain the universal service obligation. The regulator will ensure that that universal service is indeed delivered right across the country.

Mr. Tony Lloyd (Manchester, Central): My right hon. Friend is right to take no lessons from Opposition Members, certainly on the issue of post office closures. However, although the action that she is taking is very welcome, there is a mounting crisis not only in rural post offices but in urban sub-post offices, which are under enormous pressure because of profitability and other external factors such as crime. What action can the Government take to ensure that we maintain a high-quality and well-represented sub-post office network in urban areas such as mine where that network is vital?

Ms Hewitt: I entirely agree with my hon. Friend on the enormous importance of post offices not only in rural communities but in deprived urban areas, including parts of my own constituency. The service delivered by local post offices to deprived and remote local communities is essential. He will be aware, of course, that there has been a welcome reduction in the rate of closures and that we are taking steps, including a formal requirement placed on the Post Office, to maintain the rural network and to prevent avoidable closures. We are also working closely with the post office network—for example, in the "Your Guide" pilot to which I referred in an earlier answer—to strengthen and expand the services that local post offices can offer and thus attract more people to them.

Mr. Henry Bellingham (North-West Norfolk): I am glad that the Secretary of State said that she believes in rural sub-post offices, but is she aware that many of those offices in Norfolk and Suffolk are threatenod as a direct consequence of the Government's decision to pay pensions and other benefits by direct debit? Surely that is another example of a Government with urban-based values who do not understand the countryside.

Ms Hewitt: That is nonsense and I regret that the hon. Gentleman does not understand the real benefits to be gained by modernising the system of benefit payments, including of course the reduction of fraud. We are working with Postcomm, as recommended by the PIU report, to ensure that financial assistance is given to post offices in rural communities to sustain that network. We have already invested nearly £500 million pounds in modernising the post office network and we have ring-fenced a further £250 million for support of the rural network and modernisation of the urban network.

Fiona Mactaggart (Slough): I know that Consignia can work, because when a post office in my constituency closed, it acted quickly and reopened it within a week, following a campaign led by me. In Slough, one in six first-class letters are not delivered on the following day and there is no way that the Christmas post will be delivered. I met the local management of the Post Office yesterday, who at present are blaming its staff. The Post Office is not delivering for the people of Slough. What message does my right hon. Friend have for it to ensure that the Post Office locally delivers and that the post is delivered to addresses in my constituency?

Ms Hewitt: I must congratulate my hon. Friend on the success of her campaign in getting her post office reopened. As I have already said, I entirely share her concern and that of other hon. Members about the failure in some parts of the country to deliver the post on time or indeed, in some cases, to deliver it at all. The responsibility is on the management and unions to work together, as they are now doing much more effectively, to build on the recommendations of the Sawyer report on industrial relations to take advantage of the commercial freedom that our Government have given them and to ensure that they deliver both the post and better results.

Mr. Nigel Waterson (Eastbourne): I invite the Secretary of State to rejoin the real world. Against a background of losses of £10 million a week, the consistent failure to hit delivery targets and truly dreadful industrial relations in the Post Office, does she agree with the view of the new boss of Royal Mail, who says that the second daily postal delivery is a "myth" and

"There is no such thing as a second delivery"?

Ms Hewitt: I have already made it clear that we have given the Post Office the commercial freedom for which it has long been asking and which, I regret to say, the Government whom the hon. Gentleman supported did not give it. It is a matter for Consignia to make firm proposals—at the moment, it is simply floating ideas—and the independent regulator that we have established will decide whether to accept those proposals, bearing in mind the statutory duty that we have placed on him to ensure that universal service is maintained.

Sub-post Offices

8. **Mr. Elfyn Llwyd** (Meirionnydd Nant Conwy): What recent representations she has received from rural sub-post office operatives; and if she will make a statement. [16477]

The Minister for E-Commerce and Competitiveness (Mr. Douglas Alexander): My right hon. Friend the Secretary of State for Trade and Industry receives correspondence on a range of issues from numerous people working in the rural sub-post office network.

Mr. Llwyd: I thank the Minister for that most unhelpful reply. Despite the tinkering at the edges by his Department to try to ensure that the rural network of post offices remains, 929 post offices have closed in the past two years. That is twice as many as in the two previous years. That means that the Government's initiatives are failing, and I question whether they really want to keep those post offices.

Mr. Alexander: I can assure the hon. Gentleman that we do wish to maintain the rural network and I can clarify the figures for him. I welcome in particular the reduction in the rate of closures that we have witnessed recently—175 in the first half of this year, compared with 299 in the first half of last year. The Welsh figures may also be of interest to him. There were 13 closures in the first half of this year, compared with 68 last year.

I would argue that the Government are determined to take real action to address some of the challenges that have been mentioned today. We commissioned the PIU report and accepted all its recommendations. There is now a formal requirement on the Post Office to maintain the rural network. We have established a new £2 million fund for community ownership, and rural transfer advisers are now working in the hon. Gentleman's constituency and many others around the country.

The contrast could not be clearer between this Government's actions and the inaction and negligence of the previous Conservative Government, under whom 3,500 rural post offices closed between 1979 and 1997.

Mr. Derek Foster (Bishop Auckland): I have represented my largely rural constituency for 22 years, and I assure my hon. Friend the Minister that post offices have always been under pressure. The rate of closure of rural post offices was far greater under Conservative Governments, when most rural services deteriorated substantially too. I am delighted with the Government's plans to ensure that rural post offices do not close as quickly as has been the case, but I hope that my hon. Friend will not underestimate the very big backlash that will be felt in rural areas if we fail in what we are trying to do.

Mr. Alexander: I certainly accept what my right hon. Friend has said, not least in terms of the importance that rural communities attach to their sub-post offices. However, the contrast could not be clearer between the actions of this Government, who have ring-fenced £270 million to meet the challenge, and those of the Conservative party, both in government and out.

Last night, I took the opportunity to look at the Conservative election manifesto to find out what active proposals that party had for supporting the rural network. The Opposition had one proposal—

Mr. Speaker: Order. I advise the Minister that it is not for him to tell us the policy of the Conservative party.

Mr. David Heath (Somerton and Frome): Will the Minister confirm that the date for the transfer of benefit payments to automated credit transfer remains April 2003? If so, when does he expect the systems for the Post Office card account to be operational?

Mr. Alexander: I can confirm the timetable for the universal bank, and that a great deal of detailed work is being done on the specific issues of systems and of the migration strategy that will ensure a smooth transition.

Pay Claims (NUM)

9. **Mr. Harry Barnes** (North-East Derbyshire): What correspondence her Department has received in the past three months concerning claims for equal pay for National Union of Mineworkers cleaners and canteen workers. [16478]

The Minister for Industry and Energy (Mr. Brian Wilson): The Department has received in the region of 250 representations on this issue.

Mr. Barnes: I am aware of the squabble between Arthur Scargill and my hon. Friend the Minister on this matter. Arthur Scargill claims that promises were made by my hon. Friend's predecessor that have not been lived up to. The Government have said that the claims from the former cleaners and canteen workers were not submitted in time by the NUM.

Irrespective of the rights and wrongs of the matter, should not the cleaners' and canteen workers' claims be met? We are not talking about people who are wealthy, unless the odd one happens to have won the lottery.

Mr. Wilson: I do not accept that there has been a squabble. The simple fact is that 1,300 claims were registered and have been met, at a cost of £14 million. Unfortunately, many claims were not registered. Sad to say, the responsibility for that lies not with this Government or even their predecessors, but with the unions representing the workers. That has left the ladies involved in a difficult position. I continue to meet them and to search for a rational solution to the problem. I have no doubt that the people concerned suffered unfairness, but my basic problem is that the claims were not registered.

I am sure that all hon. Members know that many claims, with different circumstances but equal validity, are made to industrial tribunals and are time-barred. To create one category of time-barred claims that are accepted because we feel that the people involved were hard done by would leave another category of people—many tens of thousands of them—whose claims had been time-barred for different reasons in an equally anomalous and unfair position. We are trying to find a solution, but it is not easy.

Mr. Gerry Steinberg (City of Durham): I fully accept what my hon. Friend the Minister says, but there are a number of elderly canteen workers in my constituency who failed to get their compensation claims in in time. They see the colleagues with whom they worked receiving generous compensation, and it was not the workers' fault that the claims were not submitted in time. Does the Minister think that he could come up with a small amount of compensation to ensure that these people get a fair solution to the problem? It is within his power and he should do it in the name of fairness.

Mr. Wilson: As I have just explained, in resolving one unfairness I would create another unfairness—unfairness to everybody else who has a tribunal claim time bar. There is no general power to waive the fact that no claims were registered. There must be specific grounds that would give a basis for these claims that would satisfy any accounting officer or auditor. We are looking at this and constantly meeting miners' representatives. I recognise the sense of injustice, but the fundamental problem is that these claims were never registered. Perhaps the people who failed to register these claims should begin to take some responsibility. I simply point out that the NUM has had a generous payment made to it for its administrative role in what would appear to be generally not registering claims.

Business of the House

12.31 pm

Mr. Eric Forth (Bromley and Chislehurst): May I ask the Leader of the House for the business for next week?

The President of the Council and Leader of the House of Commons (Mr. Robin Cook): The business for next week will be as follows:

Monday 3 December—Opposition Day [6th Allotted Day] until 7 o'clock on a subject of which we have yet to be notified. Followed by a debate entitled "The Government's Mismanagement of Wembley Stadium, Pickett's Lock and the Dome", also on an Opposition motion.

Mr. Forth: Ah!

Mr. Cook: I presumed that the right hon. Gentleman was aware of that.

Tuesday 4 December—Second Reading of the Education Bill.

Wednesday 5 December—A debate on European Affairs on a motion for the Adjournment of the House.

Thursday 6 December—A debate on the Common Fisheries Policy Reform and Sustainable Fisheries on a motion for the Adjournment of the House.

Friday 7 December—The House will not be sitting. The provisional business for the following week will be as follows:

Monday 10 December—Second Reading of the Tax Credits Bill.

Tuesday 11 December—Estimates Day [1st Allotted Day]. There will be a debate on waste management policy until 7 o'clock followed by a debate on the staging of the world athletics championships in the United Kingdom. Details will be given in the *Official Report.*

At 10 o'clock the House will be asked to agree all outstanding estimates. The estimates to be agreed are as follows: Winter Supplementary Summary Request for Supply (HC 391), Vote on Account (For Generality of Government Departments) (HC 392), Vote on Account (House of Commons) (HC 393), Vote on Account (National Audit Office) (HC 394) and Vote on Account (Electoral Commission) (HC 395).

Wednesday 12 December—Proceedings on the Consolidated Fund Bill.

A Debate on International Terrorism on a motion for the Adjournment of the House.

The House may also be asked to consider any Lords messages that may be received.

Thursday 13 December—Remaining stages of the Animal Health Bill.

The House may also be asked to consider any Lords messages that may be received.

Friday 14 December—The House will not be sitting.

The House will wish to know that on Monday 3 December there will be a debate relating to the European arrest warrant and the surrender procedures between member states in European Standing Committee B. Details of the relevant document will be given in the *Official Report.*

[*Monday 3 December 2001:*

European Standing Committee B—Relevant European Union Documents: 13425/01, European Arrest Warrant and the Surrender Procedures between Member States. Relevant European Scrutiny Committee Reports: HC 152-vii (2001-02) and HC 152-viii (2001-02).]

Further to my earlier announcement about the Christmas recess, I can now confirm that the House will rise for the Christmas recess on Wednesday 19 December.

The House will also wish to know that subject to the progress of business the House will not sit during the week commencing Monday 18 February 2002.

Mr. Forth: I thank the Leader for giving us the business and the joyous news about recesses.

Yesterday in answer to a rather loosely worded question, the Prime Minister confirmed at column 964 that he was committed to raising health expenditure to the European Community average by 2005. That leaves us completely in the dark as to what that commitment means. Was it a reference in cash terms? Was it a commitment to a percentage of gross domestic product as it will be in 2005? We need to know these things because there has been a lot of speculation as such large sums are involved. Will the Leader of the House provide time for an urgent statement to clarify what the Prime Minister meant, whether he has the Chancellor's support and agreement, how much money is involved and where it will come from? Before we embark on the great debate on health, which we all welcome, we need to know those key facts.

Hidden away in the Chancellor's pre-Budget report is a reference to the increase in council tax—in local taxation—which suggests yet another alarming increase in the level and amount of council tax. That increase seems to be more every year. I suspect that the increase in local taxation will swallow up entirely what the Chancellor was boasting, the other day, would be an increase in pensions. We need an urgent debate on that, to establish—if nothing else—whether pensioners will be better off as a result of what the Chancellor was claiming, or whether, as I suspect, all the increases will more than disappear in the enormous increases in council tax that we are now getting.

Mr. Speaker, you said yesterday—very helpfully for the House—

> "when Ministers refuse to answer questions, they are expected to indicate in their reply why they have refused by reference to the Government's code. The Public Administration Committee regularly looks into the pattern of answering and makes a report to the House. Again, Members aggrieved at a ministerial refusal to answer might get in touch with the Committee Chairman, the hon. Member for Cannock Chase (Tony Wright)".—[*Official Report,* 28 November 2001; Vol. 375, c. 971.]

That was a very helpful suggestion, for which we are all most grateful. What I should now like the Leader of the House to do is to commit himself, and to guarantee, that we will have a regular slot for the Chairman of the Public Administration Committee to come to the House and initiate a debate on ministerial refusal to answer questions. I am confident—although I am sad to have to say this—that there are so many such incidents that the report will be voluminous and will require detailed answers from the Government as to why Ministers have refused to answer questions.

Finally, it has been brought to my attention that, in the past, we have normally held our fisheries debate on the basis of a take-note motion, where the House had an opportunity to vote. For reasons that I think I well understand, it would appear that the Government have magicked that into an Adjournment debate, where the House will not have an opportunity to vote. What is the Leader of the House ashamed of? What have the Government got to hide? Why will they not submit themselves to the opinion, the view and the vote of the House on such an important issue as fisheries, but instead try to slip it through by some sleight of hand? We need to know.

Mr. Cook: I am grateful to the right hon. Gentleman for greeting what he described as the joyous news about the recesses. We are approaching the season when joyous news is appropriate, although I ask myself how he and I will pass that time without being able to exchange views every Thursday.

Mr. John Bercow (Buckingham): With great difficulty.

Mr. Cook: The hon. Gentleman is probably correct.

On the issue of NHS spending, the position is not confused—

Mr. Forth: Oh!

Mr. Cook: If the right hon. Gentleman is confused, let me try to elucidate. The commitment that was originally given by the Prime Minister, and to which I understand the leader of the Liberal Democrats was alluding, was that within five years of March 2001 we would be at the average for European spending on the health service—that is an average expressed as a percentage of gross domestic product. I am pleased to inform the House that, over the past four years, we have been able to approach that average at the rate of 0.1 per cent. of GDP each year, so we are on course to meet the average—*[Interruption.]* No, we are on course to meet the average by the time that my right hon. Friend mentioned. I am entertained that Opposition Members should find that they are not impressed by 0.1 per cent. of GDP as an increase. That may of course reflect the fact that during their period in office they never came remotely near increasing NHS spending by 0.1 per cent.—*[Interruption.]* The right hon. Gentleman and I can put a date in our diaries for the debate in March 2006 when we see whether we have achieved that target. All I can tell the House at present is that we are on course, and in five years I look forward to receiving the right hon. Gentleman's congratulations on our having succeeded—

Mr. Forth: That is not what the Prime Minister said.

Mr. Cook: I have repeated what the Prime Minister said initially—in five years from March 2001.

On council tax, I can inform the House that the Secretary of State for Transport, Local Government and the Regions will be making a statement on council allocations on Tuesday next week. I suggest that hon. Members do not get particularly excited about what they may read in the papers before the announcement.

I listened with great care to what the Speaker said yesterday in relation to questions. I also noted that he invited colleagues to raise the matter with the hon. Member for Macclesfield (Mr. Winterton), as the Procedure Committee is carrying out a major study of questions. Obviously, that is a legitimate matter for the Committee to consider and I am sure that we shall return to it. In the meantime, I am pleased to tell the right hon. Member for Bromley and Chislehurst (Mr. Forth) that I shall be meeting the Chairman of the Public Administration Committee next week and no doubt if he wants to express views to me I shall be happy to listen to them.

Lastly, I have no strong views on whether the fisheries policy is debated on the Adjournment of the House on a take-note motion. I shall take the right hon. Gentleman's views to heart and consider them, but the House can divide on an Adjournment motion if it wishes, and it has done so frequently.

Mr. Dennis Skinner (Bolsover): I am sure that the Leader of the House heard the exchanges with the Minister for Industry and Energy just before half-past 12, in relation to the payments of equal value for the canteen workers and cleaners. Does my right hon. Friend think that, as the matter has not been fully cleared up, the Minister needs to make a full statement so that we can explain to him that, in the House of Lords judgment in the mid-1990s, when almost every pit in Derbyshire closed and the structure of the National Union of Mineworkers had been completely destroyed, no one was available to tell those canteen workers of their rights, despite the fact that the House of Lords called on Ministers to use a broad-brush approach and make ex gratia payments?

Ex gratia payments have been a feature of every Government since I have been a Member of Parliament. There is no bar to them. If my hon. Friend the Minister for Industry and Energy needs a way round this, my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) provided it for him a few weeks ago. This is a very important moral issue. The people who worked in the canteens, who saw the industry smashed, the structure of the NUM destroyed and who were unable to make their claims, should be allowed to make them, just like those 400 people in Nottinghamshire and elsewhere who managed to get ex gratia payments.

Mr. Cook: I understand the concerns of those who have not been included in the payments. I remind the House that the Government have fully met their commitment that they would make such payments to all those who were included in the submission that was made to the courts. I understand my hon. Friend's feelings in relation to those who were not included in the several hundred who were submitted to the court. As I entered the Chamber, there was a considerable and vigorous exchange on this matter. I am sure that it will continue to be a matter of debate and that he will, no doubt, look for other opportunities, such as that which he has just taken, to press the point.

Mr. Paul Tyler (North Cornwall): May I ask the Leader of the House to clarify the arrangements for announcing the subjects of Opposition Supply days. The business statement indicated that no subject has yet been allocated for the first half of the debate on Monday, so it seems that many Members will find out what the subject

[Mr. Paul Tyler]

is only when they come to the House and read the Order Paper. Will that now be standard practice? If so, the Liberal Democrat party will take advantage of that, too.

The exchanges this afternoon, as well as those earlier in the week, show the essential need for a full day's debate on the economy, which we always used to have at this time of year, whenever the Chancellor made a major statement. Indeed, the exchanges that have just taken place reinforce that view.

There are few advantages of sitting on the Opposition Benches compared with sitting on the Government Benches, but the Leader of the House may like to note that one advantage is that we can see the expressions on the faces of his colleagues when the Prime Minister answers questions. The expression on the Chancellor's face when his right hon. Friend replied to a question asked by my right hon. Friend the Member for Ross, Skye and Inverness, West (Mr. Kennedy) was a picture to behold. It is therefore clear that some questions remain to be answered by the Chancellor and his colleagues, and that that debate on the economy is surely urgent.

Finally, may I ask the Leader of the House to give an undertaking that if, as seems likely, the Lords messages on Wednesday 12 December contain some extremely important views from them on the Anti-Terrorism, Crime and Security Bill, not least from his Labour colleagues in the other place, we will be able to give them precedence over the debate on the international situation? That latter debate is simply on the Adjournment of the House. The issues that relate to that Bill are, of course, matters for votes, and I suspect that hon. Members on both sides of the House will feel that those critical issues should not be rushed through the House, especially after our experiences in recent weeks. Will the right hon. Gentleman give an undertaking that there will be proper time for debate and Divisions on those extremely important issues and that, if necessary, the debate on the international situation will be moved to the next day, when there need not be a vote?

Mr. Cook: It is important that the House should have another full day's debate on international terrorism, because there is a lot of unfinished work yet to be done. I know that many Members will wish to take part in the debate, and we have had a full turnout on previous occasions. I would be reluctant to lose any time from that debate.

I hear what the hon. Gentleman says about Lords messages. I think that I am correct in saying that, at present, no amendments have been made to the Anti-Terrorism, Crime and Security Bill in the House of Lords. We must obviously monitor the situation closely and consider where we are if amendments are carried. At present, however, I see no reason to interfere with the arrangements that I have outlined.

I congratulate the hon. Gentleman on studying the faces of my honourable colleagues. We welcome close scrutiny of our faces in all circumstances and at all times. If anything, I have probably had rather more comment in the press about my face than I would necessarily have volunteered for. I can only repeat that the Government are on course to deliver their target, which is a matter of unity among my colleagues.

I share the hon. Gentleman's surprise about the position in which I have been placed in relation to Monday's business. I cannot recall an occasion in my time when we have been left in the dark about what the Opposition wish to debate. There is a case for perhaps turning up for a mystery debate. However, if the Opposition really knew what they wanted to criticise the Government on, the right hon. Member for Bromley and Chislehurst should have been able to tell us today.

Mr. John Smith (Vale of Glamorgan): I thank my right hon. Friend for raising the matter of the British Government's contribution to the World Health Organisation study into deep vein thrombosis related to air travel? I have received a letter pointing out that the House will be notified shortly as to what that contribution will be. However, I draw his attention to the fact that the first study group will meet in Geneva on 13 December, so it would be appropriate for the Government to report to the House before then.

Mr. Cook: I am grateful to my hon. Friend for his point. I take this opportunity to congratulate him on the assiduity with which he has pursued a very serious issue that is of great public concern. I note what he says about the forthcoming meeting and I shall draw the attention of my right hon. Friend the Secretary of State for Health to his comments.

Sir George Young (North-West Hampshire): My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) asked the Government for an early statement to clarify their policy on health. In his response, the Leader of the House, far from clarifying it, confused the position. Yesterday the Prime Minister was asked to commit

> "himself to raising health expenditure in our country to the European average by 2005. Is that still the policy of his Government?"

He replied:

> "Of course it is."—[*Official Report*, 28 November 2001; Vol. 375, c. 964.]

A few moments ago, the Leader of the House said that the year was 2006. Which is it?

Mr. Cook: As I understand it, the leader of the Liberal Democrats asked my right hon. Friend to confirm the commitment that he gave in 2000 to meeting the average of gross domestic product spent on health.

Mr. Forth: No.

Mr. Cook: That is exactly the question that the leader of the Liberal Democrats asked the Prime Minister. In 2000, my right hon. Friend said that we would meet that target within five years of the end of that financial year, so we will meet it in the financial year 2005-06. There is no room for divide here.

Mr. Michael Clapham (Barnsley, West and Penistone): May I draw my right hon. Friend's attention to early-day motion 454?

[That this House recognises this Government's endeavour to improve health and safety in the workplace; and welcomes the campaign by Prospect to increase the resources available to the HSE to improve the

effectiveness of inspectors to cut deaths and injuries at work as well as to reduce the number of people suffering work-related ill health; and recognises that if the targets set out in Revitalising Safety and Health and Securing Health Together are to be met there must be more inspectors in the field and more resources for the HSE as well as local authority inspectors to ensure working people are safe at work.]

The early-day motion stands in my name and supports the campaign run by the trade union, Prospect, which represents employees of the Health and Safety Executive. It calls more for resources for the executive.

Last year, fatalities in industry increased by 32 per cent., but the number of inspectors out in the field is only 613. There is a drastic need for more resources so that we can recruit more inspectors. Will my right hon. Friend consider holding a debate on health and safety at the earliest possible opportunity?

Mr. Cook: That is a matter of great concern and interest to those who work in industries that have a poor health and safety record. I commend the HSE's work, which I know at first hand from my constituency. I assure my hon. Friend that the Government are committed to making sure that the HSE can fulfil the functions that Parliament confers on it. If that means resources, I am sure that my right hon. Friend the Secretary of State for Transport, Local Government and the Regions will consider that.

Mr. John Baron (Billericay): May I press the Leader of the House on the Government's timetable for raising health expenditure to the EU average? The Prime Minister clearly stated yesterday, as *Hansard* records, that that would happen by 2005. Yet today, the Leader of the House says that the timetable has slipped by a full year—in 24 hours. Can the statement be clarified?

Mr. Cook: I am happy to repeat my earlier comments that the commitment that my right hon. Friend confirmed yesterday was made not yesterday but in 2000. He said that in the financial year 2005-06, we would meet the European average. [HON. MEMBERS: "No."] I find it entertaining that Conservative Members, who fought the general election on a commitment to cut health spending, ask us when we will succeed in raising it to the European average. If Conservative Members ever got their hands on the Dispatch Box, we would not approach the European average but fall away from it.

Mrs. Ann Cryer (Keighley): Will my right hon. Friend consider holding a debate on the problem of the growing waiting lists in the Bradford metropolitan district for Asian women who want to learn English? They are enthusiastic about it, but they frequently have to wait for more than a year to join one of the excellent classes in the adult education centres.

Mr. Cook: I entirely concur with my hon. Friend about the importance of that. It is part not only of integration but emancipation for Asian women that we make all possible opportunities available to them to learn English and achieve the skills and qualifications that they need to play a full part in our society. Britain has gained immensely from the rich contribution to our economy of Asians who have made Britain their home. We should give them every opportunity to use their talents.

Sir Michael Spicer (West Worcestershire): Will the right hon. Gentleman consider providing time to discuss the impact of data protection legislation on Members of Parliament when they carry out their constituency work? I am sure that he knows that there is growing anxiety among hon. Members of all parties about that. Changes in legislation that perhaps grant Members of Parliament some element of privilege may be required.

Mr. Cook: I am not sure that I can promise a debate on the matter. However, I should be happy to hear from any hon. Member who is encountering specific problems that are related to data protection when carrying out their constituency work. I shall pass on the information to the Home Office.

Mrs. Alice Mahon (Halifax): I draw my right hon. Friend's attention to early-day motion 489.

[That this House notes the call of Amnesty International for a public inquiry into the mass killing of Afghan prisoners at the Qala-i-Jhangi Fort on 25th and 27th November; conscious of the presence of British and American special forces on site during the massacre and the heavy bombardment of the prisoners by the US Air Force, calls upon Her Majesty's Government to support the setting up of such an inquiry; further notes that the Northern Alliance commander of the Fort, General Dostum, is a notorious killer with a long record of war crimes; and reminds Her Majesty's Government and the US Government of the international opprobrium which still surrounds General Ariel Sharon resulting from his 'indirect responsibility' for the massacres in the Sabra and Chatilla camps in Lebanon in 1982, which though committed by others, would not have been possible without his involvement.]

Will my right hon. Friend ask the Government to make a statement on the matter? Will he also ask them to state clearly that the perpetrators of the massacres in Kabul and elsewhere, whichever side they are on, will answer for their war crimes at an international criminal court convened by the United Nations?

Mr. Cook: Although I welcome any further information that my hon. Friend wishes to produce, I am not aware of massacres in Kabul. The relative orderliness of life in Kabul has been a remarkable feature of events since the defeat of the Taliban. The great majority of the population have welcomed the defeat and disappearance of the Taliban.

We do not have full information on events in the fortress at Mazar-i-Sharif. It is plainly desirable to acquire more information, and considerable debate will continue on the matter. International law is clear: prisoners' human interests and needs should be respected. However, it is also robust in providing that those who are combatants need not expect to be treated as prisoners of war. The matter for debate is whether the response was appropriate for prisoners who had armed themselves with kalashnikovs, mortar guns and a tank and, in those circumstances, whether it was right to regard them solely as prisoners.

Mr. Roy Beggs (East Antrim): Can the Leader of the House tell us whether there are obstacles to the Northern

[Mr. Roy Beggs]

Ireland Grand Committee meeting in Northern Ireland? Can I have his assurance that he will look into that matter and help facilitate us having such a meeting in Northern Ireland?

Mr. Cook: Offhand, I am not sufficiently familiar with the Standing Orders to give a categorical assurance to the hon. Gentleman. Personally, I see no problem with the Committee meeting in Northern Ireland. I will be happy to examine the matter and write to him.

Denzil Davies (Llanelli): My right hon. Friend was asked by the shadow Leader of the House about next Thursday's debate on the motion for the Adjournment, which will be fairly specific because it relates to the common fisheries policy. I think that I heard that there will be a debate on Wednesday on something that is perhaps less specific, described as European affairs. Previously when we have debated European affairs we have been able to hang our speeches on voluminous Commission documents. Are we going to be able to do that this time?

Mr. Cook: As somebody who has introduced many of those debates in the past, I can [illegible] with confidence that hon. Members will have all the European documents that any human being could possibly wish for.

Mr. Christopher Chope (Christchurch): Are we going to have a statement from the Government on the farce and scandal of the individual learning accounts? The Secretary of State for Education and Skills told the House:

> "People who already hold ILAs have until 7 December—six weeks—to use them".—[*Official Report*, 6 November 2001; Vol. 374, c. 129.]

Some 1.2 million people received letters from the Government giving them that assurance, but that assurance was broken last week by the Government, without any notice at all and without the House being informed, and more than 1 million ILA holders have now been told that they cannot take up their accounts by 7 December. Is that not scandalous? Why do the Government not come along to the House and admit that it is a farce that deserves to be put under close scrutiny by hon. Members, and what message—

Mr. Speaker: Order.

Mr. Cook: I am slightly at a loss to understand how the Government can have broken a commitment on 7 December when we are still a week away from that date. My right hon. Friend the Secretary of State for Education and Skills has written to all hon. Members for the relevant constituencies, advising them that any registered holder of an ILA will have that registration honoured.

Mr. David Clelland (Tyne Bridge): My right hon. Friend will know that Rolls-Royce today announced further job losses across the United Kingdom, many of which are in the north-east. Our region can ill afford to lose those skilled jobs. He will also be aware that the north-east continues to have the highest unemployment in the UK and too often comes bottom of important social and economic indices. We cannot afford to wait for regional government to begin tackling those issues, so can we have an early statement from the Government on when and how they are going to tackle regional disparities, which have gone on for too long and are too great?

Mr. Cook: I share my hon. Friend's concern about the impact on his constituents and others of job losses in the present circumstances. I understand why he wants to press for an opportunity to ensure that it is raised in the House, and I will convey his comments to my right hon. Friend the Secretary of State for Trade and Industry.

Mr. Robert Key (Salisbury): Would the Leader of the House let us have a debate as soon as possible on the North Atlantic Treaty Organisation? That would give us the opportunity to debate the age of Greek aircraft and the competence of the Greek Air Force to distinguish between tourists and spies. Does he realise that there is growing anger in Wiltshire that the Greek Government seem to have the resources, time and energy to pursue plane spotters, but do not have the resources, time and energy to pursue the assassination of Britain's defence attaché in Athens only a couple of years ago? Does he also realise that that is a scandal and makes Greece look ridiculous?

Mr. Cook: I remember the assassination of our defence attaché and I visited Athens at the time to express my concern. We continue to assist in any way that we can in tracking down those who were responsible for the assassination, to ensure that they are brought to justice and that the terrorist threat is eliminated.

On those British citizens who have been detained on a charge of espionage, I understand the hon. Gentleman's concern and the broad concern of the British public. That is why we have raised the matter at a variety of levels—between the Prime Ministers, between the Foreign Secretaries, between the European Ministers and between the Defence Ministers—and why we will continue to press Britain's concerns.

Mr. David Chaytor (Bury, North): Following the welcome statement yesterday on the future management of the financial liabilities of the nuclear Railtrack, given the continuing debate about the future management of radioactive waste—that held by British Nuclear Fuels, the Ministry of Defence and private generators—and given the continuing debate about the role of nuclear generation in the future mix of energy supply, does my right hon. Friend agree that there is an overwhelming case for a debate on the future of the nuclear industry? Does he agree also that it is remarkable how little time is given to debating the industry in the House? Had more time been given over many years, perhaps fewer mistakes might have been made. Can he find Government time for a debate on the industry in the near future?

Mr. Cook: I shall happily add that request to the growing list of requests that I have for debates. Of course, there are other ways in which my hon. Friend can seek an opportunity to raise the matters to which he has referred.

We attached importance to ensuring that the House received a full oral statement at the earliest possible opportunity after the BNFL statement, and that took place yesterday. I cannot promise that there will be a further opportunity in the Chamber to debate these matters next week.

Mr. Gregory Barker (Bexhill and Battle): The Government's position on their commitments to health spending is still extremely murky. May we have an early statement to clarify what the Government mean by "European average"? Does that refer to Europe from the Atlantic to the Urals, or does it mean the European Union? If we mean the EU, is it the EU as constituted, or is it the EU in 2005 or 2006, which could include the accession of several countries from eastern Europe? If that is the case, are the Government hoping that the average will come down and the EU will meet us halfway? Could we have a specific percentage target?

Mr. Cook: I am not sure to what extent the hon. Gentleman's question has illuminated this issue. I rather suspect that if we took the wide interpretation that he is proposing, we would already have surpassed the average gross domestic product. Therefore, I am happy to put him at rest on this point. When we have referred to the average, we have been referring to the existing members of the European Union.

The hon. Gentleman believes, to use his word, that our commitment on health spending is "murky". I would welcome some clarity on what exactly is the commitment of Conservative Members on health spending, and whether they intend to meet the EU average or the average of the countries of central and eastern Europe.

David Winnick (Walsall, North): The international community should keep a close watch on happenings in post-Taliban Afghanistan. That is the view of those of us who fully supported the military operation.

Would it be possible to have a statement next week so that a Minister could announce a public debate on whether health care should be provided, as now, largely through the national health service, or through private insurance, which to a large extent is now Conservative policy? Would not it be useful if the country had such a debate so that we could ascertain whether our view on maintaining the NHS for all is one that is generally approved of? I am sure that it is.

Mr. Cook: My hon. Friend makes a tempting suggestion for a debate. I shall promote it as a priority on my list of issues awaiting debate. I agree that it is clear from the evidence that has been produced during the week that the way in which we fund the national health service out of general taxation provides the most efficient, fairest and most universal system of health care. We look forward to the Opposition telling us whether they are willing to destroy that.

Mr. Michael Jack (Fylde): I join those who have called for greater clarity from the Government on the question of health spending. Has the Leader of the House not realised that as Britain increases expenditure on health, so the amount of the European average will increase? If any other member state were also to increase its expenditure on health, the average would effectively translate into a moving target. Will he clarify how we are supposed to hit that target?

Mr. Cook: These questions are descending from the entertaining into the pathetic. Despite the right hon. Gentleman's befuddled arithmetic, the fact is that we have closed the gap over the past four years. We shall continue to do so over the next five years, and we shall succeed in matching the average in 2005-06.

Mr. Jim Cousins (Newcastle upon Tyne, Central): The Chancellor's pre-Budget report includes on page 114 an important commitment to review the fairness of public expenditure across the regions and nations of the United Kingdom. In light of the answer that my right hon. Friend the Leader of the House has already given to my hon. Friend the Member for Tyne Bridge (Mr. Clelland), will he at least consider referring that issue and all issues related to my hon. Friend's points about rising employment problems in the north-east to the Committee of the Regions?

Mr. Cook: My hon. Friend has identified a valid forum in which to explore the issue which, I know, is of great importance to him and other Members. It is vital to reflect the regional variety and dimension of the United Kingdom—one of the strengths of our country—in our debates and ensure that our forums reflect that adequately. I am pleased that the Government have given that commitment. From what my hon. Friend said, I take it that he welcomes that commitment, and I am sure that he and others will want opportunities to make sure that the Government deliver it.

Mr. Patrick McLoughlin (West Derbyshire): Will the right hon. Gentleman, as Leader of the House and a member of the House of Commons Commission, give the House the opportunity to discuss the facilities for visitors to the House? Does he agree that when constituents come to the House of Commons they should be treated equally and fairly? At present, they are not.

Mr. Cook: I absolutely agree. Indeed, during the time in which I have been Leader of the House, I have reflected on the fact that, as a Parliament, we miss an immense opportunity to convey to the tens of thousands of people who come to Parliament the importance of the Commons as an expression of democracy in the United Kingdom. I welcome the fact that, at present, they have adequate opportunity to see our buildings, study our architecture and consider our history, but we should look at ways in which we can ensure that they also receive a message about the importance of a contemporary Parliament and its role in our democracy. I shall wish to explore that with the Modernisation Committee.

Mr. Derek Foster (Bishop Auckland): Can my right hon. Friend find time for a debate on regional development agencies? That would give a Minister an opportunity to explain that the Government have insisted—rightly, to my mind—that those agencies are business-led. However, neither the chairman nor the vice-chairman of the regional development agency for the north-east of England are from the business sector, and it has just summarily got rid of representatives from the Confederation of British Industry and the chamber of commerce. If my right hon. Friend cannot find time for a debate, will he look into the matter and tell us what is going on?

Mr. Cook: I am grateful for my right hon. Friend's invitation but, if he will forgive me, I shall decline to dip my toe into that particularly hot water and leave it to the region itself to resolve the issue. However, on the generality of what he said, I am conscious of a number of regional issues that are a matter of legitimate public debate and interest; I am also conscious of our obligation as a Parliament to ensure that they can be ventilated. I

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certainly want to look at our procedures and opportunities to make sure that there are adequate chances for Members to raise issues of concern to their regions.

Pete Wishart (North Tayside): I wonder if the Leader of the House can help me. If a Bill is considered and passed on a Sewel motion in the Scottish Parliament, but is significantly amended by the House making aspects of it substantially different, should it not go back to the Scottish Parliament for further consideration and approval? If not, why not?

Mr. Cook: The short answer is that I cannot help the hon. Gentleman without notice, but I shall reflect on his point. So far, we have not experienced the difficulty of amendments changing the character of the Bill so much that it would require a fresh Sewel motion. However, I can assure him that we maintain close contact with our colleagues in the Scottish Parliament. So far, that contact has worked to the advantage of both the Scottish Parliament and this place, but we shall certainly wish to discuss any such difficulties.

Llew Smith (Blaenau Gwent): Can the Leader of the House find time to arrange a debate on the charter of BBC Wales and language discrimination? That would enable us to debate the reasons why the vast majority of the people in Wales who do not speak the Welsh language are increasingly excluded from senior positions and why BBC Wales is now sacking people, not just because they do not speak the language but because their accent is not Welsh enough—that was agreed in a recent court ruling. We could also debate the reason why every controller of BBC Wales in the past 50 years has been a Welsh speaker and why 25 members of a 30-strong political unit are Welsh speakers. The vast majority of people in Wales are now being excluded or discriminated against by BBC Wales.

Mr. Cook: My hon. Friend makes his point with great force and vigour. I expect that other hon. Members from Wales may wish to express a contrary point of view with equal vigour and clarity. I would strongly support the right of anybody to take part in broadcasting or any other activity, irrespective of their accent.

Miss Anne McIntosh (Vale of York): Will the Leader of the House agree to the request from my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) for an early debate on the ministerial refusal to answer questions? The issue is the reply to my question about emergency legislation to prevent an application for interim review from Railtrack, and an answer that was given to my hon. Friend the Member for Maidenhead (Mrs. May). Since when do internal communications cover draft legislation that is due to come before the House?

Mr. Cook: Any draft legislation is necessarily the subject of internal communication within the Government. That is not particularly new, nor is it an invention of this Government, as opposed to the previous Government. I listened with care to what the Speaker said to the House yesterday. It is important that the House accepts his advice and pursues the matter through the two relevant Select Committees that he mentioned. I anticipate that in the fullness of time we will have a debate on the Procedure Committee's report on questions.

Mr. Gordon Prentice (Pendle): Rolls-Royce is by far the largest employer in Pendle. It came as a real shock—a body blow—to learn from the company this morning that up to one third of the employees at the two Rolls-Royce plants in Barnoldswick, where I live, are to lose their jobs. My hon. Friend the Member for Tyne Bridge (Mr. Clelland) referred to the crisis in aerospace. Is not the situation serious enough for an early statement from the relevant Ministers to the House next week, to see what the Government can do to help the industry, which is in crisis? We all understand that the Government cannot force people back on to aeroplanes, but there are steps that the Government can take and should be taking to help that high-tech leading-edge industry, which needs our help now.

Mr. Cook: I entirely understand why the impact of such a large number of job losses in my hon. Friend's constituency is a matter of deep concern to him and to his constituents. I am glad that he has had the opportunity of drawing the House's attention to that deep concern. I can assure him that my right hon. Friend the Secretary of State for Trade and Industry will be following the matter closely, and the Government will want to do anything they can to assist, within the reasonable bounds that my hon. Friend outlined. I shall make sure that my hon. Friend hears from the Secretary of State for Trade and Industry as soon as possible.

Mr. Henry Bellingham (North-West Norfolk): I refer the Leader of the House to the ongoing crisis in the countryside as a result of the foot and mouth epidemic. He is a countryman; he has lived in the New Forest, he spent much of the last Parliament at Chevening, and he spends a lot of time at the racecourse. He must understand the dismay. Has not the time come for the Government to arrange a full and comprehensive public inquiry? What is his personal view?

Mr. Cook: I am much obliged to the hon. Gentleman for polishing my rural credentials. I shall plead them in aid next time we have an exchange on rural affairs. The Government have appointed three separate inquiries into the foot and mouth episode. We have constructed them in a way that will enable us to learn the lessons as soon as possible and get on with them. I honestly believe that it is in the interests of the countryside and of all hon. Members that we get those answers and learn those lessons as quickly as possible, and that we do not devise new ways to delay finding out what we need to do next.

Andrew Mackinlay (Thurrock): The Leader of the House will note that the Opposition are to give us an Opposition day debate on the funding of the English national stadium. No doubt we will be expected to engage in the usual yah-boo and synthetic anger between the two Dispatch Boxes, and then the matter will be swept up. The question should have been put to the Prime Minister on Wednesday last week, and would have been if we had an effective Opposition. If I am expected to go through the Division Lobby with the usual ritual, I expect the Minister to tell us what mandates there were to hand over a large sum of money to a very profitable English soccer industry, where the money is now, when it will come back and how much will come back. I need to know those things before being expected to acquiesce by my silence to something that looks to me to be highly irregular.

Mr. Cook: I assure my hon. Friend that silence is not something that I would ever expect to demand of him. I shall give my right hon. Friend the Secretary of State for Culture, Media and Sport, who will be speaking in that debate, advanced notice of his concerns. I share his sense of puzzlement about why the Opposition have singled out this subject for debate when they have failed to raise it with my right hon. Friend the Prime Minister even though they have had ample opportunity to do so.

Mr. Nigel Dodds (Belfast, North): Will the Leader of the House ensure that the Secretary of State for Northern Ireland comes to the House to make an early statement clarifying the role and term of office of the de Chastelain commission in Northern Ireland? Given that the remit of that body runs out in February 2002, and in light of the Secretary of State's remarks yesterday, will he assure the House that there will be no further attempt to push back the deadline or to fudge the issue of the complete handover of all IRA weapons? Has it not come to the time when the people of Northern Ireland deserve a situation in which the republican movement gives up all its weapons or is put out of the government of this part of the United Kingdom?

Mr. Cook: My right hon. Friend the Secretary of State for Northern Ireland will be answering questions in the House next Wednesday, when the hon. Gentleman and others can raise those issues with him. I shall continue to have close dialogue with him.

Mr. Alan Simpson (Nottingham, South): May we have a debate on GM contamination? My right hon. Friend will be aware of this morning's news that contaminated maize has turned up in a remote area of Mexico that is separated by some 60 miles and several years from the last recorded GM plantings in California. Given that the UK has paltry separation distances, that UK farmers cannot get insurance against GM contamination and that we have been consistently blocked from having a GM producer liability regime by the industry that wants to pursue the trials, could we have an urgent debate to dispel the public myth and criticism that UK policy is increasingly either in the pay or the pockets of a biotech industry that is currently driven by a bunch of crooks and shysters?

Mr. Cook: I anticipate that there would be considerable difficulty for me, including with you, Mr. Speaker, if I were to assent to my hon. Friend's last proposition. I am aware of his vigorous views and I know that the issue to which he refers polarises opinions sharply.Evidence from Mexico or anywhere else is a matter that the Government will seriously consider as we take forward the debate.

Michael Fabricant (Lichfield): A few short weeks ago, I raised with the Prime Minister at Question Time the case of my constituent, Councillor Tony Lanchester, who was at that time suffering from rheumatoid arthritis, but could not be given the drugs that he needed because the South Staffordshire health authority did not have the money to prescribe them. I must tell you, Mr. Speaker, that, since then, he has died. He died because his immune system was reduced as he was not getting the drugs that he needed. A problem that all hon. Members face from time to time is that of health authorities hiding behind the National Institute for Clinical Excellence and saying that because NICE is investigating a drug, they cannot prescribe it. That is the not the case. Can we have a debate so that it is made clear to health authorities and all hon. Members that if a drug is available, a consultant who wishes to prescribe it may do so, even if it is being investigated by NICE?

Mr. Cook: May I express to the hon. Gentleman and his constituents the deep sympathy of the whole House about the death of his constituent? When speaking about such issues, it is appropriate for all of us to respond with respect for the family concerned. This is not a matter that would be appropriate for a party political debate.

I shall take on board what the hon. Gentleman said about NICE and refer his remarks to my right hon. Friend the Secretary of State for Health. However, I think that the principle of NICE was right. We should have a central body that can consider with medical and scientific expertise the drugs that are coming on to the market and establish whether they represent a clinical advantage and value for money. That is appropriate in an age where it is important to ensure that we get value for money from our new, fresh investment in the health service. That must be the right way forward and I do not want to disturb that principle.

Paddy Tipping (Sherwood): The Leader of the House has already heard concern expressed from the north-east and the north-west about job losses in the aerospace industry. Given that 225 jobs were lost this morning at the Rolls-Royce factory at Hucknall, can we have an early opportunity to debate what short-term steps can be taken to maintain high-skill, high-technology, high-value jobs in a sector that obviously has a long-term future?

Mr. Cook: My hon. Friend draws attention to an important aspect of this matter, which is that we should not lose a skilled, experienced work force through short-term difficulties, when we shall require that team to work and produce for Britain in the long term. I note that several points have been raised this afternoon by hon. Members concerned by the Rolls-Royce statement, and I am sure that Rolls-Royce will also note the deep concern that it will cause in Members' constituencies and in the Chamber.

Mr. Andrew Turner (Isle of Wight): I understand the right hon. Gentleman's concern at being repeatedly pressed on the question of health spending. However, that is nothing compared with the irritation of the Chancellor when he heard the Prime Minister's statement yesterday. The fact is that we get sharper and clearer answers from the Leader of the House than we could ever expect from the Prime Minister. Will he, therefore, tell us whether the Government's commitment to raising health expenditure refers to overall health expenditure in the EU, or merely to Government health expenditure in the EU? Will he also

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tell us whether the Government's commitment refers to total health expenditure in this country or merely to Government health expenditure in this country?

Mr. Cook: I speak without having had an opportunity to examine the footnotes to the statistics but, as I understand it, we are discussing the overall envelope of health spending in both cases. But the great majority of that, whether we are considering the European Union figure or the UK figure, is public spending, and that will drive the increase. I am grateful to the hon. Gentleman for his comments, but, I should be grateful if he did not try to dig a deep hole for me with regard to my right hon. Friend the Prime Minister.

John Cryer (Hornchurch): My right hon. Friend will be aware that there has been a proposal floating around for a few years now to the effect that there should be an EU-wide ban on cosmetics that have been tested on animals. I now find that, according to a letter from the British Union for the Abolition of Vivisection, the European Commission has decided that such a ban might offend the sensibilities of the World Trade Organisation. This is disappointing, but hardly surprising as the Commission spends all its time kissing the corporate backside. Nevertheless, could we have a statement or debate on the issue?

Mr. Cook: My hon. Friend raises a matter into which I would hesitate to enter without having had the opportunity to brief myself, but I note what he says. I share his concern, and the Government are committed to ensuring that we minimise the suffering caused to animals through animal testing, and to ensuring that, whenever possible, we proceed in ways that do not require animal testing. I am sure that my hon. Friends in the relevant Departments will wish to take on board his comments.

Mr. John Wilkinson (Ruislip-Northwood): Will the Leader of the House bear in mind the clear commitment of the Government, notwithstanding the passage of the Greater London Authority Act 1999, to continue to have debates on London affairs on the Floor of the House? Following his statements today, it seems unlikely that the Government will find time for such a debate before Christmas. Is that because they are concerned that the Prime Minister's statement on the modernisation of the tube through a public-private partnership as the best way forward would be unsustainable in a debate, or is there some other reason that they are unwilling to reveal?

Mr. Cook: I am happy to reveal that the reason why we are unlikely to have such a debate before Christmas is that there are two and a half weeks before the Christmas recess, and in the course of these proceedings I have heard enough bids for debates to fill up all that time. I assure the hon. Gentleman, however, that nobody in the Government imagines that this matter will not have further ventilation in the House and in public. We would expect there to be further discussions, and I have no doubt that hon. Members will wish to express their views in the course of them.

Mr. Martin Salter (Reading, West): Would my right hon. Friend care to take this opportunity to debunk some of the more fanciful reports in the weekend papers that the Modernisation Committee is about to recommend new working hours for the House? Will he confirm that the Modernisation Committee has not yet had the opportunity to discuss working hours or the parliamentary calendar, and that, when it does, there is not the remotest possibility of proposals to impose a nine-to-five culture on this place ever seeing the light of day?

Mr. Cook: I hope that this does not disappoint any hon. Member, but my hon. Friend is correct. Claims that the House could ever meet from 10 am to 5pm are unsourced and unchecked with my Department. They are also total garbage. I am sorry that what was once a serious newspaper should have found it in itself to run that story without bothering to discover whether it has any credibility.

Bob Spink (Castle Point): Will the Leader of the House find time before Christmas for a debate to explore the energy options in the light of the performance and innovation unit energy review, which is due soon? That would enable us to ensure that we replace nuclear with nuclear to achieve a safe, secure, environmentally friendly and affordable energy supply for the medium and long-term future of this country.

Mr. Cook: As the hon. Gentleman knows, energy policy is being reviewed and the nuclear component is part of that review. At an appropriate time, the House and its Committees will express a view on the issue.

Mr. Desmond Swayne (New Forest, West): And finally, Mr. Speaker, is not the right hon. Gentleman's confidence in the Government meeting their health spending target based on the trick of including UK health spending in the European average? Any fool knows that UK health spending brings the European average down. If it is excluded, there is not a cat in hell's chance of the Government reaching the European average. Does not the very nature of this morning's exchanges confirm that we need at least a statement on the issue, if not a full debate?

Mr. Cook: There is only one way in which to resolve the matter to the satisfaction of the House: my right hon. Friend the Secretary of State for Education and Skills must arrange a seminar in the Grand Committee Room on how to calculate percentages. In the meantime, I say to the hon. Gentleman, as I said to the right hon. Member for Fylde (Mr. Jack), we have closed the gap over the past four years; we shall continue to close it over the next five. We await with great interest the opinion of Conservative Members on how much wider that gap would be if they ever got into office.

Points of Order

1.27 pm

Michael Fabricant (Lichfield): On a point of order, Mr. Speaker. At Question Time today, you again had the opportunity to slap down a Minister who started to speak about what he thought Opposition policy might be, this time by attempting to quote a manifesto. As that happens time and again, might it be advisable for you to issue either a further statement or free copies of "Erskine May" to all officials in all Departments, so that they do not prepare briefs that lead Ministers out of order?

Mr. Speaker: If it happens again, not only with Ministers, but with Back Benchers, I shall take the appropriate action.

Mr. John Baron (Billericay): On a point of order, Mr. Speaker. Following your helpful statement yesterday relating to the Government's poor record in answering written questions, may I briefly highlight a particularly serious case involving the possibility of toxic ash being dumped in my constituency? I seek your advice.

I wrote to the Secretary of State for Environment, Food and Rural Affairs on 6 July, asking certain questions, and followed up with numerous phone calls. I wrote again in October, asking for a substantive answer. I received a holding reply. I tabled a written question at the beginning of November to which, two days later, I again received a holding reply. How can I put further pressure on the Secretary of State to answer, bearing it in mind that my constituents take the issue seriously?

Mr. Speaker: The hon. Gentleman should read my statement carefully, because I gave advice to the House as to how hon. Members should pursue those matters.

Human Reproductive Cloning Bill *[Lords]* (Allocation of Time)

1.29 pm

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): I beg to move,

That the following provisions shall apply to the proceedings on the Human Reproductive Cloning Bill [Lords]—

Timetable

1. Proceedings on Second Reading, in Committee, on Consideration and on Third Reading shall be completed at today's sitting and shall be brought to a conclusion, if not previously concluded, at Seven o'clock.

Questions to be put

2. When the Bill has been read a second time—

(a) it shall, notwithstanding Standing Order No. 63 (Committal of Bills), stand committed to a Committee of the whole House without any Question being put,

(b) the Speaker shall leave the Chair whether or not notice of an Instruction has been given.

3. On the conclusion of proceedings in Committee the Chairman shall report the Bill to the House without putting any Question and, if the Bill is reported with amendments, the House shall proceed to consider the Bill as amended without any Question being put.

4. For the purpose of bringing any proceedings to a conclusion in accordance with paragraph 1 the Speaker or Chairman shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any Amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

5. On a Motion so made for a new Clause or a new Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

Miscellaneous

6. Standing Order No. 15(1) (Exempted business) shall apply to proceedings on the Bill at today's sitting.

7. The proceedings on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall, if not previously concluded, be brought to a conclusion one hour after commencement, and Standing Order No. 15(1) shall apply to those proceedings.

8. Standing Order No. 82 (Business Committee) shall not apply in relation to proceedings on the Bill.

9. No Motion shall be made to alter the order in which any proceedings on the Bill are taken.

10. No dilatory Motion shall be made in relation to the Bill except by a Minister of the Crown.

11. No debate shall be permitted on any Motion to recommit the Bill (whether as a whole or otherwise) and the Speaker shall put forthwith any Question necessary to dispose of the Motion, including the Question on any amendment moved to the Question.

12. If at today's sitting a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) stands over

to Four o'clock and proceedings on the Bill have begun before that time, the Motion for the Adjournment shall stand over until the conclusion of proceedings on the Bill.

13. If the House is adjourned at today's sitting, or the sitting is suspended, before the conclusion of proceedings on the Bill, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

There are issues of such importance that we need to find time, perhaps at short notice, to ensure that UK law does what we in Parliament and the public whom we represent expect it to do. Human reproductive cloning is one such important issue. It is an issue on which we need to take action, and to do so now.

I intend to set out the background to the legislation on these matters and to the judicial review that concluded that human embryos created by cell nuclear replacement—so-called cloned embryos—were not governed by the overarching legislation, the Human Fertilisation and Embryology Act 1990.

This is a matter of great importance, and it is not just theoretical. We are already aware of reports of an Italian who wanted to come to the United Kingdom to exploit what he considered to be a loophole in our law. Others may be tempted to do the same if the situation remains unchanged.

Mr. Oliver Heald (North-East Hertfordshire): In January, did not senior lawyers in the other place—Lord Rawlinson, speaking for the Conservatives, and Lord Brennan, who is of a different political persuasion—warn that the interpretation that has now been accepted by the courts was likely? Is it not wrong that, in the 10 months since those clear warnings, the Government have done nothing to present the change to the House and correct a risky and worrying situation?

Ms Blears: I shall deal with the legal position later. The Government took advice from senior counsel on the interpretation of the 1990 Act, and on whether it covered all kinds of embryos, including those created by cell nuclear replacement. We were advised that the Act was likely to involve a purposive construction, and that therefore all embryos were covered. Mr. Justice Crane held otherwise in the High Court, which is why we need to introduce the Bill today and why we need the allocation of time motion.

Mr. A. J. Beith (Berwick-upon-Tweed): The Minister is not merely allocating time, but trying to take all the Bill's stages in one day. What is the basis for her belief that in the time that it would take to handle the Bill properly, with intervals between its stages and consultation outside, this Italian—or anyone else—would manage to break what we thought the law was before the court decision? Surely it is unrealistic in the extreme to imagine that anyone could engage in that process during the time that it would take to scrutinise the Bill properly, rather than rushing it through.

Ms Blears: It is difficult for me to speculate on what might happen, but we know that this individual has been threatening to use such a process for a long time. If he perceived a legal loophole here in the United Kingdom, he might seek to exploit it. We must bear in mind the advances made in America last week when considering whether the Bill should complete all its stages today.

Sir Patrick Cormack (South Staffordshire): That does not answer the question. If the Government made a firm declaration of intent, and if it were known—as it would be known—that their passing of a sensible measure would be widely supported in the House, the Italian and anyone else would be deterred. There is no excuse for rushing the Bill through today, especially as many of us consider it very defective.

Ms Blears: I think that it is a sensible measure, and I think it difficult for any of us to say that a message sent from the House will deter individuals from taking action. We have no way of knowing that. The only way to ensure that they are deterred is to pass the Bill today, and enshrine it in our law.

Miss Ann Widdecombe (Maidstone and The Weald): If the real danger is represented by the activities of this Italian, the Home Secretary has adequate powers—I have counsel's opinion to this effect—to exclude him under the Immigration Acts. That would give us time to devise some sensible legislation.

Ms Blears: The appropriate course is to look at our legislation, impose the ban on human reproductive cloning that we promised as long ago as August 2000, and ensure that the Bill constitutes a clear legal statement of our position. Powers may well exist under other legislation, but they do not relate to banning human reproductive cloning; they relate to one individual. This is a much more sensible way to proceed.

Michael Fabricant (Lichfield): The hon. Lady will know that I generally support the Bill, but because up to three hours may be spent debating the allocation of time motion we may have only two and a half hours to debate its remaining stages. Although I wish the Bill to be passed, does she not accept that those arrangements are an outrage?

Ms Blears: The solution lies in hon. Members' hands: we can debate the motion as quickly as possible and thereby maximise the time available to debate these very important issues. On Monday, the other place passed the Bill unamended in about five hours. I hope that we can achieve something similar in this place.

Mr. Heald: Did the hon. Lady read the debate in the other place and note the cacophony from Lords on both sides of the House? Time and again they pointed out how rushing the Bill through was a contempt of Parliament.

Ms Blears: I read the debate at length. Many Members of the other place supported the Bill and wanted it to be enacted to ensure that the position is made clear.

Lynne Jones (Birmingham, Selly Oak): I support the Bill. The problem is that the Government's proposals cover actions that are not imminent, whereas they exclude imminent associated actions such as the use of embryos created by cell nuclear replacement techniques.

Ms Blears: The Bill is narrowly drawn, tightly focused and designed to concentrate on human reproductive cloning, about which there is broad consent in both Houses of Parliament and among the public. I do not think that a practice's imminent nature, although a consideration, is the sole issue.

Dr. Ian Gibson (Norwich, North): Does my hon. Friend agree that immediate public reassurance on the point that she has just made is important, given the scare tactics that we have seen in the media and elsewhere? We need a decision right now, particularly on reproductive cloning.

Ms Blears: My hon. Friend is right. Any hon. Member who has read the press reports in the past week or so will have been appalled by some of the scaremongering. It is vital that we give the public reassurance now.

Dr. Evan Harris (Oxford, West and Abingdon): The Minister's answer to the previous question confirms what many of us feel: that the Government's legislative programme is driven more by their fear of press reports than by rational argument. If the Leader of the House was right in saying at last week's business questions that the Government's intent is to restore the status quo ante on embryo protection that preceded the judgment, why does the Bill provide only one form of protection for cloned embryos, which I support, but not for others?

Ms Blears: Like any proper Government, we are rightly responsive to public opinion. The proposals were announced in August 2000, when we said that we would enshrine in statute a ban on human reproductive cloning. We intend to do that.

As for the therapeutic uses of embryos created by cell nuclear replacement, we are appealing Mr. Justice Crane's judgment; I understand that it will be lodged this afternoon. We want to await the outcome of that legal process before determining what action we must take to ensure that embryos so created have the same protection as the 1990 Act offers embryos created by fertilisation.

Mr. Simon Thomas (Ceredigion): The Minister correctly reminds us that the Government promised us this legislation in August 2000. Meanwhile, have not hon. Members on both sides of the House been urging the Government to introduce it much more quickly? I raised the issue in business questions four months ago but was told that a Bill would appear in good time. Have not the Government been caught out by a court case? Has not the Government's poor legal judgment forced us into this position? Why cannot we have enough time to consider the Bill and its implications such as those mentioned by the hon. Member for Oxford, West and Abingdon (Dr. Harris)? Although I support the Bill, it is very flawed.

Ms Blears: As I have explained, it is important that we act urgently. We intend to deal with the other matters when the outcome of the appeal is known. It is not a matter of rushing legislation that we promised to introduce or of our being caught out by the judgment. Counsel's advice, on which we acted, was that all embryos were covered by the 1990 Act. After proper litigation, the courts took a narrow, literal interpretation of the statute, as a result of which cell nuclear replacement embryos are not covered. We need to take immediate action in respect of human reproductive cloning, and to consider what we need to do on therapeutic cloning when we have the results of the appeal.

Mr. Ian Taylor (Esher and Walton): The Minister has been generous with her time, and I am grateful to her for giving way. The issue underlines the problem with rapid scientific advances. She is right that the judge took a literal interpretation of the Human Fertilisation and Embryology Act 1990 rather than taking account of the way in which cells are created. The House must consider whether this narrow Bill will give the protection against human reproductive cloning that all of us would like to see. We can revert to the importance of trying to protect and encourage therapeutic cloning.

Mr. Deputy Speaker (Sir Michael Lord): Order. We are not at this point discussing the contents of the Bill, but simply the allocation of time motion.

Ms Blears: The hon. Gentleman raises some of the matters that I will address later in the debate. He makes an important point: in this fast-moving scientific world, we need to ensure that our legislation canencapsulate that dynamic process as well as capturing the law at a particular moment in time.

As hon. Members will know, our concerns—reflected in this short Bill—were proved right when, at the weekend, we saw the outcome of research in the US, where researchers successfully created embryos by cell nuclear replacement as well as by parthenogenesis, which involves stimulating an egg to develop into an embryo without the use of sperm. The Government are lodging an appeal against the court decision this afternoon, but on an issue such as this, which has such considerable safety and ethical dimensions, immediate action is required, even though there is already considerable pressure on the parliamentary timetable. That is why the Bill, announced last year, has been introduced now.

The Bill was debated in the other place on Monday and approved without amendment. It is a short Bill and its aim is clear. No one, as far as I am aware, has said that reproductive cloning should take place. I know that some people believe that the Bill should be wider, to include therapeutic cloning, but those issues are properly left for the outcome of the Government's appeal. The Government's immediate concern is that no one should think that they can come to the UK to exploit the current situation.

The Government recognise the concerns of those who seek a wider debate, but we make no apology for the fact that the Bill has been introduced quickly after the judgment on 15 November, which raised doubts about the lawfulness of the ban imposed by the Human Fertilisation and Embryology Authority. The introduction of the Bill reflects the concerns raised frequently by Parliament and the public about the importance of ensuring that reproductive cloning cannot take place in the UK.

In August 2000 we said that we would introduce a Bill to place the ban on human reproductive cloning on a statutory footing. I hope that we can achieve that aim this afternoon.

1.43 pm

Mr. Oliver Heald (North-East Hertfordshire): In opposing the programme motion, I start by referring to the exceptional speech made in the other place by the Bishop of St. Albans. I do not know whether we describe bishops as right reverend prelates, as they do in the other place; if so, I adopt that practice. He spoke of the importance of the issue and said that on certain issues a human being instinctively feels a shudder of recognition. He talked about moments of great art inspiring shudders of recognition and said:

> "we have become so seduced by our technological skills that the moral enormity of what we are doing and the sheer scale of our audacity have dwarfed and threaten to silence conscience, wisdom and that collective sensibility which alone ensure genuine moral freedom. I believe, however, that in this debate and in our nation there is a 'shudder of recognition' that human reproductive cloning is inherently and absolutely wrong and must be prevented at all costs."—[*Official Report, House of Lords*, 26 November 2001; Vol. 629, c. 35.]

This is one of the great issues of our day and I am sure that the vast majority of the public and this House would agree with the bishop's views, as I do.

There was also concern in the other place that, however urgent the matter might be, Parliament was not being given adequate time to consider it properly and that, as a consequence, the resulting law might not be effective. The same is true of the time being allowed in this place.

A balance must always be struck between urgency and proper consideration, and between the Government's duty to act and the rights of Opposition parties—even when, as in this instance, the main Opposition simply believe that the Bill does not go far enough. A balance must also be struck between speed and effectiveness. All hon. Members will know of examples of when the House has legislated in haste and repented at leisure.

The concerns expressed in the other place were felt not only by those such as Lord Alton, whose view is that all cloning should be banned, but by those who support so-called therapeutic cloning. Baroness Walmsely said:

> "we are debating today the protection of probably the most vulnerable form of human life. Yet we have been given only today to do it and to ensure that the legislation passes through all its parliamentary stages."—[*Official Report, House of Lords*, 26 November 2001; Vol. 629, c. 17.]

Michael Fabricant: I have been listening to my hon. Friend, and doing some calculations at the same time. Is he aware that, if the Second Reading debate lasts for 90 minutes, the Report stage for 15 minutes and Third Reading for 30 minutes, and if this debate lasts the full the three hours deemed appropriate by the Leader of the House, there will be only three and three quarter minutes in Committee to discuss each amendment selected by Mr. Speaker? Does my hon. Friend think that that is a reasonable amount of time?

Mr. Heald: As so often, my hon. Friend makes an important point. It is not merely a question of the amount of time devoted to each amendment. Parliamentary procedure is designed to allow proper reflection between the various stages of a Bill's progress through the House. We have First Reading, when we read the Bill. We have Second Reading, when the principles underlying the Bill are examined. We then have a period of reflection, during which we can decide what amendments are needed to cover the ambit of debate set out on Second Reading. Not every hon. Member gets a chance to take part in debate during the Committee stage, because of the arrangements involving Committees upstairs. A gap is therefore left after the Committee stage so that all hon. Members can study a Bill and decide how it should be amended on Report. Finally, we look at the whole thing again on Third Reading, and decide whether we like it. Without those gaps, people outside do not have the opportunity to contribute.

The eyes of the world are on us today. This is an international issue. It prompted the American Congress to approve on Monday a motion, with a majority of more than 100, that bans all forms of cloning. The European countries have covered the issue in the relevant convention.

This Parliament is the cradle of democracy. Hon. Members are admired across the world for the proper scrutiny that we give, or should give—

Tim Loughton (East Worthing and Shoreham): Used to give.

Mr. Heald: My hon. Friend says from a sedentary position that the House used to give proposals proper scrutiny. It does us no credit to deny democracy in a process such as we are about to embark on today.

I accept that reproductive cloning should be banned, and that this is an urgent matter. I support the Bill, but one of the pieces of evidence presented to Congress on Monday was that more than 200 couples are interested in trying experiments of the sort covered by the Bill as a way to have a baby. Those people are prepared to spend hundreds of thousands of pounds to take part in such experiments. It is therefore urgent that the Bill should become law. I believe that it should take only days or a week to get it on to the statute book, but there is no excuse for doing so in one afternoon, as is proposed. It is crucial that we have gaps between the various stages.

Mr. Ian Taylor: We need time to debate this issue in the broader context of how we treat cell nuclear replacements and how we isolate the aspects of cell creation that we wish to ban—human reproduction. We do not want to make the mistake of the US Congress, which is to ban everything. In my judgment, it is humane to pursue therapeutic cloning through cell nuclear replacement.

Mr. Heald: My hon. Friend illustrates one of the most important points about measures such as this: there are very different, serious, deeply held views on the exact way forward. I hope that when the Lords Stem Cell Research Committee finishes its report on this issue we shall have an opportunity to look in detail at all the law in this area and at all the various complicated, difficult issues that arise. Even since January, when we debated therapeutic cloning, more evidence has emerged about what can be done with adult stem cells. Clearly, that should inform our debate and we should look at the issues. I hope that the Government will treat this as the emergency plugging of a loophole and that we shall return to the subject and have a proper debate in due course, if it does not prove possible to do so now.

Mr. Beith: If the Government succeed in pressing ahead today, they must return with a further legislative opportunity. Will the hon. Gentleman reconsider his concept of urgency? It strains credulity to suggest that someone could arrive in this country, find a clinic prepared to lose its licence by co-operating, find participants and embark on this procedure in the few weeks that it would take us to consider this Bill properly. Does he agree that the Government are straining the concept of emergency beyond any reasonable limit by saying that we have to legislate in a period shorter than would be needed to give the Bill reasonable consideration?

Mr. Heald: I agree that a period of three and a half hours with no gaps between the stages is ludicrous. The Bill is tightly drawn and probably goes beyond what is sensible in tightening the cordon.

Lord Brennan, who supports the Bill and therapeutic cloning, wanted to raise some basic legal issues about definition and so on, but even narrow definitional issues proved beyond the draftsmanship of someone who has been Chairman of the Bar Council and is widely respected across both Houses.

There is an issue about whether the drafting of the Bill is helping democracy. I would strongly support a straightforward Bill and a relatively quick timetable, but it is a mistake to draw the Bill so tightly that we cannot even consider, for example, issues such as those raised in the other place by Lady Blatch and others. The timetable, too, is wrong.

That is sad, as there is no reason for us to be in this position. The Government knew of the legal doubts as long ago as last January. I cannot help thinking that they offered a Bill in their manifesto because they thought that it was necessary to ban this form of cloning in primary legislation. Otherwise, why have a Bill? As recently as the general election the Government were promising to introduce a Bill of this sort, but they did not. In January, 11 months ago, they were told that there was a legal risk. At the general election, just a few months ago, they admitted that there was a need to change the law. The Government took a risk. They hoped that the matter would not end up in court and that they would get away with it. Now, because of their mistake, democracy is being asked to pay the price in over-hasty legislation.

We oppose the motion because, first, it fails to recognise the importance of the issue; secondly, it fails to recognise the desire of many hon. Members to consider amendments to the Bill, not only in Committee but on Report; and, thirdly, it fails to recognise the advantages of allowing people outside this place, who have a legitimate interest in the issue, to lobby us and to help us to inform our debates.

It is right to legislate, but it is wrong to do so without proper scrutiny.

1.55 pm

Mr. Paul Tyler (North Cornwall): I want to develop the point made by the hon. Member for North-East Hertfordshire (Mr. Heald).

We must all face the fact that Parliament has a bad reputation for legislating in haste and repenting at leisure. In successive Governments, Home Office Ministers especially have bamboozled the House into thinking that speed is more important than security of outcome. Each time we are told that it is an emergency.

We all remember the Dangerous Dogs Bill, which proved misdirected. We should also remember the dangerous yobs Bill, dealing with football hooligans, which similarly was found to be largely inoperable. In the past few weeks, we have been considering the dangerous terrorists Bill, and even the Minister must accept that both Houses share wide misgivings about the speed with which that ragbag is being pushed through.

It appears that we are now considering a dangerous professors Bill. The measure is undoubtedly media-driven, as my hon. Friend the Member for Oxford, West and Abingdon (Dr. Harris) pointed out. There is no great public outcry for us to pass legislation this week. The pressure for emergency provisions comes entirely from the tabloid press. The House does itself and the country a disservice by allowing ourselves to be panicked into taking such measures.

We have four concerns about the Bill. The first is legal. As the Minister said, it was only on 15 November that Mr. Justice Crane gave his judgment in the High Court. She pointed out that an appeal is being mounted against only one aspect of that judgment and that we are dealing with a different aspect, but the interrelationship of those aspects involves complicated law. As she said, if the appeal to be lodged this afternoon is unsuccessful, she will be back here again; she will want more parliamentary time and no doubt we will be told that there is another emergency measure that must have all its stages rushed through in an afternoon.

That is the legal issue. We are already treading in dangerous territory—perhaps sub judice—because of the interrelationship of those aspects. The judge—for once—kept to the letter of the law. What a surprise. Good heavens, is not that what judges often do? Were the Government surprised that for once a judge actually read what had been passed in Parliament and decided that he should go by the letter of the law? What an amazing revelation. Were the Government not prepared for that? If they did not expect that, will they be prepared for the likely outcome of the appeal? Perhaps another judge will also say, "Good heavens, Parliament seems to have introduced some legislation, so I had better take notice of it."

In a few weeks, we shall have to come back to this issue and another Minister—or even the hon. Lady, if she has not been sacked in the meantime—will be saying, "Oh dear, oh dear, there is another emergency."

Dr. Gibson: Will the hon. Gentleman please tell us which group brought the case in the High Court?

Mr. Tyler: I think that it was the ProLife Alliance, but I hasten to assure the hon. Gentleman that I hold no particular brief for that group. That is not the point. The point is that a judge in the High Court of this land decided to rely on the words that we in Parliament had agreed. Amazing.

Our second concern relates to the medical and scientific—

Dr. Evan Harris: Will my hon. Friend give way?

Mr. Tyler: I shall give way to my hon. Friend in a moment. I am about to refer to him in flattering terms. When we reach the appropriate point, he will deal in detail

[Mr. Tyler]

with the medical and scientific aspects, but I am sure that all hon. Members will acknowledge—as a layman, I certainly do—that they are complicated and difficult for ordinary people to understand. That is an important point.

Three pages of closely argued explanation—or excuse—from the Minister still do not explain why the Department made its mistake last January and gave us those assurances. There is no apology and no explanation. In a few minutes, I hope that my hon. Friend will be able to deal with the Bill's substantial omissions and loopholes. The Minister has, in effect, acknowledged that it is full of holes and thus defective. The issue has been debated at greater length in the European Parliament and the United States Congress, and they have still not got it right.

Michael Fabricant: The hon. Gentleman will know that the US Congress has the same procedures as us. After all, the US Congress is a mirror image of Parliament.

Sir Patrick Cormack: It is not.

Michael Fabricant: I believe that it is. However, the issue is whether the hon. Member for North Cornwall (Mr. Tyler) is aware that the US Congress resisted the temptation to which the House may unfortunately succumb. It has separated the various stages—Second Reading, consideration in Committee and on Report and Third Reading—but we may make the mistake of taking those stages in just two and a half hours today.

Mr. Tyler: I shall not follow the hon. Gentleman in his comparison of the United Kingdom and the US constitutions because, as other hon. Members will agree, we have a very different constitution. But he is right that we will run into the most appalling problems in taking together all the stages of a Bill, however straightforward it may appear at first sight.

Dr. Evan Harris: When my hon. Friend asked the Government to explain why they lost the judicial review, he was challenged for having in some way sided with the ProLife Alliance. Many people advised the Government that their definition would not hold up—for example, Margot Brazier. In his book, Professor Derek Morgan questioned whether it would hold—

Mr. Deputy Speaker: Order. Those matters are not directly related to the allocation of time motion.

Mr. Tyler: I therefore express my qualified admiration and gratitude to my hon. Friend, but I have no doubt that he will return to that point if he catches your eye later, Mr. Deputy Speaker.

Thirdly, having dealt with the legal and scientific concerns about the way in which the issue is being handled, I turn to the ethical. Whatever our view, we must acknowledge that people have sincere moral and ethical misgivings about these issues; they need the most careful thought. These are highly contentious issues, so all hon. Members, whichever side we take, should give them the attention that they deserve. Indeed, some of us may not have reached a conclusion because these are genuine issues of conscience, and certainly not issues of party policy. We may not have had the opportunity of listening to our leaders and the great and good, who may be able to increase our wisdom on the issues, so, again, we have a particular responsibility to give them the attention that they deserve.

As my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) said, by taking all stages in an afternoon, we deny not only ourselves but people outside the House the opportunity for careful thought. That is a critical issue for the House. It may not be such an issue for the other House, but as a representative, democratically elected House, we have a responsibility to listen to all sides of the argument and to those outside, especially our constituents.

Earlier this afternoon, the Leader of the House told us that the House will rise for the Christmas recess on the Wednesday before Christmas. Most of us had already noted in our diaries that we would be here on the Thursday. I suggest to the Government, even at this stage, that a little shunting backwards would provide us with an opportunity to return to this issue at an appropriate point in the consideration of the Bill. That would enable us to listen not only to what other hon. Members say, but to people outside the House. I cannot commit every Liberal Democrat Member to this, but I suspect that as all my hon. Friends have marked Thursday in their diaries as a sitting day, they would feel the House fully justified in taking one more day to give this important Bill further consideration.

I do not demur from what the hon. Member for North-East Hertfordshire and the Minister said about the Bill's importance. It is incredibly important that we consider it properly precisely because it is so important.

I must put on record once again the fact that there has been no consultation with my party or, so far as I am aware, with those on the Conservative Front Bench on the handling of the Bill. Frankly, that is a disgrace, and that lack of consultation is not good for business in the House.

On many occasions, the Leader of the House has said that good government requires good parliamentary scrutiny. We are letting ourselves and him down and, most important, we are letting the electorate down by giving the Bill this perfunctory performance of scrutiny this afternoon. Knee-jerk reactions have a nasty habit of hitting the wrong place. If the Bill is as misdirected as I fear that it might be, it could be very painful indeed.

2.5 pm

Sir Patrick Cormack (South Staffordshire): As you reminded us, Mr. Deputy Speaker, we are debating not the merits of the Bill, but the merits of considering it in this manner. Frankly, there is no merit whatever in taking it in the manner in which the Government propose.

There is no situation in the world that is not made worse by panic. This is panic legislation that has been introduced by a Government who, as long ago as August 2000, realised that it would be necessary to produce a Bill. They have waited until the very last minute and sprung the Bill on Parliament in a way that is contemptuous of Parliament, insulting to our constituents and that treats an issue of enormous moral significance as if it were a mere bagatelle. However one looks at it, it is a monumental gaffe by the Government for which there is absolutely no excuse.

Yesterday, we debated a measure that did not keep the House occupied until 10 o'clock. There is no reason on God's earth why we should not have begun the consideration of this Bill yesterday. We would then at least have had 24 hours between one stage and another. That would have been far better than what confronts us now, but there is no excuse for even that sort of precipitate rush.

There cannot be a Member in the House who does not have constituents who are profoundly concerned by the moral implications of the subject. I shall say nothing about that, because I would rightly be called to order if I did. However, in this context, I am a follower of the Cardinal Archbishop of Westminster who wrote an article last week that outlined some of the complexities of the subject. I well recognise that others take a different view. I honour them for it, and they have every right to take it, but whatever view we take, what opportunity did any of us have to discuss the matter in our constituencies between the announcement that the Bill would be introduced and today's debate? We had no proper opportunity to arrange meetings.

We should have had Second Reading today—that would have been perfectly in order and entirely reasonable—and then had the weekend to talk to our constituents. It is not just the Churches that are interested in the subject. Doctors and many others would have wanted the opportunity—I would have liked to have given them it—to talk about the Bill.

Andy King (Rugby and Kenilworth): I am trying to find the right form of words, but perhaps the hon. Gentleman is unintentionally misleading us by suggesting that the Bill has been thought up in the past few days. As Baroness Warnock said in the other place, the Bill should be welcomed because the Government and Parliament are fulfilling a commitment on this very important subject. I have received many letters about it, and I believe that my constituents are happy that we are beginning the process, but think that perhaps we should go further.

Sir Patrick Cormack: I am almost sorry that I gave way. The hon. Gentleman completely misses the point. Let me say it again. Yes, the Government recognised the need for the Bill as long ago as August 2000, but why in the name of goodness do they have to give us one afternoon to get it through all its stages? It is absurd and an insult, as much to him and his constituents as to me and mine, and to all hon. Members who are present and theirs.

Michael Fabricant: Will my hon. Friend give way?

Sir Patrick Cormack: I would rather not on this occasion, if my hon. Friend will forgive me, because I do not want to detain the House. I believe that it is important to debate the merits of the Bill.

Even at this late stage, I appeal to the Minister to get herself a parliamentary reputation. She would be honoured in all parts of the House if she sent her Parliamentary Private Secretary to ring the Leader of the House. He has announced a programme of business for the next two weeks that would easily allow more debate on the Bill. The hon. Member for North Cornwall (Mr. Tyler) mentioned the Wednesday of the week before Christmas. The programme could allow another day—or even another half-day—to provide a gap between Second Reading and further consideration.

I welcome the fact that the Government want the Committee stage to take place on the Floor of the House. The subject is so important that that is right and proper. However, there is no reason to rush through it this afternoon. Parliament is being treated with a cavalier disdain that would never have occurred to Charles I. That is monstrous, an exercise in arrogant parliamentary tyranny that even the Government have not previously undertaken. We hear nonsense, and lip service is paid to the House, scrutiny and accountability. *[Interruption.]* Labour Members may laugh but we are here to scrutinise and be accountable. We are told to rush through a measure on an issue of monumental moral significance in a few hours. That is an act of unspeakable arrogance and I hope that hon. Members will show their opinion of it in the Lobby.

2.12 pm

Rev. Ian Paisley (North Antrim): I oppose the way in which the Bill has been introduced. I support its aim to outlaw cloning, but many matters flow from it that some of us would like to discuss on the Floor of the House. I say to those who have spoken about the United States of America that such a measure is not law there. It has not been to the Senate and will not be considered there until late spring. Such legislation has therefore not been rushed through in the United States.

I ask the Minister to help me as a Member of the European Parliament. I welcome the fact that, under the subsidiarity principle, national Governments decide whether research into cloning should be allowed. I am glad that the power is in the hands of the national Government. However, I do not understand why the European Union is getting involved in the matter. This week, we had a report from the Brussels Parliament, from which I have just travelled. What is the difference between the Government's policy and that outlined by Europe? It is important to understand the Government's plans and the difference between them and the European Union plans.

Many matters that need to be examined cannot be considered today. The spill-over from the measure raises many issues that worry people, whatever their religious, moral, theological or political views. All hon. Members who receive letters from constituents know that the subject is topical. Our constituents are talking about it, largely because they have heard an announcement that someone might enter the country and use the territory of the United Kingdom for something that the vast majority of citizens believe should not be done.

I deeply regret that the Government have not given us more time. We have no chance of dealing with amendments properly. We can do that only if we have time to consider them. The Bill will not have a Report stage and no amendments will be accepted. It will have to go through as it is. Like the law of the Medes and Persians, it cannot be altered. That is not good government, and it does not tend to produce good legislation.

The Bill will affect many people. The Government must tell us the difference, if one exists, between their policy and that of the European Union.

2.16 pm

Miss Ann Widdecombe (Maidstone and The Weald): The Bill is a disgrace. It has been produced under the guise of one panic to cover up another. The Government are seriously asking the House to believe that they are in a terrible panic because an Italian is on his way and might do something nasty when he gets here. Indeed, we are being asked to believe that he might do it so quickly that even if we took a couple more days to debate the measure, he could do it in that time. That is not rational, and the Government do not mean it.

The Government are not genuinely afraid that, as we race against the clock to debate the Bill in the next five hours, a scientist will carry out a specific procedure unless we have decided by 7 pm that he cannot. That is ludicrous. Why are they saying that? They do not expect us to believe it; the Minister is too intelligent for that. They have produced a Bill and demanded that we take it through all its stages in five hours because they are terrified that we might try to amend it. They are especially afraid that some of us who have well known moral objections might try to amend it for purposes other than cloning. That is the source of the panic.

The problem with that approach is that the Government have produced a Bill that will not even provide the protection that they believe it will give. That is why we need more time to discuss it. I shall list some issues, which I would not dream of debating because you would quickly call me to order, Mr. Deputy Speaker, that need discussion.

The Bill does not prevent the creation of human clones for export, only for implantation. The Italian could come here, create the clone and take it away. There is nothing to stop implantation in animals, and early in vitro fertilisation experiments were conducted in that way. Nothing prevents the use of artificial wombs, which are being used in animals in Japan, or the storing of cloned embryos.

We need time to debate policing the measure. The Bill provides for an offence not of creating a cloned embryo, but of implanting one. Once the embryo has been implanted, how on earth will we know whether it has been cloned? How will we know whether a pregnancy is natural, or caused through IVF or cloning? I am fascinated. I long for the Minister to tell us. We would love to know how the Bill will be policed.

When *The Independent* carried out a survey of all leading IVF consultants, the majority said that they believed that live-birth cloning was inevitable once the creation of cloned embryos was allowed. I find that frightening; the Minister is laughing, so I presume that she does not. The Bill does not prevent the creation of cloned embryos. It will not address, and we will not have time to discuss—I saw you getting restless, Mr. Deputy Speaker—the issues of proper control.

Last year, a clinic that only a week earlier had passed an inspection by the Human Fertilisation and Embryology Authority implanted 80-odd women with the wrong embryos. How will we police the accidental implantation of cloned embryos? We have no clue how the Government will stop that happening, and they do not have the time to tell us.

The Bill does not even define "embryo". We were told—arrogantly—in 1990 by a Government whom I supported that it was not necessary to define that term, and that is why we are in this mess. The Bill is supposed to clear up the mess, but it is perpetuated because a definition is not available.

Lynne Jones: It is not correct that there is no definition; it is just that it does not cover embryos that are created other than by fertilisation. Definitions are available.

Miss Widdecombe: I was going to take care of that later. The point is well made. There is no definition of when an embryo, as opposed to a pre-embryo, begins and a foetus, as opposed to embryo, starts. We made it clear in 1990 that unless we sorted that out, we would have problems. As a result of not having proper definitions, the ProLife Alliance—I am proud that it was that organisation—obtained a victory in the High Court.

Concern has even been expressed by Professor Winston of all people, who is no friend to my side of the argument.

Mr. David Amess (Southend, West): Hear, hear.

Miss Widdecombe: It is undeniable.

Professor Winston says that fertilisation is impossible to define and that parthenogenesis, which is the cloning procedure undertaken by Mike West of Advanced Cell Technology, could be classified as fertilisation. Professor Robert Edwards fears that the Bill, because of the way in which it is drafted, could prevent some things that are already legally allowed. Government lawyers agree that the current 14-day limit and the consent provisions will not apply to cloned embryos.

That is a partial list. I could have cited at least another 30 things that it does not do. If we had only five minutes on each of those, we would run out of time. We would even run out of time if we had only five minutes on all the things that I managed to list. It is a disgrace that the Bill is being rushed through. Nothing is going to happen in the next few days to prevent us from debating the subject for longer and more properly, and the Minister cannot point to anything that will happen in the next few days.

The hon. Member for North Cornwall (Mr. Tyler) rightly said that there is a whole spare day in the system. My hon. Friend the Member for South Staffordshire (Sir P. Cormack) explained that the House packed up early yesterday when there were several hours that we could have used. There have been, and there are, many opportunities to put the measure through quickly.

The situation is ludicrous. It is arrogant of the Government to bring something as profound and serious as this Bill to the House and say, "You clear it up: all stages", without giving us time to reflect on its final shape, to table amendments on Report and to reflect on those before Third Reading. It is arrogant to push it through in this way. I am not surprised, but I am disappointed and saddened. I do not think that it is an exaggeration to say that the Government's action is tyrannical. A few days would not have made any difference. Even at this late stage, will the Government reconsider their position?

2.24 pm

Mr. Paul Marsden (Shrewsbury and Atcham): I was not going to speak on the motion, but having listened to the magnificent defence of Parliament by the hon.

Member for South Staffordshire (Sir P. Cormack), I want to echo his words, however humbly. This is yet another example of us rushing through a Bill in which there is great interest in the country. Many of my constituents who have contacted me over the past week want to see me at my usual surgery on Friday, where they will be able to hear me justify my standpoint, which is to support the Opposition's amendment. Unfortunately, they cannot influence my decision because it will be after the event.

There is no excuse for rushing the Bill through. I worry again about the future of parliamentary democracy when Ministers choose to take such a tack. I wish that they would reflect a little more on the need to give proper time for the due process of parliamentary procedures.

2.25 pm

Michael Fabricant (Lichfield): The hon. Member for Shrewsbury and Atcham (Mr. Marsden) makes a powerful point. Several issues have been raised by hon. Members from both the main Opposition parties. One issue that has not been taken up is the need to consult the experts, because this is such a technical Bill, as well as our constituents.

I am sure that I am not alone in receiving representations. I received a good letter from the Minister and briefings from the Association of Medical Research Charities, the public policy department of Christian Action Research and Education, the Parkinson's Disease Society and the Society for the Protection of Unborn Children. Previously, I received briefing material from the diabetics organisations.

We are dealing with highly technical issues. The whole point of having different stages to consider a Bill is to enable people to give us advice. I sometimes think that the advice of people from outside who lobby us is not useful, and I wonder about the motivation for lobbying. However, for a technical Bill of this nature, I think that we would all welcome lobbying from those who know about the subject.

For example, there is an argument whether we need to perform such cloning in the first place. I happen to believe that we do, but many other hon. Members on both sides of the House would argue that adult stem cells can do the job. I doubt that, but I do not know. None of us does, but the experts could advise us. Surely it makes sense to hear the arguments on Second Reading today and then receive representations from people who know about the subject, so that we can take the Bill to the next stage.

I calculated earlier that possibly three and three quarter minutes might be available for each amendment, but I made a mistake. The Chairman of Ways and Means has chosen the amendments that he believes are in order and merit debate. Is there not the possibility that hon. Members might want to divide on them? A Division could take 15 or 20 minutes, so there would be virtually no time available for Report or Third Reading. That makes a mockery of the parliamentary process.

I am pleased that this issue will be subject to a one-line Whip, at least in the official Opposition. I assume that there is no whipping of Labour Members. As with all issues that require a one-line Whip or that are debated on the Floor in a Committee of the whole House, they require consideration and technical advice.

Mr. Paul Marsden: Perhaps the hon. Gentleman will be interested to know that Labour Members were paged just a few minutes ago to remind us that we are running a three-line Whip.

Michael Fabricant: I am genuinely surprised by that intervention. Generally, on conscience issues, there is an understanding on both sides of the House that there will be a one-line Whip—*[Interruption.]* I am receiving confirmation from the hon. Member for North Cornwall (Mr. Tyler), who speaks for the Liberal Democrats, that it is a one-line Whip with his party, too. That is a free vote. However, there is not a free vote for Labour Members. That is disgraceful and shocking. I say that as someone who wishes the general principle of the Bill to receive a fair wind. I want the Bill to be enacted, albeit that it may need amendment.

Mr. Michael Jabez Foster (Hastings and Rye): Perhaps the pager of my hon. Friend the Member for Blackpool, South (Mr. Marsden) has gone wrong. It is the obligation of Members to turn up to vote on important issues. However, their right to vote and which way they vote is a free vote. That is precisely what the Government are asking Back-Bench Members to do.

Michael Fabricant: I do not want to take this argument too far, or I would be out of order. We are all aware of the convention on whipping. A free vote is a one-line Whip. A vote that is not a free vote is a three-line Whip. The hon. Gentleman did not deny that the hon. Member for Shrewsbury and Atcham was put under a three-line Whip.

Mr. Deputy Speaker: Order. The hon. Gentleman is drifting away from the question of allocation of time. Perhaps he will return to that topic.

Michael Fabricant: I am grateful for your advice, Mr. Deputy Speaker.

As small as it is, the Bill is an important measure. Only slightly fewer than 1 million people suffer from diabetes, for example. On Sunday, I was going round Bletchley Park looking at station X with a friend. He had twice to inject himself with insulin. If he does not get the balance right, he could go blind or lose a limb. Research that could stem from the Bill could possibly find a cure for diabetes and for Parkinson's disease. The Bill will—

Miss Anne Begg (Aberdeen, South): The hon. Gentleman might be in danger of misleading the House. The Bill will not prevent therapeutic cloning; it is designed to prevent reproductive cloning. He must keep the two issues separate.

Michael Fabricant *rose—*

Mr. Deputy Speaker: Order. I remind the hon. Gentleman firmly that we are not now discussing the contents of the Bill.

Michael Fabricant: Thank you, Mr. Deputy Speaker. I want to respond to the hon. Lady's intervention. She is right, and I am sorry if I gave the wrong impression. I support the Bill because I support therapeutic cloning.

[Michael Fabricant]

I have illustrated that the Bill is complex. It is complex in law, as my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) said. It is also complex in terms of biomedicine. Hon. Members on both sides of the House will argue the points for and against the Bill on Second Reading. We shall then need time to contemplate the issues that have been raised and presented. We shall then have to take advice from experts.

There is conflicting advice. I talked earlier about whether we need therapeutic cloning. I happen to believe that we do, but we must take advice from experts.

Mr. Deputy Speaker: Order. I hope that the hon. Gentleman is listening to the advice that I am giving him. We are not now discussing the contents of the Bill.

Michael Fabricant: I realise that, Mr. Deputy Speaker. We are talking about the programme motion. I am making the important point that we need extra time because of the nature of the Bill. It is a technical measure and we need gaps between the stages of consideration.

The Government are being arrogant in the extreme by trying to compress all stages of consideration into only three hours. The time for consideration may be shorter because there may be four or five Divisions before we reach 7 o'clock, when the debate must stop.

The hon. Member for North Cornwall said that there is an extra day available. My hon. Friend the Member for South Staffordshire (Sir P. Cormack) said that the issue has been known about since August 2000, more than a year ago. There have been adequate occasions since then to find time fully to debate the important Bill that is before us. The Bill is a panicked measure from a panicked Government. I fear that by not allowing proper time to debate it fully, we shall end up yet again with legislation that is imperfect.

2.35 pm

Lynne Jones (Birmingham, Selly Oak): As a supporter of therapeutic cloning, I understand the necessity to bring forward the Bill. As a supporter of the Bill, I am rather surprised to find myself supporting much of what the right hon. Member for Maidstone and The Weald (Miss Widdecombe) said. Similarly, I am surprised to find myself supporting the comments made in a letter from the Society for the Protection of Unborn Children, which wrote to all Members. Part of the letter states:

> "There is no imminent threat of cloned embryos being created nor of resultant cloned babies being born."

Surely, the society is right.

The Bill is fairly urgent, but it is not an emergency measure. It is more urgent that we consider the aspects of cloning that are not covered by the Bill. Much more imminent is the likelihood that people will seek to create cloned embryos, or embryos produced by other means that are not covered by the Human Fertilisation and Embryology Act 1990, for experimental purposes prior to implantation. As the right hon. Lady says, what happens after that is difficult to regulate.

The Government thought that they were clear that embryos created by cloning techniques were covered by the 1990 Act. They took counsel's advice. They were warned that we might be in the position in which we now find ourselves in 1997 by the Select Committee on Science and Technology. It is a great pity that they did not take note of what the Committee said. I shall read out the recommendation that we made that long ago. The Committee—

Mr. Deputy Speaker: Order. The hon. Lady is starting to make a Second Reading speech. We are discussing the allocation of time. When we have finished doing that, we shall move on to Second Reading, when it will be appropriate to make Second Reading speeches.

Lynne Jones: What I am saying, Mr. Deputy Speaker, is relevant in the sense of what is omitted from the Bill and the time that is available to us to consider important issues. I will not read the exact wording of the Committee's recommendation, but we were clear that the law was ambiguous and sufficiently lax not to catch applications of the Roslin technique. We said:

> "While Counsel's opinion will clarify the position, it will not be a binding interpretation of the law."

Somewhat momentously, we also said:

> "It is not satisfactory for issues as momentous as this to be left until they are decided through test cases."

However, that is what has happened. We predicted in March 1997 that it would happen.

Again, in February 1998, the Committee expressed its concerns to the Government. Again, those concerns were ignored. The Government are now rushing to ban reproductive cloning while allowing the creation of embryos from methods other than fertilisation, including cell nuclear replacement, which is completely unregulated. We know that reproductive cloning is impossible without those earlier stages, which are ignored in the Bill. It would have been much better if the Government had not rushed the legislation—there is time as reproductive cloning is not imminent. Women are not rushing to donate their eggs for that kind of research. There is no emergency, but the matter is urgent.

The Government should have acted on earlier advice. They are now saying that they will wait for the report from the Lords Stem Cell Research Committee and the outcome of their appeal. That is reasonable because that time scale is reasonably short. If the appeal goes against the Government, they will have to amend the Human Fertilisation and Embryology Act 1990 to change the definition of an embryo to cover all methods used to create one. If they did so, there would be support on both sides of the House. There would be a lot of debate on the proposals, and no doubt people who are opposed to the use of embryos for research would want to express their views and amend the Act. It is proper for them to have the opportunity to do that, even though I disagree with them.

I am concerned that we are rushing the Bill through today, and that it does not address the crucial issues. As the right hon. Member for Maidstone and The Weald said, the prohibitions in the 1990 Act that apply to embryos created through fertilisation do not apply to embryos created through cell nuclear replacement. She listed all the things that are unregulated as a result of the High Court judgment. The Government should address those issues. Everyone supports the Bill, and it would go through relatively quickly with support on both sides of the House. However, it would have been preferable to have at least one more day to debate it. I do not consider the situation to be an emergency. I would much prefer to have had more time to debate the anti-terrorism legislation, which does deal with an emergency.

Michael Fabricant: Although I support the Bill, the hon. Lady is wrong to say that Members all do. I know that a number of them object to it. Is that why Labour Members are on a three-line Whip?

Lynne Jones: I do not honestly know why we are on a three-line Whip, as we all had a free vote on the proposals to amend the Human Fertilisation and Embryology Act. Perhaps there was a mistake by the Whips Office, which may not have realised what type of issues the Bill addresses. I am sure that my right hon. and hon. Friends would not seek to lean too heavily on Members when we are discussing an issue of such importance.

I do not think that anybody in the House is opposed to legislation to ban reproductive cloning. That is the simple purpose of the Bill, which I support, but I am concerned that introducing it without addressing therapeutic cloning puts the cart before the horse.

2.43 pm

Dr. Evan Harris (Oxford, West and Abingdon): My hon. Friend the Member for North Cornwall (Mr. Tyler) has already given reasons why the guillotine motion is unpleasant and I endorse many comments by Members on both sides of the House on the matter.

Many of us who are relatively new to the House thought that the days of the crunch guillotine were over and that in the new modernised House, with the Modernisation Committee and programming motions, whatever their merits and demerits, we would not have to deal with such things. Having a guillotine motion imposed on the House without any consultation, even through the usual channels—I am not suggesting that that is necessarily the most inclusive way of doing things on free vote issues—makes the situation even worse

Michael Fabricant: I am grateful to the hon. Gentleman for giving way early in his speech. Like me, does he make a contrast between legislation rushed through the House because of a national emergency and the introduction of a Bill that has been known about since August 2000?

Dr. Harris: I was coming to that. Whatever one's view of the substantive issue in the Bill, one day is not enough to scrutinise it, as others have said. I am not going to reiterate the point about needing a pause between Second Reading and Committee stage, then Report and Third Reading and, indeed, between consideration in the Commons and Lords. One can take advice during that time and consult constituents and experts.

The Government are getting into the habit of calling something emergency legislation, then rushing it through as a way of getting themselves out of difficulties unrelated to the emergency. Indeed, they are also getting legislation through using emergency measures that are not really urgent.

Mr. Paul Goodman (Wycombe): Does the hon. Gentleman agree that, as my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) said, the Government do not need the legislation for the reason that they gave because they can block the entry of that professor under the Immigration Act 1971? Significantly, the Minister failed to answer that point.

Dr. Harris: The right hon. Member for Maidstone—

Miss Widdecombe: And the Weald.

Dr. Harris: I will call her the right hon. Member for Maidstone and The Weald (Miss Widdecombe) if she will call us the Liberal Democrats, not the Liberals. She gave several reasons why the Bill is not required to stop an Italian self-publicist; all that it seems to do is give credence to his wish for publicity.

I am keen to concentrate on two other areas, including the Government's general reluctance to allow full debate and amendment to primary legislation on the subject. I cannot understand why they are devoted to seeking to avoid that, unless they feel that there is a problem with allowing free votes and not having the control over matters coming before the House to which they are used. That is regrettable because many of the issues are regarded as free vote issues. Not whipping is pointless if we never get an opportunity to debate such matters and have primary legislation on them. The Government do not like to be in a position where they are not in control; this is not the only area in which we have seen that tendency.

The Government give the impression of wanting to rush the legislation through as quickly as possible because they do not like debate on such issues per se. Some members of the Government find it difficult to discuss anything to do with reproduction, or let the House debate and come to quick decisions on matters to do with sexual health, reproduction or anything concerning the abortion issue. I suspect that that was also the case with previous Governments. We have a duty in the House not to be embarrassed. We should be prepared to risk wrath or adverse coverage even in the tabloid press to make sure that such things are adequately discussed.

Mr. Gerald Howarth (Aldershot): I have never known the hon. Gentleman to suffer from a surfeit of embarrassment.

Dr. Harris: Perhaps I have just brought my clinical training to the House. One cannot refuse to discuss those things, because science and future developments are important to many people.

The Government's decision to push the Bill through on a guillotine is based on public reaction. I was surprised that the hon. Member for Norwich, North (Dr. Gibson), for whom I have a great deal of respect in matters of science, should appear in an intervention on my hon. Friend the Member for North Cornwall to suggest that the Government must respond to something because there is panicky media coverage of it. That is most unlike him. Both in conversation with me and on the public record, he has always argued for a rational, scientific and considered approach, even in the face of adverse reaction—except, perhaps, in the case telephone communication masts. I remember him contributing to scaremongering on that subject.

[Dr. Harris]

I urge the Government not to listen to the hon. Gentleman and to take a deep breath when a *Daily Mail* headline appears. The newspapers are entitled to do their job—they do it well—and cover issues in the news. I do not criticise them for that, but we have a different job, which is to legislate deliberatively.

Miss Widdecombe: Will the hon. Gentleman confirm that not even the *Daily Mail*, the *Mirror* or any other tabloid has suggested that by seven o'clock tonight we might have a cloned human?

Dr. Harris: Quite so. In that respect, I have no argument with the activities of the media. Although there was supposed to be a huge fuss, compared with other issues, the reaction to the judgment and to the news from America has been reasonably restrained and educational. I make no criticism of the media in that respect. I criticise the Government for appearing to cite the media coverage as a defence for their timetable.

Mr. Ian Taylor: I disagree with the hon. Gentleman on one point. The media hype up science stories and take potential science as though it is today's event. The developments at Advanced Cell Technology in the United States were fleeting, marginal and unsustainable in terms of stem cells.

Dr. Harris: We are not necessarily in disagreement. My main concern is that whatever the accuracy of media reports, we should not legislate on that basis, especially without the benefit of expert opinion. The media will do what the media do, and they always will. We have a free press, and I welcome that.

Mr. Simon Thomas: When we debated these matters earlier this year, the hon. Gentleman's views were influential in the House. I listened closely to what he said. He will be aware that next week we have two days of Adjournment debates on fisheries and European affairs, neither of which is urgent. Does he agree that if the following stages of the Bill were taken on those two days next week, that would give lay Members such as me sufficient time to get the necessary information and refer to scientific expertise on the subject?

Dr. Harris: The hon. Gentleman makes a good point. If my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) catches the Deputy Speaker's eye, perhaps he will suggest that even at this late stage there are means of achieving better scrutiny.

The Government have defended their timetable on the basis of the sudden judgment given three weeks ago in the High Court. The Minister made that point in her introduction, and the hon. Member for North-East Hertfordshire (Mr. Heald) dealt with that. I want to test whether it was a surprise judgment. If it was not, the rationale for the timetable is groundless.

The Minister knew that there was considerable academic and legal opinion that the advice that she had received, which I accept she got from counsel, was not to be relied on to win the High Court judgment. Several people had questioned whether it was reasonable for the Government to assume that they would win the case. I fear that it may not be reasonable for the Government to assume, as they do, that they will win the appeal.

According to a book by Robert Lee and Derek Morgan entitled "Human Fertilisation & Embryology", the eminent ethicist Margot Brazier made it clear in 1999 that she had serious doubts. She stated:

> "I would contend that nuclear substitution into an egg cell is unregulated in the United Kingdom today."

That view was also expressed by Derek Beyleveld and Shaun Pattinson, who stated that in their view—which, I believe, dates from about the same time—a judge may well decide that the matter did not fall within the ambit of the 1990 Act.

It is even more surprising that the Government should be surprised by that—so surprised that they introduced the timetable—when they were relying on a judge giving a purposive interpretation, rather than a literal one. They believed that there was a ban on activity with cloned embryos outside what they thought was covered by the Bill, such that a criminal prosecution could be launched on the basis of the 1990 Act.

The Minister must know that it is extremely unlikely that a judge would deliver a purposive interpretation of statute in order to convict someone who used a literary interpretation as a defence. If people cannot rely on a reasonable, rational, literal interpretation of the law as a defence, the British judicial system is not what it should be.

Lynne Jones: Will the hon. Gentleman acknowledge that not only the academics whom he quoted, but a Committee of the House made the recommendation? We took evidence at the time from the chair of the Human Fertilisation and Embryology Authority and Dr. Ian Wilmut, who was responsible for the creation of Dolly the sheep. In his view, the Act did not cover his technique.

Dr. Harris: I am grateful to the hon. Lady. I meant to say that in addition to the points that I made, there were those that she had made, which I would not repeat.

The Government Chief Whip has left the Chamber, which is unfortunate, but she has been replaced by her admirable deputy. It is worth while asking about the whipping arrangements. It would be useful for the House to know whether there is a running three-line Whip on the guillotine motion. If there is not, it would be useful for a pager message to be sent to hon. Members to clarify the position. If the Government Whips Office is not in communication with the hon. Member for Shrewsbury and Atcham (Mr. Marsden), it is difficult to know whether there will be a free vote for Labour Members on the guillotine motion.

The Minister cannot have been surprised by the High Court judgment, although she may have been disappointed, as I suspect we all were, as life would have been easier for everyone if the judgment had been otherwise. I certainly want a ban on human reproductive cloning. The Government could have predicted that the problem would occur, and we do not know when the appeal process will end. If the Minister loses in the Court of Appeal, will she take the case to the House of Lords? Will she go to the European Court? Will the other side do those things?

It is time for the Government to introduce proper legislation in good time, subject to adequate scrutiny, dealing with this important matter. We have heard about the other protections for the cloned embryo that would apply had the judgment not occurred. The Government should allow therapeutic cloning to go ahead and implement the other recommendations in the Donaldson report relating to consent and what happens to embryonic stem cell lines.

There is no good argument for the Bill being rushed through Parliament. I hope that at this late stage the Government will relent, that they will not yield to or feed media panic, and that they will allow the House to scrutinise these important matters adequately.

2.57 pm

Mr. Edward Leigh (Gainsborough): I am delighted to follow the hon. Member for Oxford, West and Abingdon (Dr. Harris). Although we have often locked horns on the issue, we are at one about the way in which the House should deal with these matters—with great seriousness and attention to detail.

For a programme motion to be agreed, the Government—who can, of course, simply impose their majority on the House—must win the argument. To win the argument, they must prove two things: first, that the Bill is sufficiently clear, simple and unambiguous, and that it addresses a sufficiently narrow issue for us to debate Second Reading, Committee and Report all in one day. Secondly, the Government must prove to the House that these matters are so urgent that, in addition to being simple, unambiguous and easily disposed of in one day, they must be disposed of by this evening.

Michael Fabricant: Will my hon. Friend give way?

Mr. Leigh: No, I will not give way. I intend to speak briefly.

The Government must convince the House of those two points. Anybody who studies the Bill, the reasoned amendment tabled by me and my right hon. and hon. Friends, and the amendments on the Order Paper which are due for selection, will come to the conclusion that the matter is highly complex. It raises enormous ethical, moral and medical concerns. The amendments, especially those that relate to the definition of embryos and of fertilisation must be debated in full. They cannot be debated in one day.

It is possible that once hon. Members have exercised their right to address the wider ethical and medical issues on Second Reading, there will be no time for the Committee or Report stage. That is not the way to deal with matters that are of deep moral concern to the nation. That is my first point. Unless the Minister produces arguments to convince us that we are wrong, I do not believe that the Government have proved their point.

The second point that the Government must prove is that these matters must be resolved either today or very quickly, before the end of the week. Again, they have made no attempt to convince the House that that is the case. The fact of the matter is that no scientist is anywhere near creating a cloned human being and that there is no chance whatever of this Italian gentleman or anybody else creating such a process within the next week. We could easily have devoted a day next week to Second Reading and a day to the Committee stage. We could then have had a proper debate in which all the issues could have been discussed. Do the Government really contend that a scientist could find collaborators, eggs, embryos and women who are willing to be implanted before comprehensive legislation is introduced? Is that their contention in this debate? Surely, the medical risks that are inherent in live birth cloning mean that any doctor who carried out such a procedure would not be acting ethically. Such a doctor could be subject to censure by the General Medical Council and even find himself facing criminal charges for assault.

The truth is that that will not happen. Everybody in the House knows that it will not happen, so why on earth are the Government again seeking to treat our procedures with such contempt? What is the point? Why can we not have a proper debate on Second Reading and return next week for a proper Committee and Report stage?

3.1 pm

Dr. John Pugh (Southport): I shall be focused and speak specifically about why I think, as a pro-life supporter, that the idea of imposing a guillotine on the Bill is nonsensical. It deals with a matter of major moral importance that should be the subject of significant consideration in the House. A prolonged debate is the only mechanism for achieving that.

The Government's procedure seems fundamentally flawed, as they are using statutory instruments and quick Bills to deal with one of the major social issues that is facing the world. As hon. Members have pointed out, certain issues will not be cleared up anyway. They include cross-species implantation and the marketing of embryos, as well as technical issues concerning human rights. All those matters will still be on the table to be dealt with no matter what happens today. It is, therefore, a pity that the Bill is not amendable, as the need will remain for clearing up at the end of the day.

As a pro-life Member of Parliament, the Bill creates a dilemma for me. It outlaws something that I am against—therapeutic cloning—but not everything. Logically, I can understand that, and I appreciate why the Minister would none the less want us to support the Bill. Obviously, if one supports the banning of heroin, that does not necessarily mean that one is in favour of legalising other drugs. Similarly, if one opposes racial discrimination, that does not mean that one supports other aspects of discrimination. I understand that the pro-life argument must be won by the force of logic and that that principle cannot be abandoned. Any amendment that sought to avoid it would be wrong.

None the less, it has been reasonably argued in the Chamber that the way in which the Government have proceeded has given ammunition to people who suspect that some sharp practice is going on. It is perfectly clear that we are concerned with the reality of what we are doing and not with appearance, but a fairly serious argument has been put to me by people who say that, by merely introducing this simple Bill and ignoring all the other issues, we are supporting those other issues or sweeping them away. It might be suggested that we are ignoring the substantive issues that people want to debate, which are going through on the nod and undiscussed.

If that argument exists and the Government will harken to it, there is only one thing that they need to do to correct it: ensure a full and prolonged debate that gives no

[Dr. John Pugh]

substance whatever to it. Without that debate, pro-life MPs such as myself are left in a dilemma about which we will have to think hard today. Furthermore, speaking not as a pro-life MP, but a new MP, I am simply amazed that we are dealing in this way with something that is a major issue not only for the House, but for humanity.

3.3 pm

Mr. A. J. Beith (Berwick-upon-Tweed): Some of the most effective speeches in this debate have also been some of the shortest. I pay tribute to my hon. Friend the Member for Southport (Dr. Pugh), who conveyed such important points so briefly, and to the hon. Member for Shrewsbury and Atcham (Mr. Marsden) for their contributions. I pay tribute also to the hon. Member for Birmingham, Selly Oak (Lynne Jones) for drawing our attention to the Lords Select Committee report and to the illogicality of what we are being asked to do today.

Before I turn to those wider issues, however, I should like to take advantage of the presence of the Advocate–General for Scotland. I do not think that she is winding up the debate, but I should like to point out now that it is not entirely clear to me whether we are dealing with a wholly reserved matter, or whether an enabling or Sewel motion will have to be passed by the Scottish Parliament. If that is the case, how will it relate to the timetabling of the Bill? Perhaps the Minister will be able to clarify that point in her winding-up speech, after her ear has been whispered into. It is relevant to whether we should rush the Bill through today.

Turning to the wider issue, we are considering not a programme motion, but an old-fashioned guillotine motion. It is the sort of guillotine motion of which I remember Michael Foot introducing five on one day. It has always been a fairly noxious proceeding, but what has made it rather more objectionable—and we are bearing the brunt of this now—is that an ingenious adviser to a previous Leader of the House hit on the great wheeze of incorporating the time for debating this motion into the time that is available for consideration of the Bill itself. The effect was to rob the three-hour timetable motion of its deterrent content. The three hours that are still required previously provided some measure of deterrent and could be used to discourage the Government from using such a procedure. I admit that that was not a very powerful deterrent, but the procedure had a deterrent element. Now it has no such element, however, as the Government can sit back and say, "Ha ha, they will debate the guillotine, and then they won't have any time left for the Bill; not even the little bit that we have offered."

I am afraid that, in moral terms, that will not do as ground for the Government to stand on. Governments have created this situation and they must now realise that they are offering an insufficient process and shortening it even further by requiring us to discuss whether we should adopt that process in the time that would otherwise be available to debate the substance of the Bill. This is not merely a matter of the debating time that is provided on the first day. As many hon. Members have pointed out, it concerns the staging of a Bill's consideration. These processes are designed to prevent bad legislation.

I am depressed to say that that is all of a piece with what has been happening generally. The Government's concept of an emergency is extremely wide. It embraces the possibility that there will be reproductive cloning in the next couple of weeks not only in one case, but in thousands of cases that we must attend to. The concept also embraces aspects of the new terrorism legislation, to which I referred earlier, such as the provision of powers relating to the purchase of arms by employees of the Strategic Rail Authority. Heaven knows what other nonsense has been crammed into the Anti-terrorism, Crime and Security Bill, which is supposedly an emergency Bill. It even extends to the ability of the Secretary of State for Trade and Industry to say to the Rail Regulator that he has authority, if he seeks to use his powers, to bring in emergency legislation.

That is the framework in which we are now operating. Anything can be an emergency, so anything can justify rushing through legislation in a way that cannot ensure that it is properly dealt with. The procedures in our Standing Orders are enfeebled attempts to ensure that legislation is got right, but they will not do that if we have insufficient time and an inadequate process for considering the Bill, as we have today.

Government always get their legislation wrong. Generally, they amend it during its passage, as they discover that it is wrong and table Government amendments. That will happen to any Government. It would happen to a Liberal Democrat Government just as much as it would to Labour and Conservative Governments. That is an important point. The difficulty of Labour Members is that they are so reluctant to admit that their particular Government can get things wrong.

Dr. Gibson: We are never wrong.

Mr. Beith: That is what we are up against. Unless Back Benchers in Government parties realise that any Government are, in the nature of things, liable to have difficulty in framing law that will achieve its intended purpose, they are wasting their time here, as we must get the legislation right. I adduce as evidence for my argument the number of Government amendments that were introduced even in respect of the Anti-terrorism, Crime and Security Bill. They believed that they had got that Bill right, but they had to amend it.

I remember a Solicitor-General in the previous Conservative Government taking a Bill to a Select Committee. He said afterwards said that when it reached the Committee—this was an unusual process—he discovered that it did not carry out its intended purposes and could not even be amended so that it did so. He was a very honest and honourable Minister and his remarks illustrate a problem that all Governments have. After all, the Minister will not have sat down and drafted the Bill on her own. She must take advice from others who do such things for her, and they, too, are not infallible and can get things wrong.

If we agree to the motion, the Government will be under enormous pressure not to table an amendment of their own. If it were discovered during debate of the first group of amendments to be considered in Committee that there was a fundamental fault in the Bill, all the advice, especially from the Government Whips Office, would be the same. The advice would be, "For heaven's sake, don't let a manuscript amendment be tabled; we can't disrupt this procedure and must get the Bill through as we have embarked on this course."

I should like again to adduce evidence on how easily Governments can get these matters wrong.

I was in Committee on the Hunting Bill in the last Session. It became clear to me on reading that Bill that it would also ban deerstalking. Ministers insisted that that was neither the intention nor the effect of the Bill. A couple of Committee sittings later, they came back and said, "Sorry, we have discovered that it really does ban deerstalking. We will, of course, amend it so that it does not do so."

That is what happens in proceedings on Bills, but if it happens today, the only recourse that the Government will have will be to persuade you, Mr. Deputy Speaker, to accept a manuscript amendment. Then there would have to be a Report stage, because the Bill would have been amended. All the pressure would be on the Government not to do that. So, if the Bill is incorrectly drafted—even for its own narrow purpose—the Government will prevent themselves from putting it right.

But what would happen if we got past that stage? Let us say that we did not discover that the Bill was wrong this afternoon, but that it was discovered later. Where would we end up? Right back where we started from: coming to the House, because a court case had determined that the Government had got the drafting wrong. We are here today because the previous Bill was not drafted correctly. That was an innocent mistake, no doubt, but the purpose of our proceedings in the House is to try to prevent that from happening by getting the drafting right in the first place.

Bob Spink (Castle Point): Is the right hon. Gentleman aware of the letter from the Minister which states:

> "The advice we received was that, if challenged, a court was likely to adopt an approach which looks at the purpose of the Act . . . rather than a strictly literal approach which looks only at the wording in the Act"?

How can we be confident of that? I am certainly not. Are not these words from the Government's own mouth a self-indictment? Are they not an acknowledgement that the wording of the Bill is far from perfect at the moment? Should we not be taking more time to discuss the Bill, rather than railroading it through?

Mr. Beith: That letter illustrates the point that I was making earlier, which was that we are in danger of arriving back at the point from which we started, namely that the legislation is not correctly drafted, and that a judge would be unable to construe its purpose from wording so different from the purpose intended. We are getting into the complex territory of Pepper *v.* Hart, and we should not spend too much time on that this afternoon. Suffice it to say that we cannot rely on a judge interpreting a statute to mean what we meant it to say, if it can clearly be seen not to. That may not be apparent at the initial stages of drafting.

My plea to Labour Members is to recognise the reality of life in Government. Governments get legislation wrong and it is, therefore, important that the legislative process enables mistakes to be spotted, amendments to be made and other relevant issues to be raised. The hon. Member for Birmingham, Selly Oak made the significant point that the matters on which the Government are launching an appeal this afternoon are those to which the issue of urgency apply. It may be the preference of the Government—and, perhaps, of many people in the House—to confine the Bill to one part of the problem, but if it becomes apparent in the course of this appeal that that was ill advised, we shall have made an error by rushing the Bill through without at least considering the inclusion of some of the other issues.

The House has left itself without any process by which to protect the concept of an emergency or of urgency. Most legislative assemblies have some way of distinguishing processes of urgency or emergency. In many cases, they require the agreement of more than one of the parties, or weighted majorities. In some legislatures, the occupant of your office, Mr. Deputy Speaker, and the others who occupy the Chair in the House, have a role in deciding whether a Bill should be certified as appropriate for emergency status. We lack any such procedures. I have given three examples, of which this is one, in which legislation—or parts of legislation—to which no one could reasonably apply the concept of urgency has been brought in under urgency procedures.

Mr. Heald: Does the right hon. Gentleman agree that one of the concerns is that Lord Brennan—who is, after all, a former chairman of the Bar Council and an extremely eminent lawyer—tabled amendments in the other place that were not accepted? His final words in the debate were to the effect that he hoped that the Government would consider the arguments more fully and come up with their own amendments. Of course, none of that has been done.

Mr. Beith: That point is well made and reasonable, and comes from a source who has no partisan motive, only a desire to get the law right.

There are only two ways in which we can now halt this process. One is for the House to defeat this motion, and I appeal to Labour Members who take a close interest in these proceedings to use their votes accordingly and to ignore their pagers. I suspect, however, that more people have been reading their pagers than have been following the proceedings, even on television around the building.

Secondly, the Government have limited means of bringing the proceedings to a halt, because they alone can introduce dilatory motions on the Bill which would alter the way in which we carry on the proceedings from here. But if the Government are not to create further bad precedents, and further increase their reputation for abusing processes designed for emergencies or urgency, they must change the proceedings on this Bill. Never at any stage in our argument today has the Minister adduced substantial reasons to treat this as a matter of urgency. It is not a matter of urgency. It is important, and should be dealt with reasonably expeditiously, but not in a way that prevents us from getting the legislation right.

3.15 pm

Mr. David Amess (Southend, West): There has been just one voice in favour of these shabby proceedings this afternoon—that of the Minister. Having listened to many guillotine debates, I think that these proceedings have been historic. We have listened to hon. Members from all parts of the House express outrage about them. In particular, I commend the speeches by the hon. Members for Birmingham, Selly Oak (Lynne Jones) and for Shrewsbury and Atcham (Mr. Marsden).

[Mr. David Amess]

There is no doubt that this is a dreadful Government. The Minister, in trying to justify herself, wrote us all a letter, to which my hon. Friend the Member for Castle Point (Bob Spink) referred earlier.

Mrs. Anne Campbell (Cambridge): Will the hon. Gentleman accept that there are hon. Members in the House who approve of the motion, but who are not speaking because they want more time to get on to the main business?

Mr. Amess: Oh, for goodness sake. It is a pathetic argument to say that we should not speak on the motion because hon. Members want to get on with the Bill.

In the letter that the Minister sent to hon. Members she gives the impression that she and her colleagues have taken the time to listen to the points made in the House of Lords, so that the Government could reflect on the issues and the democratically elected Members of the House of Commons could consider this important moral measure. Does the Minister honestly think that these shabby proceedings fulfil the intentions set out in that letter?

The Government were given a great deal of expert advice, but they failed to listen to it. Who is to blame for this crisis? None other than this rotten Government. They are absolutely incompetent, and they specialise in rubbishy legislation. They have excelled themselves today in showing how low they are prepared to stoop.

Mr. Deputy Speaker: Is the hon. Gentleman giving way?

Hon. Members: He has finished.

Mr. Deputy Speaker: In that case, I will put the question.

Mr. Beith (Berwick-upon-Tweed): On a point of order, Mr. Deputy Speaker. I wonder whether, perhaps, the Minister had not indicated quite decisively enough that she wished to intervene to deal with the point that I addressed to the Advocate-General? I wonder whether you could establish whether the Minister or the Advocate-General wished to reply.

Mr. Deputy Speaker: Had the Minister indicated that she wished to address the House, I would, of course, have called her.

Mr. Heald *rose—*

Mr. Deputy Speaker: Is this on a point of order?

Mr. Heald: Actually, I was going to ask leave of the House to make one or two remarks.

Mr. Deputy Speaker: We have gone past that point now.

Sir Patrick Cormack: On a point of order, Mr. Deputy Speaker. Is it not a further insult to the House that the Minister has declined to reply to this debate?

Mr. Deputy Speaker: That is not a matter for the Chair.

Question put:—

The House divided: Ayes 259, Noes 171.

Division No. 93] **[3.19 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Barnes, Harry
Beckett, Rt Hon Margaret
Begg, Miss Anne
Bell, Stuart
Bennett, Andrew
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Buck, Ms Karen
Burden, Richard
Byers, Rt Hon Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Casale, Roger
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dhanda, Parmjit
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Galloway, George
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Havard, Dai
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith
Hinchliffe, David
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Glenda *(Hampstead)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Kevan *(N Durham)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob

Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Linton, Martin
Lloyd, Tony
Love, Andrew
Luke, Iain
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
MacShane, Denis
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meale, Alan
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morley, Elliot
Morris, Rt Hon Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Mike *(N Warks)*
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Reed, Andy *(Loughborough)*
Robertson, John
(Glasgow Anniesland)
Roy, Frank
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Squire, Rachel
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Taylor, Dr Richard *(Wyre F)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Truswell, Paul
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watson, Tom
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Ivor Caplin and
Mr. Tony McNulty.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Baron, John
Barrett, John
Beggs, Roy
Beith, Rt Hon A J
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom
Brazier, Julian
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth
(Rushcliffe)
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Djanogly, Jonathan
Dobbin, Jim
Dodds, Nigel
Doughty, Sue
Drew, David
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Gale, Roger
Gibb, Nick
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Hayes, John
Heald, Oliver
Heath, David
Heathcoat-Amory, Rt Hon David
Hoban, Mark
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Liddell-Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Llwyd, Elfyn
Loughton, Tim
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury)*
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Murrison, Dr Andrew
Norman, Archie
Oaten, Mark
Öpik, Lembit
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Paisley, Rev Ian
Pollard, Kerry
Price, Adam
Prisk, Mark
Pugh, Dr John
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Weir, Michael
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil

Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Wishart, Pete
Yeo, Tim
Young, Rt Hon Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Charles Hendry and
Mr. Laurence Robertson.

Question accordingly agreed to.

Resolved,

That the following provisions shall apply to the proceedings on the Human Reproductive Cloning Bill *[Lords]*—

Timetable

1. Proceedings on Second Reading, in Committee, on Consideration and on Third Reading shall be completed at today's sitting and shall be brought to a conclusion, if not previously concluded, at Seven o'clock.

Questions to be put

2. When the Bill has been read a second time—

(a) it shall, notwithstanding Standing Order No. 63 (Committal of Bills), stand committed to a Committee of the whole House without any Question being put,

(b) the Speaker shall leave the Chair whether or not notice of an Instruction has been given.

3. On the conclusion of proceedings in Committee the Chairman shall report the Bill to the House without putting any Question and, if the Bill is reported with amendments, the House shall proceed to consider the Bill as amended without any Question being put.

4. For the purpose of bringing any proceedings to a conclusion in accordance with paragraph 1 the Speaker or Chairman shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any Amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

5. On a Motion so made for a new Clause or a new Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

Miscellaneous

6. Standing Order No. 15(1) (Exempted business) shall apply to proceedings on the Bill at today's sitting.

7. The proceedings on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall, if not previously concluded, be brought to a conclusion one hour after commencement, and Standing Order No. 15(1) shall apply to those proceedings.

8. Standing Order No. 82 (Business Committee) shall not apply in relation to proceedings on the Bill.

9. No Motion shall be made to alter the order in which any proceedings on the Bill are taken.

10. No dilatory Motion shall be made in relation to the Bill except by a Minister of the Crown.

11. No debate shall be permitted on any Motion to recommit the Bill (whether as a whole or otherwise) and the Speaker shall put forthwith any Question necessary to dispose of the Motion, including the Question on any amendment moved to the Question.

12. If at today's sitting a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) stands over to Four o'clock and proceedings on the Bill have begun before that time, the Motion for the Adjournment shall stand over until the conclusion of proceedings on the Bill.

13. If the House is adjourned at today's sitting, or the sitting is suspended, before the conclusion of proceedings on the Bill, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

Dr. Liam Fox (Woodspring): On a point of order, Mr. Deputy Speaker. During his pre-Budget statement the Chancellor of the Exchequer made much of the report by Mr. Derek Wanless, especially its comments about methods of funding the national health service in the future. At a press conference today, Mr. Wanless said that it was "presumptuous and premature" to "bury" other models of paying for health care, such as the use of social insurance to meet accelerating NHS costs. Has the Chancellor sought to clarify the impression that he gave the House and the country earlier this week?

Mr. Deputy Speaker (Sir Alan Haselhurst): The Chair has received no such notification, but Ministers will have heard what has been said.

Orders of the Day

Human Reproductive Cloning Bill*[Lords]*

Order for Second Reading read.

3.32 pm

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): I beg to move, That the Bill be now read a Second time.

As the House will know, the other place passed the Bill without amendment on Monday.

It might help if I explain some of the terminology at the outset. For the purpose of the debate, "human reproductive cloning" means the creation of a new human being through the use of an embryo that has not been created by fertilisation—that is, by the use of sperm and eggs. Cloning may involve the process of cell nuclear replacement, as described in the report of the chief medical officer's expert group, or it may involve another technique such as parthenogenesis. The Bill deals with reproductive cloning—and reproductive cloning alone.

So-called therapeutic cloning is the use of cloned embryos for research. I shall deal with the background shortly—in particular, I shall refer to the effect of the recent judgment in the High Court—but I shall say now that, although the Human Fertilisation and Embryology Act 1990 lays down strict rules for the use of embryos in research, as the law stands, as a result of the judgment, those rules apply only to embryos created by fertilisation.

The deliberate approach adopted in the Bill is not to be prescriptive in regard to cloning techniques. This will ensure that the ban that we seek applies to embryos created in any way other than by fertilisation. It will ensure that we include techniques that may currently be considered unachievable or impossible.

Mr. John Gummer (Suffolk, Coastal): Would the Minister be willing to find a word that is closer to reality than "personalisation"? The trouble with the whole debate is that, in all circumstances, nice comfortable words are used rather than words denoting the reality. The fact is that what is proposed is the banning of something that is unnatural and unacceptable, and which most people find disgraceful. Can we try to use the proper words? "Personalisation" is surely a fabricated term—similar to "termination of pregnancy", which is used in preference to "killing babies".

Ms Blears: I do not think that I have used the word "personalisation". I am trying to be careful, accurate, clear and focused in describing exactly what we are trying to achieve. The Bill is simple and straightforward, and I am attempting to use language that is not capable of misinterpretation.

The Bill's purpose is to ban human reproductive cloning by the placing in a woman of an embryo that has been created in any way other than by fertilisation. The effect is, of course, that only an embryo created by fertilisation may lawfully be placed in a woman. The Bill is short and tightly drawn, in order to meet that aim, and that aim only.

Mr. Simon Thomas (Ceredigion): What consideration has the Minister given to the reproductive cloning of human beings outside a woman's body, in vitro, in animals or even—10, 15 or 20 years down the line—in a man's body? The Bill should take such possibilities into account. Is not the Minister merely plugging the gap when the flood is on the horizon?

Ms Blears: Those issues have been raised, and I shall come to them. They are important.

The hon. Gentleman suggests that I am merely plugging a gap. In fact, I am trying to plug a legal loophole. I fully acknowledge the existence of other matters that, if the Government's appeal against the judgment fails, will need to be revisited extensively. I want to record the Government's commitment in this respect: if the appeal fails and a whole area of activity is unregulated, we must clearly ensure that it is properly and rigorously regulated in future. The Bill's purpose is to plug the legal loophole that has arisen as a result of the judgment, and to bring back an arrangement that I think that all Members want—the outlawing of reproductive cloning.

Dr. Liam Fox (Woodspring): The Minister says that clarity is important. One of the main reasons why the Government lost the recent case related to the definition of "embryo". What is the definition of "embryo" for the purposes of the Bill? Is it the same as the definition in the 1990 Act?

Ms Blears: Yes, it is.

The reason for the court judgment was the construction that the judge put on the terms of the statute. He said that he would take a literal construction of the words used: because of the reference to embryos created by fertilisation, embryos created by cell nuclear replacement or, indeed, other methods would not be covered by the regulatory framework in the 1990 Act.

The Bill provides the definition of

"a human embryo . . . created otherwise than by fertilisation".

We seek to replicate the language used in the 1990 Act, so that confusion is not created by the use of different terms in different pieces of legislation. The framing of the definition in the Bill, however, is intended to bridge a gap that might otherwise exist. The 1990 Act refers to all embryos created by fertilisation; our Bill refers to all embryos created other than by fertilisation. I hope that that will ensure a seamless transition.

Sir Patrick Cormack (South Staffordshire): The Minister listened to the earlier debate, and knows of concern in the House about the speed with which the Bill is being passed. Can she give a categorical undertaking that, if the Government lose the appeal to which she has referred and further legislation is called for, that legislation will not be rushed through in the same way?

Ms Blears: If the Government lost the appeal, a series of issues—many of which Members have mentioned today—would need to be considered. Another likely factor is the report of the House of Lords Stem Cell Research Committee that has been examining a range of matters. We may not be able to deal with both those things until January or February next year. We shall need to consider the issues very carefully, especially if there are

[Ms Blears]

areas of unregulated activity in what is admittedly an extremely important and sensitive moral, ethical and political issue.

Andy King (Rugby and Kenilworth): We all welcome the Government's attempt to plug the gap. I do not think that a single Member present would say "I am in favour of human cloning". Our concern, I feel, relates to ensuring that we get this right.

The Bill may be straightforward, but some of us think that it does not go far enough. I welcome the Minister's confirmation that, if we fail to win the appeal, we are committed to revisiting the issue and ensuring that legislation is in place to stop the harvesting and the use of that dreadful technology to subvert current legislation.

I have no problem with—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman has been in this place long enough to know that he cannot make a statement in an intervention; he must put a brief question. I think that enough has been heard.

Ms Blears: As I said, I am trying to ensure that United Kingdom law reflects—

Miss Ann Widdecombe (Maidstone and The Weald): Will the hon. Lady give way?

Ms Blears: I shall when I have managed to complete a sentence.

We are trying to ensure that UK law adequately reflects what Parliament has tried to achieve. The Bill's purpose, therefore, is to enable us to ban human reproductive cloning, for which I think that there is broad support, and to look at the issues, depending on the outcome of the legal process.

Miss Widdecombe: I am grateful to the hon. Lady for giving way. I tried to intervene earlier because I did not want to lose the answer given to the question asked by my hon. Friend the Member for South Staffordshire (Sir P. Cormack). His question was not whether there will be issues to be discussed—there are issues today to be discussed—but was very specific. He asked the Minister to give a cast-iron guarantee that if we have to discuss those issues further because the Government lose the appeal or for another reason, a proper structured consideration will take place with proper standard time between the various stages of any consequent Bill. That is the question.

Ms Blears: I assure the right hon. Lady that there will be full and proper discussion and consideration. These are very important and sensitive matters that are important to the whole community.

Dr. Evan Harris (Oxford, West and Abingdon): The key issue that I should like the Minister to address is what the Government will do if they lose the appeal. Is she saying that if they lose, they will not appeal to the House of Lords, but legislate? What will happen if the Government win and the other side appeals to the House of Lords? If there are further appeals that continue to reverse the judgment, the unclosed loophole may long remain a no man's land.

Ms Blears: I am keen to avoid getting into that position. There is clearly tension in the issue; some people say that it is urgent and that we should debate it next week while others say that we should wait until we see all the implications once the result of the appeal is known. It would be wrong of me to say that I can anticipate the contents of the Court of Appeal decision. We want to see that judgment before deciding whether it is appropriate to appeal to the House of Lords. If the Government win the appeal, the other side may wish to appeal; I certainly cannot comment on its possible decision. However, we shall seek to expedite the legal process and make our decisions as quickly as we possibly can. We recognise the issue's importance and urgency.

Glenda Jackson (Hampstead and Highgate): Does not my hon. Friend find it ironic that Opposition Members spent more than two hours castigating the Government for affording insufficient time to examine a very small and tightly focused Bill but are now attempting to bounce the Government into making a commitment based on the hypothetical result of a case that is yet to be heard?

Ms Blears: I am grateful to my hon. Friend. I think that we need to try to make some progress on the substantive matters in the Bill.

Mr. Andrew Lansley (South Cambridgeshire): As someone who sat through the previous debate without contributing to it because I wanted to get on to the substance of the issue, I am grateful to the Minister for giving way now. I must press her, however, to return to of the implantation of a cloned human embryo in an animal or artificial womb. She seemed to suggest in an earlier reply that the Bill would create seamless provision should the appeal be lost, but it would not do that because another loophole would arise: the implantation of a cloned embryo not in a woman but elsewhere. How do the Government intend to deal with that gap in the legislation?

Ms Blears: I have made it clear that, should the appeal fail, the Government will have to return to a number of issues—not only that raised by the hon. Gentleman—to ensure that all such activity is properly regulated in a legal framework. We are seeking in this legislation to address the most important issue for Parliament and the public: a ban on human reproductive cloning. I acknowledge that the other issues are important, but they will have to be addressed in the light of the legal judgment and the House of Lords Select Committee report. We can then ensure that the legislation that we pass is robust and properly grounded and addresses the issues that are causing concern.

Sir Patrick Cormack: On a point of order, Mr. Deputy Speaker. I apologise to you and to the Minister for making this point of order, but I think that it might help the House. Could you make it plain that we will have an opportunity to vote on the reasoned amendment at the end of this debate?

Mr. Deputy Speaker: Order. I did not, it is true, announce that at the beginning of the debate but was going to do so when the Minister finished speaking. Mr. Speaker has selected the amendment in the name of the hon. Member for Gainsborough (Mr. Leigh). That job is now done; thank you.

Ms Blears: I shall try to make some progress.

Mr. John Redwood (Wokingham): Will the hon. Lady give way?

Ms Blears: No, I shall try to make some progress.

Rev. Ian Paisley (North Antrim): Will the hon. Lady give way?

Ms Blears: No, I am not giving way now.

The Bill's purpose is to ban human reproductive cloning by the placing in a woman of an embryo that has been created in any way other than by fertilisation. I should say a little about the background including the judicial review brought by the ProLife Alliance.

The judicial review challenged the Government's view that the Human Fertilisation and Embryology Act 1990 governed all embryos—those created by cell nuclear replacement as well as those created by fertilisation. As hon. Members will know, the High Court decided in its judgment of 15 November—just two weeks ago—that cell nuclear replacement embryos were not governed by the 1990 Act. I shall deal later with the judgment's effect and some of the concerns that have been expressed about the Bill.

I am not sure that I need to set out a short history of the subject as hon. Members on both sides of the Chamber seem to have a full, in-depth grasp of the issue and the current position.

Mr. Redwood: Will the hon. Lady give way?

Ms Blears: No, I shall press on a wee bit.

Hon. Members will know that we had various inquiries, White Papers, Green Papers and legislation before the passage of the 1990 Act. That legislation has lasted us for more than 10 years and provides one of the world's most comprehensive systems of control on the use of embryos in treatment and research.

The Warnock committee considered cloning, although in the 1980s and early 1990s the science had not developed as it has today. The committee recognised that there would be such developments and discussed the possibility of reproductive and, indeed, therapeutic cloning. Its conclusion on those issues was that

> "public anxiety about these techniques centres, not so much on their therapeutic use, but on the idea of the deliberate creation of human beings with specific characteristics."

That concern is widely shared today.

In February 1997, the news of the birth of Dolly the sheep showed for the first time that embryos could be created by the process of cell nuclear replacement that would lead to a live birth in a mammal. It involved replacing the nucleus of an egg—which contains almost all the genetic material—with nucleus taken from an adult cell. The implications of the technique for humans were discussed in the March 1997 report of the Science and Technology Committee, which recorded the fact that the Government and the HFEA were seeking counsel's advice on whether embryos created by cell nuclear replacement would be governed by the 1990 Act.

The problem with the 1990 Act is that it says, among other things, that embryos governed by the Act are

> "live human embryos where fertilisation is complete".

The process of cell nuclear replacement, which leads in the normal way to a birth, clearly does not involve fertilisation. Our advice from counsel was that, if challenged, the courts would look at the purpose of the Act—that is, to regulate the creation and use of embryos—rather than look literally at the words used.

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Mr. Redwood: Given the awful muddle since 1997 and the failure so far to reflect the will of the House then and now, would not the Minister be well advised to produce a rather stronger measure today, or at a later stage if she cannot do so immediately? I fear that we shall go through precisely the same dreadful process all over again because she is not listening carefully to the very real concerns of hon. Members and the public.

Ms Blears: I am listening carefully, and I have tried to make it clear that this is a narrow, tightly drawn and focused Bill that will make human reproductive cloning illegal in the United Kingdom, which is what I believe that the public and Parliament want.

Dr. Brian Iddon (Bolton, South-East): Does the Minister agree that if the HFEA granted a licence, it would prevent the production of an embryo other than by fertilisation, and its export? In other words, the licence is granted carefully to control the research. Many of the criticisms of the Bill are therefore false.

Ms Blears: Yes. I am trying to make it clear that the Bill has the specific aim of plugging the legal loophole. I fully recognise that hon. Members have a range of other concerns that may well need to be addressed, but the important priority today is to ensure that we pass the Bill.

In the previous debate several hon. Members mocked the fact that the Government had received advice that the courts were likely to construe the legislation in a purposive way. In fact, Mr. Justice Crane, in his judgment two weeks ago said that the Government had a powerful argument for a purposive construction and he has given us leave to appeal. The Government did not receive bad legal advice and were not caught out by the judgment. The judge himself said that there was a powerful argument for a purposive construction but, in the circumstances, he chose a literal construction and was not prepared to infer that the 1990 Act covered embryos created by means other than fertilisation. Therefore, I do not accept that the issue is clear cut or black and white. Litigation occurs precisely because issues are unclear, and the Government were right to take counsel's advice and proceed accordingly.

Rev. Martin Smyth (Belfast, South): It was the lack of clarity about which Bernard Braine, when he was a Member of Parliament in the 1990s, was worried. Some of us are still concerned that issues other than the narrow one covered by the Bill need to be dealt with, which is

[Rev. Martin Smyth]

why we ask that the legal brains in the Department of Health come back in the near future with a Bill that will tighten the law properly.

Ms Blears: I can reassure the hon. Gentleman that the brains in the Department will be focused on all the issues raised by hon. Members in their contributions today.

Rev. Ian Paisley: In the previous debate, I mentioned Europe. If the Minister intends to revisit the matter in further legislation, it is important to decide the Government's attitude to the different approach being taken in Europe.

Ms Blears: The hon. Gentleman said in the previous debate that he was pleased that the issue was one for national competence, as am I, but we will take into account the views of the European Parliament temporary committee, which is in plenary session today. Its deliberations will form part of the information that we will consider, but we will continue to deal with the matter as part of our national competence.

On the basis of proper legal advice, the Government took the view that all embryos that have the potential to become human life are regulated by the 1990 Act and subject to all its protective provisions and regulation by the HFEA—that anyone who wanted to create an embryo by fertilisation or in any other way, such as by cell nuclear replacement, would require a licence from the HFEA and would have to satisfy the stringent conditions laid down in the Act. Anyone who created or used embryos without a licence would be subject to the Act's criminal sanctions, involving a fine or imprisonment or both. Our approach to the definition of "embryo" also meant that the creation of embryos by cell nuclear replacement for research, which has enormous potential for finding cures for serious diseases, could go ahead subject to the full rigour of regulation of such research under the 1990 Act, including licensing by the HFEA.

In the event, in the judicial review brought by the ProLife Alliance, Mr. Justice Crane, while acknowledging that the Government had a "powerful case", decided to adopt a literal interpretation of the words used. The effect of his judgment is that embryos created other than by fertilisation are not regulated by the 1990 Act. In practical terms, that means that as the law stands anyone may create an embryo by cell nuclear replacement and use it either for reproductive cloning or for research purposes without regulation under the Act. We were given leave to appeal against the judge's decision. We have lodged that appeal this afternoon and we intend to pursue it.

It is important to note that the judgment, while limiting the type of embryos to which the 1990 Act applied, did not affect the operation of the Act in any way: nor did it affect the Research Purposes Regulations 2001. The Act and the regulations continue fully to protect embryos created by fertilisation and used in treatment and research.

Dr. Fox: What will be the position in respect of the exportation of CNR embryos after the passage of the Bill, taking into account the 1990 Act and the requirement for the issue of licences?

Ms Blears: As the law stands today, the creation of embryos by cell nuclear replacement and their use is not regulated. The hon. Gentleman raises an important matter that will need to be taken into account, but the purpose of the Bill is to deal with human reproductive cloning in the UK.

As hon Members are aware, the purposes for which embryos may be used in research were extended earlier this year, following considerable debate in this House and in another place.

Dr. Iddon: Assuming that the Bill is enacted, it is important to establish whether the HFEA would have the power, under the licences that it grants, to prevent the situation mentioned by the hon. Member for Woodspring (Dr. Fox).

Ms Blears: I have just answered that question. As the law stands, the HFEA would not have that power. Those matters need to be addressed, but the Bill is an urgent measure designed to deal with a particular issue.

Earlier this year, the Research Purposes Regulations 2001 extended the use to which embryos could be put. Both Houses voted by very large majorities to permit embryos to be used for stem cell research in the light of evidence of the enormous potential benefits of such research for treating some very serious and disabling conditions.

I have said that the aim of the Bill is to ban human reproductive cloning. That meets the Government's aim, announced in August 2000, to introduce legislation to place the ban on reproductive cloning on a statutory footing. Previously, the ban was based on the HFEA's decision not to issue a licence should anyone seek to carry out reproductive cloning, but under the law as it stands following the judgment anyone could clone embryos in the UK without having to apply for a licence. That is why we need the Bill.

Mr. Paul Goodman (Wycombe): The essence of the Minister's case is that we need the Bill today to fill a legal loophole. Will she please explain why we need that loophole filled today, why it is being filled in such a short time and why she is refusing to address in the Bill the concerns raised by my right hon. and hon. Friends and others?

Ms Blears: I explained in the previous debate that we must take these measures urgently because of the stated intention of people from overseas to come here and undertake human reproductive cloning. Another factor is the developments in the US last week, which show that the technology has moved on. If we allowed a lengthy delay, human reproductive cloning could take place in this country, despite the fact that all hon. Members and the public agree that they do not want that to happen. Therefore, it is right to introduce a tightly drawn measure to ensure that it cannot happen.

Mr. Ian Taylor (Esher and Walton): Will the Minister confirm the irony of the fact that it is the ProLife Alliance that has left us in this confusion? The consequences of our unregulated state are a direct result of its actions.

Ms Blears: It is unfortunate that the current position is that an embryo created by fertilisation has the full protection of the law and regulation by HFEA, but one created by cell nuclear replacement technology does not. That is a matter for concern.

Of course, with any judgment in the High Court, we would in the ordinary way await the outcome of the legal process before deciding on the best way forward. If the outcome proves to be in the Government's favour, all embryos, however they are created, would continue to be governed by the protective provisions in the 1990 Act, and reproductive cloning would continue to be banned by the HFEA.

In this case, however, the Government have made absolutely clear on many occasions their opposition to reproductive cloning and their intention to introduce a Bill on the matter. As other hon. Members have noted, that was a manifesto commitment, and it is what concerns the House today.

The prospects of leaving unregulated—in the light of the judgment—the safety and ethical issues involved in bringing into the world artificially a cloned human being are such that the Government have decided to introduce a Bill to address the issue, on which there is overwhelming public and worldwide support.

Of course we need to have a debate, but I doubt that we will hear in the House today, or in another place, any real argument that we should not ban reproductive cloning, or that we should not be proposing one today. However, the wider questions relating to the research use of embryos created by cell nuclear replacement, although very important, do not require an urgent response in the same way as reproductive cloning and we shall, as is absolutely proper, await the outcome of the Government's appeal.

If the Government lose that appeal, we have made it clear that we will introduce further legislation when parliamentary time allows to ensure that cloned embryos have fully the same protection as embryos created by fertilisation.

Mr. Redwood: The Minister makes a powerful case for committing us to the legislative seas, and I welcome what she has said about the Government's intentions, but would not it be better to go to sea in a boat than in a sieve? She has also admitted that there will be many loopholes in the legislation that she is proposing, and she has not explained that.

Ms Blears: No, I have made it clear that the Bill is aimed at preventing the mischief of human reproductive cloning in the UK, and I have explained that the Bill will succeed in doing so.

The Government's view on the regulation of CNR embryos used in research is that the practice should not be banned, but that it should be allowed to continue under the strict regulatory scheme of the 1990 Act. That will properly put into effect the will of Parliament, which was decided after lengthy debate on the research regulations earlier this year.

Lynne Jones (Birmingham, Selly Oak): The problem is that human reproductive cloning does not begin when the embryo is implanted into the woman. The process involved is similar to that used in therapeutic cloning, which is completely unregulated in this country, as my hon. Friend the Minister has acknowledged. That is a far more urgent matter than banning the implantation of such an embryo. No one has so far created an embryo ready for implantation, but we allow people to experiment in that direction. That is the big loophole that the Bill does not close.

Ms Blears: My hon. Friend would be the first to acknowledge that the science in this area is moving on very quickly indeed. We must take measures to ensure that no embryos are implanted in women in the way that has been described.

Lynne Jones: Will my hon. Friend give way on that point?

Ms Blears: No, I want to make progress, and deal with the provisions of the Bill.

The Bill is very simple, with just two clauses. The first clause deals with the offence, and provides that a person who places in a woman a human embryo that has been created otherwise than by fertilisation is guilty of an offence. The wording is very similar to that used in the 1990 Act, which, for example, makes it an offence to place in a woman an embryo other than a live human embryo.

If the embryo has been created by fertilisation—that is, using sperm and eggs—it will fall into the definition of "embryo" under the 1990 Act, and will be subject to all the protection of that Act. However, if the embryo has been created in any way other than by fertilisation—and that includes techniques such as cell nuclear replacement and parthenogenesis—it may not be implanted into a woman. As I mentioned earlier, by not defining or listing these techniques we have ensured that the Bill bans any procedure that is currently known about, and those that may be developed in the future.

Any attempt at listing or defining banned procedures would almost certainly ensure that this Bill would be out of date within months, given the advances taking place in this area. We have therefore adopted the approach that makes it an offence to place any embryo into a woman other than one created by fertilisation. That is a sensible approach in the current circumstances.

The Bill provides also that a person who commits the offence is liable on conviction on indictment, in a Crown court, to a term of imprisonment not exceeding 10 years, or a fine, or both. However, as with offences under the 1990 Act that also raise particular issues of public policy, a prosecution cannot be brought under the Bill without the consent of the Director of Public Prosecutions.

Mr. Michael Weir (Angus): Clause 1(3) provides that a prosecution can be brought only with the consent of the DPP. I have tabled an amendment for consideration in Committee because I am concerned that there is no provision to ensure that, in Scotland, such a prosecution may be brought might only by the Lord Advocate. There exists in Scotland a procedure that allows private prosecutions to be brought, although its use is extremely rare. I am worried that the Bill does not specifically close that loophole.

I should be interested to know what the Minister thinks about that, as I can think of two such cases that have been brought in the past few years.

Ms Blears: I am aware that the hon. Gentleman has tabled an amendment on this matter, so it might be helpful if I deal with the point now.

[Ms Blears]

In Scotland, the Lord Advocate heads the prosecution system. Constitutionally, he is the only person who can institute criminal prosecutions, unless someone has applied for a Bill of Letters to be issued in the High Court of Justiciary for permission to bring a private prosecution. That course of action is extraordinarily rare.

The situation in Scotland is therefore different from that in England. In Scotland, it is normally the Lord Advocate who brings prosecutions, whereas in England prosecutions can be brought by local authorities and a range of different enforcement authorities. In England, therefore, in connection with matters of public policy, legislation must provide that the DPP will be consulted. In Scotland, the person normally bringing proceedings is the Lord Advocate, so the Bill need not contain an equivalent requirement. The constitutional difference means that the Lord Advocate will normally be the person bringing the prosecution, so there is no need to seek his consent or involve him in the proceedings.

It is a technical, legal distinction, but an important one, given the different legal systems in Scotland and England.

Mr. Lansley: I recognise that in clause 1(3) the Minister is simply following the provisions of section 42 of the 1990 Act, but would not it have been simpler and more targeted for the Government to amend section 3(2) of that Act? That would have brought the placing in a woman of an embryo created otherwise than by fertilisation under the short list of prohibitions contained in that section. The result would have been that an offence would have been created in the same way as is provided for in the Bill. Why do the Government prefer to have two pieces of legislation, when one could have been amended?

Ms Blears: I am not sure that the hon. Gentleman is correct. The 1990 Act is extensive, with many clauses and schedules and many definitions. I am not convinced that his suggestion is a more accurate drafting point. The Bill is drafted to achieve an objective. I believe that it will achieve that objective, and that the House should support it this afternoon for that reason.

Clause 2 extends the provisions of the Bill to Northern Ireland, and provides that it may be extended to the Channel Islands if an order is made. The Bill is a UK Bill, and so of course extends to Scotland and Wales. That makes the extent of the Bill the same as that of the 1990 Act.

Questions have been asked about the extension of the Bill to Scotland. I should like to reassure hon. Members that the Bill does extend to Scotland, and that the offences under the Bill cannot be prosecuted in Scotland without the permission of the Lord Advocate. The convention for Westminster Bills that apply to Scotland in this way is that they all apply to Scotland unless the converse is stated on the face of the Bill.

These are wholly reserved matters. The right hon. Member for Berwick-upon-Tweed (Mr. Beith) asked whether a Sewel motion would be needed on this issue, but I can assure him that it is a wholly reserved matter. Schedule 5, part II, head J3 to the Scotland Act 1998 covers embryology, surrogacy and genetics, and specifically refers to the subject matter of the 1990 Act. It is therefore covered perfectly properly in the Bill.

The Bill does not use terms such as "cell nuclear replacement" or "cloning" because such terms may mean different things both now and in the future in an area of rapidly developing science, and because the Bill is aimed at preventing anything other than fertilised embryos using sperm and eggs from being implanted into a woman. That is the mischief at which it is aimed.

The additional and very significant benefits of that approach arise from the fact that all embryos created by fertilisation—which are the only embryos that may be implanted under this Bill—are automatically subject to the full protection of the 1990 Act. That means that the only embryos that may be implanted into a woman are those that are subject to licensing by the authority.

The only question that needs to be asked, therefore, is: how was the embryo created? If the answer is by fertilisation, the embryo may be implanted, but only in accordance with a licence. If the answer is by a means other than fertilisation, as a result of this Bill the embryo may not be implanted at all. This approach means that current and future techniques that may not be described as cloning will be fully covered by the ban.

As we have seen with the 1990 Act, the science is developing. What is not thought possible as an embryo today may well be an embryo tomorrow. This Bill concerns reproductive cloning. It addresses those embryos that may develop to become a human being. There is absolutely no reason why we should seek to restrict the definition of what an embryo created other than by fertilisation is, because any such attempt is likely to become out of date in a short time. Nor is there any point in trying to define what we mean by an embryo created by fertilisation because that is fully covered by the 1990 Act.

Mr. David Cameron (Witney): Perhaps the Minister can help to clear up the confusion. It concerns to the point made by my hon. Friend the Member for South Cambridgeshire (Mr. Lansley). If the problem is that cloned embryos are not subject to the restrictions that embryos produced by sperm and egg are, why not make cloned embryos subject to the 1990 Act by amending that legislation?

Ms Blears: I have already dealt with that matter in my answer to the hon. Member for South Cambridgeshire (Mr. Lansley). Extensive amending legislation might be required, but today we are considering urgent emergency legislation to deal with a particular issue of great concern to people inside and outside the House. It is a small, direct Bill, not extensive amending legislation.

Lynne Jones: Will my hon. Friend give way?

Ms Blears: No, I want to make some progress.

There was considerable debate in the other place about whether a one-cell embryo was an embryo. This Bill is clear that it governs any embryo created other than by fertilisation. Any embryo is a human embryo if it has the potential, should it be implanted, to develop into a human being from the moment it is created. That includes a one-cell embryo. I hope that that clears the matter up.

Dr. Evan Harris: I understand the Government's difficulty in not seeking to outline further definitions. A question has been raised about a dedifferentiated cell that was originally produced from an embryo formed by fertilisation but that has been taken back to the embryonic stage by a method of dedifferentiation. Would that fall within the fertilised regulation or the other-than-created-by-fertilisation provision in the Bill? If the Minister does not know, does she accept that that is a problem?

Ms Blears: I am not entirely sure what kind of cell the hon. Gentleman refers to, but I will certainly endeavour during today's proceedings to ensure that he gets a full and comprehensive answer to his point.

Mr. William Cash (Stone): Will the hon. Lady give way?

Ms Blears: No, I will not give way at this point.

Several hon. Members have expressed concern about the prospect of taking a cloned embryo abroad. It is true to say that following the judgment there is nothing to stop someone creating a cloned embryo in the UK and sending it for use by a woman in treatment abroad. I am not aware that anyone wants to do that at this stage.

As the law stands, the 1990 Act governs only embryos created by fertilisation, but the Act gives the HFEA control over practices in licensed clinics that are not strictly regulated by the Act. Obviously it is a matter for the HFEA to decide, but I hope that if that situation were to occur it would take that into account in looking at how clinics and individuals are licensed to carry out such activity.

The possibility of placing embryos in animals, men or artificial wombs has been raised. I understand hon. Members' concerns about those matters. If the judgment is lost, all the issues will need to be considered.

The Government appreciate that there may be concern about the potential research uses of a variety of techniques. We have promised, therefore, a legislative response on the research use of embryos created by cell nuclear replacement. We will certainly commit ourselves to doing that, should we lose the appeal. There will be a whole range of issues to consider, and we hope that we will also have the benefit of the conclusions of the House of Lords Select Committee report to help us with that consideration.

In summary, the Government take the view that the Bill is necessary to ensure that no one considers the United Kingdom as an option for undertaking human reproductive cloning. In the light of the High Court judgment, it is important that we pass the Bill. There are, of course, other issues that flow from the judgment relating to the use of cloned embryos in research. The Government are concerned that those embryos are given the same protection as embryos created by fertilisation. For that reason the Government are appealing against the High Court decision. If the appeal succeeds, the cloned embryos will also be protected by the 1990 Act. If the appeal fails, the Government will introduce legislation to ensure that research on cloned embryos is properly and rigorously regulated.

The Bill encapsulates the views of the vast majority of British people who find the possibility of human reproductive cloning abhorrent and I commend it to the House.

4.16 pm

Dr. Liam Fox (Woodspring): There is a difference of approach between the Government and the Opposition on this issue in that the Government have a three-line Whip in operation and the Opposition have a free vote. Perhaps it would be useful at the outset if I set out why the Opposition take this view.

Our decision not to oppose the Bill is based on three separate reasons. First, during deliberations over many months the House has repeatedly made it clear that there is no wish for reproductive cloning to be legal in the United Kingdom. The second reason relates to the perceived threat of such reproductive cloning taking place pending the Government's appeal in the Quintavalle case, especially given the length of the legal process that may be involved. I hope that the Government will further clarify their intentions should they fail in their action. The third reason is the need to bolster public confidence in bioscience in the United Kingdom. To undermine that is to damage our research and development.

It is no secret that I personally oppose embryonic stem cell research in all its forms, but the Bill is not an appropriate vehicle for those of us who seek to go further in that direction. If the Government lose the appeal, they will need substantial primary legislation to deal with many of the issues that have already been raised. For the sake of clarification, will the Minister give a firm commitment to take a full primary legislative approach to the issues raised in the debate? Many of us could not support the Government if we thought that they might renege on that promise.

Ms Blears *indicated assent.*

Dr. Fox: I take the Minister's nod as assent to my proposition.

The Bill is at best a stop-gap measure, to use the term of Lord Hunt in the other place. Even if the Government win their appeal, it is obvious that many issues will remain to be tackled, so they will still need to introduce primary legislation.

The intervention of the hon. Member for Bolton, South-East (Dr. Iddon) was instructive. He mistakenly believed that the Government's change of definitions in the short Bill today would bring export and experimentation under the HFEA. The Minister pointed out that that would not be the case. That is one of the strongest arguments for further legislation, a useful model for which would be the procedure that we used for the Adoption and Children Bill. Substantial pre-legislative scrutiny of anything that the Government propose in this area would be useful because there is much expert knowledge that the House would like to draw on before we further debate these matters. If that is good enough for adoption legislation, it is certainly good enough for an important ethical matter such as this.

We need clarity, definition and honesty from the Government in this debate. We also need to put the debate into the appropriate ethical perspective. In the other place, Lord Winston said:

> "it is my view that science—knowledge—does not have a moral dimension".—[*Official Report, House of Lords*, 26 November 2001; Vol. 629, c. 25.]

All hon. Members believe that any application of knowledge has a moral dimension, and that we in the House have an absolute right to set the moral and ethical

[Dr. Fox]

limits within which science in the United Kingdom is allowed to operate, and that any moral free-for-all, simply because science was capable of it, would be wholly unacceptable.

There is another argument that needs to be tackled: many say that we should not stop such research in the United Kingdom because it will be undertaken elsewhere, and we should not put our science base at a disadvantage. The problem there is that we confuse globalisation with powerlessness. We can at least set proper ethical limits for our own country; the House of Commons is the appropriate place to do that.

The Government's approach to much of this area has been sloppy and contradictory. I refer specifically to the debate on this subject on 15 December 2000, in which we received assurances from the Government about the state of the regulations that we were discussing. The Under-Secretary of State for Health, the hon. Member for Pontefract and Castleford (Yvette Cooper), said:

> "I turn to the issues surrounding cell nuclear replacement technique. Many have said that the regulations will open the door to human reproductive cloning. I cannot say more strongly that human reproductive cloning is illegal; it will stay illegal. The regulations do not permit it. They do not even permit research into it."—[*Official Report*, 15 December 2000; Vol. 359, c. 883.]

It is clear that the advice given to the House on that day was wrong. It is also clear that the Government did not believe it. If they did, why did their manifesto state:

> "we will ban by law human cloning."

If the Government already thought that that was illegal, why did they feel it necessary to introduce further legislation? That is a legitimate question for the House to ask because we have been given assurances by a Minister in the House of Commons. The Government got it wrong. When did they realise that the regulations that they had guaranteed would not allow cloning would in fact allow it? It is important to know that if we are to bolster confidence in the advice that the Government receive from their advisers.

Mrs. Anne Campbell (Cambridge): Does the hon. Gentleman agree that in the debate on human therapeutic cloning that took place several months ago, the Minister made clear her intention to introduce primary legislation at an early stage to ban human reproductive cloning?

Dr. Fox: I refer again to *Hansard*. The Minister said that such cloning was

> "illegal; it will stay illegal. The regulations do not permit it."

At some point between then and the publication of the Labour manifesto, the Government must have realised that that would not hold up in court. It would thus be helpful if the House could know when they realised that. Today, we are listening in good faith to specific legal advice given to the Government. If their legal advice on the issue was not watertight then, what faith can we have in it today? That is a reasonable point for the House to make to a Minister. Definitions are important.

During that debate on the embryology regulations, we discussed another point that the Government need to tighten up: the definition of "serious disease". The Minister said:

> "Ultimately, it will be for the HFEA or the courts to interpret the term 'serious disease'."

When asked for a better definition, because that would be required by the courts, the Minister said:

> "Clearly, the House will have its own view of what 'serious disease' means . . . It is not something that the HFEA and ultimately, the courts, if necessary, will have a serious problem in determining."—[*Official Report*, 15 December 2000; Vol. 359, c. 879-83.]

The Government will have to draft much tighter legislation than they have done previously in that policy area. That is true of the Bill, but the point also applies much more to the necessary legislation that they will have to introduce whether or not they lose their appeal.

There is a further question about the definition of embryos. Had the Human Fertilisation and Embryology Act 1990 included a different definition, the Government would have probably won the Quintavalle case. That was clear from the judgment. However, I return to the question put by my hon. Friend the Member for South Cambridgeshire (Mr. Lansley): why not simply amend the primary legislation? The Minister's answer was that speed was the issue and that the measure offered a speedy way to do that. However, she must already realise that trying to provide a speedy answer to the Government's dilemma has produced as many problems as are being solved by this method of blocking the loophole that we all want plugged. The Government should have considered that before they rushed out the Bill.

Lynne Jones: When the Science and Technology Committee considered the matter, it decided that the 1990 Act was robust but that the definition of "embryo" should be amended. We recommended that it should include any manipulation of cells that results in an organism potentially capable of growing into a human. Such an amendment would have more successfully blocked all the loopholes than the Bill.

Dr. Fox: I am grateful to the hon. Lady for her expertise in the matter. She makes an important point: the Government should have given more thought to how they wanted to close the loophole. During my time as a Member, I have known the hon. Lady to be more robust than most in making her points to Ministers, so I shall endeavour to keep my comments as short as possible to ensure that she gets the opportunity to do so.

Another reason given by the Government for rushing the measure through the House was the case of Professor Antinori and others—a point referred to by my hon. Friend the Member for Wycombe (Mr. Goodman). If the Government are speeding the Bill through to stop the professor and others who might want to rush to the UK to carry out this type of research, they should realise that the HFEA can already refuse a licence to anyone to store eggs for any research under the 1990 Act. I do not understand why that would not stop anyone who wanted to undertake research that the Government deemed unsavoury because of what that person had done elsewhere. A specific answer on that point would be most useful.

Many of my hon. Friends have points to make, so this is my final comment. The Bill prevents only the implementation of CNR embryos. It does nothing to prevent widespread research, experimentation and even exportation. That is one of its biggest failures. Those of us who support the Government's aims are disappointed at the quality of the Bill and many of those who support their aims have grave doubts as to their competence and will require further legislation before our fears are laid to rest.

4.28 pm

Miss Anne Begg (Aberdeen, South): I intend to keep my comments brief, as I appreciate the lack of time that is constantly being mentioned and that many Opposition Members want to make important points. However, it is worth clarifying exactly what we are debating.

As hon. Members can read in *Hansard*, it is clear from my contributions to the debates last December that I strongly support therapeutic cloning but, like probably all hon. Members, find reproductive cloning abhorrent. I made a detailed case for why we should allow therapeutic cloning, and I shall not rehearse those arguments today. However, I was reassured by the Minister's statement then that primary legislation would be introduced to outlaw reproductive cloning. That is what we are discussing today and I want to keep the two issues separate.

Such legislation was promised, regardless of any High Court judgment, but such a judgment has produced confusion in today's debate. Perhaps it is also the reason for the speed with which the measure has been introduced. However, such a measure would have been introduced at some time, and probably in much the same terms. There is no argument but that the Bill is necessary and that most hon. Members agree with that.

Most hon. Members want the implantation into women of cloned embryos that could grow into human beings to be clearly outlawed. No one would argue about that, but confusion and much obfuscation has been caused by the fact that, two weeks ago, the High Court judgment cast doubt on the interpretation of what exactly constitutes an embryo, as defined by the Human Fertilisation and Embryology Act 1990.

I hope that the Government's appeal will be successful and that all the assurances that cloned embryos are covered by the 1990 Act that we were given when we considered the regulations to allow therapeutic cloning in December were correct. The appropriate time for the kind of detailed debate that we are having today will be when that appeal is determined. I hope that the Minister will ensure that, if the Government lose the appeal and it is necessary for them to propose further legislation to amend the 1990 Act, sufficient time will be allowed to discuss all the issues that hon. Members have consistently raised today.

Dr. Fox: Does the hon. Lady accept that it has become clear in today's debates that, even if the Government win the appeal, the Bill will not cover many of the issues that hon. Members have raised and that further legislation will be necessary in any case?

Miss Begg: We must await the report of the House of Lords Select Committee on Stem Cell Research before considering whether those issues are covered by the 1990 Act. When we debated the issue in December, it was clear that the Government's legal advice was that the 1990 Act indeed covered all aspects of embryos created in this way. The hon. Member for South Cambridgeshire (Mr. Lansley) said that if that were not the case, a simple amendment to the 1990 Act could be made. I do not know the Act in enough detail to say whether he is right that the definition of the word "embryo" could be changed in that way, although my hon. Friend the Member for Birmingham, Selly Oak (Lynne Jones) suggests that that might be possible. If so, that is how the change should be made, and I hope that it will be that easy.

Mr. Lansley: If the hon. Lady will forgive me, I shall clarify my suggestion. I was suggesting not that a change should be made to the definition of the word "embryo" used in the 1990 Act, but that a specific prohibition should be introduced, such as that which exists on the placing into women of live embryos other than human embryos. Similarly, prohibiting the placing into women of embryos created otherwise than by fertilisation would deliver exactly the intention of the Government in the 1990 Act.

Miss Begg: I understand the hon. Gentleman's suggestion that the Bill is unnecessary because changes could have been made by amending the 1990 Act. I would accept that point, but I felt, especially given the reassurances that the Minister gave in December, that we would introduce separate primary legislation, if necessary, because that was a matter of public confidence.

There has been much reference today to the tabloid press determining what happens in the House, but the tabloid newspapers have had an effect on public opinion. I know from the discussions that I have had that there is much confusion about the issue, which is not helped by the way that the tabloid press has suggested that there will be lots of cloned individuals in future. The cartoons directed at the Government and our Prime Minister that appear not only in the tabloid but the quality press have helped give the impression that we are one step away from cloning lots of people in our own image. We find that abhorrent, as do hon. Members on both sides of the House, and we must deal with that public confidence issue.

I accept the need for separate primary legislation, such as that proposed in the Bill, to restore public confidence in scientists so that we can distinguish between human reproductive cloning, which we all find abhorrent, and human therapeutic cloning, which people, such as myself, think has great potential to do a huge amount of good, especially in fighting neurological degenerative diseases. That is why I hope that the rest of today's debate will focus on the Bill, not on the interpretation of the 1990 Act, which should be considered if the Government lose the appeal that is currently before the courts.

My hon. Friend the Member for Birmingham, Selly Oak is right that such legislation is urgent and important, but the Government cannot introduce it until the legal position is settled. That will happen only when the appeal has been heard and a final decision taken, so I accept the Government's position on that issue. However, as I have already suggested to the Minister, such issues need to be properly aired if the appeal is lost, and we must then ensure that the legislation is leak-proof. I appeal to the House to concentrate on the Bill because we all agree that it is wrong for scientists to embark on human reproductive

[Miss Begg]

cloning. Please let us debate that issue, because that is what we must outlaw, and we must not take our eye off the ball.

4.36 pm

Dr. Evan Harris (Oxford, West and Abingdon): I should first like to explain that there will be a free vote for Liberal Democrats on this issue, as did the hon. Member for Woodspring (Dr. Fox) from the Conservative Front Bench. The Liberal Democrats have always thought that such matters should be subject to a free vote, so our Whips do not compel us to turn up, or to vote one way or the other. However, the party does debate such matters, has policies on them and advises Liberal Democrat Members on how they should vote if they wish to follow the conference policy. Nevertheless, we recognise that this is a matter of conscience for individual Members. Although I speak from the Front Bench and have strong views on pro-life and pro-choice issues and reproductive cloning and therapeutic cloning, I take pains to make it clear to colleagues that they are by no means bound by what I have to say about our policies.

I agree with a further, clear statutory separate ban on human reproductive cloning, and have done so for some time. That was my view well before last year's debates, because the Liberal Democrats had said that we wanted such a separate definitive ban. In that respect, it will be difficult for me to oppose the Bill on Second Reading, and I shall certainly support it on Third Reading, because we agree with it. However, we are concerned about the way in which the Government have gone about the issue. We are concerned about what is not in the Bill, rather than what is in it. Indeed, I find that I share a viewpoint with people who take an opposite point of view from me on the legitimacy of therapeutic cloning and on whether embryos should be used at all. I do not find that difficult or embarrassing. We cannot choose our allies in any parliamentary debate, and it is not reasonable to say that we should not take a view in case we find that we have allies that we previously did not have.

Many reasonable concerns have been raised by those whom I shall call the pro-life lobby. I do not use that term in a negative nor, indeed, a positive way because I suspect that, in many cases, they are not necessarily pro-life. However, I do not believe that their concern that the Bill does not include measures further to restrict therapeutic cloning is reasonable. That is one of the reasons why I cannot support the reasoned amendment, under which the Bill would not be given a Second Reading because it does not reopen the issue of therapeutic cloning.

We had lengthy debates in the House last year. Indeed, many hon. Members who took part in those excellent debates are present. There were lengthy debates on the issue in the House of Lords, and there was extensive coverage of the issue. As I said at the time, I regret that those debates were not on amendable legislation. They were on regulations or were held under an Adjournment motion. Substantive amendments would have focused the debates. Nevertheless, I believe that this House and the House of Lords have given a view on the matter by large majorities, although the House of Lords did so with the caveat that a Select Committee should be set up.

The Select Committee has taken extensive evidence and, by all accounts, has done its work extremely thoroughly. It is due to report shortly. People on both sides of the question should reasonably expect any recommendations that the Committee makes to be the subject of separate legislation. I am positively hostile to the view that this Bill—which is designed to close, however unsatisfactorily the loophole created by the judgment three weeks ago—should seek to reopen other issues.

I wish to say something positive about the Bill on Second Reading, and I shall do so. When we pass the Bill, as I suspect that we will, and it becomes an Act, it will strengthen the position of those of us, including those on the Government Front Bench and many Members in all parties, who support the principle of research being allowed to be carried out on early embryos that are obtained from both fertilisation and from cell nuclear replacement. That will assist research into cures for serious diseases.

That is not what are debating today, but one of the arguments against the position that the Government and I take is that there is a slippery slope that leads inevitably to human reproductive cloning. The fact that this Bill draws a line in the sand undermines that argument. I would not have accepted that argument in any event, but I hope that the Bill will persuade people that it is possible to legislate for limits and that one can delineate and debate appropriate regulations on embryos short of the abomination that is represented by human reproductive cloning.

Mr. Cash: In the light of the earlier debate, will the hon. Gentleman tell us why he is in favour of other therapeutic research but appears not to disagree with me when I say that stem cell research provides an alternative when it involves adults rather than embryos? With his qualifications as a distinguished doctor, will he answer that question?

Dr. Harris: In the main, I speak without using those qualifications. One does not need to have medical qualifications to debate this issue, as the hon. Gentleman has done expertly.

Although the subject that the hon. Gentleman raised probably falls within the remit of Second Reading, I am not keen to go into it, except to say that, assuming that the Government win the appeal, the regulations that were passed made it clear that the Human Fertilisation and Embryology Authority will not offer a licence for stem cell work on embryos—whether through fertilisation or by cell nuclear replacement—if there appears to be an alternative that does not involve the use of embryos. I share the view that this and previous Governments have taken since the Warnock committee reported—that embryos have a special status. Although that does not give them complete protection when there are therapeutic benefits to be had from their use at an early stage, their use should be avoided if at all possible.

Allowing embryonic stem cell research—when there is no alternative—and adult stem cell research to go together will enable us to ensure that we get the best research. I think that everyone's hope is that therapies will, in the end, be based on adult stem cells, because they will be easier to obtain in some cases. We will not be faced with the shortage of eggs that might limit the supply of tissue for transplantation. The general scientific view is that we need the research from embryonic stem cells to inform research on stem cells of all kinds. This is not the time to go into that debate in detail, but I hope that we shall have the opportunity to do so in the future. The House should consider that subject regularly. When the House of Lords Select Committee reports and when the Government introduce other legislation—as they will have to do to implement the Donaldson report recommendations that they have not yet implemented—that debate will take place. I welcome the opportunity to have that debate, but I fear that the Government do not. That is why they often appear so unwilling to discuss the issues.

The Bill shows that a line can clearly be drawn. The second argument in its favour is that it will restore public confidence. In the debate on the timetable motion, I asked whether it was appropriate to assume that there is no public confidence on the basis of some adverse media coverage of a judgment. I asked whether introducing legislation that is not as complete as it might have been and that has not been consulted on as widely as it might be does restore public confidence or, rather, provides momentum to those in the public and the media who feel that the Government do not have a grip on the situation. The fact that we are debating an emergency Bill in one day sends the signal that there is a problem here. That would not have happened if the Government had approached the issue in a more measured way.

The third argument for the Bill is that there is the real and present danger of the implantation of a cloned embryo into a woman with a view to human reproductive cloning. That view has been expressed by Conservative Members, but I do not believe that a real and present danger exists. For it to be possible, there would have to be a reliable way of producing a human embryo from cell nuclear replacement, and there is not. First, even the news from America in the past week suggests that there is not a reliable way of getting an embryo to the stage where it continues to develop into a blastocyst. The case developed by Advanced Cell Technology was a pre-blastocyst human embryo.

Secondly, an Italian self-publicist would have to find collaborators in this country to carry out such work. As Lord Winston said in the House of Lords debate—I paraphrase him—someone who had a licence in this country to do the work regulated by the HEFA would be working outside that licence if he did such work with Professor Antinori. The fact that, since 1990, no one working in the field has lost their licence shows just how seriously they take their obligations under the existing law.

Thirdly, I do not believe that eggs are easily available to do such work. The storage of eggs for the creation of cloned embryos is still covered by the Human Fertilisation and Embryology Act 1990. Therefore, this Bill is not required to stop those eggs being used; the law already exists for that. Fourthly, I do not believe that Professor Antinori would find a medical doctor, as opposed to a scientist, who is willing to get involved with the process of implanting such an embryo into a woman with a view to making her pregnant, let alone find a woman prepared to accept the significant risks of miscarriage and worse that such a procedure involves.

Putting all those factors together, it seems to me that there is no realistic prospect—not even a possibility that the Government might feel that they should legislate for—of that happening within the time scale of considered legislation or an appeal. The fact that an Italian self-publicist has been wholly unregulated in Italy—there is no regulation there—and has not been able to make any progress towards his desired aims provides further evidence of the fact that he is publicising himself rather than significant work. On that basis, the Government did not need to bring us to this stage.

Should we be here at all? Despite the advice that the Government received, should they have predicted that they would lose the High Court judgment? When we discussed the matter previously, I did not take issue with the legal advice—I do not claim the advantage of foresight. Although it was not the main topic of our discussion, I want to be honest and admit that I cannot say, "I told you so." However, others can. Apart from the reason that I raised in the discussion on the timetable motion, it is worth briefly exploring others for why it seemed unlikely, in retrospect, that the Government could win. Some of those reasons may give them pause on appeal.

Section 1(1)(a) of the 1990 Act states:

> "In this Act, except where otherwise stated"—

I emphasise those last four words—

> "embryo means a live human embryo where fertilisation is complete".

I rely on the work of Mr. Lee and Mr. Morgan in their book on the subject, but the words that I have emphasised make it clear that the Government could have provided for the inclusion in the statute of embryos created other than through IVF. However, they did not.

To read the Act as providing for embryos created through cell nuclear replacement, we must take "embryo" to mean

> "a live human embryo where fertilisation is complete"

unless the context requires otherwise. However, the Act does not provide for that. The Act uses the words "except where otherwise stated", but omits to "state otherwise." That makes it more difficult for a judge to give "embryo" a purposive rather than a literal interpretation. I fear that the Government may run into trouble on appeal. I hope that they are taking wider advice on whether the appeal is winnable than the counsel's opinion that they took originally.

Mr. Lansley: Does the hon. Gentleman accept that, to complete the picture of the intentions in the 1990 Act, we must consider section 3(3)(d)? In terms of the available technology at the time, it was intended to prohibit the authorisation through licensing of cell nuclear replacement. The potential to develop an embryo in utero from a single cell was not contemplated then. That possibility is now being contemplated.

Dr. Harris: The Government's representations to Mr. Justice Crane on section 3(3)(d) were successful. The applicant would not have won on that basis alone. However, section 3(3)(d) referred to what is described as Warnock cloning: the replacement of a nucleus of an embryo, not an egg, by another cell or nucleus. In 1990, the Dolly method was not in the minds of legislators or experts. Perhaps a few scientists had thought of it then. That is another reason why judges would find it difficult to interpret "embryo" purposively. However, we are getting into the nitty gritty, and it is inappropriate to go much further.

[Dr. Harris]

I ask the Minister to address the appeal in her concluding remarks tonight. In an intervention, I tried to establish the position if the Government win the appeal but the Appeal Court judges give the applicant leave and even encouragement to appeal to the House of Lords. The Government claim that they have received similar encouragement from the judgment because they have been told that they have a strong case to take to the Court of Appeal.

If the Government win the appeal, but the applicant has leave to appeal to the House of Lords, will they wait for the House of Lords to rule, or will they get on with introducing measures to implement the recommendations of the Donaldson report and, if there are any, of the Select Committee? Will they wait until the result of the appeal before clarifying the position because they may not, understandably, want to revert to the subject for a third time?

If, however, the Government lose the appeal, but go to the House of Lords, will they decide to wait another six months or more before legislating to close the remainder of the loophole? There is probably a further stage under the Human Rights Act 1998 for the applicant, if not for the Government. We must be clear about that because many of us who have reservations about the Government's actions anticipate a more rapid conclusion to the matter.

Another problem has been mentioned already. The Bill does not close the entire loophole that the judgment created. All the protections of the embryo that were lost for a cloned embryo have not been restored. They are: protection against exports and subsequent use that would be not be countenanced in this country; implantation in animals; and experimentation beyond 14 days. We must remember and analyse the reasons for the protections in the 1990 Act. The House deemed it appropriate to give embryos special consideration and a status worthy of protection. It is that class of embryos—cloned ones—that lost its protection as a result of the judgment. It is surprising, therefore, that the Government did not attempt, or consult on whether they could make an attempt, to introduce legislation not only to do what this Bill does within its limited ambit, which it does quite well, but to introduce further protections.

As the hon. Member for South Cambridgeshire (Mr. Lansley) said—the hon. Member for Aberdeen, South (Miss Begg) also touched on this in her speech, which was, once again, clear and helpful—it should have been conceivable to reverse the effect of the judgment by amending the Human Fertilisation and Embryology Act 1990. In conversations with people who say that they know, I have been told that that is an extensive job, although it is hard to understand why when one reads the Act because the judgment is limited to one or two clauses. It would help hon. Members if the Minister placed in the Library a note describing the other sections and schedules of the Act that would have to be amended were that approach taken. Her argument is not convincing without seeing the extent of the change that would be necessary.

The main problem is that because the Government have produced a limited measure, it looks as though they have introduced it to protect themselves from embarrassment by Italian mavericks rather than to protect embryos, which deserve protection because of their special status. Those of us who defended the Government's position on therapeutic cloning by recognising that the 14-day limit and the ban on the implantation into animals were important safeguards feel undermined by their decision to close only some of the loopholes.

We also need to consider further legislation, which was dealt with to an extent by the hon. Member for Woodspring. Some of the recommendations of the Donaldson committee report may require primary legislation, specifically to beef up the consent provisions, which in part relate to the consent of the donor of the nucleus that provides the DNA in cloning technologies. We also have to consider what regulation and bodies, if any, are necessary to regulate stem cell lines derived from embryo research.

The Donaldson committee also recommended banning the mixing of adult cells and live egg cells from animals, which is already being researched outside this country. Perhaps the Minister will consider doing something about that. In addition, the Government tried to get a private Member's Bill on to the statute book to deal with the Blood case at the very end of the last Session. They were unsuccessful, partly because there was not enough time to discuss it. The Government will have to tackle those problems.

The Government's defence of their approach is that they wanted to introduce such a measure at an early stage, but it is clear that they are now responding outwith their preferred timetable. It would help hon. Members who have sympathy with the Government's position but concerns about procedure if they could be clearer about their plans for future legislation.

I endorse what the hon. Member for Woodspring said: we need better scrutiny. He thought that an approach, such as that taken towards the Adoption and Children Bill, might help. I assume that he meant referring the legislation to a Special Standing Committee rather than letting it run out of time before a general election. It might be appropriate, even before the appeal is heard, to produce a draft Bill so that we can see what direction the Government are taking. Further legislation will be required and they should provide information on what changes we can expect, whether they win or lose the appeal.

4.59 pm

Dr. Ian Gibson (Norwich, North): A rather arrogant Cambridge molecular biologist, following the discovery of the DNA genetic code in 1960, said:

> "Give me DNA and I will make you a man".

There is an element of that in the debate on cloning a human being. Attempting to achieve the birth of a person who, at least in theory, has the same genetic make-up as another person, dead or alive, is a reflection of an arrogant position.

As I said in a recent Adjournment debate, it is an unsafe and unethical science. The technology that led to Dolly the sheep was unsuccessful in 277 previous cases. Imagine the trauma if that were to happen with humans. It is not only irreconcilable with the ethics of society as a whole, but with the ethics of good science and good medicine, to subject women and their children to those odds. The technology is immature and imprecise. In animals, it has led to lethargy, obesity, arthritic conditions, failed sexual prowess, miscarriages, abortions, still births and genetically defective offspring. It is a dangerous science.

Mr. Ian Taylor: I endorse what the hon. Gentleman says about the science being a dangerous and unsafe way of cloning for humans. The Advanced Cell Technology company's research of the last few days in the United States involved significantly high numbers of failures in early attempts at cloning. That has not been taken into account, with the press saying that we are about to be able to clone human beings.

Dr. Gibson: I thank the hon. Gentleman for his intervention.

I have no doubt that in the fullness of time somebody will want to carry out the process. As science moves on, ambitious people will want to do that. There is the hope of making a person who has the same genetics as somebody else. That is a person who might look, feel or even behave in exactly the same way as the person contributing the DNA.

Dr. Howard Stoate (Dartford): Notwithstanding my hon. Friend's points about the science being immature and wholly untested, does he agree that even if the science were to improve and if we were able to implement it, it would still be the wrong thing to do?

Dr. Gibson: I agree. I shall come on to ethics and morality, despite the scientific prowess of those who might be involved.

I thought that I could hear the call from a football ground not far from the constituency of my hon. Friend the Minister: "There's only one David Beckham." If the technique that we are discussing were to arrive on the scene, there would be two David Beckhams. That might satisfy the current manager. I envisage many people imagining and talking about that.

My view is that there will never be an exact replica. The environmental effects on gene activity and interaction are unknown entities. There are even differences between identical twins that are spottable. However, we are asked whether it can be done, and many reasons will be put forward to persuade others that the science can be achieved, not least by charlatans like the Italian professor, Antinori.

Many people say that in 1990 the technology used to produce Dolly the sheep was not contemplated, but it had been tried and tested in animals in the 1960s. The science had been carried out with frogs at Indiana university and by John Gurdon at Oxford university. It had also been carried out with insects. In laboratories throughout the world people asked—of course they did, it is in the nature of science to do so—"Would it work in human beings?" That is what science is all about.

Current Nobel prize winners in Britain, Paul Nurse and Tim Hunt, asked, "If we worked in a lower organism like yeast, would that have any implications for our knowledge of cancer?" No wonder they received a Nobel prize. That seeking after an understanding of genes and how they work led to discovery. As I have said, to ask such questions is the nature of science. The question whether it would be possible to use the science for humans was certainly asked in the 1960s. There are real lessons for legislators in our efforts to keep up with scientific progress.

About a year ago, we debated here and elsewhere the science, the practicalities and the morality of stem cell research, using cell nuclear replacement, which is also called therapeutic cloning. The Opposition sought to confuse the issue by embroiling us in a nonsensical debate about adult stem cells or embryonic stem cells, but the Government achieved a vast majority in both Houses in favour of therapeutic cloning.

The argument was that we needed to undertake both adult and embryonic stem cell research to bring about a deeper understanding of how to take forward the creation of tissues that might be helpful for various diseases. Therapeutic cloning, in my opinion, will never seek to create an individual human being. It seeks to create cells and tissues that might one day be used for the treatment of severe, chronic and degenerative diseases such as diabetes, Alzheimer's and Parkinson's. Everyone who accepts that there is a difference between people and embryos at the first stages of development—embryos are pin size, consisting of 16 cells—must accept that there is a moral difference between so-called therapeutic and reproductive cloning.

I know that there are some who say that a very early embryo and a live birth should have the same moral status. This week, I had an altercation with a religious source on BBC Radio Scotland. It was in the middle of a game with a parliamentary football team at the Charlton stadium. I managed to extricate myself from the match to have a vicious argument. He argued that it has been shown scientifically that early embryos and people are morally the same. We know that a minority take that position in the House and other places but that has not been reflected in the laws of this country. My opponent's view contradicts our laws on contraception and abortion and the 1990 Act itself. The court action of the minority, which we have heard about today, is part of a plan to stop the cloning of human embryonic cells for whatever purpose, including promising research, and undermine embryo research in general; it is part of a continued attack on abortion rights. Ironically and sadly, the minority's court action has achieved the opposite of their aim. The cloned embryo is less protected now than it was before the decision of Mr. Justice Crane.

The Government rightly reject the proclaimed aim of the so-called pro-life lobby to ban promising and tightly regulated research on embryos. They are appealing against the decision this month and I hope, if the appeal is successful—we should all back it, no matter where we stand on the issue—embryos created through cell nuclear replacement will be protected and regulated by the 1990 Act and the Human Fertilisation and Embryology Authority, just like embryos created through fertilisation involving sperm and egg. If the appeal fails, I am assured by Lord Hunt in another place and the Minister that the Government will not hesitate to follow up this narrow and precise Bill with a more comprehensive legislative response to the challenges created by the rapid advances

[Dr. Gibson]

in the science of embryo research. The 1990 Act will then be extended to embryos created by means other than fertilisation of an egg with a sperm cell.

Andrew Selous (South-West Bedfordshire): If the hon. Gentleman does not believe that life begins at conception, at what point does he believes that it does begin?

Dr. Gibson: I imagine that the hon. Gentleman and I will contemplate the matter and argue about it for the rest of our lives, as has happened between people throughout the country who can never agree. Indeed, as I shall discuss later, I chaired a meeting at which Chief Rabbi Sacks gave a talk; he said that there is no special boundary between the point when life starts and the point when it does not; it is impossible to define. I have great respect for that view. Dr. Sacks said that one could tell where Scotland and England began, but one could not do the same with life; there was no precise way of doing so—*[Interruption.]* I shall give way—*[Laughter.]*

Mr. Deputy Speaker: I advise the hon. Gentleman that it is never a good idea to tout for business.

Dr. Gibson: Thank you, Mr. Deputy Speaker. I see that I have business.

Miss Widdecombe: I cannot resist an invitation from the hon. Gentleman which, in fact, I did not request. I was saying, perhaps improperly from a sedentary position, that if one says that there is no boundary nevertheless legislation requires precise definitions. We would start with conception; the hon. Gentleman would not. My hon. Friend the Member for South-West Bedfordshire (Andrew Selous) was asking what the hon. Gentleman would regard as an acceptable starting point for law.

Dr. Gibson: We are not talking about conception in the Bill but a new technique, which raises the question of the development of an embryo at a certain stage when stem cells are taken. Arguments about other issues have been made and the 1990 Act gives a firm definition of where life starts, as the right hon. Lady knows full well.

There has been much speculation about the adequacy of the Bill to prevent the cloning of people. The debate has included some hair-raising stories and scenarios: we have heard about artificial wombs, human-animal hybrids, the export of cloned embryos and so on. Those stories are confusing, but I also get the impression that they are told with the intention of confusing the issue. We know clearly what the Government are trying to achieve and what scientists are capable of doing at this moment in time.

The Government have declared that they are willing to bring the use of cloned embryos under the remit of the 1990 Act, as we all intended to do earlier this year. That will mean that all the issues of animal transfer, hybridisation and export will be regulated through the strict and transparent rule of the Human Fertilisation and Embryology Authority. If the Government win their appeal, that will become law; if they lose, they have said quite clearly that they will introduce further legislation. The 1990 Act establishes the HFEA as the ideal framework to react flexibly yet critically to any further developments in reproductive science or medicine. Believe me, there will be much in that field over the next few years. Just as a single plant cell can be taken and grown into a plant, one day it might be possible to take a single cell from an individual and grow another individual. That might be a possibility, but we are a long way from doing it, and many people would ask why anyone would want to do it, anyway.

The Bill, rightly, does not address therapeutic cloning. Let us see what happens in the Court of Appeal, and after the House of Lords Select Committee has reported. Let us see whether further legislation is needed. There are interactions between the Bishop of Oxford and others of us. He is the Chair of the Committee in the other place, and we are discussing the issues. We will interact with Government when legislation is necessary, if it is necessary after the court case.

I am sure that I speak for all hon. Members when I say that it is vital that cell nuclear replacement research goes on in order to contribute to treatments for many incurable diseases. The Bill would outlaw reproductive cloning—

Dr. John Pugh (Southport): I accept that the hon. Gentleman is making a moral distinction between therapeutic cloning and reproductive cloning, but does he accept that the technologies that will develop for therapeutic cloning will at any rate make more probable the prospect of effective reproductive cloning?

Dr. Gibson: Intellectually, that would be the case, but if laws and regulations are in place and the public are opposed to reproductive cloning, we can ensure that we go along with what the public want, not with what some crazy scientist might want to do. Many scientific creations are possible, as we are finding, but they must be beneficial and for peaceful purposes. That is our aim, and the aim of legislation. Cloned individuals are unacceptable to the public, and are opposed also in Europe and the United States and by UNESCO.

At the meeting with Jonathan Sacks the other week, to which I referred, he made an extremely pertinent point. He said that every child has the right to be an ultimate surprise to his or her parents. That is a very good way of putting it, and a strong argument against the cloning of people. That element of surprise, that uncontrollability—especially of children—implies a degree of respect for difference. By having children, we create something that we cannot always control. We must be mentally ready for children who turn out differently, different from us and from each other. That is what makes us human beings.

Scientists must acknowledge that concern for human diversity, freedom and dignity leads to the principled rejection of reproductive cloning. If scientists do not clearly distance themselves from the likes of Antinori and his narcissistic and over-ambitious experiments, they risk aggravating a situation that is characterised by a public loss of trust in science and expertise.

The clear ban on reproductive cloning proposed in the Bill can serve as an assurance to the public that there is a moral, ethical and practical difference between cell nuclear replacement research and cloning babies, and that while British scientists pursue promising research using very early embryos, they are not in the business of cloning people.

With scientists in the US and Italy ready to exploit commercially the false hopes and dreams of individuals, it is necessary to act today. There will, of course, be ways of getting around any law—for example, by moving to other countries and by means of other illegalities—but we take precautions and amend Acts to ensure that that does not happen. Those who have studied industrial health and safety know that when the legal going gets tough in one country, the pharmaceutical industry and the asbestos industry, for example, move to another country. We legislate to make that difficult.

We have a long way to go, not least by engaging with international institutions to achieve legal co-operation and better regulation of science. I am convinced that the Government are correct to make a start today and to be ready for further necessary legal action in the future. It will restore confidence in science and medicine among our scientific community, as well as among the public at large.

5.13 pm

Mr. Edward Leigh (Gainsborough): I beg to move,

> "That this House declines to give a Second Reading to the Human Reproductive Cloning Bill because it does not address the subject of therapeutic cloning; it does not prevent the creation of embryos by cell nuclear replacement; it does not define terms central to the Bill, such as 'fertilisation' and 'embryo'; and it fails to address the wider issues raised by the prospect of the creation of a cloned human being."

It is our intention to press the reasoned amendment to a Division to enable the House to come to some sort of conclusion on these matters. We accept that we will be a minority in that Division, so it would have been a useful exercise for us, if we had had time, to move on to a detailed Committee stage and consider all the amendments that have been tabled. However, the wholly inadequate time that is available means that that will almost certainly not be possible. Therefore, the only opportunity that the House will have to express a view on these matters arises in relation to this very generalised reasoned amendment. That is a matter of grave concern. Of course, those important points have already been made in some detail during discussion of the programme motion, but they need to be stressed.

Miss Begg: Can I be absolutely clear about what the hon. Gentleman is saying through his reasoned amendment? Is he saying that those who support it will be voting against the outlawing of reproductive cloning?

Mr. Leigh: The hon. Lady should consider what the reasoned amendment says. The intention is simple and relates to a point that has been made by several hon. Members on both sides of the House. These are very complex matters and it is almost certain that the House will have to return to them. Our basic point is that, from whatever side of the argument one speaks, and whether or not the Government win their court case, it is right and necessary to have primary legislation that covers all aspects of therapeutic and human cloning. That is not what the Government are providing. They are rushing through legislation in haste and repeating the mistakes that they made in December last year and January this year, when unamendable regulations were rushed through Parliament to extend the purposes of the Human Fertilisation and Embryology Act 1990. Last week, as we know, the regulations were judged to be defective. If anybody thinks that we should believe what Ministers tell us, we should remember what the Under-Secretary of State for Health, the hon. Member for Pontefract and Castleford (Yvette Cooper), told us at that stage. She said:

> "Let me make very clear the Government's position on this matter. Human reproductive cloning is illegal. It must stay illegal. Under these regulations it will stay illegal. These regulations have nothing to do with human reproductive cloning."—[*Official Report*, 19 December 2000; Vol. 360, c. 220.]

The Opposition believe that we are now repeating those mistakes. The purpose of the reasoned amendment is to try to persuade the House and the Government to make a serious attempt at introducing primary legislation to deal with all these matters. Yet, rather than introduce such legislation to deal with experimental and live birth cloning and bring them within the purview of the 1990 Act, the Government intend to prohibit only the latter and to leave the former completely unregulated. Despite the decisiveness of the recent High Court judgment, and having been forewarned that experimental cloning is not currently subject to regulation by ourselves and others, they now seek to pursue their court case. As I said, it is almost certain that we will have to return to this subject at a later date in any event. How much better it would have been to have had the opportunity for mature reflection and careful consideration.

Dr. Stoate: Does not the hon. Gentleman agree that if the reasoned amendment were to persuade the House to refuse the Bill its Second Reading, it would give succour to those who want to continue with reproductive cloning, as it would allow them to exploit the current legal loophole?

Mr. Leigh: With respect to the hon. Gentleman, I do not know how much of the debate he has taken in. All hon. Members, on both sides of the House, have pretty well established that it is extremely unlikely that anybody will engage in human cloning this week, next week or next month. It is not going to happen and is not technically possible. The cells, facilities and all the rest of it could not be found. The fact is that there is time to consider these matters seriously. All hon. Members are opposed to human cloning. That is not what the debate is about. Everybody here should be seeking to frame legislation to ensure that various problems are addressed. The Minister has sought to wave those problems away, but they are serious.

Mr. Cash: Does my hon. Friend agree that the answer that I received earlier from the hon. Member for Oxford, West and Abingdon (Dr. Harris) illustrated the real problem that we face and that my hon. Friend is so expertly explaining now? It is absolutely clear that in the absence of a full-blown Select Committee to investigate all the questions that are arising, report to the House and produce proper definitions, it will be impossible for the Government to introduce legislation. Indeed, the Minister's comments made it clear that she was unable to give a clear answer on the legal definitions. Would it not have been a good idea to have placed in the Library of the House the legal opinion that was produced?

Mr. Leigh: Why cannot we just try to deal with these difficult matters, which give rise to serious moral, ethical and medical concerns? We do not have to deal with them

[Mr. Leigh]

in this confrontational way. We could deal with them through proper pre-legislative scrutiny, and by appointing a Select Committee and calling expert witnesses before us. There is time to do that. It is accepted on both sides of the House that we are going to have to return to the subject anyway, whatever the result of the court case. Given the debacle of the debate on the regulations, and of the Government losing their court case, and given that the Government have already had their fingers burned in this matter, would it not have been better for them to proceed in the way that I am suggesting?

Mr. Ian Taylor: Does my hon. Friend agree that it is clear that no one in the House is advocating human reproductive cloning? That is the will of the House. If the Human Fertilisation and Embryology Act 1990 had to come back to the House, would he respect the fact that the House had previously endorsed the purposes of the amendments that were introduced to allow cell nuclear replacement?

Mr. Leigh: Of course I respect the will of the House. Some of us are opposed to therapeutic cloning, but we respect the will of the House and we know that we are in a minority on that issue. All that we are trying to do now is to get legislation that works and closes all the loopholes, which is surely a perfectly sensible thing for Members of Parliament to do. If I am given a moment, I shall try to outline some of those loopholes, but before I do so I had better give way.

Glenda Jackson: Surely the hon. Gentleman is arguing for the abolition of judicial review, if what he desires is legislation on which, if any group were to test it in court, a judge would automatically find for the Government. I find that ironic, given that hon. Members on both sides of the House have argued, in relation to the Anti-terrorism, Crime and Security Bill, that the issue of judicial review is vital to our basic civil liberties and human rights.

Mr. Leigh: Of course, we all accept that judges have the right to interpret legislation. The problem with the way in which the Government addressed this matter through unamendable regulation is that the provisions were completely unenforceable. The problem is that it might not just be a question of a judge dealing with an aspect of this legislation in six months or a year's time; a judge might completely sink it, or ensure that it has no effect whatsoever in a whole area of research. We should be concerned about that.

I shall attempt briefly to deal with some of these problems, because, although they have been mentioned by the Minister, they have been dismissed with a wave of the hand. The Bill leaves the cloning of human embryos completely unregulated. Of course it will prevent implantation; we know that. It is a short Bill, and that is quite clear.

Miss Begg: Will the hon. Gentleman give way?

Mr. Leigh: I would like to try to develop my argument, and the hon. Lady has already intervened.

People can create—or attempt to create—cloned embryos, experiment on them and keep them for as long as they like. They Government claim that they will appeal against the judgment, but for the time being, the law is as Mr. Justice Crane declared it to be. The fact that the Bill deals with implantation does not address the central problem that it leaves the cloning of human embryos completely unregulated.

Other points were mentioned, and the Minister responded that they could be returned to if the court case were lost. That is not good enough. We cannot have hypothetical situations when we are dealing with primary legislation. The fact is that cloned embryos can be implanted into animals. The Bill prohibits only the placing of embryos into women. This is not some kind of esoteric matter that nobody has thought of and might never happen. It goes to the heart of the Bill.

In the early days of IVF, Professor Robert Edwards, the creator of the first test-tube baby, conducted experiments implanting human embryos into rabbits and sheep. As a result of that, Parliament placed a ban on placing fertilised embryos into animals. That ban does not extend to cloned embryos. This is a serious point, and if we are going to have sensible legislation to deal with the matter, we should address it.

Professor Winston in the other place claimed that embryos could be implanted in men. The Bill would not prevent it, but the Government wave that aside, saying that it is not likely to happen and that we can return to it, but we should at least discuss the matter, if we have time to debate the Bill in Committee. The point has been made several times that cloned embryos could be exported for implantation. The Bill would not prohibit that. A clone could easily be created in the UK, then exported for implantation. The Bill would not prevent that. Again, a gaping loophole could defeat the purposes of the Bill.

Clones could be kept alive in artificial wombs. That is known as ectogenesis and the 14-day limit imposed by Parliament was meant to prevent it.

Miss Begg: Will the hon. Gentleman give way?

Mr. Leigh: I must make progress, but I shall give way to the hon. Lady, as I know she is anxious to get in. She has a particular interest in the Bill.

Last year in Japan, researchers managed to gestate goat embryos for several months in artificial wombs. That is not an entirely esoteric point; it is happening in the research world. Clones could be kept alive in artificial wombs. Again, the Bill is silent, as it is on all those matters, because the Government think that they must produce as simple a Bill as possible, get it through the House in a day and draw it as tightly as possible so that it cannot be amended. That makes for a circular argument, which is fine for those in charge of the Government timetable, but altogether more worrying for people who work in this field and want serious legislation covering all those points.

Allowing the creation of cloned embryos will pave the way for live-birth cloning. Once cloned embryos are created, it is inevitable that, sooner or later, they will be implanted in a woman, especially if no restrictions are put on creating or storing cloned embryos. A survey of all the leading IVF practitioners was conducted by *The Independent*, and the majority recognised that live-birth cloning is inevitable once the creation of cloned embryos is allowed. The Government's failure to control the creation and storage of cloned embryos is extremely irresponsible and the ban on implantation, which is the centrepiece of the Bill, will be impossible to police.

Ministers often come to the House with such legislation, assuming that it will be policed properly, but let us study it for a moment. In the laboratory, there is no effective way to distinguish between cloned and normally fertilised embryos. As the creation of cloned embryos is unregulated, clinics could store cloned embryos next to fertilised ones and no one could tell the difference, but the Government say, "Don't worry. Legislation will cure the problem." I doubt it.

Once a clone has been implanted, no one will be able to tell the difference. Even after birth, it will be possible to establish that a clone has been created only if it is known whose genetic material was used to create the clone and if it were possible to force that person and the clone to undergo genetic testing. That will not happen, so let us discuss a case that did happen.

Late last year, a week after the Human Fertilisation and Embryology Authority inspected a clinic in Basingstoke, approving its facilities and procedures, it was discovered that dozens of embryos had been mixed up or gone missing. As many as 80 women had the wrong embryos implanted. Criminal prosecutions are occurring. In the early 1990s, the first case of the wrong embryos being implanted was reported. Two patients had their embryos mixed up. By the HFEA's own admission, there are huge errors recorded in the collection of basic data.

My point is that the Bill is impossible to police and this is vital: the failure to define the terms "fertilisation" and "embryo" leaves it full of loopholes. We have tabled amendments to define those terms and, if we have a debate in Committee, we would like to discuss them. Neither term is defined, yet that was precisely the problem with the Human Fertilisation and Embryology Act 1990 and it is why were are having the debate today. It is also one reason for the court case being brought and for the ProLife Alliance winning its judicial review.

One cannot say, "We don't agree with the ProLife Alliance. It caused the problem." Surely those drafting legislation and bringing it to the House must assume that it is reasonably watertight. In this Bill—a very short Bill, which deals with a huge, complex, difficult area—no attempt has been made to define its basis. That is extraordinary. Those who think—if anyone holds such a view—that lawyers will not have a field day are fooling themselves.

Members who imagine that this is just my opinion should bear in mind what Lord Winston said in the other place. I shall paraphrase: Lord Winston said that fertilisation was impossible to define, and could encompass a variety of techniques.

Parthenogenesis is one of the cloning procedures undertaken by Mike West of Advanced Cell Technology. He was featured in the newspapers earlier this week, having cloned the world's first embryonic human being—or so he claimed.

The Bill would not prevent the implanting of cloned embryos created by techniques described as fertilisation. That was Lord Winston's point. It should be borne in mind that this is a criminal Bill, in that those who breach its provisions could be sent to prison for a long time. If a case is brought, the benefit of the doubt will lie with the defendant. If the defendant demonstrates that his cloning technique could be described as fertilisation in Lord Winston's terms, he will be able to avoid criminal sanctions.

I should have thought that those wishing to avoid the possibility of defendants driving a coach and horses through their legislation, which would defeat the whole object of that legislation, would want to define their terms. Surely that would be reasonably sensible. No attempt has been made to define the terms, however, because the Government's central and overriding aim is to enact some sort of legislation, however imprecise and ineffective it may be. That is very dangerous. It might result in legislation that could not be enforced, and could not make a successful prosecution possible.

It has been suggested that the Bill may prevent the use of certain established fertility techniques. One is intra-cytoplasmic sperm injection—ICSI. I shall not go into details, but concerns have been raised about it. Furthermore, the Bill fails to define the term "embryo". I have considered the definition of "fertilisation", but the definition of "embryo" is particularly important, because we are seeking to base a whole body of legislation on it. The definition of a one-celled product has been discussed. Mr. Justice Crane agreed with the Government on that, stating that if he had found in their favour a one-celled clone would still not be an embryo. Thus the Bill does not prevent the placing of a one-celled clone in a woman. The Minister brushed that aside, but I think that we should deal with it.

The HFEA has itself subscribed to the view that, until 14 days have elapsed, the product of fertilisation is not an embryo but, rather, a pre-embryo. It is possible, therefore, that the Bill does not prevent the placing in a woman of what some term a pre-embryo. I should have thought that that was an important point—and an interesting loophole.

Just as the Bill makes no attempt to define when the embryo stage begins, it makes no attempt to define when it ends. At some point in the embryo's development it becomes a foetus, but neither the Bill nor the 1990 Act identifies that point. That is a serious lacuna in the Bill.

Is a totipotent embryonic stem cell an embryo? If so, is it covered by the Bill? Fully grown mice and cows have been developed from mouse and cow embryonic stem cells—but, again, the Bill is silent on the matter.

Even if the Government win their appeal, serious problems may arise in all the areas that I have mentioned. We need to frame legislation so that it can cover all those problems, and enable us to fulfil the declared wish of the House to ban human cloning in any shape or form. We need to close all the loopholes, effectively and sensibly. The Bill does not do that, and I therefore urge the House to accept the amendment.

5.35 pm

Jim Dobbin (Heywood and Middleton): I did not speak to the programme motion, but I voted on it, and my feelings were recorded in that vote. As most hon. Members know, I speak from a pro-life stance. However, as I am also diabetic, a bit of my mind and perhaps the whole of my body want to see medical advances for the right reasons, and for some very personal reasons.

This is an extremely important Bill; Bills do not come any higher on the ethical, moral or scientific scale for the whole of humanity. However, like many hon. Members, I

[Jim Dobbin]

feel that the Bill has been presented with tremendous haste and without the detailed consideration that it merits. I have listened very carefully to the Minister's comments, and I appreciate that she realises that some loopholes require further thought and need to be closed for the purposes of future regulation.

I shall speak specifically to fertilisation, which is dealt with in the reasoned amendment. Last January, the House debated regulations to extend the purposes in the 1990 Act for which there may be experimentation on human embryos. Many hon. Members expressed concern that there was not enough time to consider the issues fully. The High Court's 15 November judgment has proved that those hon. Members were right to voice their concerns. Mr. Justice Crane has ruled that human embryos created by a cell nuclear replacement technique involving the insertion of the nucleus of a human somatic cell into an unfertilised egg that has had its nucleus removed are not covered within the meaning of section 1 of the 1990 Act. I think that all hon. Members in the Chamber have accepted that.

Therefore, such embryos are not covered by the regulations that were pushed through so urgently in January and, consequently, all forms of human cloning, both live birth and experimental, are not illegal. The Bill seeks to prohibit live-birth cloning in primary legislation and I welcome that move. However, the prohibition does not cover research and experimentation on cloned human embryos or outlaw the creation or keeping of cloned human embryos. I am sure that hon. Members did not foresee that outcome when they voted for the regulations in January.

In the debate on the regulations, the Under-Secretary of State for Health, my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper), said:

> "I understand that many hon. Members will not have concentrated on the detail of the issues until the vote was looming because we are all extremely busy."—[*Official Report*, 19 December 2000; Vol. 360, c. 212.]

I think that that would have been the situation whenever the matter was considered because of the complexity of the issues, by which many hon. Members may feel taken aback. I am sure that Ministers and other hon. Members are anxious to avoid anything like that happening again by getting it right this time, if at all possible. That is why I want the issues to be addressed today.

Time to study complex issues and explore the fine detail of legislation is vital if the Government are to avoid further embarrassment. Badly drafted legislation is the result of a lack of scrutiny and must be avoided. Unfortunately, now there is even less time to consider the legislation. As hon. Members have said, the Bill is criminal law. In a court of law, it is important that the terminology is clear. If it is not, it could lead to prolonged argument and more unwelcome legal challenges. It is therefore important that, in the short time available, we define precisely the terms that are being used. Definitions are an essential part of ensuring that the Bill does not meet the same fate as the January 2001 regulations.

A few days ago, in a debate in the other place, Lord Winston was unable to give a single definition of fertilisation. He suggested that different biologists would have different definitions and gave several examples. They included:

> "the penetration of the outer coat of the egg, the zonapellucida, with a sperm; . . . the penetration of the ooplasm; . . . the formation of a pronucleus inside the egg; . . . the beginning of cell division.— -[*Official Report, House of Lords*, 26 November 2001; Vol. 629, c. 118W.]

He also mentioned parthenogenesis.

I believe that that choice of definitions can lead only to total confusion. Parthenogenesis is the technique that was used by Mike West, who made the headlines this week for having cloned the world's first embryonic human being. The Bill will not prevent the implanting of cloned embryos created by such techniques, which are described as fertilisation by Lord Winston. It is vital that terms such as "fertilisation", which is used in the Bill, are given a clear and unequivocal explanation. One of the reasons why the ProLife Alliance won its judicial review was that neither "fertilisation" nor "embryo"—as has already been mentioned—were defined in the 1990 Act. I ask, therefore, that the meaning of "fertilisation" in the context of the Bill be made clear and I hope that the Minister addresses that point when she responds. The purpose of the Bill should be to protect fertilisation and human eggs.

I will support the Bill, because it is important that we send the right message to the public—that we oppose reproductive cloning.

5.40 pm

Miss Ann Widdecombe (Maidstone and The Weald): I do not intend to detain the House for long, because I know that many hon. Members wish to contribute, but I would like the Minister to respond to two specific points. The burden of the Minister's case was, "Look, until we know whether we have won the appeal, we do not know what measures will be necessary." However, even if the Government win their appeal, two areas will remain completely unregulated according to their own lawyers. I hope that by raising the issues at this point in the debate, the Minister's brain will be able to catch up with her even if she cannot give me immediate answers. *[Interruption.]* That is not patronising, because I have sat on the Front Bench and have often been grateful for my brain catching up with me. It does not have far to travel and it can be done.

The first issue concerns the 14-day limit. The Government's lawyers conceded in court that even if they won their appeal, it would not rectify an anomaly in respect of that limit. Section 3(4) of the Human Fertilisation and Embryology Act 1990 establishes that time begins running from the date when the sperm and eggs are mixed. Cloning, however, does not involve the mixing of sperm and eggs and therefore time would not start to run. It would therefore be impossible to calculate any limit, including—obviously—the 14-day limit. That point was conceded by the Government's lawyers in court and I would like a specific comment on that point from the Minister.

The second remaining anomaly that was accepted by the Government's lawyers concerns the consent provisions in the 1990 Act. Consent is required of people when their genetic material is being used. Because of the mechanism of cloning, consent would not be required. According to the Government's interpretation of the 1990 Act, not mine, cloned embryos will not require anybody's consent to be created, stored, experimented on or killed—or disposed of, as the Government might wish to put it. That is because under the 1990 Act, consent for the creation, storage or use of embryos is obtainable only from the donors of the sperm and egg that contain the resulting embryo's genetic material. Before anything is done to a fertilised embryo, full consent is required from the donors of the genetic material. In cloning, however, sperm and eggs are not used to provide the genetic material for the embryo. The genetic material comes from a cell. Thus no consent is required and no consent can be insisted upon. That point was also conceded by the Government's lawyers.

We have not just dreamed up those problems. There are probably other anomalies as well, stemming from some of the points raised by my hon. Friends. That is why we are so concerned about the way in which the Bill is being rushed through.

I hope that all other hon. Members share my opinion that cloning should never be used for reproductive purposes. I do not dissent from the aim of the Bill, but believe that the procedure being employed today will create an even bigger mess than the one that we have on our hands now.

I know that it is futile to ask the Minister to withdraw the Bill and reconsider the matter, but we face a very serious muddle. I should be grateful if the Minister would respond specifically to my questions.

Dr. Pugh: If the Minister were generous enough to offer a Select Committee investigation into the matter, or a fuller debate, would those who have tabled the amendment to deny giving the Bill a Second Reading withdraw their opposition to a ban on reproductive cloning now? Alternatively, given that it may take a long time to sort out the legal, semantic and definitional problems involved, will they remain opposed to a ban on reproductive cloning?

Miss Widdecombe: Our position is clear. We have never been opposed to a Bill banning reproductive cloning, but we have serious and grave reservations about this Bill. Our problem is not with the aim of the Bill. Of course we want to abolish reproductive cloning. Many Conservative Members also want to abolish therapeutic cloning, but that is a separate debate. We are happy to agree that reproductive cloning should be abolished—but not by means of this Bill, in so short a time, when there is so much muddle and inadequacy.

The hon. Member for Southport (Dr. Pugh) asked whether I would withdraw my opposition in certain circumstances, but my opposition is to this Bill, not to its general—but wholly unrealised—aim.

Dr. Pugh: If the Minister were to offer a Select Committee examination of the matter and a fuller debate, would the right hon. Lady vote today for the ban on reproductive cloning?

Miss Widdecombe: If the Minister offered a speedy further investigation into the matter that would allow all relevant matters to be considered, it would strengthen her hand but it would not make me any happier with this Bill. When the House debates a Bill, it is not merely debating the general principles involved. Such principles can be shared by hon. Members of all parties, but today I am opposing the Bill specifically, if not exclusively, for the two reasons that I have set out.

5.47 pm

Mrs. Anne Campbell (Cambridge): I, too, shall be brief, so that other hon. Members can contribute to the debate.

I congratulate the Government on this short and simple Bill, and believe that there is adequate time today to discuss its two clauses. In an intervention, I said that I would not participate in the programme motion debate because I felt that the House's time should be devoted to the Bill.

I recall that a few months ago Parliament had three full debates on therapeutic cloning. Both Houses have voted overwhelmingly in favour of it, but it is clear that many hon. Members want to reopen the debate. I regret that. I agree with my hon. Friend the Member for Aberdeen, South (Miss Begg), who said that we should concentrate on the provisions of the Bill, not on those matters that some hon. Members would like to revisit and reopen.

On occasions such as this, I would normally receive much correspondence on the subject being debated. That is not the case this time, although I have received one e-mail from a constituent. She makes the point that the Bill will not provide an adequate safeguard against reproductive cloning, and that it will be difficult or impossible to enforce. She asks, too, who would be able to tell the difference between a cloned human embryo and an embryo created by in vitro fertilisation. The same point was made earlier by the hon. Member for Gainsborough (Mr. Leigh).

I do not know the right way to deal effectively with that difficulty. All I know is that I am wearing a watch and it would be difficult to tell whether it was stolen or bought legitimately, but that does not fail to make legislation effective in saying that stealing watches is illegal. The same point applies to this legislation. Moreover, anybody who succeeds in producing a cloned human being is hardly likely to be quiet about it. A person would not necessarily want to hide that, so the publicity would lead to the culprits.

It is not surprising that people feel strongly about this issue. It is probably one of the most fundamental issues that we ever discuss. Therefore, I can understand people who feel strongly and emotionally about it.

Therapeutic cloning offers the possibility of a cure to some nasty, degenerative inherited diseases that blight the lives of many. My hon. Friend the Member for Aberdeen, South makes a powerful case because of her own condition. Clearly, if the Government fail to win their appeal on this issue, there will have to be further consideration of the legislation to cover the issues that are not addressed in this short Bill. I welcome the Minister's reassurances on that. Embryos created by cell nuclear replacement will be unregulated in that case and we may need to bring back to the House a number of other issues to make sure that they are fully debated.

Even if the Government win their case, technology moves on. In a few months' time, a year's time or perhaps a few years' time there will be techniques that we have not thought or dreamt of today, which may make this legislation inapplicable. In that case, it will be necessary for us to reopen the debate. I can foresee that it will be necessary over the next few years repeatedly to reopen this debate because of advances in technology and science.

Dr. Stoate: I entirely agree with my hon. Friend. Surely the point of the debate is that we need to change

[Dr. Stoate]

the law as circumstances change. Therefore, short Bills such as this can be extremely effective in sending out a message about the will of Parliament in a short and positive fashion, without the need for prolonged debate. Science will change anyway in the fullness of time.

Mrs. Campbell: My hon. Friend makes a valuable point, with which I wholly agree.

I said that my speech would be brief. I finish by saying that I intend to use my free vote tonight to support the Government in this legislation.

5.53 pm

Mr. Robert Key (Salisbury): I feel that I have been making the same sort of speech for 30 years, but in this Chamber for 18. A number of my hon. Friends on both sides of the argument have been making similar speeches, but of course they are never the same because legislation and science move on, so we must move on too.

I oppose human reproductive cloning and always have. I support cell nuclear replacement. The good that it can bring is enormous and we should not ignore it. I support scientific research—perhaps not surprisingly, as my wife is a science teacher, my sister a doctor and my daughter a veterinary surgeon. I also represent some thousands of world-class scientists at the Centre for Applied Microbiology and Research and the Chemical and Biological Defence Establishment, both at Porton Down.

I also support science and scientific research precisely because I am a Christian. Christians are united in their repugnance at the concept of embryo selection, which was a trait of Nazism. Beyond that, however, we often find that as Christians we have widely different interpretations and understandings of the message of Christianity. We find ourselves passionately opposed to one another as Christians. It needs to be pointed out that there is no single Christian view on this issue—no one has a monopoly of virtue. Many good Christians work in controversial medical research and on the difficult frontier areas of science.

I have often thought about the profligacy of nature. About 10 years ago, in the run-up to the Human Fertilisation and Embryology Act 1990, I consulted my then bishop, John Baker, on that question. He said:

> "When nature itself spontaneously aborts a good many embryos in these very early stages of life, it is hard to feel that to do so deliberately for good reason is contrary to God's own mind so far as that is revealed in his created order."

That is a frightfully important point, with which some of us can certainly agree, although other Christians will disagree with it.

I shall vote against the amendment that would outlaw cell nuclear replacement. I understand the purpose of the amendment: my hon. Friend the Member for Gainsborough (Mr. Leigh) argued it convincingly—as he always has. He has done so for 18 years and will continue to do so. One reason that I shall vote against it is that I do not want to be rushed. It is a great irony that he has argued that the Government rush everything, yet he now expects me to rush to his defence in a rushed little amendment that will completely reverse the provisions introduced during the past decade. Well, I shall not rush: I shall wait for the Lords Select Committee.

Lord Winston seems to have become a sort of demon in this debate, but he made an important, constructive and consistent point that is worth repeating. He said that he wanted to make

> "what might be termed a religious point. I know that noble Lords may quarrel with this, but it is my view that science—knowledge—does not have a moral dimension. If we get involved with nuclear physics, we may end up inventing an atom bomb. Equally, most of us in this Chamber will have had an X-ray at some time which has been vital to our health. On the whole, we cannot know before such knowledge is derived whether it will be used for good or for ill. As human beings we have free will. We eat from the tree of knowledge; it is up to us not only to use knowledge, but also to use discernment and wisdom."

That seems to me to be the comment of someone of great wisdom, who actually has a licence under the 1990 Act.

Science is all about knowledge; what matters is what we do with it. In the case of Lord Winston, what we do with it has been assumed to be rather unfortunate.

Lord Winston also said:

> "I agree with every noble Lord who has spoken today that reproductive cloning is wrong. It is clearly wrong at the moment for two obvious reasons. First, it treats a human being like a commodity, which is dangerous and unacceptable. Secondly, at the present time it carries very severe risks to the individual who is cloned. That may not always be so, but certainly it is at the moment."—*[Official Report, House of Lords*, 26 November 2001; Vol. 629, c. 23-25.]

I agree with that.

It is because I am a Christian that I believe that we should not try to ban the pursuit of science or of knowledge, both of which I regard as God given. We do not know nearly enough about cells—how they differentiate or how they regenerate—and much good will come of that type of research.

Many of us have visited constituents who are members of the Parkinson's Disease Society or who belong to groups such as those for the support of multiple sclerosis sufferers. I met such a group a week ago: young people only 30 or 40 years old who face a degenerative, terminal illness. What brave and courageous people they are. If we can do anything that will help them, we should do so. For me, that is a Christian obligation.

I have been consistent about this subject for many, many years. I believe that we should all show the greatest regard for the sanctity of human life, but if Parliament refuses to allow the type of research that we are discussing we shall be deliberately turning away from people who need help—and who can be helped. That is what makes those of us who support that scientific research pro-life. We are pro-life. I will not have that term hijacked by a pressure group—*[Interruption.]* My hon. Friend the Member for Stone (Mr. Cash) laughs, but if only he understood what damage has been done to his own cause over the years by suggesting that those who do not agree with a particular point of view are somehow anti-life. That will rebound on them, I fear.

Before I finish, I want to make a further point. We will return to this issue. I said in 1990 that we would return to it, and we did. I said last January that we would do so, and we will. Whatever happens, we will return to the issue because science moves on, and only the representatives of the people in Parliament should determine the boundaries within which we allow scientists to operate.

When we next consider the issue in serious primary legislation, I hope that we shall conduct pre-legislative scrutiny. I have twice served on Committees considering armed forces Bills—the only sort of Bills that follow that procedure—which is very instructive because it empowers many people outside Parliament who have something to say and allows our prejudices to be exposed to the real world. It also allows a huge amount of common sense into the debate, and I hope that common sense will prevail tonight.

6.1 pm

Lynne Jones (Birmingham, Selly Oak): As I intimated earlier, I support the Bill, but I query the need for emergency legislation. There was no urgent need to introduce the Bill today. In response to the Donaldson report last August, the Government signalled their intention to make explicit what they thought was implicit in the Human Fertilisation and Embryology Act 1990—that human cloning for reproductive purposes was banned.

It is right that the Government should make that explicit, not least because of what Baroness Warnock described in the other place as the slippery slope argument. The fact remains, however, that the Government's view last year was that the 1990 Act extended to embryos created by cell nuclear replacement. That has proved not to be the case, and I am worried that we are rushing our consideration of the Bill, which I support, when more urgent matters are not being addressed, such as the fact that the use of embryos created by methods other than fertilisation is now completely unregulated.

The Government's view is that they will continue with their appeal against the decision in the test case, but even if they win their appeal—it is not certain that they will—there would still be nothing to stop someone else challenging the law if new scientific developments occurred. It would have been much better if the Government had accepted the recommendations—made by the House of Lords Science and Technology Committee as long ago as March 1997, and reiterated in 1998, after this Government had come to power—that the definition of the word "embryo" should be amended to include any method that resulted in an embryo that was viable and likely to develop into a human being.

The Government did not do that, but I still feel that that matter needs to be addressed urgently. If we pass this Bill today, as I am sure we shall because everyone agrees with it—our constituents are not likely to lobby us to vote against banning human reproductive cloning—I shall still be disappointed because those more important issues will remain unregulated, although they are more relevant today in the light of recent developments. That could result in future challenges even if the Government win their case. That is a big concern and, in that sense, I agree with those Conservative Members who said that some issues were unregulated. Those issues cause our constituents great concern.

6.5 pm

Mr. Ian Taylor (Esher and Walton): Science has a nasty habit of catching us out unawares. Even Ministers are caught unawares.

I was the Minister responsible for science at the time of the cloning of Dolly the sheep. Indeed, some thought that I was a clone of Dolly the sheep; I leave that for others to judge. It was clear that science had taken a huge leap forward, but it was not the leap that the press declared it to be. One of the difficulties in the debate is that hype and sensationalism take us away from a proper understanding of the scientific implications.

We have been aware of cloning since time began in the sense that twins are cloned. In nature, things get cloned and we mix genetics each time that we crossbreed animals. Nevertheless, science is sometimes sensationalised in the press as though it were immediately possible to move from one step to another. That is one of the problems that the House will always face, but I hope that the Government have not introduced the Bill simply because of the more sensationalist comments in the press but rather to lay the foundations for clarity.

Although there will be scientific advances, Parliament should make it clear that we do not wish some things to happen. One such thing is human reproductive cloning and, in particular, the implantation of a cell into a woman. If that is the Bill's purpose, I am happy to support it. However, many other questions are left open and we shall have to return to them.

The hon. Member for Norwich, North (Dr. Gibson) mentioned the number of cells that had to fail so that Dolly could eventually be cloned. This week's *New Scientist* says that creating the embryos that ACT—Advanced Cell Technology—was working on involved the use of 71 eggs donated by seven volunteers and three failed rounds of experiments before the first cloned embryo was generated. Even the fourth so-called successful round of experiments was far from efficient. None of the few cells that were produced reached anywhere near blastocyst stage—a mass of about 100 cells.

Scientifically interesting though it was, this week's announcement does not take us anywhere near the possibility of using even stem cells for research purposes let alone for human cloning. I hope that we can pause for thought and consider what is happening in science, so that we can try to understand the implications.

I will not support the reasoned amendment tabled by my hon. Friend the Member for Gainsborough (Mr. Leigh). Although he did not agree with the concept when I challenged him, he appears to want to return to the period before we amended the Human Fertilisation and Embryology Act 1990 to allow cell nuclear replacement by extending the Act to deal with what are, by and large, degenerative diseases. Cell nuclear replacement may also have a role to play in other diseases, such as AIDS, but I shall leave that to the scientists to explain. I profoundly hope that the ambition to try to stop cell nuclear replacement is not taken any further by the House.

Mr. Cash: As my hon. Friend the Member for Salisbury (Mr. Key) said, he, my hon. Friend the Member for Esher and Walton (Mr. Taylor), other hon. Members and I have been engaged in such debates for 18 years. Does my hon. Friend agree that a case exists for re-evaluating the subject, which is being done and will, we hope, produce new legislation, precisely because we were repeatedly told that human reproductive cloning was impossible? The Government therefore produced a Bill in a specific form at a given time. They got it wrong, and because human cloning is now a real possibility, we face these difficulties.

Mr. Taylor: I cannot go back 18 years, but I remember February 1997. It was clear that we were moving towards

[Mr. Taylor]

science that was ultimately capable of human cloning. The process has been continued by ACT's results in the United States. We are a long way from it, and we want to find legislative methods of preventing human cloning. However, for humane reasons, we do not want to stop research into methods that, through the use of stem cells from embryos, can improve the well-being of people who suffer from degenerative diseases. I hope that we will ultimately be able to use stem cells from adults. My hon. Friend made that point earlier. I refer him to my article in *The Parliamentary Monitor* in October 2000. It is a fount of wisdom on the subject.

Glenda Jackson: Does the hon. Gentleman agree that in the most recent debates in the House, Ministers did not claim that it was impossible to clone a human being but that it was illegal?

Mr. Taylor: It is illegal, and thank goodness for that. We want the Bill to clarify that it is illegal. I am aware of the complexity of the issue. For example, the Bill would not make it illegal to produce cells as happened with ACT this week in the United States. The Bill makes implantation in a woman illegal. There is no risk of implantation because the scientists did not get beyond the first few stages. I believe that there were six small cells, and their life was fleeting. We are a long way from the reality, but the process exists.

Dr. Stoate: The hon. Gentleman said that cloning was illegal, but the court judgment shows that the law is unclear and that it is not illegal. That is why we are here tonight.

Mr. Taylor: It was a slip of the tense of the verb. I meant to say that the Bill, which I support, would make it illegal. We believed that previous legislation had achieved that. The challenge by the ProLife Alliance has created confusion. I do not say that there should not be judicial challenges, but the ProLife Alliance cannot avoid responsibility for having created great confusion. I hope that it supports the Bill because it will do at least one more thing to reduce the uncertainty about human reproductive cloning.

Miss Widdecombe: Supporting the Bill will leave many anomalies, which were conceded by Government lawyers in court as a result of the judgment. The pro-life argument would be that we could fulfil the responsibilities that arise from the judgment by introducing a proper Bill that takes account of them. That is what we want, but we have not got it.

Mr. Taylor: I am delighted that my right hon. Friend and I are at one in one sense. Both of us believe that we need a fuller debate about some aspects. However, I do not want that debate to result in closing down actions for which we believed that we had already given permission. We believed that we had given permission for regulated cell nuclear replacement under the 1990 Act, as amended. I do not have a problem with preventing human reproductive cloning that involves the implantation of a cell in a woman. I also accept that other provisions could have been included in the Bill, and I believe that the Minister would accept that.

When we know the judgment of the court, we are likely to return to the matter. I agree with my right hon. Friend that we will need to reconsider the definition of fertilisation. We may need to look at it in the context of the embryo. We will certainly need to understand many of the other issues, especially in the light of the guidance that we will receive from the House of Lords Select Committee on Stem Cell Research when it reports.

As others want to speak, I conclude by saying that it is humane to attempt to help people who have diseases that cannot be treated by other means by encouraging scientific research. Scientists can make remarkable progress. Lord Winston may be right about there being no moral judgment in science; it is for us to make and delimit such judgment. I want to delimit what we find obnoxious and unacceptable. I most emphatically do not wish to delimit research that leads to progress that helps human beings.

The challenge is to make that distinction. I hope that by voting in favour of Second Reading I make my views clear, but I am sure that eventually we will have to protect and extend the areas of research that we allow.

6.16 pm

Dr. Desmond Turner (Brighton, Kemptown): The hon. Member for Esher and Walton (Mr. Taylor) is right. In fact, he did well for a former Science Minister. The hon. Member for Salisbury (Mr. Key) was equally sensible in recognising that we cannot set legislation in stone and assume that it will deal with the advance in science for generations to come, because science moves too fast and is too unpredictable. We should not worry about whether the Bill is the be-all and end-all of legislation on this subject. I do not think that the Minister will say that it is.

Hon. Members on both sides of the House recognise that the Bill is a stop-gap measure. None the less, it is essential. The court judgment places in grave doubt the legal position of human reproductive cloning. It is not possible to say that it is definitely illegal, so it must be clearly stated that it is illegal. I think that we all agree on that. It is essential to satisfy the universal opinion, whether we represent the pro-life, the scientific or the medical view, that human reproductive cloning is unacceptable for a raft of reasons that I do not need to mention because we are all in agreement.

It is equally essential to make that point clear for the purposes of therapeutic cloning. We are fortunate that we have established a sensible regulatory regime for work on embryos. Medical scientists in this country know the boundaries. They know what they can and cannot do and that as long as they work within them, they are safe from attack. That is not the case in the rest of Europe where medical scientists feel unsafe and are disinclined to work in the field.

This country benefits from taking a lead in such research. Other countries, such as Germany and Italy, cannot benefit because their medical scientists do not feel safe. At the same time, those countries are exposed in a way that we are not to unscrupulous scientists, such as our Italian friend who announced his determined intention to clone a human being. The authorities cannot stop him in Italy, but he will not be able to do it here, and that is vital, If the judgment is not reversed, we will have to introduce fresh legislation to regulate the use of embryos produced by nuclear transfer. That is obvious and essential, and we should not be ashamed of it. We are here to make laws and should accept it as part of our job.

The amendment of the hon. Member for Gainsborough (Mr. Leigh) is unfortunately somewhat mischievous. It seems that the intention behind it is to move the argument back to the stage before we last debated these matters, when we regularised the human therapeutic cloning situation. If we follow that line of reasoning and accept the amendment, we will be in a dangerous situation. I hope that it will not be supported because it is designed to take us backwards.

I support the Bill. I do not think that it closes all the possible loopholes; I doubt whether the Minister thinks that it does. For instance, there is the theoretical possibility that a human embryo produced by nuclear transfer—that is a cloned embryo—could be exported and then transplanted into somebody from this country who has gone abroad for the purpose. We all know that women from Ireland who want an abortion have to come here because the practice is illegal there. Theoretically, that could happen with human reproductive cloning. We need to address that possible loophole.

It is foolish to criticise the Bill because it does not do everything possible to regulate cloning in all its aspects. We need the measure now. No one pretends that it is the end of the story, but we need the Bill.

6.22 pm

Mr. William Cash (Stone): Over a fairly extended period, many of us have taken part in discussions, both in principle and in detail, on these matters. There is an element of deja vu. I remember that in the early days—1984 or 1985—when the issue of embryo development and scientific analysis was first being discussed, the Chamber was packed. It was vibrant with concern. I say that because there are not that many Members in their places now. However, as so many Members have said, it is a fundamental subject that we should be addressing, so I welcome the opportunity to discuss it.

Those of us who have read the Bill would not want to take exception to the idea of plugging a loophole. However, the argument has been well made—it is advanced in the reasoned amendment- that the real problem is that there is a huge range of stepping stones that have led to current legislation being found to be defective. It has been ruled by the court, subject to appeal, to be defective. The real problem has lain in the fact that an opportunity has not been taken to have an in-depth analysis of what the issue is really all about.

I would not make any claims to be a scientist or anything of that sort, and I suspect that most Members would not advance such claims, including the Minister. We are heavily dependent on advice. I have made four attempts, with support from well over 100 Members, to have an ad hoc Select Committee set up to investigate these matters. I am talking not about a departmental Committee but a Committee with proper terms of reference, which would enable the issues to be properly examined. My requests have been refused over and over again. That leaves me with grave concern.

The matters have not been properly examined and decisions have been taken by a conglomerate of bodies, including the Medical Research Council. I wrote part of an article called "As Important as the Bomb" on the MRC's connection with the issue in 1985. I looked at the MRC's composition and objectives and considered the constitution of its advisory committees, asking pertinent—not, I hope, impertinent—questions about the curriculum vitae of its members, such as where they came from and what their previous positions were. How many people on those committees, which have decided what is or is not therapeutic in relation to given science, took a view contrary to that of the scientific establishment? That raises serious issues. The failure to make a proper objective analysis of those questions led to imperfections in the legislation which in turn have led to the need for the Bill.

Lynne Jones: I cannot accept that there has been no proper objective analysis. Simply because the Science and Technology Committee does not agree with the hon. Gentleman does not mean that its analysis was not objective. We had a year-long inquiry into human genetics, then a short but specific inquiry into cloning, which made recommendations that would have dealt with the problem that we are dealing with today.

Mr. Cash: I am disappointed that the results of the Committee's deliberations did not lead to an improvement in the legislation along the lines that I have suggested. In fact, we have ended up with a series of measures over the past 18 years. At this juncture, we are faced with a Bill produced in an emergency fashion. Undoubtedly, much of the evidence taken in the Select Committee was fair and impartial, but it did not produce the right results. Having an ad hoc Select Committee of the sort to which I referred would be a better way to proceed.

Bearing in mind the fact that we do not have much time, I do not need to say much more. The key point is that the necessity for proper legislation will arise, but that legislation has not yet been delivered. The reasoned amendment was tabled, as other Members and I have explained, because it is essential to have a Bill which, at last, will deal comprehensively with problems that are moral and, for many Members, spiritual. It is not just a matter of scientific assessment; deep questions arise, affecting people from all walks of life and all religions—and, indeed, those with no religion. I cannot accept Lord Winston's proposition, if he was correctly quoted, that science, in effect, does not have a moral dimension. All legislative matters must be determined as matters of opinion by Members of Parliament. We are elected and have to take account of the moral dimension of all legislation, otherwise there would be no point in our being here. To summarise, it is essential to have proper legislation. The Bill does not achieve that, so I shall support the reasoned amendment.

6.29 pm

Glenda Jackson (Hampstead and Highgate): My hon. Friend the Member for Aberdeen, South (Miss Begg) urged the House to focus on the specifics of this short, concentrated Bill and not to be drawn into discussion of therapeutic cloning. With the honourable exception of the hon. Members for Salisbury (Mr. Key) and for Esher and Walton (Mr. Taylor), none of the contributors from the official Opposition Benches responded to my hon. Friend's plea.

[Glenda Jackson]

As I said earlier, I found parts of the debate this afternoon somewhat ironic. For example, the official Opposition argued that although they supported the Bill, there was insufficient time to examine it. It seemed ironic that they could support a Bill without knowing what was in it. The hon. Member for Woodspring (Dr. Fox) urged the Government—I acknowledge that I am paraphrasing him—to be honest in their contributions, and then proceeded to quote Lord Winston in an extremely partial way.

I pay tribute to the hon. Member for Salisbury for giving the entire quote. Lord Winston did indeed say that

> "knowledge—does not have a moral dimension",

but he concluded—I will repeat it, as the hon. Member for Stone (Mr. Cash) clearly did not listen to his hon. Friend the Member for Salisbury—by saying:

> "We eat from the tree of knowledge; it is up to us not only to use knowledge, but also to use discernment and wisdom."—[*Official Report, House of Lords*, 26 November 2001; Vol. 629, c. 25.]

That is central to what we are discussing.

I found it somewhat ironic that the right hon. Member for Suffolk, Coastal (Mr. Gummer), urged my hon. Friend the Minister—again, I am paraphrasing—to use the correct words for describing a specific instance, and then proceeded to describe abortion as killing babies.

Let us set all that to one side. I support the Bill and totally refute the arguments advanced by Opposition Members that the Government are panicking or attempting to rush the legislation through. In the light of the High Court decision, I regard it as urgent that the Government make abundantly clear what was said in all the debates about therapeutic cloning, and what the entire House believed was the case: that human cloning is illegal. The Government gave a belt-and-braces commitment that they would introduce legislation to ensure that such practices were illegal in this country. They have now done so.

It is important that the Bill is passed tonight. The Government were right to introduce it when they did. We delude ourselves if we think that there is not an extremely well organised and even a sizeable body of organisations and individuals who are utterly opposed to therapeutic cloning, and certainly to abortion. When we were conducting the debates on therapeutic cloning, I received a vast mailbag from my constituents. Without exception, every single one of those letters urged me to vote against what my constituents had been told was human cloning.

I repeat that I found it shocking that individuals and organisations—some of which I would have regarded as responsible organisations until I realised what they were doing, and I do not exclude certain arms of the Churches—were deliberately misleading people about therapeutic cloning. They were presenting it as the House actively encouraging scientists to clone human beings. That has never been the position of the House and I do not believe that it will ever be the position of the House or of the country.

It is important that the message is sent out now. In common with the hon. Members for Salisbury and for Esher and Walton and all my hon. Friends who spoke in the debate, I believe in the paramount importance of the benefits that may be inherent in therapeutic cloning for the thousands, and in some instances millions, of people who have been told that there might be a possibility of their illness, disease or disability, be it genetic or otherwise, being cured or alleviated. It is necessary to encourage science to engage—here, again, I share an opinion with the hon. Member for Salisbury—in the God-given ability to explore the potential for improving the human condition.

There must be a balance and the House must draw limits, as my hon. Friend the Member for Brighton, Kemptown (Dr. Turner) said. I would not want to see the sort of hysteria that is sometimes attached to experiment in other areas. Animal research most obviously comes to mind. Scientists whose only commitment is to improve the human condition and to lift the burdens of disease should not be subjected to the sort of horrific treatment that they have sometimes experienced in the past. I congratulate the Government on introducing the Bill.

Dr. Fox: The hon. Lady spoke at the outset of her speech about people who might delude themselves in this debate. She should not delude herself into thinking that the Bill is a high-minded measure that the Government have designed to fulfil their manifesto commitments. It was introduced as a result of the court judgment, which left them extremely exposed. We are not considering the Bill in the way in which it should be considered. It is being rushed through all its stages in the House of Commons in one day. That is a measure of how rushed the Government require it to be. We need far more measured legislation that covers a much wider area than we are discussing now.

Glenda Jackson: I do not recall using the phrase "high-handed" or even "high-minded". I support the Government's introduction at such speed of this very small, tightly controlled and focused Bill for the reasons that I have given. It is important that the House shows that it supports in the main the areas of scientific advance that can bring genuine support not tomorrow or next year, but a long way down the line, and that can actively play a part in relieving the unnecessary burdens of so many millions of people around the world. The argument should not be left to those who maliciously argue that any such exploration or scientific discovery is anti-life or will automatically produce cloned human beings, so I say that the House should stand firm and support the Bill.

6.37 pm

Mr. David Amess (Southend, West): I disagree with everything that the hon. Member for Hampstead and Highgate (Glenda Jackson) has said. Some years ago, she sought to divide the House on a ten-minute Bill that I had tabled to stop sex selection. She was proud that she defeated a Bill that tried to stop sex selection in this country. I was not convinced by her arguments and I found her completely confusing.

Glenda Jackson: May I say that I am equally proud that the hon. Gentleman disagreed with everything that I said in this debate?

Mr. Amess: We are proud and different.

I wholeheartedly agree with my hon. Friend the Member for Gainsborough (Mr. Leigh) and his reasoned amendment. Although I shall support the excellent Bill that the hon. Member for Brighton, Kemptown (Dr. Turner) is due to introduce to the House tomorrow, I did not agree with anything that he said. I know that the hon. Member for Norwich, North (Dr. Gibson) is not in his place, but I hope that he will look at the record, as he will see that the House of Lords Stem Cell Research Committee has not addressed any issues of law. Indeed, the Clerk specifically told me that it would not be doing so, so I am afraid that the hon. Gentleman was wrong on that point.

Before hon. Members groan, let me say that I very much agree with Cardinal Cormac Murphy-O'Connor, who recently said:

> "The Government's proposed Bill does nothing to stop the creation of a human clone: it merely prohibits the transfer of the cloned human embryo to the body of a woman. The clone may be treated in any conceivable way, with no time limit on experimentation, as the High Court judgment makes clear. Experimental cloning is left wholly unregulated. The Bill merely prevents an attempt, in this country, to give the clone a chance of being born. It is often suggested that 'therapeutic' cloning is simply the production of stem cells for research—thus glossing over the creation of the cloned embryo from whom the cells are taken."

I know that the hon. Member for Aberdeen, South (Miss Begg) did not want us to get on to these matters, but I point out that the House will never settle what life is. There are huge differences of opinion between us on the definitions, and we shall just have to disagree on that matter.

My hon. Friend the Member for Gainsborough, in his reasoned amendment, has shown up the Bill for what it is. It is hopeless. As my hon. Friend the Member for Woodspring (Dr. Fox) suggested, the idea that the Government are coming forward like a knight in shining armour to deliver the Bill is ridiculous. We are participating in these dreadful proceedings because of the Government's incompetence. That is the way—

Miss Begg: I had not been aware of the hon. Gentleman's Bill on sex selection. He must accept that, under the original Human Fertilisation and Embryology Act 1990, the Human Fertilisation and Embryology Authority has stopped sex selection—it did so in the case of a couple in Monifieth. The Act that the hon. Gentleman is so heavily criticising, passed by a Conservative Government when he was in the House, has done what he wanted. Is it not also the case that if the Government win their appeal, which I hope that they do, all the other issues that is raising will be covered by the Bill?

Mr. Amess: That is not the case. Furthermore, the tacky little operation that peddles the idea that people can choose the sex of their child is still offering its services in north London. I see that the hon. Member for Hampstead and Highgate has now gone. Anyway, I am not entirely sure about that.

The reason why I am so cynical about the Bill is that there are undoubtedly vested interests in this area. It is no great coincidence that in November 2000, the Prime Minister gave a speech to the European bioscience conference in London. That was at the same time, by the way, that he would not agree to have a meeting with the leaders of all our faiths, yet he managed to attend this conference. He told delegates that the biotechnology market in Europe alone would be worth $100 billion and could be employing 3 million people by 2005. He was clearly anxious to ensure British involvement in the market, and he said:

> "Biotechnology is the next wave of the knowledge economy, and I want Britain to become its European hub."

Mr. Ian Taylor: I am hesitant to say this to one of my hon. Friends, but the Prime Minister was, as he does in many areas, following the lead that I and my colleagues in the Department of Trade and Industry took before May 1997, when we launched a crusade for biotechnology because we understood its importance for the improvement of mankind.

Mr. Amess: This is getting out of hand. First we had the Prime Minister saving the world, and now my hon. Friend saving it. My hon. Friend was a splendid Minister, but we disagree on this point.

In September 1999, Lord Sainsbury appeared at a fringe meeting at the Labour party conference and declared his unequivocal support for embryonic stem cell research. The BioIndustry Association sponsored the meeting, and Lord Sainsbury shared a platform with Dr. Simon Best, the director of Geron BioMed. Michael West, who founded Geron BioMed, was the gentleman associated with the recent example of human cloning. Is this a coincidence, I ask myself?

Mr. Stephen Pound (Ealing, North): May I counsel the hon. Gentleman, in as gentle a manner as I am capable of, that many of us in the Chamber are strongly minded to support the reasoned amendment? However, every word that he launches into the Chamber makes us less inclined to do so.

Mr. Amess: I say to my co-chair of the all-party Scout Association group that, on my word of honour, I suspected that that might happen. I shall be brief and tone it down a little.

I am not suggesting that any Labour Member has any part in a vested interest, but I have some difficulty with the matter not being dealt with even-handedly. For instance, Dr. Chris Evans is one of the Labour party's largest donors. He is involved in the £100 million genome campus in Cambridgeshire. In 1996, his company backed a company called ReNeuron, which was set up by three scientists at King's college. He invested £5 million in the only UK company developing an innovative cell transplantation technology with the potential to treat brain disorders. A long list of people, including Sir Ronald Cohen, Dr. George Poste, Professor Christine Gosden and Anne McLaren have a vested interest in the matter and also have the Government's ear.

I urge hon. Members in all parts of the House to support the reasoned amendment standing in the name of my hon. Friend the Member for Gainsborough.

Madam Deputy Speaker (Sylvia Heal): I call Hazel Blears.

Mr. Lansley: On a point of order, Madam Deputy Speaker. Is it in order for you to invite an hon. Member to speak a second time when other Members have been unable to contribute substantively once?

Madam Deputy Speaker: That is done with the leave of the House.

6.46 pm

Ms Blears: With the leave of the House, Madam Deputy Speaker.

This is a complex issue. We have heard a number of well researched and expert contributions, and ranged over complicated matters of law and difficult matters of science. I wonder whether I need two brains rather than one to catch up, but I shall do my best to deal with as many issues as possible.

First, the hon. Member for Woodspring (Dr. Fox) asked when the Government first knew that the legal position meant that it was necessary to introduce the legislation before the House. I can confirm that the point at which the Government knew was 15 November, when Mr. Justice Crane handed down the judgment in the High Court. That necessitated this urgent legislation. Until then, the view was that human reproductive cloning remained illegal because the embryology authority would refuse to license it. Therefore, in the absence of a licence, it would be a criminal offence if carried out.

Dr. Fox *rose—*

Ms Blears: I must move on, because I am anxious to deal with as many complex issues that Members raised as I can. I have a responsibility to do so.

The hon. Member for Woodspring also suggested that the powers in the Human Fertilisation and Embryology Act 1990 regulating the use of human eggs are sufficient to deal with this situation. I can tell him that they are not. That Act regulates the storage of eggs, not matters carried out in relation to fresh eggs. Therefore, it is not sufficient to achieve what we want to achieve.

The hon. Member for Oxford, West and Abingdon (Dr. Harris) raised a lot of "what if" questions about the various court cases, asking what would happen if the Government won, what would happen if the applicant won and how long we would take to make a decision on bringing the matter back to the House for further consideration.

Dr. Evan Harris: The House of Lords appeal.

Ms Blears: The hon. Gentleman also asked about whether there would be a House of Lords appeal and whether there would be an appeal to the European Court. I repeat what I said to open the debate: it would be wrong to anticipate what the Court of Appeal may have to say. We must consider the judgment in detail, see where the gaps are and see which issues we need to bring back to the House.

Alongside the appeal process is the report of the House of Lords Select Committee. The Committee has been meeting for nigh on 12 months, so it is important that we treat its considerations with great seriousness and respect. I come to the comments—

Dr. Harris: Dedifferentiated cells

Ms Blears: The hon. Gentleman reminds me. I understand that, in the circumstances that he outlined, the embryo would not be created by fertilisation, but there are difficulties in defining the techniques precisely in legislation. That reinforces my initial point. What we have tried to do is provide that embryos created by fertilisation are covered by the 1990 Act, while those created in any other way will be covered by the 2001 Act—if it becomes an Act. There is no room for embryos to, as it were, fall through the middle.

The right hon. Member for Maidstone and The Weald (Miss Widdecombe) raised detailed and complex issues. She did not think that the 14-day limit on experimentation would apply to embryos created by cell nuclear replacement. The provision that she mentioned, which refers to the 14-day period or the point at which the primitive streak first appears, is called a deeming provision in law. It seeks to clarify further the primary measure—I think it appears in section 3(3) of the Act—which provides that no experimentation shall be carried out after the primitive streak appears.

Clearly, in the case of embryos created by cell nuclear replacement as well as those created by fertilisation, there will be a point at which the primitive streak appears. If the Government won their case in the Court of Appeal and embryos created by cell nuclear replacement were covered by the regulatory framework in the 1990 Act, they would also be covered by the provision relating to experimentation. Because in their case too there is a point at which the primitive streak appears, the deeming provision that appears in, I believe, section 3(4) of the Act seeks to clarify the definition of that primitive streak even further.

The right hon. Lady raised another complex issue, that of consent. She suggested that because the consent provisions in the 1990 Act applied to the owners of the egg and the sperm, and in this instance the owners of the gametes, embryos created by cell nuclear replacement—or the constituent parts of such embryos, being the enucleated egg and the adult cell—would not be subject to the same issues of consent. In fact the egg would be subject to consent: it is clearly a gamete, and would therefore be covered by the 1990 Act. As for the adult cell that would be implanted in the enucleated egg, the common-law provisions would demand consent for any medical treatment requiring the extraction and implantation of that cell. There would therefore be legal coverage, although I accept that it would not be in the same legislation.

I understand that if the Government won their case and the regulatory framework applied to CNR embryos, the authority would have to issue a licence in which it would be able to make provision with regard to consent. That ought to deal with all the right hon. Lady's points.

My hon. Friend the Member for Cambridge (Mrs. Campbell) made an excellent speech. It was short, pointed and succinct—a little like the Bill, in fact—and featured her usual common sense and practicality. I was grateful for her support.

My hon. Friend the Member for Heywood and Middleton (Jim Dobbin) made a very considered contribution. He wanted reassurance that, if the Government lost the appeal, we would produce legislation to ensure that CNR embryos were given the same protection as embryos created by fertilisation. I think that I have made it clear that we want to move in that direction, but we must wait and see what the judgment says in terms.

In another excellent speech, my hon. Friend the Member for Brighton, Kemptown (Dr. Turner)—who brought considerable experience to the debate—also asked for reassurance about further legislation. I am happy to give him that reassurance.

We heard a typically knowledgeable and, in my view, extremely interesting speech from my hon. Friend the Member for Norwich, North (Dr. Gibson), who managed yet again to discuss complex science in terms that all of us could understand. He also gave excellent illustrations of what could happen. He said that human reproductive cloning was a very dangerous science, and explained why it was so important for us to pass a Bill ensuring that that dangerous science—given all its possible effects—was not practised here.

My hon. Friend the Member for Aberdeen, South (Miss Begg) has a fine record on speaking in all the House's debates on research regulations and therapeutic cloning. Today, she brought great practical and common sense to the debate by asking us to concentrate on the Bill's core provisions, which are narrow, tightly drawn, very focused and seek to achieve a particular state of affairs. I am grateful for her support.

I am sorry that I was not in the Chamber to hear most of the speech of the hon. Member for Gainsborough (Mr. Leigh), but I have been able to pick up from references to it by other Opposition Members precisely where it was going—which seems to be in an almost backwards direction.

After the debates earlier this year in both this place and another place, it is clear that the vast majority of Members want therapeutic cloning to be allowed so that we can research and tackle the whole range of tremendously damaging degenerative diseases such as Alzheimer's, Huntington's, Parkinson's and diabetes which affect thousands of people. However, Members also want that research to be done within a proper, rigorous and regulated framework, so that the public can be assured that the research is being done in a proper manner. As hon. Members have said, the science has to be conducted in a manner that we decide is socially, morally and ethically appropriate. A legal framework is vital in ensuring that it is appropriate.

I assure the hon. Member for Gainsborough that the ICSI process will not be outlawed by the legislation but can continue. I hope that that offers him some comfort.

I acknowledge the tremendous experience of the hon. Member for Salisbury (Mr. Key) in these matters. I have had the pleasure of reading his contributions in various debates, and I think that he is probably one of the most knowledgeable hon. Members on these issues because he has been involved in them almost from the beginning. He spoke today about getting the balance right and ensuring that we take this urgent action. Like other hon. Members, he suggested the possibility of pre-legislative scrutiny. I am delighted that hon. Members on both sides of the House agree that pre-legislative scrutiny is working well. The Government decided to introduce it because we thought that it would work well. I shall certainly consider his request.

The hon. Member for Esher and Walton (Mr. Taylor) made a very thoughtful and practical speech. He said that the Bill's objectives are clear, and I am grateful to him for that support. He also said that the settled will of Parliament was to ensure that the research continues, but under a proper framework.

The hon. Member for Stone (Mr. Cash) said that he will support the reasoned amendment and not the Bill. I am very surprised that hon. Members should not want to support the Bill, which will outlaw human reproductive cloning as I think that the vast majority of the public want us to do that. The reasoned amendment wants to take us backwards and reopen the whole debate on therapeutic cloning, but the House has already made clear its views on that matter.

My hon. Friend the Member for Hampstead and Highgate (Glenda Jackson) offered another sensible, no-nonsense approach to the issue which was very welcome. She made it abundantly clear that the Government are not going to allow human reproductive cloning. That is the will of Parliament and has the public's support.

It is clear that the hon. Member for Southend, West (Mr. Amess) also wants to reopen the whole debate on the use of cell nuclear replacement embryos for research on the development of stem cells to tackle degenerative diseases. The Bill does not seek to address that issue. It is a narrow, tightly drawn and tightly focused Bill that seeks to make human reproductive cloning illegal in the United Kingdom. The Bill should command the support of the vast majority of hon. Members. It will send out a very clear message that that procedure is not to be allowed.

I think that it was the hon. Member for Woodspring who said that, if they are to have confidence in science and the way in which biomedicine is developing, the public will have to see that we are a sensible Government who are ensuring that science is developing in a structured and managed manner. People who have a clear grasp of these complex issues know that we are not a Government who are going to walk away and that we care deeply about these issues. We recognise the social, moral, ethical and political implications of the research. We are absolutely determined—

It being Seven o'clock, MADAM DEPUTY SPEAKER, *put the Question already proposed from the Chair, pursuant to Order [this day].*

Question put, That the amendment be made:—

The House divided: Ayes 49, Noes 288.

Division No. 94] **[7 pm**

AYES

Amess, David
Atkinson, David *(Bour'mth E)*
Brazier, Julian
Burns, Simon
Cash, William
Clappison, James
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Dobbin, Jim
Drew, David
Duncan, Peter *(Galloway)*
Evans, Nigel
Flight, Howard
Flook, Adrian
Francois, Mark
Gale, Roger
Gillan, Mrs Cheryl
Grieve, Dominic
Hayes, John
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Hoban, Mark
Horam, John
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Leigh, Edward
Liddell-Grainger, Ian
Lidington, David
McLoughlin, Patrick
Mawhinney, Rt Hon Sir Brian
Prisk, Mark
Pugh, Dr John
Redwood, Rt Hon John
Rosindell, Andrew
Ruffley, David
Selous, Andrew
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Taylor, Sir Teddy
Turner, Andrew *(Isle of Wight)*

Tyler, Paul
Waterson, Nigel
Watkinson, Angela
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Willis, Phil
Winterton, Mrs Ann *(Congleton)*

Tellers for the Ayes:
Mr. Paul Goodman and
Mr. Paul Marsden.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Barnes, Harry
Barron, Kevin
Beard, Nigel
Begg, Miss Anne
Bell, Stuart
Bennett, Andrew
Bercow, John
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Buck, Ms Karen
Burden, Richard
Butterfill, John
Byers, Rt Hon Stephen
Cairns, David
Calton, Mrs Patsy
Cameron, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dhanda, Parmjit
Doughty, Sue
Dowd, Jim
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Etherington, Bill
Ewing, Annabelle
Fabricant, Michael
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Forth, Rt Hon Eric
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Gardiner, Barry
Garnier, Edward
Gerrard, Neil
Gibson, Dr Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Harman, Rt Hon Ms Harriet
Harris, Dr Evan *(Oxford W)*
Havard, Dai
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hesford, Stephen
Heyes, David
Hill, Keith
Hinchliffe, David
Holmes, Paul
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Ilsley, Eric
Jackson, Glenda *(Hampstead)*
Jenkins, Brian
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Key, Robert
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Knight, Rt Hon Greg *(E Yorkshire)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laing, Mrs Eleanor
Lamb, Norman
Lammy, David
Lansley, Andrew
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Linton, Martin
Lloyd, Tony
Llwyd, Elfyn
Love, Andrew
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McGuire, Mrs Anne
McIntosh, Miss Anne
McIsaac, Shona
MacKay, Rt Hon Andrew
McKechin, Ann
Mackinlay, Andrew
Maclean, Rt Hon David
MacShane, Denis
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meale, Alan
Michael, Rt Hon Alun
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morley, Elliot
Morris, Rt Hon Estelle
Mountford, Kali
Mullin, Chris
Murphy, Jim *(Eastwood)*
Murrison, Dr Andrew
Naysmith, Dr Doug
O'Brien, Mike *(N Warks)*
O'Neill, Martin
Öpik, Lembit
Organ, Diana
Owen, Albert
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pond, Chris
Prentice, Gordon *(Pendle)*
Price, Adam
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Robertson, Laurence *(Tewk'b'ry)*
Roy, Frank
Russell, Bob *(Colchester)*
Salmond, Alex
Salter, Martin
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Spellar, Rt Hon John
Squire, Rachel
Stanley, Rt Hon Sir John
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Syms, Robert
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher & Walton)*
Taylor, Dr Richard *(Wyre F)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don
Truswell, Paul
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Tynan, Bill
Tyrie, Andrew
Viggers, Peter
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watson, Tom
Watts, David
Weir, Michael
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike

Woodward, Shaun
Woolas, Phil
Wright, Anthony D (*Gt Yarmouth*)
Wright, David (*Telford*)
Wright, Tony (*Cannock*)
Wyatt, Derek

Tellers for the Noes:
Mr. Tony McNulty and
Mr. John Heppell.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 62 (Amendment on second or third reading), and agreed to.

Bill accordingly read a Second time, and committed to a Committee of the whole House, pursuant to Order [this day].

Bill immediately considered in Committee.

Clauses 1 and 2 ordered to stand part of the Bill.

Bill read the Third time, and passed, without amendment.

Miss Widdecombe: On a point of order, Madam Deputy Speaker. It will not have escaped your notice that at the Committee stage of the Bill none of the amendments were discussed, and that that stage included only forthwith votes on stand parts. Is that really what is meant by parliamentary scrutiny, Madam Deputy Speaker, and will you, as the guardian of the right of the House to hold the Executive to account, please examine the proceedings today with a view to ensuring that they can never be repeated?

Hon. Members: Hear, hear.

Madam Deputy Speaker : Order. I have to inform the right hon. Member for Maidstone and The Weald (Miss Widdecombe) that the timing of the debate was very much in the hands of the House itself, as it had agreed to the allocation of time order.

Hospice Movement

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Stringer.]*

7.15 pm

David Taylor (North-West Leicestershire): I am especially pleased to have secured this debate on the future of the UK hospice movement in the light of recent closure announcements affecting four of the 20 homes run by Sue Ryder Care, including the hospice at Staunton Harold hall in my constituency.

I shall outline the history of the hospice movement in the United Kingdom, the problems that it has traditionally encountered and the inherent limitations of the over-reliance of the national health service on the voluntary sector to deliver what is now an essential element of public health care. My speech will draw on the research of the National Council for Hospice and Specialist Palliative Care Services and Help the Hospices. I am grateful for their assistance.

In 1967, the voluntary sector, tackling a gaping hole in state provision, founded St. Christopher's, Britain's first modern hospice at Sydenham. Prior to that, what we have come to know as palliative care might occasionally have been provided in the patient's own home, but availability was patchy and remained so for some decades.

The lives of most people will be touched by cancer, either their own or that of a relative or friend; my life was, two decades ago. A searing memory comes back unbidden of a family member who contracted myeloma and of how we were all traumatised by the terminal phase of that bone marrow disease. It was an awful period for our family, with a prolonged physical and emotional agony that might have been relieved had hospice care been available.

The growth of the hospice movement has offered the chance of equity of access to provision but, for reasons that I shall detail, it remains restricted in its ability to expand and to provide an increasing number of beds. Even with the limitations of the voluntary sector, that vital, magnificent and enduring movement can still provide 70 per cent. of all in-patient care, 87 per cent. of all day care, 44 per cent. of all home care and 81 per cent. of all out-of-hours care.

Voluntary contributions created and sustained the first hospices and remain the financial life blood of the majority of them. The voluntary sector continues to run two thirds of all hospices in the UK. Although the need for state provision of palliative care was eventually acknowledged, the growth of NHS contributions to voluntary sector hospices has been agonisingly slow, although it was at least ring-fenced until the early 1990s.

The removal of the separate status of hospices in health authority budgets has, I fear, led to the closure of charitable hospices.

Mr. David Drew (Stroud): Does my hon. Friend agree that the greatest problem is that there is a disparity between what is given by health authorities and trusts and that that has a disproportionate effect on hospices?

David Taylor: I certainly agree with my hon. Friend, whose Adjournment debate on this topic was a seminal one in the last Parliament. He makes a valid point, as I hope to show later.

[David Taylor]

In the late 1980s, the right hon. Member for South-West Surrey (Virginia Bottomley), in her capacity as a Health Minister, stated:

> "The Government's objective is to work towards a position in which the contribution from public funds available to voluntary hospices and similar organisations matches that of voluntary giving. This will provide a clear basis on which to plan ahead."—[*Official Report*, 15 December 1989; Vol. 163, c. 847W.]

That seemed to be a huge leap forward, and it led voluntary hospices to base their plans on hopes of an eventual move towards 50 per cent. state funding, but, with some exceptions in Scotland, that objective was never achieved. One of the better English cases—Leicestershire's Loros—receives 41 per cent. state funding. However, since 1996, the proportion of funding that the independent charitable hospices sector receives from the state has declined from 35 to 29 per cent. in 2000-01.

Mr. David Lepper (Brighton, Pavilion): Does my hon. Friend agree that the situation faced by the Martlets hospice, which serves the Brighton and Hove area, is not uncommon in that it still relies on annual funding from the primary care group and therefore cannot plan ahead, as it could if it were given three-year funding?

David Taylor: I thank my hon. Friend for making that point. Indeed, I shall make a similar point later. The three-year planning horizon is illusory for many hospices.

Children's hospices receive state funding of only a meagre 5 per cent. on average. If we are to safeguard the widespread provision of palliative care, the need for a national strategy for the funding of voluntary hospices cannot be stated strongly enough. The restoration of their separate status would prevent the perpetuation of the present almost annual negotiations with health authorities, primary care groups and primary care trusts for emergency supplementary funding. Left unaddressed, the disparities in the statutory funding of hospices and the resulting unevenness of geographical provision will worsen.

The voluntary sector's role in providing hospice care has been invaluable to successive Governments in taking the burden of responsibility off the NHS. That has led to a culture of complacency towards palliative care in the NHS and its Treasury paymasters, in which health authorities seem to regard it as a late call on tight budgets, not as one of the first claims. Unsurprisingly, palliative care is still viewed as the preserve of the voluntary sector, providing significant volunteering opportunities to those with personal experience of nursing terminally ill relatives.

That tacit arrangement continues to characterise hospice and palliative care provision in the United Kingdom, and it is to the eternal credit of the volunteers and professionals working in the sector that, despite a future shot through with uncertainty, they continue to provide environs of dignity and respect and an incomparable quality of care to those coming to the end of their lives. I am not saying, however, that the NHS should always incorporate hospice or palliative care facilities in hospitals even if appropriate sites are available.

Sir Teddy Taylor (Rochford and Southend, East): Does the hon. Gentleman agree that one of the problems, under Governments of either party, is that when there is a substantial increase in spending, such as a staff pay rise, every part of the NHS gets the money except the hospices?

David Taylor: I must have left my draft speech on a photocopier, because I shall come to that very point later. NHS inflation, especially in relation to nurses' pay, is a serious problem. Coherent guidelines for local health authorities and PCTs need to be formulated so that local health authorities are encouraged—or, in new Labour-speak, incentivised—to improve their perception and usage of hospice services.

I understand that the National Institute for Clinical Excellence is in the process of creating such guidelines for the budget holders, but that they are not due to be published until the middle of next year. Will the Minister please confirm the planned publication time scale?

Furthermore, the psychology of the service and environment provided by the voluntary sector often has important advantages for the patient over NHS provision, where beds are typically found for palliative care in a hospital or, at least, on an adjacent site. Even if practical, NHS provision does not offer psychological or psycho-social sanctuary to terminally ill people in the way that hospices have traditionally done. The voluntary sector can offer a curative distance, alleviating the emotional agony of terminal illness.. The Government are to be applauded for acknowledging that intrinsic advantage as they promote and encourage partnership between the NHS, voluntary, independent and charitable sectors.

In my constituency, the life of the Sue Ryder Care hospice at Staunton Harold hall is drawing to an early and unnecessary end, speeded by the action of its landlords, the Ryder Cheshire Foundation. A 31-year lease on that historic building, which is in the most picturesque and tranquil setting, is being surrendered under pressure from the foundation, as part of its need to realise assets. Hard-nosed boardroom attitudes enter by the front door, and agency funding and caring staff have left by the rear.

However, the foundation is not the only guilty party in this sad saga. Poor co-ordination between the various NHS bodies leads to a successor range of small palliative facilities attached to hospitals that will struggle to approach the quality of care that is the bedrock of Staunton's reputation. The 20,000-plus signatures on the petition handed in at Sue Ryder Care's head office in London bore testimony to the high esteem and affection that local people have for the Staunton Harold hospice.

A magnificent care home closes. Despite an energetic fight by William Fantham, Helen Fawcett and their fellow KOSSH campaigners, a treasured hospice is to be lost—one on which local communities had become very reliant and to which they have become most attached. The national charitable sector is the smallest presence in the palliative care network with just 17 UK hospices and it is very vulnerable to the sort of circumstances that have sadly stolen the jewel from the Leicestershire hospice crown.

Although I welcome the £50 million pledged to palliative services in the NHS cancer plan and the opening up of the new opportunities fund to the voluntary sector, the allocation process highlights what has traditionally hampered the sector in the expansion of its progressive care practices: the disparate and improvised nature of its statutory funding. That leads to a perennially precarious situation. Hospices can go for months not knowing their long or even short-term prospects for survival, with the spectre of closure and the removal of patients from their beds always hanging over them.

Although late funding is often found from one source or another, the supposed three-year length of the contracts with the health authorities is rarely the case in reality. Such is the frugal nature of NHS contributions. It is a cruel irony that, in some years, hospices are often saved from closure by the deaths of former patients and/or their relatives.

In January 2001 in England, not including children's hospices, there were 449 hospice or palliative care beds available in the 36 NHS units compared with 2,074 beds in the 127 voluntary "units". Logically, this would be respected as an exemplar of best practice and value for money and the state would recognise the success of this palliative care model by embarking on a national strategy to guarantee its funding. But there is little logical about the disproportionate emphasis on handling a slow inflow of tax revenue that has masqueraded as modern government for the past 20 years.

Post-Staunton provision in North-West Leicestershire is obviously a priority for the local primary care group. I believe that four beds in Coalville community hospital are already earmarked for palliative usage. Good as that is, it illustrates the improvised nature of palliative provision. Staunton Harold's capacity was latterly 12 beds, supplemented only by a handful of other voluntary hospices

Unfortunately, that situation of insufficient beds and sites is replicated all over the country. Lord Hunt said recently that the NHS was mapping existing services to identify and tackle geographical inequalities. I welcome that, but it must not be an excuse for delay nor a disincentive to the voluntary sector if little extra funding is to be available in areas with high community involvement.

In summary, existing state funding is inadequate to provide even a very basic level of universal palliative care. Despite the welcome £50 million for specialist palliative care in the NHS cancer plan, local hospices trying to access this funding via the cancer networks cannot find the way in to the foggy maze that confronts them. This cloud of uncertainty over finance also embraces strategic planning as the NHS seems unwilling to spell out its core palliative care responsibilities. That is at the heart of the present crisis.

We need a national strategy and framework for palliative care. Hospices need to know what the state accepts as its responsibilities and that the Government will commit to fund them. With a more realistic taxpayer contribution to costs, charitable fundraising can focus on the piloting and expansion of progressive care and treatments.

Communications between Government, their agencies and the voluntary sector have been improved a little by the national compact, but the startling lack of awareness about it by the Department of Health has seriously impaired its dealings with the voluntary hospice movement. Properly joined-up government could and should change such cynical reactions into more constructive relations.

There is a tremendous fund of good will towards the voluntary and charitable hospice movement from the generous British public, but their ability to underwrite the costs of this crucial service has been stretched too far. Collecting tins, charity shops and cake stalls can only do so much. National taxation, whether hypothecated or not, needs to pull its weight. Warm words from Government are not enough. We need action—and now.

7.29 pm

Mr. Andy Reed (Loughborough): I am grateful to my hon. Friend the Member for North-West Leicestershire (David Taylor) and my hon. Friend the Minister for giving me the opportunity to speak briefly in support of my hon. Friend the Member for North-West Leicestershire. We have worked closely together on the matters that we are discussing.

I want to speak specifically about children's hospices. The Rainbow hospice is a fantastic children's hospice in my constituency. It suffers from the sort of problems that my hon. Friend described. I know from my visits to it that it rightly calls itself a place of rest on a long and difficult journey. Rainbow provides respite and terminal care in the hospice and at home for children who suffer from conditions that mean that they will die before reaching adulthood. We need to remember that that is what hospices are about.

One problem is that Rainbow has to cover Derby, Leicestershire, Lincolnshire, Northamptonshire, Nottinghamshire and south Yorkshire. Although it helps families to cope with life-shortening conditions such as Batten disease or life-threatening conditions such as cancer, working across such a wide area is extremely difficult.

I want to concentrate briefly on Rainbow's wonderful work. As my hon. Friend said, fundraising has become increasingly important. The hospice has to raise more than £1 million simply to remain as it is. It is lucky in being able to raise 10 per cent. of its income from health authorities and others. That is above the national average, but it shows the enormous amount of work that such a hospice has to do. Although it produces wonderful glossies and can rely on the good will of people in my constituency and throughout the east midlands, so much effort is put into fundraising that one feels that more of it should be directed at the excellent care that is provided at Rainbow.

As I said, Rainbow has to deal with all the health authorities in the counties that I mentioned. I have always supported PCTs, but I fear that even more work will have to be done to ensure the continuation of funding to Rainbow. I appreciate that the Minister and the health team have been considering innovative ways of providing health care in the future, but they should consider the excellent work that is happening not only at Rainbow but in the constituencies of the majority of hon. Members who have stayed for the debate. It is a testament to the work of hospices that so many hon. Members are in the Chamber.

I repeat that there is no agreed national strategy about funding voluntary hospices. They negotiate with health authorities, PCGs and PCTs, which means that there is a wide variance. The Government rightly emphasise an end to the postcode lottery for many other aspects of the health service. I hope that the Minister can end the postcode lottery that appears to be happening in our hospice movement.

[Mr. Andy Reed]

More PCTs will make matters harder. From parliamentary questions that I have tabled in the past, I know that health authorities receive an element of funding for hospices. However, not all of them necessarily use the allocation to fund their local hospices. The further away one travels from Leicestershire, the greater the difficulty of convincing health authorities in, for example, south Yorkshire that they should contribute to the work of Rainbow hospice in Loughborough.

I make a simple plea to examine the funding of children's hospices seriously, end the postcode lottery that appears to be happening in my area, consider developing a national strategy to bring the best and worst authorities closer together and assess the impact of the move to PCTs on the amount of work that hospices will have to do to secure their current level of funding.

7.33 pm

The Minister of State, Department of Health (Jacqui Smith): I congratulate my hon. Friend the Member for North-West Leicestershire (David Taylor) on securing a debate on such an important subject as the future of the hospice movement. I am aware of the specific anxieties that he raises about the Sue Ryder home at Ashby.

The hospice currently receives 50 per cent. funding from the NHS for its services. That is above the national average of 30 per cent., which my hon. Friend rightly mentioned. The closure is due to the termination of the lease by the Ryder Cheshire Foundation rather than the lack of NHS support, but we do need to ensure the continuation of services. To that end, I understand that there has been a constructive discussion between the home and the NHS to work out some options that have been debated by interested parties and will be considered by the cancer network management board in November.

As my hon. Friends said, the hospice movement is a success story. As a result, we are world leaders in palliative care. It was the hospice movement that first demonstrated the importance of ensuring that those nearing the end of their lives, and their families and carers, receive compassionate and skilful care. That good practice, which began outside the NHS and is still, as my hon. Friends rightly highlighted, predominately provided by the voluntary sector, is now acknowledged as a service that should be available to all who require it. That of course extends beyond those who need it for cancer services.

There are large variations in the provision and funding of specialist palliative care. Hospices have tended to be established in areas where the general public have been generous. That has enabled centres of excellence based on clinical practice, teaching and research to be established. Unfortunately, it has also resulted in patchy provision and wide variations between regions.

We have issued guidance to the NHS for palliative care strategies to be in place to meet the needs of the local population, and we are committed to tackling those inequalities in access to specialist palliative care services for patients.

My hon. Friends rightly ask for action. Let me explain what we intend to do to ensure that palliative care is adequately funded and the inequalities addressed. The national council estimates that total expenditure on adult palliative care services is about £300 million, of which about £170 million is provided by the voluntary sector and £130 million by the NHS.

The NHS cancer plan sets out our intention to invest an additional £50 million in specialist palliative care by 2004, which will match, on a national basis, the investment by the voluntary sector. That will also enable the NHS to make a realistic contribution to the costs that hospices incur in providing agreed levels of service. We will monitor the information from the service delivery plans and financial frameworks, which will help to provide a transparency for the level of investment made in reaching that target. We intend to ensure that that happens.

In addition, a further £70 million has been committed by the new opportunities fund to palliative care projects in England. Of that, £22 million has been allocated to adult community palliative care, building on the living with cancer programme, but extending to conditions other than cancer. Merely increasing investment in specialist palliative care, however, will not necessarily address the inequality of provision. We need to know the current level of provision and what is required to meet the needs of the local population.

Sir Teddy Taylor: Will the Minister give way?

Jacqui Smith: No. The hon. Gentleman knows that time is limited.

That is why we have put in place a series of measures. We have commissioned the National Institute for Clinical Excellence to undertake an evidence-based review of palliative care services as part of the supportive and palliative care service guidance. The guidance will benefit the voluntary sector and help decision making about service delivery. I can confirm that initial findings will be available from summer 2002.

We have required all 34 cancer networks to develop costed strategic investment three-year plans for palliative care. My hon. Friends made an important point about the certainty of investment. The plans will be based on current provision and local population needs and will form part of the cancer network service delivery plans. Those plans will inform the wider NHS planning process through the health improvement programmes and the service and financial frameworks for 2002-03.

For the first time, comprehensive data on the current provision of palliative care at a network level will be available. Networks will be able to see where the inequalities in specialist palliative care service provision are and plan services to address that, and as a consequence enable more realistic support for voluntary hospices. That will also enable hospices to plan strategically with cancer networks and identify their own business strategies, putting an end to short-term planning.

I must stress, as did my hon. Friend the Member for North-West Leicestershire, that we recognise the importance of ensuring that the needs of voluntary sector providers are fully reflected in network investment plans. In some instances, hospices may find it difficult to know how best to influence the process, which is why we have made available central funding to support voluntary hospice and palliative care providers in working effectively with cancer networks in the development of plans. All networks are participating in the programme, funded by the Department and led by the National Council for Hospice and Specialist Palliative Care Services. I agree with my hon. Friend that we must recognise the vital contribution made by the voluntary sector and engage it realistically and properly in NHS planning. We must support the sector to enable it to make its contribution.

My hon. Friend the Member for Loughborough (Mr. Reed) rightly drew attention to the Rainbow children's hospice. I am grateful that he set out the important work that it undertakes. It is a tribute to the many voluntary organisations that identified the help most needed. Their staff, supporters and well-wishers often have a special appreciation of the care that is required, which is often gained through deep personal experience.

Children's hospices have made a remarkable contribution to the care and support of dying children and their families. Fortunately, most children will grow into adulthood without experiencing a serious illness, let alone a life-threatening one, but some children are not so fortunate and develop conditions that may lead to an early death. It is important that in the NHS of the future these children and their families have high-quality support services and that coverage is extended so that equal access to a range of options is made possible.

Provision has been made for funds for children's hospices to come from the NHS. It is a matter for local discussion and agreement and is based on the local health needs assessment with the health improvement programme, which is the general funding mechanism for services. Voluntary health care providers, such as hospices, must be viewed as important players in the planning and provision of services, and should be involved in the development of health improvement programmes. That involvement should help to lead to more structured funding streams.

I recognise the concern that has been expressed about the development of primary care trusts and the role that they play. The year 2002-03 will be one of transition, with PCTs at different stages of development. They are increasingly making planning and investment decisions on behalf of their local communities. As key players within cancer networks, PCTs will have agreed to and contributed to the development of the network service delivery plan. That will be crucial. We shall soon be issuing national guidance on the new arrangements for the 2002-03 planning process, and allocations will soon be announced to Parliament. As I have said, PCTs will be involved in the cancer network planning process that I have outlined.

Each region now has a children's "lead" and is surveying the provision of children's palliative care services against demand, engaging voluntary and statutory sectors. We expect this work to secure a far better strategic fit of services to local needs and to achieve a range of options, and to afford greater equity of access for all people.

As I mentioned earlier, a further £70 million has been committed by the new opportunities fund to palliative care projects in England, of which £48 million has been allocated for children's palliative care to support programmes providing at least one of the following: direct services in the community to children with life-threatening or life-limiting illness—24-hour care; respite care services, which are either home-based or hospice-based; and bereavement services that are home based, community based or hospice based.

My hon. Friends have rightly said that the founders of the hospice movement, through dogged persistence, careful research and tireless fundraising, helped others to see that care was possible and at the heart of good clinical practice. As a Government, we have set out a challenging agenda for the support of palliative services for adults and children. We are committed to delivering this agenda, and we must work in partnership with the hospice movement if we are to do so. I give my commitment that that is the Government's pledge.

Sir Teddy Taylor: As time is still available, will the Minister say how we will get the £50 million? Hospices throughout the country have been in touch, as she well knows, with the cancer organisations—

Madam Deputy Speaker (Sylvia Heal): Order. The hon. Gentleman is familiar with the procedures of the House. The Minister had already resumed her place. It is too late for an intervention.

The motion having been made after Seven o'clock, and the debate having continued for half an hour, MADAM DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at fifteen minutes to Eight o'clock.

House of Commons

Friday 30 November 2001

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Orders of the Day

Home Energy Conservation Bill

Order for Second Reading read.

9.34 am

Dr. Desmond Turner (Brighton, Kemptown): I beg to move, That the Bill be now read a Second time.

I was pleased to draw a high place in the private Members' ballot. I was determined to put my good luck to good use and I am confident that the Bill, if successful, will do just that. We all know that getting a significantly useful piece of legislation through the House via the private Member's Bill route happens only once in a blue moon—

Mr. Eric Forth (Bromley and Chislehurst): Thank goodness.

Dr. Turner: But today is lucky: astronomers call the second full moon of the month, which happens today, a blue moon. I hope that the shadow Leader of the House agrees that is a good omen for my Bill.

I am grateful to the many hon. Members who have given up valuable time to be here this morning, and deeply appreciative of the support I have had from a wide range of non-governmental organisations and pressure groups outside the House that have supported, promoted and assisted in the preparation of the Bill. I shall not read out the list of organisations because there are too many, but it is noteworthy that they include 96 local authorities that have formally expressed support for the Bill, and interesting that Conservative Future also appears on the list. I do not know of many Bills that can unite young Conservatives and young Labour, but mine appears to have done so—surely another favourable augury.

There is consensus on the need to achieve a 20 per cent. reduction in carbon dioxide emissions. Although considerable progress has been made towards that target, there is clear recognition of the contribution needed from energy saving in the home. That recognition was encapsulated in the Home Energy Conservation Act 1995—HECA—which was itself a private Member's Bill. The HECA target is a 30 per cent. saving in energy consumption in homes by 2010.

HECA depends for its efficacy on local authorities. My Bill would strengthen existing legislation in that respect. The fact is that some local authorities are more enthusiastic than others about working to achieve their HECA targets.

Mr. Win Griffiths (Bridgend): When preparing for today's debate, I investigated the position in Wales, where there are about 220,000 eligible households. If the current rate of awarding grants in Wales continues, 67 years will have elapsed before all those households have received grant for insulation work. There is a great need to act.

Dr. Turner: I thank my hon. Friend for that intervention because he emphasises my argument that we have to put some backbone into the effort. If we were on track to achieve the target of a 30 per cent. reduction by 2010, local authorities overall would have achieved an 8 per cent. reduction by April last year, but the answer to a parliamentary question from my hon. Friend the Member for Plymouth, Sutton (Linda Gilroy) revealed that most authorities were falling short of that figure, some seriously so, notably Maldon district council, which had achieved a glittering 0.09 per cent., and Nuneaton and Bedworth council, which had achieved 0.2 per cent. About 100 authorities had reported progress of less than 3 per cent.

Mr. Patrick McLoughlin (West Derbyshire): I hope that the hon. Gentleman intends to address the fact that, through his Bill, he will be urging local authorities to pursue landlords to ensure compliance with the regulations, and that the Bill will impose a further regulatory burden. Will he undertake that the Committee on the Bill will work to ensure that the regulatory burden on individuals and on people who run homes is not awesome? His proposals are worthy, but even the Government have been unsuccessful in their energy conservation programmes—in some Departments, energy use has increased. He is proposing further regulation in an area in which the Government themselves have failed miserably.

Dr. Turner: I thank the hon. Gentleman for that contribution. He rightly makes the point about regulation. The regulation that emerges from the Bill should be as much as is needed and not excessive. We do not want to drive landlords out of business by over-regulation. I give the hon. Gentleman the assurance that I will strive to ensure that the regulations are reasonable.

The Government's performance in meeting HECA targets in other departments is beyond my influence. Where the Government have failed, they should take note and do something about it.

Mr. Tim Boswell (Daventry): I echo the comments made by my hon. Friend the Member for West Derbyshire (Mr. McLoughlin). Does the hon. Gentleman acknowledge that it will be offensive and difficult for private landlords, many of whom are responsible landlords, if they feel that they are being lectured or got at, either by central or local government, when public bodies are themselves delinquent in respect of their own targets?

Dr. Turner: That is a fair point. In terms of home energy conservation, many social landlords and local authority landlords are doing rather well and setting a good example. That is what we want to see throughout.

Meeting the HECA target is not going very well. The picture is clouded by the fact that it is difficult to interpret or compare the reports that local authorities submit to the Secretary of State for Environment, Food and Rural Affairs. There is no consistent basis for the preparation of those reports. We cannot compare like with like, but part 1 seeks to address the problem.

[Dr. Turner]

Achievement of the HECA target is not a statutory duty on local authorities. Clause 1 aims to remedy that by making it a statutory duty, and by setting out minimum requirements for energy authorities in pursuing this purpose. It gives the Secretary of State the power to require other bodies, such as registered social landlords and managers of Government energy efficiency programmes, to assist the work of local authorities with the provision of information on energy efficiency measures that they have taken.

In respect of stock transfers from local authorities to registered social landlords, clause 1 would ensure that home energy conservation matters form part of such agreements.

Dr. Vincent Cable (Twickenham): Many of us live in boroughs where stock transfer has already taken place. Will the hon. Gentleman assure us that his Bill will bite—and not merely, as clause 1(3) seems to imply, to new transfers that are about to go through?

Dr. Turner: The hon. Gentleman will know that it is difficult to make things work retrospectively, but every other aspect of the Bill will, we hope, bite on the stock to which he refers.

Clause 1 also makes provision for the Secretary of State to issue guidelines to local authorities so that their reports can be prepared on a consistent basis, and so that progress towards the HECA target is made much clearer. In future, we would have a reasonably consistent and comparable reporting procedure that would mean something.

Another difficulty is that not all local authorities have an officer with clear responsibility for the HECA. Clause 2 would ensure that each authority at least identified a designated HECA officer. He or she would be responsible for their functions under the HECA and under the Bill, if it is enacted. Local government officers who are currently undertaking the work have said forcefully that that would give them more clout within their authority and greatly facilitate their work.

The purpose of clause 3 is to give the Secretary of State powers to act when local authorities seriously fail to meet their HECA targets.

The intention behind part 1 is not to be prescriptive in respect of local authorities, but to give them more support in carrying out their HECA duties. What matters is achieving the target for their area: how they choose to do that is down to them. If they achieve the target, that is fine. That will satisfy the proposed legislation.

Part 2 deals with fuel poverty, which is a matter of great concern to the Government, as we can see from the recent publication of their fuel poverty strategy. The Government estimate that 4 million households are still in fuel poverty. Once again, a private Member's Bill has blazed the trail. The provisions of part 2 are designed to bolster the Warm Homes and Energy Conservation Act 2000, which was piloted through the House by the hon. Member for Southend, West (Mr. Amess). It would ensure that there was greater progress in meeting the provisions of that Act, and it would make the discharge of the Act's responsibilities a statutory duty on local authorities. It would give the Secretary of State the power to assist authorities with guidance in achieving the objectives of the Warm Homes and Energy Conservation Act.

It is important to note that 39 per cent. of people in the private rented sector are in fuel poverty—a higher percentage than in any other housing sector. The worst accommodation, in terms of energy conservation and fuel poverty, is to be found in houses in multiple occupation. I shall refer to them hereafter as HMOs.

If the objectives of the Warm Homes and Energy Conservation Act and the HECA are to be achieved, their reach must be extended to HMOs. Given the difficulty that local authorities have in achieving anything with HMOs, it is essential that something is done with HMOs. That is what makes part 3 vital: without it, we do not stand a chance of achieving the objectives of parts 1 and 2.

The link between HMO registration and the energy aspects of the Bill are clear enough justification for including it in the Bill in its own right, but a host of other reasons give me particular pleasure in introducing the Bill. My constituency and the city of Brighton and Hove have many HMOs, in which about 25,000 people—about 10 per cent. of the population—live. As we do not have a mandatory registration scheme, it is difficult to be accurate about the numbers; they are guesses, but they are reasonably accurate.

Mr. Roger Gale (North Thanet): I endorse what the hon. Gentleman has just said. My constituency suffers from the same problem. I have been campaigning for compulsory registration for a long time. Will he tell the House why he seeks to exempt registered social landlords? I am aware that other legislation and regulations govern registered social landlords, but the fact remains that organisations such as English Churches housing and the Notting Hill housing trust have a lamentable record in some areas. Surely they should be brought within the ambit of the Bill.

Dr. Turner: I thank the hon. Gentleman for making that point. The Bill exempts registered social landlords on the basis that they are already subject to other regulation and other legislation, but if a serious case can be made to show that that regulation and legislation are not being sufficiently effective, that will be a point amenable to discussion in Committee. I do not expect many properties that are owned and managed by registered social landlords to be affected by the Bill's provisions. The hon. Gentleman has raised a point that we can seriously examine in Committee.

Two of the most notorious landlords ever known in Britain, who made Rachman seem like a philanthropist, made their first millions running HMOs in Brighton and Hove. The House may be interested to know that one of them is now on remand, accused of the murder of the other. I think that Members can all work out who it is; that person has been the target of several local authorities, including Westminster City council.

Some of the worst housing conditions in Britain are to be found in HMOs. As for energy standards and fuel poverty, I am sure that other Members share my memory of living in an HMO as a student and huddling over a miserable gas or electric bar fire, hoping that the coin in the meter would last just a little longer. Decades later, things have not improved that much; there are still Rigsbys out there. Not only is the least comfortable accommodation to be found in privately rented HMOs but the last English house condition survey found that up to

20 per cent. of HMOs fell below the legal standard of fitness for human habitation. A further 40 per cent of houses divided into bedsits were unfit for the people living in them because they lacked adequate facilities—basics such as wash basins, baths, showers, toilets and cooking facilities.

HMOs are the most dangerous area of housing. Not for nothing did the previous Housing Minister, who is now the Parliamentary Secretary to the Treasury, describe some HMOs as death-traps. That has been graphically illustrated in many fatal fires. Research published by the former Department of the Environment, Transport and the Regions showed that in the two years from 1994 to 1995, 126 people were killed by fires in HMOs—more than one a week. There are other hazards; defective gas appliances are common in HMOs, landlords having failed to maintain gas fires or gas-fired boilers. The danger is exemplified by the sad case of Gillian, a student at Aston university, who shared a bedsit with four other students in Birmingham. She went to bed on a freezing cold night in December and left the gas fire on to keep warm. She was found dead the next morning; her parents were already on their way from Sussex to collect her for the Christmas vacation. She died of carbon monoxide poisoning, caused by the flue being blocked by soot and mortar debris, which fire investigators estimated had built up over 18 years. That is an example of the dangerous neglect of HMOs that needs to be dealt with, which is one of the driving forces behind the Bill.

There is a regulatory framework, which should address those problems, and many powers are currently available to local authorities, but they are distributed across different Acts, principally part XI of the Housing Act 1985, which is cumbersome, clumsily drafted and, like the structure of many HMOs, in desperate need of renewal. The Bill starts the process of replacing part XI and paves the way for further action by the Secretary of State to ensure the delivery of HMO registration, which has been a long-standing Government commitment.

Part 3 of the Bill makes provision for a new, streamlined framework for regulating energy conservation, health and safety standards and management in HMOs, and does so in two stages. First, it proposes a revised definition of an HMO, and sets out a requirement for all HMO owners and managers to notify their local authority of the HMOs that they operate and supply basic information. It makes it a statutory duty of the local authority to compile a register. The second strand of part 3 requires the Secretary of State to introduce standards and control provisions to regulate HMOs already registered by the local authority. Clause 5 sets out a new definition of an HMO. The old definition is based on occupation by more than two households and led to difficulties in the courts. It was too imprecise and easy to circumvent; in fact, the lawyers had a fine time with it in the courts, so it has to go. The new definition is based on the number of unrelated adults occupying a property.

The new basic definition of an HMO is

"a house occupied by adult members of more than two families."

The clause specifies certain exemptions—notably hospitals, prisons, monasteries and establishments such as nursing and care homes—that are already subject to other regulatory regimes. I have no desire whatsoever to over-regulate; I simply wish to encompass the sector of the housing market where regulation is most needed.

Clause 6 defines the new duty on every housing authority to compile and maintain the register of HMOs. They can do that alone or combine with neighbouring authorities when they feel that that is appropriate. For instance, Brighton and Hove has thousands of HMOs, but neighbouring Adur has six. Clearly, Adur would not fancy setting up an administrative structure just to deal with six HMOs; it would wish to deal with them in conjunction with other authorities.

Clause 7 requires the Secretary of State, under the affirmative resolution procedure, to introduce by order the necessary provisions to replace those aspects of part XI of the 1985 Act that relate to HMO regulation with a new scheme of control provisions that will ensure compliance with the following important factors. Houses must be registered; the number of occupants must be defined; there must be specific energy conservation standards; furniture and furnishing must meet fire safety regulations; there must be safety certification for all electric and gas appliances; there must be satisfactory amenity standards; and there must be satisfactory arrangements for the management of the house. At the moment, all those aspects are, to say the least, patchily observed in the HMO sector.

Clause 8 sets out a proposal for two tiers of registration. The first is mandatory and applies to HMOs occupied by more than four unrelated adults; it exempts from registration HMOs operated by local authorities or registered social landlords, to which the hon. Member for North Thanet (Mr. Gale) drew attention. The number is set at more than four to deal with the most problematic HMO sector. In the second tier of discretionary registration, local authorities will have the power, if they choose, to require registration of HMOs occupied by not more than four adults. However, that will be a matter for local authorities to decide.

Those are the essential contents of the Bill. Members who were privy to the many drafts as it evolved will be aware that we started with five clauses, but reached 43 as we spelled out the control provisions required for the HMO registration system. At that point, it was becoming quite a sturdy little Bill and there were grave doubts about the possibility of getting such a detailed and large measure through the hazardous shoals of private Members' legislation in the House. Hence we adopted the two-stage strategy that is now before the House. I am satisfied that in its new slimline form the Bill retains all its essential elements; if enacted, it will guarantee the delivery of HMO registration and have consequent benefits for energy conservation and fuel poverty, as represented in parts 1 and 2. It will also deliver significant improvements in the quality of life for millions of tenants in England and Wales.

Not surprisingly, there has been a certain amount of resistance from organisations representing private landlords, but I can reassure them that, so long as their intentions as landlords are honourable, they have nothing to fear from the passage of the Bill. Indeed, at some of the many consultation meetings held throughout the country during the preparation of the Bill, that point was agreed by several private landlords.

The experience in Herefordshire, where a discretionary licensing scheme is already in operation, is that good landlords have welcomed licensing, and that far from driving landlords away from renting, more have entered

[Dr. Turner]

the private rented sector operating HMOs, because they know that they will not be undercut by unscrupulous cowboys. This is not an anti-landlord Bill.

Mr. Mark Simmonds (Boston and Skegness): Can the hon. Gentleman elaborate on the experience not only in Herefordshire, but in Scotland, where the reverse is true—some landlords have disappeared from the market, there is a shortage of stock because of licensing, and there has been inconsistency in the fees charged for licensing and the application forms?

Dr. Turner: We are aware of the difficulties in Scotland. We intend that they will not be replicated in the HMO registration scheme. We are aware of the high fees charged by some local authorities in Scotland, which in some cases seem excessive, compared with the fees in Herefordshire, which are pitched at a reasonable level—£60 per letting, for a registration period of five years. We are not seeking to make a profit out of fees; we seek to establish a registration system that will be more or less self-financing. It is not intended to be punitive to landlords.

There are other problems with the Scottish system. Some local authorities are finding it difficult to compile their registers because they cannot find all their HMOs. We do not want local authorities to have to search for their HMOs. We are placing the responsibility on landlords to notify the local authority of their presence. It would be a criminal offence if they failed so to do. I acknowledge that there are difficulties with the Scottish system; we intend to avoid them.

Linda Gilroy (Plymouth, Sutton): I thank my hon. Friend for those reassurances. I, like many hon. Members, have been on the receiving end of lobbying from landlords associations. In Committee, which I hope the Bill will reach, will my hon. Friend deal with the evidence taken by the Social Justice Committee in the Scottish Parliament? Some of the wilder claims that have been made about chaos and non-compliance clearly are not true. Will my hon. Friend agree to consider the evidence?

Dr. Turner: Yes, I shall be glad to do that.

The Bill is not aimed at landlords. For good landlords, it will improve matters, so that they are all working on a clear, level playing field. There need to be clear standards, and if we are to achieve the energy conservation and fuel poverty targets to which virtually all of us aspire, HMOs must be a part of the picture.

I am extremely gratified by the wide support that the Bill has received from all parts of the House and from outside. It is a piece of legislation whose time has come, and I commend it to the House in the hope that all hon. Members will agree to its Second Reading.

10.4 am

Sir Sydney Chapman (Chipping Barnet): I am grateful to be called to speak in the debate. I am pleased to be a sponsor of the Bill and to ask the House for its full support.

The purpose of the Bill is to help to meet three targets previously agreed by the House and by successive Governments. The first is to make a 30 per cent. improvement in energy efficiency in residential accommodation by 2010. That target was set in the Home Energy Conservation Act 1995. The second objective is to end fuel poverty within 15 years. That was the purpose of the Warm Homes and Energy Conservation Act 2000 presented by my hon. Friend the Member for Southend, West (Mr. Amess). Thirdly, the Bill aims to assist the Government's commitment to reduce carbon dioxide emissions by 2010.

The hon. Member for Brighton, Kemptown (Dr. Turner) has wide support for his measure. Early-day motion 20 has been signed by 231 hon. Members, and I know of the hon. Gentleman's herculean efforts, particularly through the all-party parliamentary warm homes group, to undertake consultations before the introduction of the Bill. I congratulate him on that.

Mr. David Drew (Stroud): Credit is also due to Ron Bailey and his roadshow, which has visited many parts of the country, including Stroud district, to go through the Bill line by line with councillors and other interested parties, to make sure that the measure is truly consensual and to get maximum support.

Sir Sydney Chapman: I entirely agree with the hon. Gentleman. Ron Bailey has played an enormous part in preparing the Bill.

I had better declare a technical interest. Many moons ago—I do not know how many of those were blue moons—I qualified as an architect, although I have not practised since I was first elected to the House in 1970. However, I pay annually a not inconsiderable subscription to the Royal Institute of British Architects. The more I think about it, the more I think that I ought to declare a reverse financial interest. I pay the RIBA in order to be able to call myself an architect.

The objective of the Bill is to achieve the targets set in the various other measures. I do not believe that the first target, a 30 per cent. energy efficiency improvement in residential accommodation, has a cat in hell's chance of being realised, unless the provisions of the Bill get on to the statute book. As the hon. Member for Brighton, Kemptown said, to meet the 30 per cent. target by 2010, we should have been at least at 8 per cent. by last year. We are nowhere near that figure.

There are good reasons for that, which must be addressed. The first is that the target in the 1995 Act was only ministerial guidance. The 30 per cent. improvement ought to be a statutory duty.

Mr. Boswell: My hon. Friend will no doubt have read the Energy Saving Trust's proposals towards an energy efficiency strategy to 2020. The summary states:

> "Our assessment shows that if the full range of energy efficiency measures are taken, energy consumption in households will fall by 12.5 per cent. by 2010. Without these measures it is set to rise."

Does that not concern my hon. Friend?

Sir Sydney Chapman: I am grateful to my hon. Friend for providing that information, which I had not intended to give in my short contribution. I am glad that those figures are on the record.

The second reason for our failure to meet the targets is that the energy conservation authorities—basically, district councils and London boroughs—do not have the monitoring and co-ordinating powers that they need. Very few of those energy conservation authorities have the necessary powers to deal with energy efficiency in the private rented sector, especially in houses in multiple occupation. My researches show that about 1.5 million dwelling units in England alone are homes in multiple occupation. Generally, but not entirely, the worst and least energy efficient accommodation is in such homes. I am absolutely convinced that there is a need for a specific local authority officer to become the spokesman of authority, to co-ordinate and monitor, and to take the lead in fulfilling the Bill's objectives.

As the hon. Member for Brighton, Kemptown has admitted—indeed, we have been reminded of this point by hon. Members on both sides of the House—part 3 will be viewed by some as the most contentious, as well as the most comprehensive, part of the Bill. It deals with the introduction of a registration scheme for houses in multiple occupation. It would set up a new registration scheme and repeal sections 345 and 346 of the Housing Act 1985. Once the Bill gets on to the statute book—I hope that it will do so—it will repeal part II of that Act, which relates to the revocation of existing registration schemes. Such schemes are already in operation, but the Bill would introduce a new, more modern and wider scheme.

As the hon. Gentleman said, clause 5 defines the meaning of multiple occupation. I think that he would agree that the old definition,

> "a house which is occupied by persons who do not form a single household",

has been found to have been inadequate after a number of court cases. I think that the new definition,

> "a house occupied by adult members of more than two families",

is much more appropriate. As the new regulations with which the Bill deals are wide ranging, the hon. Gentleman was right to adopt the affirmative resolution procedure, so that the Minister can introduce them in the form of secondary legislation that can be debated and, if necessary, amended by the House.

Part 3 is vital if the target set by the Home Energy Conservation Act 1995 is to be met. The hon. Gentleman told us that the Bill was supported by almost 100 local authorities and by the Greater London Assembly, as well as by many national organisations. It is important to remember that the Bill does not seek to make new policy as much as to ensure that existing policy can be met. I ask hon. Members who have doubts about certain aspects of the Bill to remember that. I also believe that the Bill would have very little effect on public spending. The Government must have provided the funding after the enactment of the Warm Homes and Energy Conservation Act 2000, which was previously a private Member's Bill promoted by my hon. Friend the Member for Southend, West. The Bill would carry out policy that has already been agreed to.

If we are to be serious about tackling global warming, promoting sustainable development, reducing harmful emissions, encouraging energy conservation and eliminating fuel poverty, we need to do more than merely mouth words. We need to take hard decisions on the ground to achieve those aims and objectives. I believe that the hon. Gentleman's Bill is a much-needed step towards achieving the objectives that he has set out and I commend it to the House.

10.14 am

Mr. Jim Cunningham (Coventry, South): I do not intend to speak for too long, because I am perfectly aware that many colleagues wish to contribute and that we do not know exactly how long the debate will take.

I thank my hon. Friend the Member for Brighton, Kemptown (Dr. Turner) for introducing the Bill, although I could not help but reflect during his speech and that of the hon. Member for Chipping Barnet (Sir S. Chapman) on what has happened in the past; indeed, I can now think back many years. I do not want to be too political about my view that one of the biggest mistakes that has been made in respect of home energy was the abolition of improvement grants, which would have gone a long way towards helping with fuel poverty and energy efficiency. I do not have the up-to-date figures, but three, four or perhaps five years ago, about 17,000 houses in Coventry were without basic amenities, which include central heating and so on. That was one of the areas in which a big mistake was made. I am sure that that demand is growing, as well as the figure to which I referred, and I imagine that that is repeated throughout the country. That is one of the reasons why I support the Bill.

Many local authorities already have energy efficiency or energy saving schemes, although they have been very patchy over the years. The problem with many of the schemes is that they seek to budget and encourage saving. That is the essential strategy, which means that such schemes are very much about saving money rather than doing a bit more, although they are obviously constricted in many ways as to how they encourage people to be energy efficient.

I was interested to hear my hon. Friend the Member for Brighton, Kemptown say that at least 100 authorities are not doing very much about energy efficiency. That is another area of concern. Although we laud the Government for the targets that they have set, one of the weaknesses that emerged from his speech is that there does not seem to be much co-ordination within Departments on doing what is necessary. If we are to establish strategies and set targets, the first thing that we should do is use ourselves as a good example, on the basis that when the Government set an example, everybody will follow. I notice that my hon. Friend the Minister is looking at me with a little concern.

Dr. Ian Gibson (Norwich, North): Does my hon. Friend think that we might need an energy tsar to bring all the parties together? We have tsars in many other areas, where they seem successful.

Mr. Cunningham: Tsars are usually despots, so I am not so sure about appointing one.

Age Concern recently conducted a survey of pensioners from which it emerged that they badly need advice. They need some sort of agency to give better advice on their options. One of the suggestions made by Age Concern was that pensioners could be encouraged to move to smaller accommodation, although such a proposal would have to be examined much more closely. Furthermore, a strategy published in November redefined the criterion for energy poverty, which, I think, was said to exist when more than 10 per cent. of the household budget is spent on fuel. I do not know whether that is the right criterion. We all have our own views about that.

[Mr. Cunningham]

In conclusion, I welcome my hon. Friend's Bill, which is long overdue. Much more must be done to make improvements and I hope that the Government will consider that. I support the Bill.

10.18 am

Malcolm Bruce (Gordon): There is clearly widespread support for the Bill inside and outside the House. It is part of a series of such Bills that have been introduced by Back Benchers in the past few years. They have been promoted by Liberal Democrats, Conservatives and now by a Labour Member. Indeed, the sponsors of this Bill and the speeches that have been made so far demonstrate that it deals with an issue that hon. Members are anxious to address. Some of us feel somewhat frustrated that Government policy is not being prosecuted with the same enthusiasm as hon. Members in all parts of the House seem to share about the issue.

I hope that when the Minister replies, she will not only deal with the content of the fuel poverty strategy but state that the Government accept that we have much to do to achieve even an approximation of the targets. It is not good enough to set targets when the policies that are being pursued have no chance of meeting them. Back Benchers and the Government need to ensure their achievement together.

It is inevitable that a private Member's Bill cannot always have the required force behind it. That is why the measure expanded to 43 clauses and then contracted again. People wanted a Bill that would be genuinely effective. I commend the hon. Member for Brighton, Kemptown (Dr. Turner) on his approach, which has two benefits. First, it greatly increases the chances of the Bill becoming law. Secondly, it increases the partnership between Back Benchers and the Government, who will implement the measure.

My hon. Friend the Member for Twickenham (Dr. Cable), who is not in his place, raised the practical point that many local authorities have transferred their housing stock to other agencies. I understand the reason for the Bill's concentration on those that have not yet done that, because it is possible to incorporate a condition in the measure. Nevertheless, my hon. Friend made the valid point that we need to work out how to deal with the problem that a large amount of rented stock in the affordable sector has been transferred from local authorities but requires the same attention as the Bill applies to housing stock before it is transferred.

Fuel poverty has been the subject of many debates in the House. In the 18 years I have been a Member of Parliament, and before that, I have been involved in many discussions and debates about it. It is sad that we continue to discuss fuel poverty with such intensity and that it remains a big issue. I should have liked to believe that, by now, the phrase would have dropped out of current parlance.

Fuel poverty peculiarly affects this country. The term does not register in continental or Scandinavian countries, because the phenomenon hardly exists. In the past, Scandinavian countries have had cheap energy, but they have also had efficiently designed, built and insulated houses. Consequently, they do not suffer the same problems as we do.

In the mid-1970s, when the activity of the oil and gas industry in the North sea was expanding rapidly and putting a lot of pressure on local authorities in my part of north-east Scotland, we imported 500 houses by ship from Norway. They were erected in the village of Kemnay, which was then in my constituency. Twenty-five years later, those houses remain the warmest and most energy efficient in the north-east of Scotland. They have a special characteristic that surprises door-knockers and canvassers: the doors open outwards for the good reason that they are designed to sweep the snow away. They are also effective at sweeping away canvassers and unwanted intruders. We need to improve not only the design of new houses—perhaps we are better at that than we were—but existing stock, which is clearly not up to standard. That is a substantial problem.

I am conscious that the Bill applies to England and Wales and that I speak for a Scottish constituency. However, we all acknowledge that the problem is United Kingdom wide and that we must look to best practice wherever it occurs. If Scotland has encountered some difficulties, doubtless England, Wales and Northern Ireland can learn from them. However, I accept the intervention of the hon. Member for Plymouth, Sutton (Linda Gilroy), who said that the problems may not be as great as has been reported. When the Bill is enacted, as I hope it will be, perhaps it will provide for practices that the Scottish Parliament and the Welsh Assembly will try to improve on. We are working together to try to achieve the best results. We need a UK-wide definition of fuel poverty. We must stop arguing about it, agree a UK definition and provide for polices that will clearly and measurably reduce it.

The Bill is described as an energy conservation measure. The hon. Member for Brighton, Kemptown made it clear, however, that it is fundamentally a social measure that happens to have important energy conservation implications. That is the right approach. We are all concerned because too many households struggle to stay warm and have to juggle family budgets between food, other priorities and staying warm. We need to find a system that enables people to keep warm.

In many cases, if we improve energy efficiency, we will not necessarily reduce the energy bill. However, we hope to ensure that the people who spent 10 per cent. or more of their income on fuel and were still cold will be warm and comfortable, even if they spend the same amount of money. They will also be healthy, or healthier, and less inclined to contract illnesses. The figures on which we concentrate are those for deaths that are related to the weather or fuel poverty. Most of them inevitably occur among elderly people. However, we must not underestimate the number of people who may not die as a result of living in damp and cold homes, but who suffer illnesses that have a serious effect on their well-being and involve a cost to the rest of society through lost working time and burdens on the health service.

A pilot scheme was tried out in the south-west of England, allowing general practitioners to prescribe home insulation as a requirement for some patients. They could say, "The main reason the patient is in my surgery is that his home is damp and cold. Solving that problem would improve his health." What assessment has been made of the scheme? It has clearly not been extended and perhaps it needs to be modified. However, health is a legitimate consideration in the context of home energy conservation.

There are several proposals in the UK fuel poverty strategy that most of us welcome, even if they are modest. They involve better methods of insulating and improving fuel efficiency to benefit the fuel poor. I hope that the Minister will forgive me for saying that although I welcome the pilot scheme for microscale combined heat and power, I do wonder how it will work against the current background of arrangements that have caused a collapse in take-up. Sixty to 80 per cent. of installed CHP schemes are not generating electricity for the benefit of the grid. The problem is that the same companies, which use the same adapted technologies, will want to develop the proposals. It is important to get CHP back on course as a major contributor to energy efficiency at all levels.

The microschemes mean that one can envisage having a CHP boiler in a household or, perhaps even more appropriately, in a household in multiple occupation, which can generate the required warmth more efficiently and contribute to the electricity needs of the household. It may, in due course, be able to export electricity to the national grid. That is a genuine energy conservation measure, which also provides a reduction in fuel poverty. I welcome the Government's commitment to the scheme, but CHP industry specialists must be able to perceive CHP as a growing sector, and not an option that, for technical reasons, is not being taken up in the way people initially hoped for.

The Liberal Democrats welcome the Bill, which is a further step in the direction of eliminating fuel poverty. We need to ensure that we continue to co-ordinate our actions across the United Kingdom, adopt best practice and strive to achieve genuine reductions in fuel poverty and improvements in the quality of life of people who live in homes that are damp and hard to heat. We also want to make an important contribution to energy conservation that will uphold our wider energy policy. That is the fundamental aim of this highly commendable measure. I hope that hon. Members will support it today.

10.29 am

Mr. David Lepper (Brighton, Pavilion): I congratulate my hon. Friend the Member for Brighton, Kemptown (Dr. Turner), not only on securing such a high place in the private Members' ballot but on choosing this Bill to steer through the process.

I was pleased to be asked to sponsor the Bill, for a number of reasons. My hon. Friend has already referred to the serious safety hazards in some of the worst houses in multiple occupation. As honorary secretary of the recently formed all-party group on gas safety, I believe that the measures in the Bill will be of great interest to those of us across the parties who support the initiative on that issue.

I am especially pleased to sponsor the Bill because of its importance for the constituencies that my hon. Friend and I represent in the city of Brighton and Hove. He has already referred to the housing situation there; it is one that makes these measures particularly important. Forty-two per cent. of the city's housing stock is pre-1919, which is twice the national average. Many of those houses are in a severe state of disrepair; many are old, rambling buildings converted into bedsits and flats.

The city has the country's largest private rented sector: 20 per cent. of our housing stock is privately rented. As my hon. Friend has mentioned, we have in the past harboured some of the most scandalously irresponsible landlords ever seen in this country. One, Nicholas van Hoogstraten, is currently detained by Her Majesty awaiting trial next spring for murder. We have a population of 24,000 students, and also a transient and mobile population. In parts of the city centre that I represent, about a quarter of the residents move home every year—some to other parts of the city, some out of the city altogether—according to the electoral register.

Brighton and Hove city council's admirable housing investment strategy document for 2001–06—appropriately entitled "The Well-Being of the City"—recognises the importance of improving the housing stock, whether council or privately owned, as central to the well-being of our citizens. The authors of that strategy also say:

> "Many of our residents are living in unsuitable, unfit, unsafe, overcrowded accommodation with consequent damage to health, educational attainment and life chances."

The strengthening of the statutory framework proposed in the Bill to improve energy conservation and efficiency will go a long way towards improving the situation that Brighton and Hove city council seeks to address.

The council is already working with landlords to encourage investment in the housing stock, and improvements are happening. They have jointly published a good landlord guide, whose emphasis is on work under the terms of the Home Energy Conservation Act 1995. In its fifth progress report on the Act's provisions, the council states:

> "About 650 households in the city have benefited from insulation and/or heating measures at no cost to themselves, as a result. That is one element of the council's joint promotional strategy with the Energy Action Grants Agency"—

the EAGA, with which I am sure many hon. Members are familiar.

The council also reports an

> "Ongoing comprehensive programme for prioritising gas central heating and insulation installations in council housing. Criteria for priority action include ill health, inability of tenants to afford current heating costs, and poor energy efficiency of individual properties."

Those are among the criteria for the support being offered. The council also announces

> "The launch of the East Sussex Heat and Sun home insulation, solar water heating discount and energy efficiency advice initiative."

All those measures are excellent. Unfortunately, some councils have still not taken their responsibilities under the Home Energy Conservation Act 1995 quite as seriously as others. While I am proud to report the record of my own council, others may have different stories from other parts of the country. Parts 1 and 2 of the Bill will strengthen the councils' hand in carrying out those responsibilities.

Mr. Andrew Love (Edmonton): Is not the important point that my hon. Friend is making that councils need a change in the law? The current law is totally inadequate to deal with the problems in houses in multiple occupation, and we need part 3 of the Bill to get to the bottom of all those difficulties.

Mr. Lepper: My hon. and co-operative Friend the Member for Edmonton (Mr. Love) has anticipated my next point. Brighton and Hove has, for the past year or so, been running a pilot registration scheme for houses in

[Mr. Lepper]

multiple occupation. The scheme is, admittedly, including only a very small part of the city and encouraging landlords to register under a voluntary scheme. The feedback from the landlords after the year or 18 months of the scheme is quite interesting. Many have welcomed it, because they see it as a way of improving the standing of their role in the community. They see it—I quote from a report—as a way to

> "bring a form of pride and respectability to a sector which has suffered a poor reputation."

The landlords also see the scheme as a way of dealing with some of the more disreputable landlords. Such landlords are in a minority, but unfortunately it is often a minority that owns large stocks of housing. They may be small in number, but their influence is great. The local voluntary registration scheme in Brighton and Hove is seen by the landlords who have taken part as a way of improving the standing of their profession, as well as improving the quality of the housing stock. The city council is now considering extending the voluntary scheme across the whole city over the next year or so. Obviously, part 3 of the Bill will be an incentive for it to do that. It is also offering quite substantial grants towards the improvement of housing stock to those landlords who come forward.

Despite the concerns expressed in the November 2001 issue of *"Residential Renting"*—which may have been distributed to other hon. Members; I have been sent copies by four or five landlords in my constituency—that registration would drive out landlords and decrease the available housing stock, that has not been the experience of the Brighton and Hove pilot scheme. We have seen no diminution in the number of flats or bedsits in housing in multiple occupation available to local people.

I am sure that the Bill will receive wide support across the House. It deserves that support. It will strengthen the hand of the many responsible local authorities and landlords, and it will provide more extensive and stronger measures both to deal with councils whose approach to the HECA initiative is not wholehearted and to ensure that unscrupulous landlords are brought to book.

10.40 am

Mr. Jonathan Sayeed (Mid-Bedfordshire): I congratulate the hon. Member for Brighton, Kemptown (Dr. Turner) on achieving such a high position in the ballot, and on introducing a potentially valuable Bill. If my opening remarks show a degree of envy, that is because since 1983, when I was first elected, I have applied every year to be high on the ballot, but I have never appeared above the waves.

The Home Energy Conservation Bill has three distinct parts. One part we support wholeheartedly, one part we support in principle—although it exposes weaknesses in the Government's overall energy strategy—and the other part needs much attention to its detail and possible effect before we can consider giving it our support. I intend to deal with the three elements of the Bill individually.

Part 2 is about the elimination of fuel poverty. It has the unreserved support of Her Majesty's loyal Opposition. We know that the most vulnerable people in our society are hit hard by the winter and often lack the income to keep warm. Office for National Statistics figures for October 2001 show that last winter 298 people died of hypothermia in England alone: 298 people died of cold in a rich, civilised and generous society. That stain should be removed.

As Help the Aged has said, behind the mortality statistics that are reported each year, people suffer enormous misery and illness. The Bill seeks to deal with fuel poverty and, as I said, in that it has the support of the Conservative party. My party has made many efforts to eradicate fuel poverty. The percentage of United Kingdom households with central heating rose under Conservative Governments from 60 per cent. in 1981 to 90 per cent. in 1997–98. Figures from the House of Commons Library show that since the Gas Act 1986, which privatised British Gas—incidentally, the Prime Minister and the Chancellor voted against that—domestic gas prices are estimated to have decreased by 29 per cent. in real terms.

It was a Conservative, my hon. Friend the Member for Southend, West (Mr. Amess), who introduced the Warm Homes and Energy Conservation Act 2000, and in that he was supported by our party. That Act sought a reduction in the high number of excess winter deaths in the UK, and a reduction in illnesses exacerbated by cold and damp, with a consequent cutting of costs in the NHS by helping to reduce pressure on hospitals during winter months. It is estimated that fuel poverty costs the NHS £1 billion a year. Another aim of that Act was to reduce the costs of maintaining properties by about £350 per property. That measure is reinforced by the Bill before us.

In 1991, a Conservative Government introduced the home energy efficiency scheme, which is a grant programme created to improve the energy efficiency of the homes of people living in cold conditions. More recently, the new HEES-plus is aimed at people aged 60 and over who receive an income-related benefit—income support, minimum income guarantee, income-based jobseeker's allowance, council tax benefit or housing benefit. The Department for Environment, Food and Rural Affairs has estimated that as many as 3.7 million households are eligible for the new HEES-plus.

However, the Department of Social Security figures for 1999–2000 showed that between 39,000 and 77,000 people did not claim income-related benefits to which they were entitled, so they would not be able to claim the new HEES-plus. I urge the Government to ensure that those who are eligible are aware of the fact, and are assisted and encouraged to apply for the scheme.

Despite all those measures, there are still too many people who cannot afford to keep warm. The common definition of a fuel-poor household is one that needs to spend in excess of 10 per cent. of household income to achieve a satisfactory heating regime, which is specified as 21 deg Celsius in the living room and 18 deg Celsius in other occupied rooms. The latest available figures quantifying fuel poverty in the UK are for 1996, when at least 4.3 million households in England had to spend more than 10 per cent of their household income on fuel.

It is universally agreed in the House that any Bill that seeks to address the issue of fuel poverty deserves cross-party support. Age Concern estimates that 77 per cent. of single pensioners and 43 per cent of older couples, with at least one of them of pensioner age, are fuel poor. It is estimated that those households spend £700 to £800 a year less than they should to provide adequate warmth. Dying of cold should not happen, and we will help, as we have helped in the past, to ensure it does not happen.

Part 1 is concerned with home energy conservation. The Home Energy Conservation Act 1995 gave energy conservation authorities—district, metropolitan district, London borough and unitary councils—the target of achieving a 30 per cent. improvement in energy efficiency in residential accommodation by 2010. At that time, the House took the view that improving the energy efficiency of residential accommodation was important for two reasons: first, because of the environmental impact of energy use in the domestic sector, which was estimated to be responsible for more than 25 per cent. of emissions of the main greenhouse gas, carbon dioxide; and secondly, because of the obvious desire to establish access to affordable warmth for all.

The helpful explanatory notes to the Bill give us five reasons why the target of a 30 per cent. improvement by 2010 is very unlikely to be met. First, achieving the target is not a statutory duty; secondly, energy conservation authorities have insufficient powers of monitoring; thirdly, energy conservation authorities have insufficient co-ordination powers; fourthly, authorities have inadequate powers to deal with inefficiency in the private rented sector, especially houses in multiple occupation; and fifthly, the 1995 Act reporting system is unsatisfactory. We agree with those five reasons and seek reassurance from the Government that the implementation of this Bill will enable them to guarantee that the targets in the 1995 Act will now be achieved by 2010.

That pledge is necessary as the Government have so far not shown themselves to be as committed to achieving their environmental objectives as their fine promises indicated. The Energy Saving Trust is of the view that current Government policies will not enable them to meet their targets for reducing CO_2 and other household emissions. Then there is the Government's target of 10 per cent. of electricity generation from renewable resources by 2010. The current lamentable figure is only 2 per cent. Energy efficiency matters, and Government action is essential. Our general support for part 1 is conditional on the Government's reaffirmation of their commitment to the targets of the 1995 Act.

Part 3 deals with the licensing of homes in multiple occupation. I must admit that I am concerned about many aspects. I want to be reassured that the problems encountered in Scotland since the scheme went live there in October 2000 will not be repeated in England and Wales. I welcomed what the hon. Member for Brighton, Kemptown said about that.

As my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) said on 22 October 2001, in column 117 of *Hansard*, the Conservative party broadly supports the licensing of houses in multiple occupation. In both its 1997 and 2001 manifestos, the Labour party promised to provide protection for tenants in such houses. It then said that a proper licensing system for local authorities was needed to benefit tenants and responsible landlords alike. It is regrettable that, more than four years on, it has taken not a Government Bill but a private Member's Bill to present proposals for such a system.

This month the Department for Environment, Food and Rural Affairs issued a consultation paper on the selective licensing of private landlords, in which they reiterated their long-standing intention to protect the community from bad landlords and bad tenants, as well as ensuring acceptable management standards for tenants, through the licensing of houses in multiple occupation.

In general, HMOs are the preserve of younger people: more than 50 per cent. of occupants are under 30. The 1996 English house condition survey found that the age of occupants was reflected to some extent in the fact that nearly a third were in full-time education, but—notwithstanding stories to the contrary—more than half are working, and only about 5 per cent. are unemployed.

In a document entitled "Licensing of Houses in Multiple Occupation", published in April 1999, the Government highlighted a number of risks that HMOs can present to the health and safety of those who live in them. We have all heard stories in our constituencies that illustrate the deficiencies experienced by some HMO tenants. In particular, there has been widespread concern about fire safety standards. The EHC survey found that 40 per cent. of houses that had been divided into bedsits were unfit for the number of occupants. In more than 40 per cent. of cases that was due to inadequate kitchen facilities, but about 80 per cent. of houses also lacked adequate means of escape from fire, and other fire precautions.

Faulty gas installations are a well-documented problem. They often lead to the production of carbon monoxide. According to the National Union of Students, since 1992 at least 10 students have died and thousands more have been made ill through exposure to the gas.

Although local authorities have a range of powers enabling them to improve standards in HMOs—most recently contained in the Housing Act 1996—it is generally acknowledged that too many tenants, notably students, have little or no support against negligent landlords. The NUS estimates that at least 600,000 students rent accommodation in the private sector, and that the vast majority live in multi-occupied properties.

We want safe, secure and decent housing; we want to get rid of bad landlords and dangerous properties; but we also want a flourishing, profitable, quality rental market, and what we do must not drive good providers out of business. The renting sector has obvious concerns—many representative organisations have expressed their disquiet about the Bill, and the licensing system has been described as "unnecessary regulation" that

> "will drive out decent landlords and discourage others from letting their properties."

Nor are reports about a licensing system that came into force in Scotland on 1 October 2001 at all reassuring. A publication called "Residential Renting" describes the rather pessimistic outlook of Scottish landlords:

> "Once licensing starts, its purpose, scope and method of implementation broadens wildly. Landlords have to confront new and unforeseen problems and deterrents. Enforcers pronounce and threaten in efforts to overcome the massive non-compliance."

Elsewhere it states:

> "Scotland thought that HMO licensing was relatively simple and straightforward. Landlords were consulted but were then effectively sidelined. The remit and scope for licensing ballooned as activists took over on a costs no object basis."

Jim Knight (South Dorset): Will the hon. Gentleman consider the position from the opposite perspective? A number of local authorities, including Weymouth and Portland in my constituency, operate voluntary registration schemes for HMOs. Those responsible for their operation—such as the deputy fire officer to whom

[Jim Knight]

I spoke yesterday—are keen for a mandatory scheme to be introduced because the voluntary schemes are not working.

Mr. Sayeed: I shall deal with that point a little later, when I explain our criticisms of this part of the Bill.

Landlords in Scotland have found that local authorities have been left to determine their own licence fees, which have varied widely. Landlords have also had to submit detailed and apparently costly drawings of their properties with their licence applications, regardless of whether local authorities really need them.

With reports like those circulating north of the border, we are right to be concerned about the cost to good landlords of complying with such a scheme, and the cost to local authorities. It is imperative that good private landlords should not be forced to meet unfair or unnecessary costs and requirements as a result of the Bill. That would only harm the very tenants whom we seek to protect, because if the licensing costs are too high that will merely be reflected in their rent, or reduce the availability of rented accommodation.

It is estimated that 78 per cent. of private tenants are very or fairly satisfied with their landlords—compared with, interestingly, 73 per cent. of housing association tenants and 67 per cent. of council house tenants. We must ensure that the Bill does not interfere with the generally high percentage of satisfied private tenants.

Mr. Love: The hon. Gentleman has mentioned good landlords. Is it not equally important to good landlords for the small rogue element to be dealt with through schemes such as this?

Mr. Sayeed: I agree entirely. I do not want any rogue landlords. I do not want any bad and dangerous properties. I want bad landlords driven out of business. It is undoubtedly true that if we drive the bad landlord out of business, the good landlord can prosper. If we allow the bad landlord to continue, the good landlord will find it more difficult to prosper, but we must ensure that we do not make things more difficult for the good landlord.

I hope the House can agree that we must ensure that the Bill does not interfere with that generally high percentage of satisfied private tenants. We have doubts about the wisdom of excluding registered social landlords from the Bill, a point well made by my hon. Friend the Member for North Thanet (Mr. Gale). We believe that where there is an effective, existing registration scheme—I stress "effective"—consideration should be given to allowing permissions to run out before the landlords are required to register.

We think that the licensing system should be introduced with flexible time scales that will realistically allow landlords to meet the requirements of the scheme. Consequently, we question the statement in the DEFRA consultation document:

"for HMO licensing,"

the Department

"envisages setting a single date (possibly three years after the commencement date of the legislation)".

Mr. Boswell: Does my hon. Friend agree that it is extremely important, even if it does require expenditure of public money, that the obligations to be imposed on landlords of HMOs be clearly set out in a publicity campaign? If, for example, a criminal offence of non-registration is to be enacted, it should be made absolutely clear what is required of them. It should be made as simple as possible for them to join the scheme and to participate.

Mr. Sayeed: I understand my hon. Friend's point. I would prefer that landlords were consistently consulted to ensure that they understood what was required of them and that they were involved in the decision-making process.

As I said, we think that the licensing system should be introduced with flexible time scales to allow landlords to meet the requirements of the scheme. Consequently, we question the statement in the DEFRA document. We are sure that one thing that is not in the Bill must come in at the Committee stage, if we get there: an effective appeals system must be implemented from the inception of the scheme. It is essential that landlord associations are consistently consulted on the Bill and on any secondary legislation. Another complaint about the way in which Scotland handled its licensing system was that although landlords were consulted at the outset, they were then sidelined. Ignoring the needs of those providing private rentals will result merely in a reduction in the number of properties available for rent, or even in non-compliance.

In summary, the Conservative party supports wholeheartedly the part of the Bill that deals with the elimination of fuel poverty. We offer support in principle to the part of the Bill that deals with home energy conservation, subject to the renewed undertaking from the Government that they are serious about their environmental promises and will reiterate their commitment to achieving the targets of the 1995 Act. We need reassurances and evidence that the part of the Bill that deals with the licensing of HMOs will work in practice and not damage the decent landlord in the private rented sector. We look forward to receiving that commitment, reassurance and evidence. Given that, we are minded to give the Bill a Second Reading in order that it can be altered and improved in Committee.

11.5 am

Mr. Alan Simpson (Nottingham, South): I am pleased that the Opposition are minded to give the Bill a Second Reading. That reflects the extent to which the campaign to eliminate fuel poverty in Britain has over the years built up on a cross-party basis.

I congratulate my hon. Friend the Member for Brighton, Kemptown (Dr. Turner) on his success in the ballot, on choosing this subject for his Bill, and on the manner in which he has set about increasing his understanding of the detail. I am sure that he would be the first to recognise that the campaign has been a relay race rather than a competitive sprint. Over the years, many hon. Members from all parties have carried the baton and passed it on to the next person in the ballot.

That is an example of the House working at it best, and Parliament seeking to connect itself to an agenda to which the public wanted us to respond for many years. It has been a triumph of Parliament. We are able to celebrate the position that we are in today on eliminating fuel poverty because of our ability to work across party divides. That is the overall picture. It is in that context that my hon. Friend would want to place his role.

I put the matter in a specific and immediate time frame. We should not undermine the achievement of the House and Parliament in passing the Warm Homes and Energy Conservation Act 2000. We had been talking for many years about the importance of having such a policy. The Government's commitment to eliminate fuel poverty within 15 years is of enormous importance to the political process: that is now a fixed benchmark against which all of us will be judged. That transformation has meant that the challenge now is different: it is to talk not about policy, but about strategy. The Bill requires us to move from joined-up thinking to joined-up doing.

For all the important aspirations that were set out in the 1995 Act, the picture on delivery is at best chequered. Some authorities were leaders then and are leaders now, and others were laggards then and are laggards now. We never had the mechanisms to give those at the back of the queue an obligation to reach the new benchmarks that other authorities around the country were rightly setting; there was only an outline. Part 1 of the Bill helps us to deal with the question of how the rest can catch up with the best.

Part 2 deals with the elimination of fuel poverty. Although small, it is of enormous importance. It follows the recent publication of the Government's fuel poverty strategy. It must dovetail with our discussions with local authorities, social landlords, tenants and residents' organisations, environmental organisations and the energy-generating industry.

We should recognise that the energy supply industry is massively behind the proposals. That is so partly because all the major political parties have encouraged it to play a positive role in reducing or eliminating fuel poverty. The response of some parts of the industry has been brilliant. They have been very imaginative and have demonstrated their willingness not only to supply low-energy light bulbs, for example, but to enter the more difficult terrain of making substantial changes to improve energy efficiency in poor and low energy efficiency homes.

The energy supply industry says that it is willing to be our partners in that process, but that we cannot ask it also to take on the role of legislator. That point is nowhere more true than in the private rented sector. The industry says, "We'll happily talk to landlords about how they can make their properties more fuel efficient, but you cannot ask us to oblige them to make those changes." The industry would face resistance if it tried to do that, and it simply wants to offer a hand. It is acknowledging that there is a national commitment on the issue and saying that it can offer options on how to deliver it.

There is support for our fuel energy objectives not only on both sides of the House but probably across the country—it has become a great virtuous circle. It is difficult to find anyone who does not sign up to the importance of eliminating fuel poverty or recognise the health gains, disposable income gains and environmental gains to be won by achieving that goal. We shall all win by reaching that goal. That is the critical point that gives meaning to the fuel poverty strategy.

There are, however, disconnections between various parts of the strategy. Many of the individuals and all the bodies who have campaigned on the issue and helped to formulate the Bill—including the Association for the Conservation of Energy, Friends of the Earth, the right to fuel campaign, Neighbourhood Energy Action—know that there are imperfections in the strategy. However, all of them know that we are part of an incremental process that is beginning to narrow the gaps and contradictions. We are in the process of delivering a comprehensive strategy and answer to the scourge of fuel poverty.

I am chairman of the all-party warm homes group. Over the years, although members of that group have raised various issues, they have often specifically highlighted the intractable problems in the HMO sector. Most hon. Members have constituency cases of people living in the most abject properties; indeed, many of us have children who are now students living in properties that are not much better than the most abject ones. We are aware of the health risks caused by inadequate and poorly maintained gas supplies in miserably fuel inefficient properties.

For all the encouragement that successive Governments have attempted to give landlords to improve properties, there is now—as landlords themselves tell us—a clear divide between landlords. The best landlords whom we have consulted over the years have told us that a voluntary framework would be helpful; but who will be part of a voluntary framework other than the best landlords? Those who wish to be judged by the best current standards have no problems with joining such a framework. Their problem and frustration is that the cowboys in the industry have set benchmarks that are so low that they discredit the whole sector. The issue is how to recognise legitimate landlords who rent high-quality properties as those who provide a service that is valuable not only to their tenants but to the community as a whole.

It is landlords at the other end of the spectrum who drive their tenants into ill health and their communities to despair. However, it is very difficult to encourage people to devise mechanisms to prevent the worst landlords from dragging a whole sector into decline, which is very difficult to reverse. A national licensing framework would make a difference in that.

I appreciate many of the concerns expressed by the hon. Member for Mid-Bedfordshire (Mr. Sayeed), who made a number of important points that I am sure will be considered fully in Committee. My only real reservation about the Bill is whether we should seek to persuade the Standing Committee and the Department for Environment, Food and Rural Affairs to choose a more flexible time scale for implementation. The point on existing licences is both clear and very good. Those who currently hold licences are already complying with a voluntary scheme. It is less certain that we should offer the same flexibility to those who would be required to join the scheme.

I tell those who foresee implementation problems to cast back their mind to arguably the best parallel in parliamentary history—implementation of the Clean Air Act 1956. We recognised that there was a major problem that was not going to be resolved by exhorting individuals to change their pollution patterns. The then Government set everyone a clear target and a clear deadline. The essential point is to give people sufficient time to make the changes necessary to comply.

Mr. Michael Jabez Foster (Hastings and Rye): As an interim measure, should not provision of housing benefit depend on registration? Would not landlords pursue

[Mr. Michael Jabez Foster]

registration more quickly if they were not receiving income? Presumably housing benefit is paid to households occupying some of the worst housing.

Mr. Simpson: Although the idea is attractive, the more we explore it, the more uncertainties we discover. It is difficult to separate the issue of housing benefit entitlement from the question of whether added costs will be transferred to the tenant. Consequently, it may not be possible to use such an arrangement as a lever to effect improvements in the quality of the property. That is one of the main reasons why a national licensing scheme is the answer. It would clearly tell landlords that they must meet minimum standards if they want to hold a licence to operate a house in multiple occupation. Such an arrangement would ensure that we do not trap those who are often the most vulnerable tenants between their landlords and their housing benefit.

Mr. Sayeed: The hon. Gentleman has doubts about my suggestion that there should be some flexibility. However, as some of the properties that we are considering are older, and some of them may be listed, obtaining the consent of Government agencies may be one of the steps required to make a house more fuel efficient. If experience is anything to go by, obtaining such consent can be somewhat time consuming. There may therefore have to be some flexibility.

Mr. Simpson: I am grateful to the hon. Gentleman for that point, which seems entirely reasonable and should be covered by the regulations. Parliament needs to provide clear delineation between what is flexible and what is optional, because optional provisions have left those who are most reluctant to comply feeling that they have no real requirement to do so.

I am quite relaxed about the timetable—I do not want landlords to feel trapped into compliance—but we need to establish a commitment that commands the overwhelming support of the House and the country. We need to decide how to achieve a great social good in order to eliminate a serious and embarrassing social evil, and everyone who so wishes should feel empowered to be part of that.

We have to deal with the optional avenue and ensure that landlords will not be in a position to presume that gaps in the legislation provide opportunities for non-compliance, which would expose tenants to fuel poverty. However many would be affected by an optional opt-out—the 20 per cent. in HMOs that are below minimum standards or the 40 per cent. who are in fuel poverty—Parliament has a duty to prevent that from happening. The elimination of fuel poverty is a huge challenge and meeting it will require both ingenuity in respect of insulation and new ideas about providing access to renewable energy supplies for the poorest tenancies in the land.

Many of the options involving renewables that figured in the energy review or the national fuel poverty review will be taken up by those who are environmentally conscious and economically powerful in the housing sector; the challenge will be to make the same options available to the fuel poor. The ability to access renewable energy goes beyond low-energy light bulbs, double glazing and extra loft insulation; the challenge is to transform ourselves into a low-energy consuming society in which the poor can participate and live in comfort.

I look forward to consideration of the Bill in Committee. It is a terrific triumph of the partnership that has been built up in the campaign to end fuel poverty. I congratulate my hon. Friend the Member for Brighton, Kemptown on having the courage and wisdom to promote the Bill and I look forward to the solidarity and support that has been declared today by hon. Members on both sides of the House being reflected in Committee.

11.23 am

Mr. David Amess (Southend, West): I congratulate the hon. Member for Brighton, Kemptown (Dr. Turner) on his success in the ballot for private Members' Bills. We all enter raffles where we are not so keen to win one of the prizes, but I had to wait until my 17th attempt. I am sure that the hon. Gentleman was very pleased to be successful this time and I commend him on his splendid choice of Bill.

As all hon. Members have said today, it is a scandal that so many people live in fuel poverty. It is also crazy that when people heat their houses so much energy is lost into the atmosphere, thus damaging our environment. The hon. Gentleman has certainly persuaded me completely this time; he failed to do so yesterday on cloning, but today I am entirely at one with him.

I hope that all hon. Members will support Second Reading of the Bill. I listened carefully to my hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed) expressing his rightful and justified concerns. As the hon. Member for Nottingham, South (Mr. Simpson) said, let us get the Bill into Committee, examine it more carefully and deal with those issues.

Mr. John Gummer (Suffolk, Coastal): Does my hon. Friend agree that one of the concerns that the Government could address is the fact that there is no arrangement for outside validation of the success achieved in reducing the amount of energy used and the emissions caused? Why have the Government so far refused to have independent monitoring? My fear is that we will reach 2012 only to discover that the Government have not met their targets.

Mr. Amess: I cannot answer my right hon. Friend's second question. He has enormous expertise and travels the world making his case on these matters. I thank him for his intervention and I am sure that when the Minister returns to her place, a note will be passed to her and she will address those points in her reply to the debate.

Returning to the legitimate concerns raised by my hon. Friend the Member for Mid-Bedfordshire, I hope that the Bill will progress into Committee. As the hon. Member for Nottingham, South said, let us all work together on this excellent Bill, perhaps improve it and make sure that it delivers our intentions.

On the Warm Homes and Energy Conservation Act 2000 and the strategy that the Government announced a few days ago, there was a long consultation period between February and November involving nearly 300 organisations. I do not wish to sound churlish, but I have two outstanding concerns. I do not know whether a date has been set for the elimination of fuel poverty and I am still somewhat concerned about the definition of that term. We can have all the strategies in the world; we can set targets, consult and review, but if our role is to mean anything, we have to scrutinise legislation and hold the Executive to account. We do not know who will be in Parliament in five or 10 years' time, but if the 2000 Act is to mean anything, it behoves hon. Members to make sure that the Government of the day honour the commitments that they set out. It is up to all hon. Members not to say, "We have the 2000 Act and that is the end of the matter. Let's forget about it; it will happen", because nothing will happen unless we examine the strategy and hold the Government to account; I trust that we will do that.

The Bill ties in with the Warm Homes and Energy Conservation Act. I salute the fact that it provides a mechanism for tackling fuel poverty among those who are hardest to reach. When, in Committee, we were considering what became the Housing Act 1996, we were limited in our approach. We know that a higher proportion of people living in HMOs are in fuel poverty than those living in any other type of housing, and I am glad that the hon. Member for Brighton, Kemptown seeks to address that in the Bill. I cannot remember who the Minister was when we were considering the Housing Bill in Committee, but at the time I thought the Government were doing a splendid job. Looking back at it now, however, it could have been a more robust measure in some respects. My hon. Friend the Member for Mid-Bedfordshire is right to have raised concerns, but I am still pleased that the private rented sector constitutes a major plank of the Bill. That sector is the hardest to improve with Government schemes, because there is less control than in public housing. There are fewer incentives for landlords than for owner-occupiers to improve energy efficiency. I hope that we can consider that in Committee.

The Warm Homes and Energy Conservation Act required an overall strategy for tackling fuel poverty in all houses, but the Bill provides a useful licensing mechanism for the worst homes. I understand that we all need somewhere to live, but in two parts of my constituency, Westborough and Westcliff, it is absolutely crazy that some of the houses have been converted for multiple occupation. I recognise that people cannot afford to maintain some of the big houses, but the way in which they have been converted into tiny little bedsits is a disgrace.

What is worse, some of our terraced houses have umpteen people in them. I get inundated with complaints from local residents when new tenants move in and behave disgracefully. I know that the Bill does not deal with that, but I want to flag up my concerns. People who have lived in an area for a long time suddenly find that people with the lowest possible social standards have moved in, chucking their rubbish around, dumping cars on the front verges and having all-night parties. It is an absolute disgrace.

I know that the Bill's promoter is concerned with people who find that the properties they move into are inadequately heated.

Dr. Desmond Turner: If the hon. Gentleman looks at part 3, he will note that one of the requirements of the registration of the Secretary of State's order is that it addresses management of the houses. The real concerns that he raised will be covered.

Mr. Amess: I must look at the Bill more carefully. I am delighted to learn that the matter is dealt with. That is splendid. I am sick to death of these people who move in and make other people's lives intolerable. I—

Madam Deputy Speaker (Sylvia Heal): Order. The hon. Gentleman's point has been answered.

Mr. Amess: I had better move on, Madam Deputy Speaker.

The Bill goes beyond fuel poverty to encompass fire safety and general good conditions. The Chief Whip dealt with the point when she was a Housing Minister. She spoke about "death traps" and said that they must be improved.

I want to refer to the views of the younger elements of the Conservative party.

Mr. Love: Where are they?

Mr. Amess: There are many of them on the Benches this morning. They have also written to Conservative Members of Parliament to say that they wholeheartedly support the Bill. There are 600,000 students living in private rented accommodation, many of them in houses in multiple occupation. Young professionals also constitute a significant proportion of HMO residents.

There are 1.5 million HMOs in England. That includes some good accommodation, but the highest incidence of very poor accommodation is found among these properties. Of all sectors, this one has the highest proportion in fuel poverty—39 per cent.

My hon. Friend the Member for Poole (Mr. Syms) cannot be here today. I had a brief conversation with the hon. Member for Brighton, Kemptown about concerns raised by interest groups in Poole. I have read that into the record now. I understand that the hon. Gentleman intends to look into those concerns and try to respond positively.

Licensing of HMOs will ensure that we have proper fire standards. I am joint chairman of the all-party fire safety group, so I am very pleased about that. Proper amenities and energy efficiency will be promoted. Currently, 16 per cent. of student houses harbour pests, 50 per cent. report damp, 40 per cent. have mould and 20 per cent. do not even have a smoke detector.

All that information has been provided by young supporters of the Conservative party. I applaud their research. They are concerned about proper licensing and feel that it is well overdue. They say that for the Bill to be effective it must apply to all houses with four or more residents. As it stands, applying to five or more, it will certainly miss a large percentage of students living in HMOs.

The Bill's promoter is to be congratulated. Those of us who have had the good fortune to win the ballot know that a huge amount of work goes into preparing a Bill. The hon. Gentleman will have to thank many groups for their support. While some of us are engaged in saving the world, I am delighted that he has decided to save those less fortunate than us. I congratulate him.

11.37 am

Mr. Harold Best (Leeds, North-West): I join the hon. Member for Southend, West (Mr. Amess) in congratulating my hon. Friend the Member for Brighton, Kemptown (Dr. Turner). The Bill is important, to say the least. When it is enacted, as I am sure it will be, it will become a marker for what private Members can do.

The matters raised in the Bill are of great concern to my constituents. Many of those matters have already been discussed in some detail by previous speakers, so I now have the difficult task of trying to avoid being repetitious. [HON. MEMBERS: "Hear, hear."] Perhaps I should just sit down now. It is difficult to do what one's constituents would want when so many good contributions have already been made.

The need for energy conservation is felt as much in my constituency as in any other. It contains housing that was built in the period when houses were being put together—that is an appropriate way of putting it—and described as homes fit for heroes, in the post-first world war housing developments. That was followed by the vast post-second world war estates. Even with the Parker Morris standards, they were not designed for energy conservation and heating was given a low priority, but they met the desperate housing need of people returning from the war, and they repaired some of the damage done by war.

The problem for some of the housing in my constituency is that it is built on the weather side of the highest hill in Leeds, 610 ft above sea level. The Pennines are visible to the west. In an easterly direction—although not visible—the next mountain range of any significance is the Urals. In understanding the bleak nature of weatherside exposure, we become acutely aware of the need to do something about energy conservation. These houses are the coldest, wettest and dampest in my constituency, and they number several hundred.

The social need is no longer in dispute, and Members have mentioned the costs in terms of health and untimely deaths, as well as the direct burden on the NHS. I am not referring only to the housing stock built immediately after the first and second world wars—we also have Victorian buildings, some of which lend themselves readily to conversion to houses in multiple occupation. However, they, too, lack the absolutely essential element—the need to insulate and prevent energy loss.

It is my duty as a representative of people whose needs are desperate, to support the Bill. It is also a pleasure and something that I do with a sense of relief. Finally, we are getting round to tackling these issues. However, there is also another element that is not separate from the need for warm homes, namely, the question of HMOs in my constituency.

Some hon. Members may have visited the area where I live, not to visit me but to go to the famous Headingley cricket ground. We enjoy cricket in Leeds, especially when Yorkshire are doing well and England are winning test matches; then, it is wonderful. I live just outside the cricket ground and, in the past six or seven years, I have seen the area transformed. That transformation has been far from pleasurable.

The area is now famous for those icons associated with HMOs, including the growth in the numbers of licensed premises and cafes and the semi-permanent forest of "To let" signs blighting the street scene. The dramatic growth in crime in my constituency is clearly associated with the ever-changing use of properties in the area. The explosion in the number of HMOs in my constituency has taken place over the last six or seven years. That has been due, in large part, to the unplanned-for massive expansion in the student population attending our universities in inner-city Leeds. Those universities were built at a time when it was comfortable and easy to accommodate the student levels.

Inner-city Leeds was not suitable for the dramatic expansion that has taken place and which has transformed Headingley and the surrounding areas. In the electorial ward of Headingley, more than 50 per cent. of residents are no longer held to be local. They are transients, in the sense that they come and go through the HMOs.

In the recent past, these homes were available to first-time buyers for family occupation. They are now reduced—I use that word advisedly—to seasonal use only. We have term-time occupation, which means only eight months of the year. For the rest of the time, those properties are vacant. It will not be long before they are in that condition over the Christmas period, during which Headingley will lose more than 50 per cent. of its population.

The Bill does not deal with these planning issues but, as has been said, they have to be noted. We cannot separate cause from effect. HMOs create not just the consequences that we are debating this morning, but other things. A former family house with potentially one car, or maybe two, can now have people expecting to park as many as eight cars outside an HMO. That causes massive environmental damage, and the effect has been to drive long-term residents out of the area. Those people now have to travel back into the city centre, whereas previously they walked.

The change in character has turned Headingley and the immediate surrounding areas into a major competitor—if such an unhealthy competition were ever to be held—for the title of "Worst crime record in the UK". Armed robberies and violent robberies take place all too frequently and burglary is on a scale that beggars imagination. We are persuading our police that the problems have to be tackled, but they frequently draw my attention to the effect that HMOs have on the security of their occupants, as well as to the threat of criminality and the knock-on effects on the community.

Who takes responsibility for locking the house at night? Who makes sure that the windows are closed? Who makes sure that waste materials are in place for collection? The not-responsible attitudes that we find inside HMOs are plaguing substantial parts of inner-city Leeds that I represent. I still live in the area. The houses either side of me are both HMOs, one of which was the subject of a serious planning dispute that we finally won after a long and hard struggle.

The people most likely to suffer are not just those who have been obliged to move out of the area to look for peace in their lives, but those who still live there. The most vulnerable are those young people who attend our universities; they need some protection, too. The Bill provides for that kind of protection. It ensures that the health and safety of residents is secured by regulation and registration of property.

An element that people find difficult to understand is the damage done to notions of community. If we strip out of a community 50 per cent. or more of its longer-term residents, we put in jeopardy a number of the services that would usually be found in the area. Ten years ago, close to where I live, the local authority decided to build a primary school. The demographics showed that it had a healthy future. However, there is now serious doubt whether that school and others in the area will survive the next few years. What was seen as a long-term and useful investment in the community has been devastated by the dramatic growth in HMOs. No families mean no children; no children mean no primary schools. Those effects must be looked at, in addition to those elements contained within the Bill.

I do not want to waste the House's time, so I shall end by commenting on the way in which the housing stock in my constituency was built up by pioneers who planned, as best they knew how, to provide for the needs of the needy after two world wars. They did not foresee some of the problems of heat loss that now occur. We can use the broad consensus on the need for a speedy resolution of those problems to ensure that the pioneering spirit of that period is reflected in the swift passage of the Bill through Parliament and on to the statute book.

I look forward to hearing other hon. Members because I want to report back to my constituents personally, as they insist I do, on the approval being given to the Bill today. My hon. Friend the Member for Brighton, Kemptown has become a hero to us all, especially those who have been struggling apparently pointlessly and without hope, for years on end. I wonder how he managed it—it must have been divine intervention that enabled him to turn up with the sort of legislation that hon. Members find it wonderful to support.

11.52 am

Sue Doughty (Guildford): I, too, congratulate the hon. Member for Brighton, Kemptown (Dr. Turner) on gaining the opportunity to introduce his Bill. As one of those who, before entering Parliament, joined in letter-writing campaigns to support similar legislation, I am delighted to participate in today's debate. Like many others, I have been contacted by my local HECA officer on Guildford borough council, who asked me to be here today to support the work being done by the council. I am only too pleased to do so.

I am concerned about the licensing of HMOs—we all agree on the early parts of the Bill—so I shall dwell on those issues and the position of landlords. Several landlords have contacted me and I have met others who are worried about the impact of the Bill on their viability. I endorse the arguments about those landlords who should not be in the business of running the sort of benefit housing that has been described, but many landlords have only one or two properties—I was such a landlord once. Those landlords might have bought a house when housing was expensive, then married or moved to another property and put tenants in the old house; sometimes people put tenants into houses they have inherited, or treat the house as a source of pension income.

Most landlords want to do well by their tenants. Like most of us, they want a quiet life—they want letting arrangements to work well, their tenants to have few complaints, and to be able to manage repairs within the income that they receive from the property. Landlords have the right to make a fair return on their investment in their property. We need them to be able to do that because we need landlords in the market. None the less, we should not tolerate landlords who provide accommodation of a standard lower than is found anywhere else. I shall not repeat the comments made about students and about the deaths of students and other young people living in poor standard accommodation, save to emphasise that fuel poverty is especially intense in that sector.

I have an interest as one of the many Members of Parliament whose children live in rented accommodation. I rang my student son up to ask about what was happening in his area of Leicester, only to be told that the roof had fallen in on his friends' house—they are still waiting for repairs—and that the pipes had burst; all the usual problems. What worried me most was the local notion that one should line one's loft with newspaper when the weather gets cold—what a hazard with electrical fires. We forget how students keep warm. Most are lucky, but the number of those who end up at accident and emergency or who die is only the tip of the iceberg in terms of the risk borne by tenants of HMOs. I hope that the Committee on the Bill will pay particular attention to houses with four or fewer unrelated people living in them. Many student houses are small terraced houses containing only a few people, but they are just as vulnerable as those living in larger properties.

Many landlords are covered by existing rules, but it is important that all landlords have access to clear guidelines. The legislation is not clear, which is bad news for both landlords and tenants. In cases of below standard accommodation or of slipping standards, it is important that the law is enforceable. What constitutes an HMO should be clearly defined in law, and provisions relating to HMOs should be easy to understand.

There is concern about the cost of licensing, even though it is not intended to be a financial burden on landlords. We must be sure that local authorities are not gold-plating the requirements of licensing. What is important is that we raise housing to basic standards of decency, not that we price businesses out of the market when adjustments are needed. On the other hand, we do not want bad landlords undercutting the local market to house people in accommodation that is clearly substandard or dangerous. That is unacceptable.

Good landlords will be encouraged by the Bill and by the moneys that many local authorities make available to invest in properties to improve them. Good local authorities promote such schemes and ensure that their local landlords know how they can benefit. However, I endorse the points made by the hon. Members for Southend, West (Mr. Amess) and for Leeds, North-West (Mr. Best) about licensing and the need to identify who is in charge of a property, so that when a local authority is called on to take action through its environmental services department, it is able to identify who is the liaison point in the house when dealing with rubbish, cars and so on. So much time is wasted by local authorities, when the problem could be solved much more easily and neighbours' issues dealt with. That is important. Management of property should be clear and transparent, and only through registration will that be achieved.

I welcome the Bill. I look forward to the real benefits that will flow from achieving 30 per cent. fuel efficiency overall in our housing stock. It is important that the 37 per cent. of the population who live in HMOs and are suffering from fuel poverty should be able to see a way forward, to see a means of making low incomes go further

[Sue Doughty]

and to have the comfort of living in not only a safe home but a warm home. I support the work that is being done in the Chamber today.

11.59 am

Mr. Adrian Bailey (West Bromwich, West): I congratulate my hon. Friend the Member for Brighton, Kemptown (Dr. Turner) on introducing the Bill, which I welcome. The fact that many Members are in their places shows how much cross-party support and agreement there is for the measure and reflects the seriousness of the issue that my hon. Friend seeks to address. The importance of the issue is recognised throughout the country.

Much of the debate has focused on houses in multiple occupation. Statistics tell us that the worst manifestations of fuel poverty are to be found in HMOs. The provisions that relate to HMOs are obviously an important part of the Bill.

My remarks will relate to parts 1 and 2. Many Members, including me, represent constituencies where there is a high proportion of council housing and where there are old Victorian and small terraced properties. My authority has about 32,000 council houses, many of which require substantial investment to bring them up to a level of heat efficiency that we would deem to be acceptable. Of course, there are implications for the lifestyle and quality of living of those who live in these houses. A failure to deal with the problems could have major implications for other local services.

We are all aware of bed blocking during winter, especially bad winters, that results from many people entering hospital because of fuel poverty in their homes and consequent health problems. We must have joined-up thinking. This will not be the first or the last time that a Back Bencher tries to join up government thinking on this issue.

My local authority is well ahead in achieving the 30 per cent. target set by the Home Energy Conservation Act 1995; last year, it reached 9 per cent. The number of complaints that I receive on these issues shows that there is huge unmet demand for the Government to introduce measures that might achieve improvements on the present targets in the long term. By making targets statutory and stipulating that there should be a dedicated officer in each local authority charged with delivering them, the Bill should ensure that authorities that are lagging behind will enter into partnerships designed to deliver the targets.

I welcome the provisions in part 2. The Secretary of State will be enabled to give guidance on the operation of partnerships to help deliver energy conservation. It is essential that best practice is developed, but a case in my constituency shows where such projects can go wrong. In February, a lady applied for a grant for heating improvements under the home energy efficiency scheme. A gas contractor conducted a survey under the Energy Advice Grant Agency. The company was confident that the lady qualified for a grant. An independent surveyor contracted by EAGA gave her the same advice. When nothing happened, despite frequent correspondence, she eventually contacted EAGA, which told her that she did not qualify for a grant. Because she had a central heating system with a boiler, radiator and pipework, which had been installed in 1964, she had an adequate system, so did not qualify under the Government regulations.

Obviously, I have taken the matter up and am looking into it. However, it is essential that all the agencies in the partnerships to promote energy efficiency work together to ensure that there is clarity of purpose and that the public are not misled in any way or under any misapprehension about the appropriate criteria for qualifying for energy conservation assistance. The partnerships recommended in the closer regulation that the Bill advocates will go some way towards dealing with that. The confusion that I have witnessed in my own constituency is not a good advertisement for current schemes and will not help us to reach our goals.

Sandwell borough council is conducting one of five warm front pilot projects and has set up a partnership with other bodies, including EAGA, to eliminate those problems. Regular meetings are held with council officers and key players in the agencies who are delivering that assistance to try to deal with the confusion and problems that have arisen. We must ensure that we develop models that can be used to implement policy under the Bill.

Finally, I welcome the provision in the Bill to ensure that conservation standards are addressed in the transfer of local authority housing stock. In my own local authority, one reason for looking at stock transfer options is to lever in funds that would otherwise not be available to bring houses up to the appropriate energy conservation level and eliminate fuel poverty. It is helpful to include a statutory requirement so that when local authorities make an agreement to transfer stock to outside agencies tenants are in no doubt that their interests are paramount.

I shall conclude on that point, as many other Members have already raised the issues that I was going to discuss. I urge the House to support the Bill conclusively so that we can all return to our constituencies to tell the people who regularly attend our surgeries that action is in hand and so that we can make substantial progress in the years ahead.

12.8 pm

Mr. Roger Gale (North Thanet): I hope to make a brief speech. I have a properly declared interest, as I let a property at a maintenance-level rent. As a landlord, I welcome the Bill. The hon. Member for Brighton, Kemptown (Dr. Turner) is doing the House a great service in introducing an extremely important measure.

My hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed) has already said that Conservative Members support unreservedly the provisions in the Bill that address fuel poverty, and that we broadly support the provisions that deal with energy conservation. I endorse my hon. Friend's remarks and move swiftly on to the third pillar of the Bill—the registration of houses in multiple occupation. The hon. Member for Brighton, Kemptown said that that was the most important pillar, without which the other provisions would fall.

Hon. Members who represent seaside towns—many of whom have been in the Chamber this morning—are only too well aware of the deleterious effect of the decline in the hotel and guest house market and the consequent increase in the transfer of these properties to use as houses in multiple occupation. In North Thanet, particularly in Cliftonville, that has been marked over the past 20 years or so. There has been an influx of people from all over the country, and from all over the world, first as benefit claimants and more recently as asylum seekers. They have moved into properties that are unfit for habitation by the numbers of people and the kinds of family who have been using them.

Throughout my 16 or so years in the House I have campaigned for legislation on the proper registration of HMOs. The last Conservative Government gave local authorities powers to introduce licensing schemes. Thanet council applied to the Department of the Environment, as it then was, for a scheme, finally had it approved and introduced it. That has had some beneficial effect, but it would be wrong to believe that it has been sufficient to control the abuse of some of the properties in my constituency.

I could have taken the speech of the hon. Member for Leeds, North-West (Mr. Best) and virtually transposed it to Cliftonville in my constituency. It is interesting to note that the hon. Gentleman has experienced the same problems in an inner-city constituency as have those of us representing seaside constituencies.

My reservation about part 3 was the subject of my intervention, in which I named two organisations. I feel a need to clarify my earlier comments. It saddens me that the hon. Member for Brighton, Kemptown has chosen, at least for the moment, to exclude registered social housing groups from compulsory registration. Although there is regulation designed to control registered social landlords, and although in theory they already comply with much that is in the Bill and would apply to other landlords, those schemes do not appear to be satisfactorily policed.

I should declare another, vicarious interest, as my daughter occupies a home next door to a Notting Hill housing trust property. It is my personal view that the property is ill managed and has a bad effect on the surrounding neighbourhood. Like many such properties, it consists of terraced houses, and the behaviour and the management of people in one property are bound to impinge, as the hon. Member for Leeds, North-West said from his experience, on adjacent properties.

If fire breaks out, if the property is badly managed, and if there are inadequate fire precautions and fire escapes, it is not just the property itself that is at risk, but adjoining properties as well. I feel strongly that organisations such as Notting Hill housing trust that neglect their responsibilities to their tenants and to their properties should be brought within the ambit of the scheme.

The other organisation that I mentioned was English Churches housing. Sadly, over the past couple of years I have received more complaints from residents, constituents and tenants of English Churches housing than from any other single organisation in my constituency. I am sure that the authorities take the view that if the words "English Churches" appear in the title of a business, it must be reputable. Unfortunately, that does not seem to be the case.

The hon. Member for Brighton, Kemptown should reflect on part 3 and review the matter in Committee—I trust that the Bill will reach Committee. He should consider whether there is a strong case for bringing registered social housing within the ambit of the Bill not, as my hon. Friend the Member for Mid-Bedfordshire suggested, on the expiry of the current licence for social housing registration, but immediately. None the less, I hope very much that the Bill will get its Second Reading and be given a fair wind so that it can pass through the Committee stage and become stronger and better, and a very valuable Act of Parliament.

12.15 pm

Dr. Ian Gibson (Norwich, North): I, too, am delighted to have the opportunity to speak in this debate, just as I was when similar matters were discussed in relation to the private Member's Bill promoted by the hon. Member for Southend, West (Mr. Amess), which became the Warm Homes and Energy Conservation Act 2000. I shall not add my congratulations to my hon. Friend the Member for Brighton, Kemptown (Dr. Turner), as I think that he has had enough congratulations already and I do not, in this place at least, want flattery to get a bad name. Of course, he has done sterling work in uniting many different groups to sponsor the Bill and we all appreciate that.

I share a constituency office with the Minister without Portfolio, my right hon. Friend the Member for Norwich, South (Mr. Clarke), who, despite being without portfolio, has immense political remit and power. Almost every day, we are made aware of the housing problems of our constituents in all parts of Norwich, whether they concern damp, availability or anything else. Even in a fair city such as Norwich—some would say it is the future of Britain—we are acquainted with such problems, which are similar to those in Leeds and elsewhere.

Norwich city council, which has been Labour controlled for many years, has earned the plaudits of people throughout the nation for its handling of council housing and the way it has sought to prevent the slide into profiteering and privatisation. Councillor Bernard Smith, who holds the cabinet portfolio for housing and social care, recently said:

> "our government continues to allow hundreds of thousands of pounds to be spent on conference after conference, hundreds of thousands of pounds on fees to consultants, hundreds of thousands of pounds on one sided campaigns to persuade tenants to say yes to transfer or some private finance initiative. In the year 1998/99 alone, £25m was paid to consultants, lawyers and public relations firms to sell privatisation. Hundreds and thousands of pounds which surely would have been much better spent tackling the pockets of extreme deprivation that exist in many of our cities that just don't happen to meet the criteria of the latest funding scheme."

He went on:

> "We should not be terrified of calling for the renaissance of public sector housing. Surely we've not forgotten that it was only through the intervention of the public sector that housing shortages, chronic overcrowding, and the deplorable conditions that many people were living in were tackled. Surely we have not forgotten that in the past it was the public sector who ensured that good quality housing at affordable rents was available to key workers and not just doctors, teachers, nurses, but also to our school cleaners, our hospital cleaners, our refuse collectors and many others who can rightly claim the title of key workers."

Councillor Smith pointed out that Norwich city council owns and manages about 18,500 homes and has 1,500 residential leaseholders. Finally, he said:

> "We carry out some 4,500 repairs every month. Norwich City Council has been a direct provider of good quality affordable homes for many years."

Some hon. Members might see that as the East Anglian road to socialism, but throughout the many years the Labour council has been sustained in Norwich, it has continually gained renewed support among the city's tenants and voters.

I make no apologies for mentioning Norwich and using it as an example of some of the issues that we have discussed. After all, Norwich city council and Norwich itself have been savaged many times by the organically grown John Humphrys on Radio 4—criticising policies

[Dr. Ian Gibson]

on chestnut or conker trees and window boxes on high-level flats. It is about time we fought back and talked about some of the amazing things that have happened in Norwich in relation to housing.

On carbon dioxide and greenhouse gas emissions, a world-class group, the climatic research unit, is based at the local university. Its interests cover all aspects of climate change and it has advised the Government on many issues in the past few years. It was awarded the Tyndal centre, which is now an international unit that studies the effects of global warming. Mike Hulme, its director, stated:

> "If the concentration of carbon dioxide in the atmosphere doubles, the surface temperature of the planet is likely eventually to warm between 1.5 deg C and 4.5 deg C."

I will not put that into Fahrenheit. Celsius was mentioned this morning, but many of us still work in Fahrenheit. That is to do with our education. Mike Hulme continues:

> "The observed warming over the last 30 years of our climate can be explained when we consider the effect of rising concentrations of greenhouse gases influenced by human activities. The rise in concentration of human greenhouse gases like carbon dioxide and methane accounts for both local and global climate systems."

Considerations of climate change will have an impact on customers, corporations and countries. They will gradually become active agents in pre-empting the effects of climate change through precautionary adaptations and reacting to change by altering their behaviour patterns, investment plans, and regulatory policies, and in planning their homes and communities. The Bill stands alongside that vision and aim of reducing carbon dioxide emissions and greenhouse gases.

How is Norwich handling the problem? The university, city council and other organisations are working in partnership through a new Government initiative called the Carbon Trust. It is a good example of the academic community working with those outside its ivory tower. In Norwich, the requisite reductions will take place, and plans are afoot to reduce emissions to 60 per cent. by 2020, in a pilot study. That means targeting every household, school, housing and development project manager and transport provider in the city.

The study will be especially important for houses in multiple occupation. Many students live there. When I took richer students from the United States around Norwich, they sometimes asked where the poor people lived. I showed them some of the places where the students lived. There are many poor quarters in the United States, but it does richer students good to remember that some students live in the conditions that other hon. Members have described.

We have also considered fuel poverty; it has been discussed in the House several times. As I have said on previous occasions, although the Government's heating allowances constitute a tremendous initiative, people still shiver and suffer for lack of heat in this country. That damages people's health and makes them susceptible to infections. There is a formula, which has been discussed previously, for calculating the increase in deaths in the winter months between December and March. Eighty-eight per cent. are due to vascular problems and infections, not to hypothermia, from which few deaths result. Figures have been produced that show that nearly 23,000 people die as a result of excess winter mortality in this country. I am sure that the real figures are much higher; I believe that they would be 50 per cent. higher if we recorded them differently.

The evidence is clear. The coldest countries do not have the worst winter mortality rates. That is attributed to warmer houses, wearing more clothes and more physical activity. Excess winter deaths vary between the ages of 45 to 75 and between social classes. We apply the formula every year in Norwich, where 200 to 300 extra deaths occur in winter. The Bill will help, through provisions on central heating and so on, to improve the figures and reduce deaths. I believe that that ambition will be easily achieved.

I am not in a position to give individuals advice. I would not want to do that because I believe that we need collective action, for which the Bill tries to provide. My constituency covers Broadland council as well as Norwich's. Those councils have affordable warmth policies. They have standards that they try to maintain, they give grants and they carry out energy conservation. They have a long way to go, however.

I shall outline precisely what Norwich has done recently. It hosted the eastern consultation on the Bill in Norwich city hall, and the conclusion was that there was a need to bring the performance of the poorer-performing councils up to standard. It was decided to focus on activity, and to make the appointment of an energy efficiency officer a statutory post. There were worries that the council might be restricted in exercising its discretion, and that central Government might be over-prescriptive, so I look forward to hearing the Minister's views on that.

A large percentage—some 35 per cent.—of Norwich's housing stock is owner occupied, and large sums have been invested in those houses for energy efficiency. In 2000–01, almost £500,000 was invested in insulation, £1,170,000 in heating and hot water systems, and £866,000 in replacing windows, with private owners receiving grants of £88,000 for insulation and £356,000 for heating and hot water systems. That is an amazing start, but it covers only a small percentage of the homes that need investment. There is a long way to go; only 2,000 homes have benefited so far, and we look forward to more resources being invested. The Bill clearly attempts to empower local councils and to address the problems of persuading and encouraging private owners to improve the energy efficiency of their homes.

Norwich city council has consistently supported the need for licensing HMOs, and supports the reform of the current piecemeal legislation. We also need to bring the legislation up to date to tackle the problem of irresponsible landlords, and to ensure that it is enforceable and clear in its requirements. It would be a tragedy if this Bill did not soar into legislation.

12.26 pm

Mr. Richard Bacon (South Norfolk): It is a pleasure to follow the hon. Member for Norwich, North (Dr. Gibson), who is a near neighbour of mine in South Norfolk. This is my first opportunity to contribute to a debate on a private Member's Bill, and I share the widely expressed sentiment that such debates show the House of Commons at its best. It is my belief that the House of Commons can mean something if the Members determine that it should do so. I congratulate the hon. Member for Brighton, Kemptown (Dr. Turner) on securing this debate, and on having put it to such good use.

In addition to Norwich city council, my own local authority, South Norfolk council, has also expressed an interest in the Bill and asked me to support it, which I am pleased to do. I listened with interest to the point made by my hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed)—who is no longer in his place—about castigating the Government for not having taken action earlier. He may have a point, but I would sooner congratulate the hon. Member for Brighton, Kemptown on having taken this opportunity to do something. This bears out my belief that we would probably be better off if we had less Government legislation and more private Member's legislation. It is, therefore, a great pleasure to speak in this debate.

On energy conservation, there are clearly wide disparities in the energy efficiency achieved by different local authorities. I have no doubt that making the achievement of the targets mandatory will focus minds and will assist the local authority officers responsible for achieving the targets in negotiating for resources and delivering what they are required to deliver.

Some 20 years ago, I lived in Canada for a while. That is a country with a much colder climate than this one. Day after day and week after week, the temperature was regularly minus 35 deg Celsius. The hon. Member for Norwich, North will know that by the time it gets down to minus 40 deg, it does not matter whether it is Celsius or Fahrenheit. When I was living there, the Canadian federal Government had a scheme for home insulation that was extremely easy to access, extremely widely taken up and had a huge impact on the levels of home insulation. This relates to something that the hon. Member for West Bromwich, West (Mr. Bailey) said about the difficulty of getting grants. If the Bill becomes law, as I hope and believe it will, I hope that the Government will consider seriously what might be done to improve energy conservation through encouraging much more uptake of home insulation.

There is universal agreement in the House that it is extraordinary that we are still talking about fuel poverty, and any measures that can be taken to eradicate it are welcome.

I shall not repeat the comments of my hon. Friend the Member for Southend, West (Mr. Amess) about houses in multiple occupation. He mentioned Conservative Future, which is a splendid organisation with 10,000 vibrant young people who can see which way things are going in the future. It is full of people who recognise that the thing to do with stock is to buy it when it is cheap. They have obviously backed the right horse in that respect.

Conservative Future makes a valid point. When I was a student and first moved to London, I lived in a house in multiple occupation. I was frightened of getting up in the morning because it was so cold. Houses in multiple occupation that lack proper facilities for warmth affect most those who are least able to care for themselves at both ends of the spectrum: young people who have left home and are just starting out or are in tertiary education, and old people who spend most of their time at home and have the most limited incomes. Any measures to deal with fuel poverty will therefore be welcome.

I have a couple of concerns. The first relates to the definition of multiple occupancy. I shall not go into any detail, as that is a matter for the Committee, which should give it close consideration. Any definition that is agreed on when the Bill comes out of Committee should not create more problems than it solves.

My second concern relates to registered social landlords and the point raised by my hon. Friend the Member for North Thanet (Mr. Gale), who has apologised to me because he has had to leave the Chamber temporarily. I agree with the hon. Member for Brighton, Kemptown that good landlords have nothing to fear from the Bill. I am sure that that is right. As my hon. Friend said, many landlords will welcome the Bill.

Mr. Love: Taking a slightly wider view, there is a recognised need for institutional investment in the private rented sector to deal with these problems. The institutions are scared off by the Rachman-like image of the private rented sector. The Bill will be the first step in attracting institutional investment to deal with the problems.

Mr. Bacon: The hon. Gentleman is almost certainly right. When I left university my first job was in a merchant bank, and I was able to afford a warm flat in London. I had an inglorious three years of merchant banking, where I worked longer hours than in this place. What struck me most about my early experiences was the extraordinary concern that people working in reputable institutions in the City expressed about the probity of the organisations with which they were dealing. That was at the time of the Guinness and other scandals in the 1980s. It shocked me that, far from being swashbuckling corporate financiers, institutions were hugely concerned to look for and ensure probity on the part of those with whom they were dealing.

Mr. Simmonds: Does my hon. Friend think that the classification of HMOs and specific properties may deter some institutional investors from coming into the market because of their derogatory perception of HMOs in the residential marketplace?

Mr. Bacon: The precise definitions are matters for the Committee. My hon. Friend may also have a point.

The key issue is that most landlords most of the time are good and honourable and want to do the right thing. A small minority are determined not to do the right thing if at all possible. I shall not dwell on the definition, but it is important.

As I said, my second concern relates to landlords. We should ensure that the regulatory burden is not excessive when the Bill comes into force. That depends on what is written in the Bill, and on how local authorities interpret and act on the regulations. Resources should be disproportionately concentrated on hunting down the relatively small proportion of bad landlords. We should ensure that the majority of landlords who are keen to fulfil their obligations do not feel that they are being hounded or are not welcome. We must also ensure that the Bill does nothing to reduce overall provision by the private rented sector, which needs to expand, not contract.

I support the Bill, and congratulate its promoter.

12.35 pm

Ms Julia Drown (South Swindon): I do not hesitate to congratulate my hon. Friend the Member for Brighton, Kemptown (Dr. Turner). I have backed earlier moves to

[Ms Julia Drown]

tackle fuel poverty, and have welcomed the Government's action in providing winter fuel payments and extra support for their home insulation and heat conservation schemes. I have also campaigned in regard to the licensing of houses in multiple occupation, and, last November, initiated an Adjournment debate on the subject. I want to concentrate on that aspect today.

As one of the Bill's main proponents, I was glad to be able to arrange a consultation meeting on HMOs in my constituency. A number of suggestions were made, both for additions to the Bill and on the wider issue of dealing with fuel poverty. The strongest plea came from representatives of the fire service, who said that regulations applying to HMOs must be strengthened. We should seize the opportunity to install domestic sprinklers in the properties that need them most. That was a genuine plea from the hearts of those who have to rescue people who are sometimes injured and burnt, or have to carry dead bodies from homes. They ask all Members to support the Bill and to use it as a vehicle to stop unnecessary deaths in HMOs.

Let me explain how we can prevent such deaths. I hope that everyone agrees that fire regulations should be part of overall HMO regulations. I agree with the hon. Member for Mid-Bedfordshire (Mr. Sayeed) that licensing would be appropriate, and neither burdensome nor costly. I am sure that that can be achieved. We need to raise housing standards to the same high level. We can work with good owners and, together with them, secure a sensible timetable for delivery of the improvements that are so vital. We need to tackle the cowboy owners, who exploit the most vulnerable members of the community by leaving them in fuel poverty and at significant risk of fire. By tackling the bad owners, we will strengthen the position of the good ones in the marketplace.

About 3.1 million people live in HMOs—about 6 per cent. of the population. However, 35 per cent. of fire deaths and about 39 per cent of injuries occur in HMOs. Smoke alarms play a part in fire safety, but on their own are inadequate. A recent study conducted in poorer parts of two London boroughs found that only 16 per cent. of homes had functioning smoke alarms. Too often people forget to check the batteries, or turn the alarms off when dinner is burning and forget to switch them on again.

Fire sprinklers, however, are reliable. The technology is simple: the sprinklers are set to go off only when the heat reaches 68 degrees C, and to go off only in the area of the fire, controlling it or putting it out.

We are behind the times. In the land of the free market, Scottsdale in Arizona, a law was passed in 1985 requiring fire sprinklers to be fitted in all new properties. Scottsdale recently published a 10-year report showing no fire deaths, an 80 per cent. reduction in fire injuries and in property damage, and a 95 per cent. reduction in water usage for fire control in properties with sprinklers. Vancouver, whose climate is much like ours, passed a similar law in 1990, and recently published an interim report supporting the Scottsdale findings.

Sprinklers are affordable; they have certainly been found to be so abroad. The technology is getting cheaper as the market develops. Compared with the income that owners receive from their properties and the cost of the estate as a whole, the cost of sprinklers is marginal. Those hon. Members who support the Bill because they are concerned about the lives that are lost through fuel poverty and about people suffering in cold homes should support investment to save lives and to give people security in their homes.

To emphasise the point on affordability, we should compare that cost with the cost of insulating homes against noise. The Government are considering introducing regulations on higher standards of noise insulation in homes, yet the cost of such insulation is higher than the cost of putting fire sprinklers into homes. Surely preventing injuries and deaths deserves at least as much attention as noise reduction.

For those who are unconvinced, I have two more suggestions. First, they should look at the Residential Sprinkler Association's website—www.firesprinklers.org.uk —where there is a description of a demonstration carried out in two houses in Wiltshire, one with sprinklers and one without. In the unprotected house, the blaze caused devastation. In the protected house, the sprinklers effectively targeted the fire, minimised damage and kept the house safe for any occupants. If hon. Members still need to see the effects of fire sprinklers with their own eyes, they are welcome to visit Westlea fire station in my constituency, where a demonstration house has been set up. It shows effectively the dramatic impact of sprinklers.

I hope that the House will remember the plea from the firefighters and accept the case for fire safety and fire sprinklers to be part of regulations on houses in multiple occupation. I have concentrated on that matter, but I equally support the important parts of the Bill that deal with fuel poverty. I urge the House to support the Bill.

12.41 pm

Mr. Mark Simmonds (Boston and Skegness): I add my congratulations to the hon. Member for Brighton, Kemptown (Dr. Turner) on his success in the ballot. I thank him on behalf of my constituents in Boston and Skegness, especially those who will directly benefit from the Bill, which I hope will move to its Committee stage and soon become an Act of Parliament. The people who will specifically benefit from the Bill are the rural poor in the immediate surrounds of Boston and those in Skegness who reside in HMOs. Many of the older hotels and boarding houses have not been converted satisfactorily.

I have one or two queries about part 3, but I wholly support the excellent and worthwhile ambition to eradicate fuel poverty to improve many people's lives, particularly the vulnerable—older people and those in lower socio-economic groups.

As an ex-housing chairman at Wandsworth council, I am aware of the many complex issues that surround this subject. When I was doing some reading to research the debate, I was disturbed and horrified to find out that since my time at the council in the early 1990s, despite some important legislation having been enacted, things have not moved on that much. The severity, the continued extent and even the geographical spread of the problem of fuel poor households are unacceptable.

Some interesting statistics from Help the Aged drove that point home. About 25,000 senior citizens died avoidable deaths last winter. Not all were due to fuel poverty, but a large number were either directly due to fuel poverty or allied to it. Seventy-seven per cent. of single pensioners are classified as fuel poor. Forty per cent. of housing comprising bedsits has been deemed unfit for occupation. Those figures are a very poor reflection upon our country and our society when we are the fourth biggest economy in the world.

All hon. Members are aware of the effects of fuel poverty, which include misery, illness and death. The challenge is to find a way of bringing together and enabling the relevant bodies to work together effectively and efficiently towards the common goal. The Bill's provisions strengthening the Home Energy Conservation Act 1995 are necessary, welcome and to be encouraged. The 30 per cent. target will not be met without them, and it is essential to allocate resources to enable local authorities to meet the duty imposed in the Bill.

I think that most hon. Members agree on part 2, which deals specifically with fuel poverty, and I shall not dwell on it. My one possible concern is, inevitably, part 3, which seems initially almost to have been bolted on to the other two parts. Nevertheless, to eradicate fuel poverty, it is necessary to regulate HMOs; as mentioned earlier, HMOs account for 39 per cent. of the nation's fuel poverty. However, I would prefer that that very detailed and complex issue were addressed in a Government Bill, so I am slightly disappointed that it is being addressed in a private Member's Bill, good though it is.

It is vital that we improve the standard and quality of private rented accommodation so that people can live safely and without fear of fire, gas leaks, pests, fuel poverty, damp, water penetration, structural problems—the list is almost endless. Not only the elderly, but students—as hon. Members have said—suffer from those conditions. I believe that 600,000 students live in privately rented accommodation, and many of them live in HMOs. If we are to eradicate fuel poverty, HMOs must be registered and play their part in improving the totality of the housing stock.

It is important that licensing is not either a first step or a snowball that will re-regulate the private rented sector. We need to encourage more private landlords and more institutions to enter the private rented sector to provide people with choice and diversity, so that they can decide where and how they want to live. We must ensure that the legislation does not increase unnecessary costs or place pervasive burdens on good, responsible private landlords.

Mr. Love: The subtext of many of the comments from Opposition Members on part 3 is that the provisions would result in fewer properties in the private rented sector. Does the hon. Gentleman have any evidence showing that that would be the result? Or does he agree that the number of those properties will increase if we can attract institutional investment to the sector?

Mr. Simmonds: I was coming to the reasons why I hold that belief, one of which I mentioned in an intervention on my hon. Friend the Member for South Norfolk (Mr. Bacon). Institutional investors who may wish to invest in residential accommodation definitely perceive that a stigma attaches to HMOs. If the Bill's HMO proposals require them to register, some institutional landlords may well either not invest or defer investing in the residential sector.

Our experience of the legislation operating in Scotland is that although there may be some debate about how much the sector has been reduced, there is not much argument about the fact that the sector, and particularly student accommodation, has been reduced. I raised that issue in an intervention on the hon. Member for Brighton, Kemptown, and I was very pleased with his reply that people have been taking on board the lessons learned in Scotland and that they will be applied to this legislation.

Jim Knight: Is there not a chicken and egg situation, in that the Bill seeks to improve the quality of properties in the HMO sector to the level maintained by the better landlords, so that the stigma is removed and institutional investors become very happy to invest in the sector?

Mr. Simmonds: I thank the hon. Gentleman for his intervention and I take his point. However, whether or not they are investing in residential property, institutional investors are looking for a return on the money on behalf of their shareholders or pension funds. Historically, there has not been much institutional investment in residential accommodation because of the yield gap—the disparity between the money invested and the return on it. Although the Bill is very worthy, I am nervous that it will increase the costs incurred by institutional and private landlords and thus increase the yield gap and deter them from investing.

Mr. Love: I thank the hon. Gentleman for his indulgence in giving way to me again. As my constituency is in London, which has the highest demand for a private rented sector, I would not want there to be any reduction in the number of properties available in Greater London. Does he agree that if the Bill, and part 3 in particular, is introduced sensitively, those problems will not arise?

Mr. Simmonds: I hope that the hon. Gentleman is right, but I draw his attention to another factor. My hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed) said that we may need greater flexibility in the time scales for implementing the legislation as certain issues require more time. If costs could be spread over a number of years rather than taken in one hit, people might be encouraged to retain their properties in the marketplace rather than sell them on as residential accommodation or convert them back to single dwellings, which is certainly possible for many London properties which were converted from single dwellings in the first place.

The licensing of HMOs must have a degree of consistency on cost. The recent experience in Scotland, which I mentioned in response to an intervention, has been confusing and, it is fair to say, poorly administered, with local authorities taking widely differing views and charging widely differing fees. That has led to a degree of non-compliance. Hon. Members will agree that the legislation must allow no room for manoeuvre and that everybody should be required to comply with it.

Experience shows that the Scottish legislation has produced a marked reduction in the availability of properties at the lower end of the market. We must ensure that that does not happen here. I shall not elaborate on the point that was made by my hon. Friends the Members for South Norfolk and for North Thanet (Mr. Gale) with regard to registered social housing, although some of the social housing in my constituency could benefit from the legislation. I very much hope that the Government and the hon. Member for Brighton, Kemptown will give serious consideration in Committee to including registered social landlords within the remit of the Bill.

[Mr. Simmonds]

In conclusion, let me put it on record that two of the local authorities that affect my constituency, Lincolnshire county council and Boston borough council, fully support the Bill, particularly as they believe that it will benefit vulnerable people, especially pensioners, many of whom have poorly insulated houses, are on low incomes and are vulnerable to death from cold-related illnesses. I am delighted to add my support to the Bill.

12.54 pm

Jane Griffiths (Reading, East): I am pleased to take part in this important debate today. I, too, congratulate my hon. Friend the Member for Brighton, Kemptown (Dr. Turner) on his success in the ballot for private Members' Bills and on introducing this important Bill.

Energy conservation is becoming increasingly significant. Climate change and fuel poverty are challenges that we all face. At the same time, achieving decent standards of affordable accommodation is important in my constituency, especially for the 10,000-plus Reading university students who live in Reading, East. That is why I support the Bill today.

As part of the post-second world war generation, I did not live in a house with central heating until I was 14, and that is not unusual. In the large-scale building that took place after the war and through to the 1960s, the priority was to provide people with a roof over their head. We were clearing insanitary slums, as it was put at the time, and building homes fit for heroes. Getting people a home was a higher priority than having a warm home.

Times have changed. The various Bills that were blocked by the Conservative party in the early 1990s, and the final enactment of the Home Energy Conservation Act 1995, are testimony to that. Cold, damp homes are a major factor in ill health. The United Kingdom is the only major industrial nation whose citizens suffer from extensive fuel poverty. In fact, excess winter mortality, described as perhaps the most powerful indicator of fuel poverty, is virtually unheard of outside the UK. We should be ashamed that, in the 21st century, we live in a society where people have the choice: to heat or to eat. We need to tackle those problems, and that is why the Bill is so important.

I welcomed the 1995 Act. At the time, I was a councillor on Reading borough council, and we campaigned for our then Member of Parliament to support the Bill, but I entered a caveat: the setting of a 30 per cent. target for everyone from the time of enactment did not recognise the work that local authorities had already done. Not every council started from the same base line. For example, before the Act became law, Reading borough council had agreed with its tenants to charge an extra £1 a week on their rent. The £300,000 raised was spent on energy efficiency improvements.

The 1995 Act set a target of a 30 per cent. improvement in energy efficiency by 2010. To achieve that, councils needed to have achieved about 8 per cent. by 31 March 2000. I join the Secretary of State in being dismayed that the average achieved was only 6 per cent. and that more than 100 councils had not even achieved a 3 per cent. improvement.

I am pleased that Reading borough council has continued with its measures to tackle fuel poverty. On 31 March 2001, its improvement in energy efficiency stood at 10.8 per cent. That has been achieved through an impressive array of programmes based on conducting a general analysis of the situation in Reading and then focusing on areas of greatest need. I commend the council's fifth progress report for its wide range of initiatives taken to increase energy efficiency.

The council's approach is to find low-cost measures that can be introduced into many homes and benefit many people. One example is work done with Southern Electric to allow people on low incomes to buy fridges for £25 to £50. In partnership with Southern Electric, the council has distributed 300 energy efficient kettles to elderly people in Reading. It worked with British Gas and Southern Electric to distribute 500 free light bulbs and energy advice in energy week.

The success of the initiatives is shown by the fact that Reading has a standard assessment procedure rating of 48, compared with a national average of 44. The position is even better if one bears it in mind that, because of Reading's ridiculously tight boundaries, most of its suburbs are outside the Reading borough council area. An SAP rating of 48 is reckoned to be high for a borough with predominantly pre-war housing stock, although that is not a reason for the council to rest on its laurels.

The other local authority area that I represent is Wokingham unitary. Its annual improvement to 31 March was just below the national average, at 5.8 per cent. It is a shame that, despite a number of initiatives, Wokingham was not able to record any improvement in energy efficiency over the past year, despite having keen and willing staff who are committed to tackling fuel poverty. I challenge Wokingham's councillors to do more to tackle fuel poverty. I challenge them to give their officers the tools to do the job, to make Woodley and Earley better and warmer places to live.

My main reason for speaking today is to support part 3. A 1995 survey revealed that there were at least 1,700 houses in multiple occupation in Reading, accommodating at least 10,000 people. At that time, 90 per cent. of HMOs in Reading lacked adequate means of escape in case of fire, and a third were in a poor state of repair.

Reading is a university city, and my constituency is home to about 10,000 of the university's 12,000-plus students. At any one time, thousands of students are living in HMOs in Reading. It was for that reason that Reading and Wokingham councils worked with Reading university, Reading college and the school of arts and design to set up a landlord accreditation scheme. The scheme related solely to students initially, but has now been widened to include all tenants. The scheme is nationally recognised, offers a package of training for landlords, holds a number of information evenings each year and facilitates a forum for accredited landlords that gives them a voice on the councils.

The scheme was chosen as one of only seven nationally for a DETR-commissioned study of good practice in landlord accreditation schemes. Reading's scheme includes many of the elements proposed by clause 7. However—this highlights the importance of the matter being linked to energy conservation in the Bill—Reading's scheme does not include energy efficiency. A scheme recognised as one of the best nationally does not currently include energy efficiency. Yet, according to the Government's own figures on fuel poverty, people living in privately rented accommodation are more than 50 per cent. more likely to be living in fuel poverty than the average person in the UK.

People living in HMOs are more likely to be living in less energy efficient accommodation. If we add to that the attitudes of bad landlords in areas such as Reading that experience high demand, we see that including energy efficiency as part of a scheme to register landlords becomes very important. I am pleased that Reading borough council proposes to consult landlords next year on including energy efficiency in the scheme.

Given what I have said, why should we have a mandatory registration scheme? If things are so good in Reading and Woodley, why bring legislation into it? In general, at the moment, the onus is on the local authority to find out where HMO properties are. It must carry out surveys, deal with complaints from the public or get landlords approaching the council for advice to improve conditions. Only the good landlords will do that.

A mandatory registration scheme shifts the onus on to landlords to come forward. Initially, it is likely that only the good landlords will do so. However, if the scheme is properly thought out and involves landlords and tenants from the start, it is likely that, as it progresses, landlords who do not initially want involvement with councils will start to come forward. This has partly been our experience of landlords involved in the landlord accreditation scheme that I mentioned earlier.

I would like to give an example of a case from Reading, concerning a four-storey property with twelve tenants—nine adults and three children, including a baby—sharing two kitchens and one bathroom. There were no fire precautions, the landlord rarely visited the tenants and they had no contact details in case of emergencies. There were also problems with damp. The council is in the process of serving notices under the Housing Act 1985, as amended, on the landlord to improve conditions. The couple with the baby have now been rehoused owing to the baby's medical condition.

One of the problems that the council faces is finding out who the landlord is, as so many companies are involved. A registration scheme would mean that a landlord or owner would need to give the council details of who was responsible, and would not to be able to get lost in various companies.

Reading, East is home to thousands of students living in HMOs like those I have mentioned. As a result of the accreditation scheme, landlords are not all like those whom I have just mentioned. Unfortunately, far too many are. That is why Reading university students union has been campaigning for improvements to HMOs. It is not right that because there is a captive market of demand for accommodation, bad landlords should be allowed to get away with taking money and having people living in substandard accommodation.

The problems of trying to study and work in cold and damp accommodation are too obvious, not to mention the danger of accommodation with improperly serviced heating equipment or which lacks adequate fire escapes.

I started by talking about the shame that we should all feel because ours is the only major industrial country that has such a problem with fuel poverty. We should also perhaps be ashamed about the accommodation in which some of our fellow human beings are living. The Bill will strengthen efforts to tackle fuel poverty. It will improve the conditions in which the people of Reading and Woodley live. Giving the Bill its Second Reading is the minimum that we should do. Our humanity is measured by the way in which we treat the most vulnerable people in our society, for it is they who suffer more from fuel poverty and poor housing conditions, and it is they who die as a result. For the sake of our humanity, we should do nothing less than ensure today that the Bill makes further progress in Parliament.

As a postscript to my remarks, let me say that as a member of the post-war generation it has been difficult to speak in the House today—the day that witnessed the passing of George Harrison. Some of us are inclined to weep now that George's guitar gently weeps no more.

1.5 pm

Mr. John Baron (Billericay): I am grateful for the opportunity to debate this important Bill. I congratulate, without wishing to give flattery a bad name, the hon. Member for Brighton, Kemptown (Dr. Turner) on introducing it. Any Bill that stands a real chance of improving the plight of the vulnerable and disadvantaged in society is to be welcomed.

I should declare an interest in that I am a landlord who employs professional managing agents to manage the properties. I, for one, have no problem with the introduction of the Bill—in fact, I welcome it. All too often, the image of landlords is tarnished by the small minority of unscrupulous landlords who seek to exploit. My firm belief is that the Bill will go a long way to remedying that problem, so I welcome it wholeheartedly. In reference to a comment made by the hon. Member for Brighton, Kemptown, I have never been called a Rigsby, and I hope that I never will be.

I shall comment briefly on part 1 before moving on to part 3. I am conscious that other hon. Members want to speak, and much of the ground that I intended to cover has been covered already. As we know, the Home Energy Conservation Act 1995 set a target to achieve a 30 per cent. improvement in energy efficiency by 2010. We also know, from speaking with local authority members and officers, that that target has been difficult to achieve because they have been given, in effect, little help.

The requirement to achieve the target is contained in ministerial guidance only—it is not a statutory duty. The importance of the Bill is that it will suddenly make achieving that target a statutory duty and so give councils more tools with which to work. That is essential bearing in mind how far we are from achieving the target. Clause 2 is also important. It deals with the concern that because HECA officers often have too many jobs to manage, they have become demoralised. A designated officer will have enhanced influence to bring to bear on the task of achieving the target.

Clause 3 requires some clarification in Committee. To suggest that the Secretary of State

> "may take such steps as he deems necessary in order to ensure that the target is met"

is a little vague. When is that clause to be tripped? Are targets to be set annually, with the Secretary of State judging at the end of the year whether to take the corrective steps that he deems necessary? I ask those concerned to examine that provision and to provide clarification in Committee.

[Mr. John Baron]

Part 3 is, as many hon. Members have said, probably the most important part of the Bill because it helps to bring everything together. It deals with HMOs and would ensure better protection for HMO tenants under existing law. As Shelter has pointed out, HMOs provide an important source of accommodation for many young single people, students and others who are unable to access social housing. Approximately 1.5 million people live in HMOs in England and Wales and there is little doubt that their housing conditions are among the poorest and most dangerous in the country. The highest incidence of extremely poor accommodation can be found among HMOs. Of all sectors, it has the highest proportion of fuel poverty, running at about 39 per cent.

The comments of the hon. Member for South Swindon (Ms Drown) were important. Department for Transport, Local Government and the Regions research shows that in many HMOs the risk of death from fire is extremely high. Tenants in bedsit houses are six times more likely to die from fire than people in houses occupied by single families. Adults living in bedsit houses that are three or more storeys high are almost 17 times more likely to be killed in a fire than those living in a single family house. That illustrates the danger from fire in HMOs. I hope that the Bill will enable us to take that issue extremely seriously.

It is clear that the current regulations bearing on HMOs is not satisfactory. They are regulated under part II of the Housing Act 1985, as amended by the Housing Act 1996. The regulations include a discretionary registration scheme, which has not been widely taken up by local authorities. Meanwhile, a series of court judgments have cast doubt on which properties fall within the current definition of houses in multiple occupation. That is giving many of the worst landlords an automatic opt-out from discretionary registration schemes, which I think is deplorable. It helps to tarnish the image of landlords generally.

Licensing of HMOs would give environmental health officials much more chance to undercover defects and to ensure that they are addressed. That is a strong argument for believing that the Bill needs to be enacted.

I shall make one or two suggestions that bear on the provisions that are set out in part 3. First, the Bill does not cover registered social housing, and it should. The comments of my hon. Friend the Member for North Thanet (Mr. Gale) were forceful. There is no reason why registered social housing should not be included in the Bill.

Secondly, as the Bill stands, only HMOs with five or more residents would need to be licensed. If the Bill is to be effective, it should apply to all houses with four or more residents. If it does not, it will miss many people, especially students, who live in HMOs. They would benefit tremendously from such legislation.

Thirdly, we must guard against too much red tape and cost. We must ensure that the licensing scheme does not drive private landlords out of the market and force tenants into homelessness. HMOs supply accommodation that is accessible to many people whose needs are fairly short term. The majority of HMO landlords seek to maintain required standards, and I would like to think that they provide a valuable service.

Shelter, among other organisations, has rightly suggested that the Government should minimise the cost to landlords and tenants by keeping the fees for obtaining a licence as low as possible. We have heard how licensing in Scotland is causing concern in one or two areas, given the disparity in the fees that are being applied by local authorities.

Only unscrupulous landlords running substandard accommodation have anything to fear from the introduction of licensing. I wholeheartedly commend the Bill to the House.

1.14 pm

Jim Knight (South Dorset): I, too, congratulate my hon. Friend the Member for Brighton, Kemptown (Dr. Turner) on the hard work that he and his staff have done on energy conservation and fuel poverty, and on introducing the Bill.

The partnership that has been created for the Bill draws upon support from organisations that are involved with energy, the environment and housing. There is also the support of more than 100 local authorities. That demonstrates that the Bill has been carefully constructed. I am in the Chamber at the request of one of the local councils in my constituency, Weymouth and Portland borough council. We must build an effective and practical strategy if we are seriously committed to eradicating fuel poverty and improving energy efficiency in our homes, now and in the future; I therefore strongly support parts 1 and 2. However, like other Members, I should like to focus on part 3—the provision to license houses in multiple occupation.

Weymouth is the largest town in my constituency. Yesterday, I spoke at length to Mr. Bury, the council officer who attempts to regulate HMOs in the town. He knows of 632 HMOs in the borough, but he estimates that that is only half the true figure. It is precisely because there is no mandatory registration that he does not know how many HMOs he has to monitor or, indeed, where they are. Often, he only finds out about them when there is a complaint about noise, nuisance or unsafe heating appliances, or when there is a fire. He wants the quality of HMOs to be levelled up to that of properties let by good landlords such as the hon. Member for Billericay (Mr. Baron). Mr. Bury put it to me that taxpayers subsidise housing benefit for good landlords, but also subsidise rubbish. That should not continue, and the Bill will help to resolve the problem.

Simply introducing a mandatory licensing scheme for HMOs, as my hon. Friend the Member for Brighton, Kemptown proposes in his Bill, would be a major step towards improving safety in HMOs. It is not just me saying that, but my local environmental health officer, building control officer and the deputy chief fire officer of Dorset. As we have heard, 6 per cent. of the population live in HMOs, but 28 per cent. of fire deaths in this country are in HMOs. The Dorset coast has its fair share; since July 1999, there have been 31 fires in HMOs in the county, including one fatality. Last Sunday, there was a fire in Weymouth; someone tossed a lit cigarette into a disused shop full of rubbish, causing a fire and considerable smoke damage to the HMO above. The fire alarm did not work, but the occupants were lucky; the fire was extinguished and they were not harmed.

Earlier this year in Weymouth, a tenant left a candle burning on top of his television in a top floor room and caused a fire. I am told that that is common; many HMO tenants struggle to afford heating and lighting, so when the meter runs down they light a candle. That fire burned out the whole room and damaged the floor below. The HMO has had to be completely refurbished, costing the landlord many thousands of pounds; he has also had to bear the cost of rehousing his tenants while work is carried out.

Those are just two stories from my patch; they involve some of the most vulnerable people in our society living in the highest risk accommodation. Beyond their own problems, they are vulnerable to cold, fire and asphyxiation. I support the Bill's provisions because they are a major step forward; they will raise standards and, most importantly, improve health and safety for about 3,000 of my constituents who live in such accommodation. It is a sad fact that, as we have just heard, occupants of houses comprising bedsits are about six times more likely to die as a result of fire than adults in an ordinary house; and all those deaths are preventable.

We have already heard from my hon. Friend the Member for South Swindon (Ms Drown). Like me, she is an active supporter of the national fire sprinkler network; there was a race between us to make points about fire sprinklers. I hosted a meeting of the network in the Commons this week to discuss water pressure problems when fighting fires with sprinklers. Like my hon. Friend, I salute the work of the Residential Sprinkler Association in this area. The Bill will make it possible for the regulating authority to insist on fire sprinklers in HMOs. Some landlords may be alarmed about having to install these devices, but I remind the House that no one has ever died in a fire in a building with a fully maintained sprinkler system; sprinklers work. According to the RSA, 227 people die in fires in HMOs in this country every year. Those deaths are all needless, they are preventable, and it is a scandal that we let them continue. I applaud my hon. Friend the Member for Brighton, Kemptown for offering us an opportunity to do something about that. As we have heard, similar fire safety regulations were introduced in Scottsdale, Arizona 15 years ago. Since then, no one has died in a property where sprinklers have been installed, and property damage from fire has been reduced by 80 per cent.

It is only because the victims of such fires are particularly vulnerable, poor and lonely that we tolerate the problem. At a cost of just £1 per sq ft, the problem can be resolved. We have heard the myths. Fire sprinklers do not go off by accident when the toast burns. They are not like smoke detectors. My mother depends on the smoke alarm going off to tell her that her delicious caramelised pears are done under the grill. Sprinklers do not work like that. They are started by heat, as my hon. Friend the Member for South Swindon told us earlier. That means that they do not all go off together—only where the fire and the heat are. A fire in one room in an HMO will not cause water damage in everyone's room. The water damage is minimal: 5 per cent. of the damage caused by a fire appliance. A disaster becomes merely an inconvenience.

Most importantly, sprinklers offer so much more protection than a smoke alarm. If someone comes home from the pub after a few too many and falls asleep on an armchair made with dodgy foam, forgetting that he left the chips on, it takes a while for the alarm to wake him up and by then, sadly, it may be too late. And if he took the battery out when he burned the toast or made caramelised pears, and forgot to put it back, the smoke alarm will not work. If it does work, it only warns him to get out; it does not put out the fire.

By clarifying the definition of an HMO and introducing mandatory registration for certain types of HMO, we can go some way to saving the 227 lives needlessly lost each year. I do not believe that landlords like the hon. Member for Billericay will not welcome the extra regulation. It will protect their investment and may make insurance easier or cheaper. If they have sprinklers installed, that may reduce costly fire door and escape requirements.

Regulation should be seen as an opportunity to raise standards of accommodation by working together with the landlord and local authorities so that decent standards are achieved and maintained. The licence fees must be affordable for landlords, but they must also ensure that local authorities have the resources to administer the new scheme efficiently.

Speaking to housing and environmental service officers in Dorset, I realised how stretched the authorities are. Any new regulation system must allow for the resources to enable authorities to follow through with inspections and assistance when required. I also welcome the foresight displayed in the Bill, which allows councils to act jointly, so that small councils such as Purbeck in my constituency can make practical arrangements with their neighbouring authorities.

We have a responsibility to pass the Bill today unopposed. To oppose it is to condemn more people to live in cold, substandard accommodation. It is to condemn people to choose between heat and light. At its worst, it is to condemn people to die in preventable fires. I commend the Bill to the House.

1.23 pm

Dr. Brian Iddon (Bolton, South-East): I, too, congratulate my hon. Friend the Member for Brighton, Kemptown (Dr. Turner) on bringing such an important Bill before the House today. As treasurer of the warm homes group, I thank all the many organisations that have given their support to the Bill. They include more than 100 of the 469 local authorities, and I am pleased to say that my local authority, Bolton, is among them.

Several hon. Members referred to the HECA target of a 30 per cent. improvement in energy conservation by 2010. The target for 31 March 2000 was 8 per cent., but it had not been met by that date. As has been mentioned, 100 local authorities had achieved less than 3 per cent. Some hardly made any improvement at all, and in some local authorities there has even been backward movement.

My right hon. Friend the Minister for the Environment described the actual improvement figure—only 6 per cent. for 2000—as wholly inadequate. I am pleased, therefore, that the Bill will make targets statutory, and that each energy conservation authority will be required to appoint a dedicated officer to see that those targets are achieved. However, to achieve them, it will be necessary to ring-fence money within the housing investment programme allocations.

I turn now to the condition of housing stock in the United Kingdom. The Government have set a target of improving all housing stock in the public sector to a decent standard by 2010, but the worst conditions are undoubtedly in the private sector. Bolton's most serious

[Dr. Brian Iddon]

housing problem is the condition of its private sector stock. More than 22,000 houses in that sector—almost one in five houses in its complete housing stock—are classed as unfit by environmental health officers, and between 5,000 and 6,000 of them are classed as irredeemably unfit.

That problem exists in many northern towns and cities. It especially affects the old cotton towns of Lancashire and the wool towns of Yorkshire, where mill owners built houses on the cheap as close to the mills as possible. In Bolton, such houses are mainly shot—finished. They were built with inadequate brick on end foundations with outer and inner skins touching, which allowed damp to penetrate, and have common attics that are lethal when a fire starts in any single property in a long terrace. I maintain that no amount of money would allow such properties to benefit from any of the measures in the Bill or any of its predecessors.

If urban regeneration is to be meaningful, and if we are going to meet our energy efficiency targets and reduce fuel poverty, we desperately need to start to replace these very old properties through sympathetic clearance programmes. I am not advocating a return to the large-scale clearance programmes of the past. In the late 1970s, when I served on the housing committee in Bolton, we were clearing between 700 and 1,000 properties a year. We divided communities and scattered them to the four corners of the town. We need sympathetic, limited and small-scale clearance to regenerate our urban stock year in, year out.

In Bolton, houses are falling into a state of unfitness faster than we can improve the existing stock. Between 1979 and 1997, Bolton's housing resources—that is, the money spent on bricks and mortar, rather than on housing benefit—decreased by up to 70 per cent. Fortunately, under the current Government, the situation is improving slowly through the initial release of capital receipts and by increased allocations through the housing investment and approved development programmes, or HIP and ADP. Bolton has used all the available private sector improvement mechanisms. It has improved thousands of its properties and kept communities together. The town promoted five general improvement areas in the late 1960s and early 1970s, but those areas are now once again in a very poor state.

Bolton promoted its first housing action area in the late 1970s. We guaranteed that properties in the area would have an extra 30 years' life. That sounded like a long time when we declared the establishment of the area, but the period is rapidly running out and the properties are beginning to deteriorate again. These procedures have secured extra life for the thousands of affected properties, but what will happen when the 30 years run out? That concerns me greatly. We already have 22,000 properties that have been untouched by grants and are now unfit, while properties that we have improved in the past are rapidly catching up with them. The problem is immense. Incidentally, grant improvement to properties in the north—this situation is unlike the one in the south—usually produces negative equity, which means that the properties often cost more to improve than their market value after improvement.

I am sorry if I have taken the debate off at a tangent, Mr. Deputy Speaker, but I thought that it should be pointed out that the state of some of the stock in Britain is such that the measures in the Bill and its predecessors will be of little comfort to the occupiers of those homes. As several hon. Members have pointed out, the poor condition of many of them is causing ill health, which is costing the national health service an unnecessary £1 billion. I hope that when the next comprehensive spending review announcement is made in the summer, money will be allocated to the housing budget to enable us to overcome those serious problems.

The 1996 English housing condition survey showed that the standard assessment procedures—SAP—ratings for the average house were 44 points compared with a score of 42 only five years earlier, in 1991. That is a measly 2 per cent. increase in five years. That suggests that, unfortunately, the effect of the programmes to tackle energy efficiency was negligible and barely sufficient to offset the natural deterioration of the housing stock.

As many hon. Members have said, HMOs are found in poorer housing areas. I do not want to say more about HMOs, apart from reminding hon. Members that more than 1.5 million people live in them in England and Wales alone, and that up to 20 per cent. of them fall below the legal standards of fitness for habitation.

There were far too many schemes in rapid succession for public sector stock in the past. First, there was loft insulation, for which the specification changed after only a few years. That was often accompanied by cavity wall insulation, which sometimes caused as many problems as it solved. Then, people ran around the town draught-stripping window and door frames. Later came energy-saving light bulbs and white goods, condensing boilers and double or triple glazing. I welcome the concept of warm home zones, where a comprehensive package of measures is applied to all the properties. The patchy, intermittent measures of the past have wasted a great deal of public money.

That leads me to a point that has not yet been made. If the Bill is enacted and we can find the money to implement its provisions, it means jobs. People will be needed to carry out the work. Sadly, there is already a shortage of people to do it. We need more plumbers, joiners and others to be trained so that the Bill can be implemented.

There is much interest in the Bill; more than 200 hon. Members have signed early-day motions 19 and 20. I am sure that the measure will have a fair wind, and I wish my hon. Friend the Member for Brighton, Kemptown luck with it. There has been a lot of talk and consultation. We now need action.

1.33 pm

Mr. Kelvin Hopkins (Luton, North): I shall speak briefly on one or two important points. I congratulate my hon. Friend the Member for Brighton, Kemptown (Dr. Turner) on promoting the Bill. It has wide support in the House and I hope that it becomes law. However, it is rather slim; my hon. Friend has obviously trimmed it so that it has the maximum possibility of becoming law and gaining the Government's support. I should like the measure to go further, and I shall speak about that later.

I commend my hon. Friend the Member for Norwich, North (Dr. Gibson) on his speech. He spoke intelligently and powerfully on several themes. I endorse everything that he said, especially his references to local authority housing and its benefits over generations. I believe that we should stop stock transfer and reinvest in local authority housing. The policy of selective municipalisation that a previous Labour Government adopted in the 1970s would help to solve some of the problems that have been mentioned today. However, I shall pursue that on another occasion.

I want to concentrate on the energy conservation aspects of the Bill. We must provide for additional measures to encourage householders, local authorities and landlords to invest in energy-saving measures for their housing. That will benefit people in their homes by making them warmer and will bring enormous economic benefits to the country. It will also help us to achieve the Kyoto targets to which my hon. Friend the Member for Norwich, North referred earlier. I hope, therefore, that amendments will be tabled in Committee making specific reference to housing improvement measures that could lead not only to energy conservation and efficiency, but to domestic energy generation. We have discussed insulation, and the many energy-efficient appliances available, but we have to go further than that.

The hon. Member for Gordon (Malcolm Bruce) referred to micro combined heat and power systems, which are supported by the National Energy Association. They represent one avenue. I want to discuss more specific measures on solar panels. They represent a significant way forward, and we should put our weight behind that. At the moment, they are not particularly economic, and we have to sustain the project with Government action.

I am seriously considering putting solar panels on my roof, but I am perhaps slightly better off and have a slightly larger house than some, and I have a commitment to the environment that is perhaps regarded as slightly eccentric. If I were to do that, I might be the first person in Luton to have solar panels on his roof, which shows just how far behind we are and what a long way we have to go.

My constituency contains very few HMOs. There are some in the neighbouring constituency of my hon. Friend the Member for Luton, South (Margaret Moran), but mine contains large numbers of fairly sound homes. Many are houses with fairly expansive south-facing roofs, which are ideal for solar panels.

There are two sorts of solar panel. There are water heating panels and there are photovoltaic cells which generate electricity. The latter can be plumbed into the electricity mains and on warm, sunny days put electricity back into the grid system so that everyone benefits. That has been illustrated in a presentation in this building. There is a dial with a green part and a red part. When the needle is on the green part, we are gaining by putting electricity from the solar panels back into the system; when it is on the red part, we are drawing electricity from the system.

Mr. Roger Williams (Brecon and Radnorshire): Is the hon. Gentleman aware that solar clubs are being formed in my constituency to support people using solar power and to subsidise its use? If he would like any information, I would be pleased to send him details.

Mr. Hopkins: I am grateful to the hon. Gentleman for that helpful intervention and I shall certainly contact him after the debate.

We have a long way to go in this respect, certainly in my constituency. The problem is one of finance. Solar panels are still uneconomic, even in the long term, but they could become economic if they were adopted as a mass exercise. If there were mass production and mass installation, the economics would become much more feasible. However, even if they became economic in the longer term, there is still a problem of front-end heavy investment and long-term payback. There might be a 20-year payback, which would be prohibitive for most people.

We need Government action to promote a much higher rate of installation and a major Government programme of investment in solar panels. It is too late now, but if the Government had decided a long time ago to develop solar panels instead of nuclear power, the vast amount spent on nuclear power—which is not going to be returned to the Government; it is a net payment by the Government to the nuclear power industry—could have been invested in solar panels, which would have been much more economic for the nation and more beneficial to individuals in their homes. I do not have the figures to hand, but such a programme could become a reality with the right investment.

I urge my hon. Friend the Member for Brighton, Kemptown to consider this matter in Committee. I also urge those on the Front Bench seriously to consider the future of solar panels, as they would bring enormous benefits to householders and enormous economic and environmental benefits to Britain and to the world.

1.39 pm

Mr. Andrew Love (Edmonton): I congratulate my hon. Friend the Member for Brighton, Kemptown (Dr. Turner), not least because he has sat through the whole of the debate. I also welcome the measured support given by the hon. Member for Mid-Bedfordshire (Mr. Sayeed) on behalf of the Opposition.

I want to focus my remarks on part 3 of the Bill, which deals with houses in multiple occupation, because I think that that is the most important section. Also, I have a slight lack of knowledge and understanding of parts 1 and 2. I shall try to define the HMO sector. According to the figures that I have received, there are about 1.5 million people in about 0.5 million HMOs. An interesting feature of the debate has been that almost every hon. Member who spoke gave a different number of people in HMOs. That shows the problem of defining who we are talking about. However, we are all united in the view that the poorest and most dangerous housing conditions are in the HMO sector.

I make no apology for going over some of the figures that have been quoted, because it is important to get a measure of the problem. According to the English house condition survey, under its definition 10 per cent. of all HMOs and 20 per cent. of flats and bedsits failed the fitness test. Forty per cent. of bedsits failed the test because there were too many people living in the accommodation. As the hon. Member for Mid-Bedfordshire said, 80 per cent. of HMOs lack an adequate means of fire escape. People in bedsits are six times more likely to face the risk of fire than people in an ordinary semi-detached house. If people happen to live in an HMO of three storeys or higher, the danger of fire is 17 times greater. Added to that, a large number of vulnerable people live in HMOs. That is the scale of the problem.

[Mr. Andrew Love]

I do not want to go into the issue of management because that has been touched on throughout the debate, other than to say that many properties have no management. There may be a keyholder, but there is no management, and we need to sort out that problem.

I can mention further problems and difficulties. The worst houses in multiple occupation have major deficiencies. There is much disrepair, some of it structural and dangerous. Dampness is a problem, and hon. Members have talked about the difficulties that that causes. Many HMOs have inadequate or non-existent heating and lighting and no proper ventilation, which add to the risk of fire. There is a great lack of basic amenities—there are often no proper kitchen facilities and washing facilities are rudimentary at best. It is difficult for people to look after themselves properly in some of those properties.

Some HMOs are dangerous and pose serious risks to health and safety. There is obviously the risk of fire. A considerable number of people are injured or die in fires at HMOs. Carbon monoxide poisoning is another danger. Those are major issues. Many hon. Members have attested to the utter inadequacy of the remedies that are available to local authorities for people who live in houses in multiple occupation.

The definition of an HMO has been challenged on a number of bases. I was interested to read that, in a challenge to a local authority in Sheffield, the court pronounced that a house occupied by a group of students was not an HMO. Within a year, however, following a challenge by Islington council, it was discovered that a household consisting of a group of students who had just qualified constituted an HMO. There has been enormous legal confusion about what does constitute an HMO, and all it has achieved is a continuation of the current terrible practices. According to the Department's recent consultation document, the present situation is "vague". That has prevented the worst practices mentioned today from being stopped.

Another problem is that all the schemes now available are discretionary, which means that coverage is not universal. Although some local authorities have done their best to take up the discretionary schemes and work with the private rented sector, standards have varied. Some authorities have tried to impose proper standards but others, owing to the weakness of the legislation, have been able to aim for minimum standards. Authorities have not been able to design their own schemes because of the requirement for approval from the Secretary of State. The real difficulty with the discretionary schemes, however, is that very few authorities have taken them up, for a simple reason: it is hard to use such schemes to enforce even minimum standards in the private rented HMO sector.

Existing legislation does not help. It, and the notices for which it provides, can secure only works to the fabric or the fixtures and fittings of the buildings concerned; fire risks, and the other dangers posed by HMOs, cannot be dealt with.

I welcome the all-party support for the Bill, although we must look closely at the terms of each part, and the issues must be handled sensitively. I represent a constituency in London where there is high demand, so we do not wish to lose any of the accommodation that is currently available in the private rented sector.

The Department's recent consultation paper mentioned the difficulties involved in the delivery of even minimum standards. The confusion that has been created has allowed landlords to evade their responsibilities. We need a proper definition of HMOs and we have already discussed today what that definition should be. We must end the confusion and the ambiguity, and I think the Bill's definition will achieve that.

Unlike the hon. Member for Billericay (Mr. Baron), I think there should be not just a mandatory scheme but a discretionary one. The mandatory scheme would cover larger houses, where most difficulties occur, but local authorities would have flexibility to introduce a discretionary scheme allowing them to deal with some of the problems at the other end of the HMO market. As has been pointed out, many students share their accommodation with three or four people. I hope that local authorities will bear that in mind.

The reality of the legislation is simple. Tenants who currently live in HMOs have very little power to influence their landlord to improve standards, not only because most are very mobile and move frequently from HMOs—students rarely stay more than a year—but because they do not have any security. Most of them are on assured shorthold tenancies, which give them only a maximum six months' security. If they live with a resident landlord, they do not have any security at all. The great fear is that if they raise a complaint, that will lead to difficulties with the landlord and possible eviction from the property.

We need to involve local authorities. It is through that mechanism that we will get the opportunity to improve basic standards. It will also achieve something else—tenants' awareness of their rights and what they can achieve with the local authority to improve minimum standards will be raised.

I commend in particular part 3 of the Bill. It is critical. It will provide some minimum standards, especially for the most vulnerable and those who are in danger because they live in HMOs. Why should we wait for the Government to come forward with legislation? The Bill needs to be passed now. I welcome the fact that it is a private Member's Bill. We do not need to wait. A minimum of 1.5 million people will be positively affected by the Bill and I commend it to the House.

1.51 pm

Mr. Win Griffiths (Bridgend): During the speech of my hon. Friend the Member for Brighton, Kemptown (Dr. Turner), I had the opportunity to raise one issue in relation to Wales. I would like to talk a little more about the importance of the Bill for Wales. It is undoubtedly necessary. Strategies to achieve energy efficiency and to register houses in multiple occupation have so far been optional. With this Bill, we will have a chance to make that compulsory.

The National Assembly for Wales has been in charge of the home energy efficiency scheme for about 30 months. In Wales, 7,496 grants for households have been approved under the scheme, of which 390 were in my borough of Bridgend. The total spend in Wales has been £2.6 million and in Bridgend county borough council £135,000. In Wales, 220,000 households are eligible for grants under the scheme. At the current rate of take-up, it will take about 67 years for all the families who are eligible for help because of fuel poverty to take advantage of the scheme.

Mr. Roger Williams: Much of the debate has revolved around the benefits that can accrue to urban housing through the Bill, but does the hon. Gentleman agree that much rural housing is also in need of improvement? My constituency is in Powys, often known as the paradise of Wales. It is paradise in terms of landscape and environment, but not in terms of housing. We welcome the Bill for the improvements that it will bring.

Mr. Griffiths: As the hon. Gentleman knows, I was brought up in Brecon, which is at the heart of his constituency, and I confirm that the Bill will be welcomed in rural communities.

At the present rate of take-up, it will take over 60 years for eligible families in Wales to take advantage of the scheme. Therefore, my hon. Friend the Member for Brighton, Kemptown is right to seek prescription, making it a duty to achieve energy efficiency targets. In 1997, our target was a 30 per cent. improvement by 2007, but to date the improvement in Wales has been only 2.7 per cent. We have a very long way to go.

Wales does not have the huge problem with houses in multiple occupation that hon. Members on both sides of the House described today. Nevertheless, the most recent survey showed that there are more than 20,000 HMOs in Wales, although only about 100 of those are in my own Bridgend county borough. It is generally agreed, however, that the new definition will encompass many more homes. Consequently, many more homes will be covered by the scheme, thereby improving not only insulation and energy conservation standards but fire safety standards.

I warmly welcome the Bill, which I hope is about to receive a prod in the right direction from the Minister. I hope that we shall see it in Committee very soon.

1.56 pm

The Parliamentary Under-Secretary of State for Transport, Local Government and the Regions (Ms Sally Keeble): I am very pleased to be able to speak on the important issues of energy conservation, energy efficiency, fuel poverty and houses in multiple occupation. First, however, I should like to congratulate my hon. Friend the Member for Brighton, Kemptown (Dr. Turner) on his success in the ballot and on focusing in his choice of Bill on key aspects of Government policy. I also congratulate him and the Bill's sponsors on the enormous work that they have done to enable it to progress to this stage.

I also welcome the support of the hon. Member for Chipping Barnet (Sir S. Chapman), who is one of the Bill's sponsors and brings considerable professional interest and expertise to the debate. I also very much welcome the support of my hon. Friend the Member for Brighton, Pavilion (Mr. Lepper), another of the Bill's sponsors, who described very graphically the scale of the problem and the importance of all the Bill's provisions. Indeed, I welcome the support shown by hon. Members on both sides of the House, including that of the hon. Member for Mid-Bedfordshire (Mr. Sayeed), some of whose points I shall deal with later.

The Government have a clear commitment to the Bill's provisions on the environment, energy efficiency and houses in multiple occupation. Indeed, we have a clear commitment to keep the environment at the heart of our policies. Climate change is perhaps the biggest environmental challenge facing us. Our climate change strategy establishes a clear framework for action, and we are making good progress on some key issues. However, opportunities remain, and the domestic sector has a major part to play.

The Government are investing about £1 billion in tackling climate change. Energy efficiency is an important way in which to tackle climate change and to promote sustainable development; it brings environmental, economic and social benefits.

The hon. Member for Mid-Bedfordshire questioned some aspects of our commitment to tackling climate change, and he specifically mentioned the difficulty in achieving the target established by the Home Energy Conservation Act 1995. Although I acknowledge that that legislation has not achieved the improvements for which we and those who introduced it as a private Member's Bill had hoped, it has achieved greater improvement—more than 6 per cent. by March 2000—than could have been made without it. Now we have to determine how this Bill and our review of local authority energy efficiency activity can make even greater improvement.

I hope that, despite the difficulties, the Opposition will continue to support the Bill. It will make a real difference to the lives of very many people, particularly those who are the most vulnerable and most at risk. We are committed to the introduction of a compulsory licensing scheme for houses in multiple occupation, in line with undertakings in our 1997 and 2001 manifestos. In 1999 we consulted on proposals to rationalise and modernise the controls on HMOs. The proposals were aimed at delivering more effective protection against health and safety risks, and bad management, for people living in bedsits and other higher-risk shared accommodation in the private rented sector. HMO operators would also benefit from a simpler, more consistent, risk-based control regime.

We envisaged that these measures would be included in a future housing Bill, preferably accompanied by provisions to replace the current housing fitness regime and powers to allow the selective licensing of private landlords in low-demand areas. The hon. Member for Bolton, South-East (Dr. Iddon) has repeatedly highlighted some of the problems associated with that.

The Government's commitment is matched by that of hon. Members on both sides of the House and that was reflected in the wide range of contributions to the debate and the obvious interest in and support for the Bill from hon. Members with quite diverse interests. We heard from the hon. Member for South Norfolk (Mr. Bacon) about the scope of the problem. My hon. Friend the Member for South Swindon (Ms Drown) spoke eloquently about the further work that is needed to improve safety in HMOs.

The right hon. Member for Suffolk, Coastal (Mr. Gummer) highlighted the need for independent evaluation of the delivery of the climate change programme, and the hon. Member for Guildford (Sue Doughty) paid tribute to the work of local authorities that is not always reflected in the overall figures. The hon. Member for Boston and Skegness (Mr. Simmonds) also

[Ms Sally Keeble]

recognised the scope of problems affecting HMOs. My hon. Friend the Member for Reading, East (Jane Griffiths), among others, recognised the real importance of HMO controls and fuel poverty issues, particularly in respect of students. Many of us have large numbers of students in our constituents.

The hon. Members for Billericay (Mr. Baron) and for North Thanet (Mr. Gale) said that, as landlords, they welcome the Bill. The hon. Member for Billericay asked for clarification of clause 3. However, he answered his own question when he said that it should be dealt with in Committee.

The hon. Member for North Thanet raised a number of issues about housing management by some registered social landlords. That is covered by a separate regulatory regime. There is close contact between the Department and the Housing Corporation on these issues; I can assure the hon. Gentleman that they are discussed quite frequently and I hope that he will follow his inclination to support the Bill.

My hon. Friend the Member for South Dorset (Jim Knight) also highlighted the tragedies caused by the fire risks in HMOs. My hon. Friend the Member for Luton, North (Mr. Hopkins) wanted the provisions to go much further. The Government are addressing the issues of the micro combined heat and power systems and investing in the development of solar power. Although my hon. Friend may consider that his support for it is eccentric, it will become more mainstream in the longer term.

I now turn to the current activity in which the Government are engaged to take forward our commitments in the key areas covered by the Bill. As I mentioned a moment ago, energy efficiency is a key mechanism for the delivery of our climate change commitments. The energy policy review currently being carried out by the performance and innovation unit is looking at the broad picture. The review—which is due to report to my right hon. Friend the Prime Minister by the end of the year—is developing a strategy to ensure that current policy commitments are consistent with longer term aims. This will help to inform our response to last year's report by the royal commission on environmental pollution. The review will also form the basis for the Government's longer term approach to their policy commitment for the delivery of a sustainable energy strategy.

Some Opposition Members, and my hon. Friend the Member for Coventry, South (Mr. Cunningham), questioned the Government's commitment because the targets are not being met in our own buildings. By the end of the current campaign, energy efficiency in the Departments will have improved by 17.1 per cent., as measured by the total cost indicator. On heating fuels alone, the Ministry of Defence and civil Departments achieved efficiency improvements of 23 and 25 per cent. respectively. It is true that the figures for electricity were not so good, but I hope that my hon. Friend will accept our assurances and realise that the Government are indeed delivering on the targets in our own Departments.

Mr. Sayeed: How much of the improvement is due to a reduction in the fuel price, and how much is actual saving in British thermal units?

Ms Keeble: I cannot say, because in the period covered, from 1991, there were various changes in the regulatory regime for the energy industry. There are differences in the detailed figures for the different types of fuel consumption, and I will happily give the hon. Gentleman those figures in writing.

Local authorities have a key role to play in improving energy efficiency in their area, through vision and leadership, statutory responsibility, improved energy management and partnership with local businesses and householders.

The Department for Environment, Food and Rural Affairs is undertaking a review of the policy framework within which local authorities carry out their energy efficiency activities. The review has a broad scope, including issues such as what opportunities exist for greater co-operation between local authorities and others; the role of objectives and targets; and how to improve the Home Energy Conservation Act 1995.

My hon. Friend the Member for Norwich, North (Dr. Gibson) set out the action taken in his local authority area, and I suspect that some of the work that will take place through the review will focus on some of those areas of good practice.

The Government have a deep-seated commitment to tackling fuel poverty, and that goes hand in hand with the need to tackle climate change. We do not want simply to assist households with their fuel payments. We also want to reduce their fuel use through energy efficiency. Our first target is to ensure that by 2010 no vulnerable household—older people, families, disabled and the long-term sick—need risk ill health as the result of a cold home.

The hon. Member for Gordon (Malcolm Bruce) questioned our commitment to tackling fuel poverty. I ask him to consider these points. The number of fuel poor has fallen, from 5.5 million in 1996 to 4 million in 2000. Among the measures that the Government have introduced—of which Government Members are very proud—is the introduction of the winter fuel payments, which have been a huge help for older people in meeting their fuel bills for the colder months.

We have also supported home insulation programmes. Perhaps most important—my hon. Friend the Member for Bolton, South-East mentioned this—is our decent homes commitment. One of the measures of the decency standard that we intend to apply for all homes is thermal efficiency. That should make a real difference both to helping people to meet the cost of warming their homes and to ensuring that they stay warm.

Many improvements are possible in building itself. I draw attention to the outstanding work being done to improve the thermal insulation and efficiency of homes. For example, an excellent demonstration project in Liverpool is trialling some dramatic improvements in thickness of walls, amount of insulation and other measures. The builders and developers estimate that this can reduce the cost of keeping a home warm to something like £3 a week. If we can achieve such standards of thermal efficiency in the homes of older people in particular, we will make a huge commitment towards ending fuel poverty and the problems that people suffer because of cold. I hope that the hon. Member for Gordon will accept those points about the Government's record.

Last week, we published the UK fuel poverty strategy. The strategy is based on a range of programmes and measures to tackle the main causes of fuel poverty.

Improving energy efficiency is at its root. The strategy sets an ambitious target. By 2004, we aim to have assisted 800,000 vulnerable households through the home energy efficiency scheme. There are also schemes in each of the devolved Administrations to address fuel poverty issues and, in England alone, we have committed more than £600 million, up to 2004, to the home energy efficiency scheme, now known as the warm home front.

The Government have a range of measures on HMOs, fitness reviews and selective landlord licensing. As regards HMOs, the term "houses in multiple occupation" applies to a wide range of housing types, mainly in the private rented sector, which are typically occupied by young lower-income single people, including some particularly vulnerable and disadvantaged groups. Physical and management standards in HMOs are often low, as the hon. Member for North Thanet highlighted. Some types of HMO, such as multi-storey older houses converted to bedsits, can pose particular risks to occupants' health and safety. I know that my hon. Friend the Member for Brighton, Kemptown's constituency has its share—probably a good deal more than its fair share—of such problems.

Current statutory controls on HMOs are a confusing and ineffective patchwork of provisions that have grown up over several decades. Our manifesto commitment is to introduce

> "a proper system of licensing by local authorities which will benefit tenants and responsible landlords alike."

This has been discharged in Scotland, where new primary legislation was not required.

Mr. Simon Thomas (Ceredigion): I am grateful to the Government for supporting this Bill, which my party also supports. Will the Minister give a guarantee today that she will ensure that there is no backsliding in terms of devolution? The Bill does not mention the National Assembly for Wales; it mentions only the Secretary of State, although it applies to England and Wales. Does she agree that we want to make sure that the Bill empowers people in line with the devolution legislation, and that it will be the National Assembly for Wales that works with local authorities to ensure that the HMO registration scheme works properly in Wales?

Ms Keeble: That issue can be dealt with in Committee. The Government support the Bill, but it is a private Member's Bill with an hon. Member in charge.

Last year, our housing Green Paper set out our HMO licensing proposals in their wider policy context as a key measure for promoting a healthier private rented sector. In the follow-up policy statement, "The Way Forward for Housing", we announced our intention to take forward simultaneously our HMO measures and provisions to replace the current housing fitness standard and related enforcement machinery for all housing. These will be relevant to HMOs as well as to other types of housing. That package of measures will deal with the issues mentioned in the debate, including health and safety, and problems in the north to do with abandonment.

We also said that we would develop proposals for selective licensing of other privately rented properties in areas of low demand, where the activities of a small number of speculative or, in some cases, actively criminal landlords have served to undermine local communities that were already in difficulty. We have now completed our consultation on the housing fitness measures, and in October we issued a consultation paper on selective licensing.

The intended effect of the Bill is to increase domestic energy efficiency and help to wipe out fuel poverty in England and Wales. It would also make provision for the licensing of HMOs. Those aims are worth while, necessary and consistent with Government policy.

The Home Energy Conservation Act 1995 requires energy conservation authorities to prepare strategies outlining measures that will improve domestic energy efficiency in their area. Authorities have an obligation to report progress on implementing the strategies, but they are not obliged to implement them. The Bill would require authorities to take steps to implement them so far as is reasonably practicable, and would enable guidance to be issued. We welcome that encouragement to action.

The Bill would also require registered social landlords taking on ownership of local authority housing stock to agree how they will contribute to the strategy, thus helping to ensure that the benefits of the strategy are not lost when stock is transferred. That provision, too, would help to ensure action takes place.

My hon. Friend the Member for Brighton, Kemptown is clearly anxious to keep us up to the mark on our HMO commitments and to speed us on our way lest we allow other priorities to distract us. Accordingly, he has included in the Bill measures that would contribute to the preparation of a fuller HMO licensing scheme. His Bill would also oblige us, in the event that we do not take pre-emptive action by introducing more comprehensive HMO legislation in the next year or so, to bring in by order a simplified control scheme.

Such a scheme would fall some way short of our proposed licensing arrangements in their full scope; nor would it carry with it the proposed reforms to the housing fitness regime or to selective licensing powers. None the less, it would represent an important advance on the current position and provide a self-standing system. The Bill would not discharge our manifesto commitment for us: that will require a much more complex and detailed measure, extending far beyond what can be accommodated in a private Member's Bill.

The Bill provides a new definition of HMO. That is badly needed, as the current definition has led to endless problems of interpretation for the courts and for practitioners. Broadly speaking, an HMO currently means a house that is occupied by persons who do not form a single household—but what is a house and what is a household? What about a hotel that is lived in more or less permanently by people who are supported by housing benefit? What about a large house that has been converted into a conference centre? What about a house occupied by a number of unrelated students? Case law has sometimes led to unexpected and unwelcome conclusions on those matters. It has taken outside the HMO boundary some types of property that we want to be subject to HMO controls, but included others to which HMO controls are clearly inappropriate.

The whole area is a minefield and I commend my hon. Friend for his courage in entering it. His intentions are very much in line with the Government's, although I am sure that patient and detailed work in Committee will be needed to ensure that they are fully realised and that the

[Ms Keeble]

concerns raised by hon. Members today are fully met. There remains plenty of room for debate on precisely where the line would best be drawn, and we have heard many different views on that point today.

Clause 6 would require every local authority to have in its area a registration scheme for HMOs of the sort that requires HMOs to be notified to the authority. In effect, this will convert what is now a power into a duty, and apply the new definition of HMO to it, subject to certain exceptions provided for in clause 8. It will ensure that local authorities make a good start on identifying the HMOs in their area in advance of their being required to license them.

In clause 7, the Bill requires the Secretary of State, within a year of Royal Assent, to make an order, subject to affirmative resolution, which will in effect extend the registration duty so that authorities' schemes must include control provisions as well as notification requirements. Both my hon. Friend and the Government hope that this provision will not in the event prove to be necessary, and that it will have been possible for us to introduce by then our own more comprehensive measures on HMOs and related matters. However, as Ministers have had to say down the ages in situations of this sort, "I cannot anticipate the Queen's Speech." Clause 7 is a default provision that will ensure that an elementary form of licensing scheme is brought into effect even if the Government's legislation is delayed.

The Government are able to give the Bill a warm welcome, though I am sure that my hon. Friend would be surprised if I were to say that we were content with every word of every clause as the Bill stands. As always, there will be work for us all to do in Committee to ensure that the provisions are technically watertight, and the text has not yet had the attention of the parliamentary draftsman. We will also need to reflect further on some points of detail, such as the references to targets and implementation, and seek to ensure a close fit with the modernising government agenda.

The argument is often advanced that our proposals could be bureaucratic and expensive, and eventually force landlords out of the market. It is said that that would thereby reduce the supply of housing in what is quite an important part of the market in some towns and cities; and HMOs accommodate many thousands of students. I do not accept this argument. Much more important is ensuring that we remember why we want to take action, and the reasons have been outlined during the debate. There are still far too many examples of poor physical condition and poor management standards in the HMO sector. It is a real issue that affects real people in their day-to-day lives. For their sake, we must support and encourage decent landlords and not just drive out the bad ones.

Although a small fee will be involved in the licensing scheme, that must be set against the period of the licence. Good landlords—there are some examples in the House—will not be punished. Some landlords will find that they are required to carry out additional work to meet the standards that we set out. We should not apologise for that. If we are to have a fair and thriving private rented sector, we must ensure that the quality of properties and management practices are raised across the board.

The benefits of improved energy efficiency to householders and businesses are immense. Improved energy efficiency reduces fuel bills and maintenance costs, improves comfort and creates jobs. Energy efficiency therefore makes sense for us all. It saves money that could be better used to improve our homes and to develop businesses. In addition, energy efficient houses tend to be more comfortable. They are warmer and have a low incidence of mould and condensation.

Increased energy efficiency brings advantages to the economy by creating jobs in energy efficiency manufacturing and insulation businesses. It creates marketing opportunities for new and more efficient technologies. Energy efficiency brings benefits to the environment by contributing to the UK's efforts to meet international and domestic emission targets.

Perhaps, most importantly, energy efficiency is also a key to tackling fuel poverty, and that has been one of the key issues for the Government. As we all know, fuel poverty can damage the quality of people's lives and health, as well as impose wider costs on the community.

The likelihood of ill health is increased by cold homes, with illnesses such as flu, heart disease and strokes all exacerbated by the cold. Cold homes can also promote the growth of fungi and house dust mites; the latter, as hon. Members will know, have been linked to conditions such as asthma. Ill health can lead to enforced absences from work and certain types of illness such as respiratory disease and can restrict employment choices for people without work. The need to spend a large proportion of income on fuel means that fuel-poor households may have to make difficult decisions about other household essentials, which can lead to poor diets and/or withdrawal from the community.

Although the risks caused by fuel poverty and cold-related ill health apply to everyone, older households, families with children and householders who are disabled or suffering from long-term illness are particularly vulnerable. A number of Members have spoken about the interest of Age Concern and other organisations representing pensioners' interests in the measure. Over the years, those organisations have been at the forefront of campaigns for improvements to energy efficiency.

Mr. Win Griffiths: Earlier, I pointed out that 220,000 homes in Wales are eligible for help with fuel efficiency, of which more than half—117,000—are households with at least one person over 60; 40,000 house lone parent families and 32,000 house long-term sick or disabled people.

Ms Keeble: Indeed. From our constituency case loads, we are all aware that the people who are most likely to suffer from fuel poverty are those who spend the longest time at home, particularly the elderly, people with disabilities and people with young children. That is obviously why the most vulnerable people are the key target group that we hope to help with the Bill. The Government and the devolved Administrations believe that vulnerable households should receive priority assistance.

The measures on HMOs will assist with the safety issues that have been discussed and the management of difficult housing throughout the country. My hon. Friend the Member for Bolton, South-East and other Members from the north of England spoke extremely eloquently about the devastation that abandonment has caused in their areas and about landlords who simply move in, buy up properties, sub-divide them into HMOs and let them out to anyone. The result is a proliferation of antisocial behaviour, which has led to people moving out of entire areas. Consequently, people have seen their properties devalued and acute social problems have been created in the north of England.

In bringing hon. Members on both sides of the House together in support of the Bill, I hope that we deal not just with problems in the south and those in the constituency of my hon. Friend the Member for Brighton, Kemptown, where there are many students, but with important management issues in the north of England to make sure that, throughout the country, everyone has the benefit of good property. The Government recognise the merits of the Bill and I am pleased to advise my hon. Friend that we are happy to support it.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

Housing (Wales) Bill

Order for Second Reading read;

2.29 pm

Mr. Simon Thomas (Ceredigion): I beg to move, That the Bill be now read a Second time.

The Bill is the result of long consultation in Wales on the future of rural housing needs. It sets out clearly a way forward for rural—

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed on Friday 12 April.

Remaining Private Members' Bills

FIREARMS (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 10 May.

ENVIRONMENTAL AUDIT BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 10 May.

FIREARMS (REPLICA WEAPONS) BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 15 March.

Community Hospitals

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McNulty.]*

2.30 pm

Dr. Andrew Murrison (Westbury): I am pleased to have secured the Adjournment debate on an important subject. I begin by declaring an interest. One of the salient features of my constituency is the presence of four excellent cottage hospitals, in Bradford-on-Avon, Trowbridge, Warminster and Westbury. I pay tribute to the vision of the people who built them and to those who work in them, staff and volunteers, past and present.

I look forward to many more fun-packed days with the Minister in Standing Committee A as we dissect the NHS Reform and Health Care Professions Bill. Whatever emerges, it will without doubt bring a profound realignment of health care institutions. I hope that primary care trusts, in so far as they are local and primary care driven, will embrace community hospitals, both in their traditional GP role and as ectopic derivatives of acute units.

In 1974 the Welsh Office produced a paper entitled "Community hospitals, their role and development in the NHS". Although written in a Welsh context, it was more widely applicable and it was the last structured examination of the place of community hospitals on record. I hope that the Minister might consider updating it.

The hon. Member for St. Ives (Andrew George) secured an Adjournment debate last week on what he described as small acute hospitals, but, with the lack of precision typical of his party, he failed to define his subject. From reading through *Hansard*, I think that he meant small district general hospitals. To avoid any confusion, I should say that I am using the working definition given by the Community Hospitals Association, which tells us that a community hospital provides medical care that is usually led by a GP. However, I am fond of the more evocative term "cottage hospital", and will use it interchangeably.

Overall, the number of community hospitals has probably not fallen greatly over the past 25 years, even if two out of three in Warminster have shut, and part of the remaining one is threatened with demolition in order to provide a car park. The surprising thing is that cottage hospitals have not yet truly blossomed. GPs like them, as do patients and carers, but the inherent centralising tendency of the health service has worked against them. The general public perceive that and are quick to mount a defence at the first indication of a threat.

The number of beds has reduced. Taken with the reduction in nursing home places—almost 50,000 since the peak of 1996, according to Lang and Buisson—that has led to bed blocking in acute units, a situation that is so bad in Wiltshire that my right hon. and hon. Friends in neighbouring constituencies were obliged to secure a debate on the subject earlier in the year.

I should emphasise that the obsession should not be with hospital beds or with indices of health care per se, but with health care itself—with clinical outcomes. Hospital beds, hospital facilities and hospitals themselves, however much cherished, are simply a means to an end. They stand or fall on their ability to provide health outcomes that are satisfactory to patients. If community hospitals have not flourished, have alternative means of delivering health care? I regret that that has not happened. The hospital-at-home scheme that many of my constituents were promised has not materialised. That and similar failings have been highlighted by community health councils—hard-working and generally effective bodies that will disappear under the NHS Reform and Health Care Professions Bill.

In my constituency in recent years, we have seen 24 elderly mentally infirm beds lost in the closure of ward 2 in Warminster. We have also seen a reduction in the number of GP beds in Westbury, a question mark put over the maternity unit in Trowbridge and the closure of the minor casualty department in Bradford-on-Avon. However, it is important to celebrate some positive developments: in particular, the advent of cataract surgery and the stroke rehabilitation unit at Westbury. I should like to give credit to the Minister for those developments, but I am sure that he would be the first to acknowledge that the driver has been the energy and enthusiasm of local health service managers and clinicians, supported by the local voluntary effort that is so important in the context of local hospitals.

Logically, that leads me to one of the salient features of community hospitals: local ownership. In a few cases such ownership can be literal, as it is in the pioneering example of Odiham hospital in Hampshire. However, the bulk of community hospitals are within the NHS, charitable trusts, the voluntary sector or a mixture of all three. All of them tap rich seams of good will, not to mention money and the Trojan efforts of volunteers. While health economists struggle to put a price on those things, it is unlikely that the full extent of their worth is recognised.

Cottage hospitals are, like no other institutions, owned by the communities in which they exist. Several have been revitalised by new models of ownership following threats to close them down. The Memorial Care centre in Rye and Tetbury hospital in Gloucestershire are examples. Community hospitals offer potential for diversity and co-funding. Their closeness to the largely non-publicly funded hospice movement is clear. Yesterday evening, the Minister of State, Department of Health, the hon. Member for Redditch (Jacqui Smith), lauded the hospice movement as one of the great successes of the country's health services, but its success has, of course, largely been achieved in the voluntary sector and not the state sector. There are lessons to be learned from that.

Owing to difficulties in assimilating case mix, comparative costing in the NHS is a notoriously fraught science. However, studies suggest that about 20 per cent. of bed days could be provided more cost-effectively in community hospitals or community settings. We know that it costs £2,500 a week to keep somebody in an acute unit and about £900 a week to keep somebody in a cottage hospital. One finds that the financial case is even stronger if one accepts the premise that, while acute units must operate as close to full occupancy as possible, there is still a need for give in the system. GP beds can provide a low-cost alternative, provided that occupancy is not, at its low level, deemed to be inefficient. More persuasive still is principle 3 in the NHS plan, which states:

> "The NHS will shape its services around the needs and preferences of individual patients, their families and their carers."

If that is not a ringing endorsement for community hospitals, I do not know what is.

Last year, the Community Hospitals Association and NHS Estates began work on a joint publication called "Models of Ownership for Community Hospitals". I am informed that Ministers shelved the publication before completion. I invite the Minister's comments on why that happened. Given the Government's stated desire for a pragmatic approach to the independent and voluntary sectors and the success of community hospital models that lie both inside and outside the NHS, I would have thought that the document was a most worthwhile exercise.

I welcome the emphasis placed on intermediate care in the NHS plan. I also welcome the notion of primary care networks that are supported by the NHS Confederation and others. Cottage hospitals would have a strong part to play in them. However, the position of community hospitals in the NHS plan is opaque, as is the destiny of the Government's £900 million for intermediate care for elderly people and the more recent £300 million for intermediate and social care.

Clarity would be welcome. We are told that the extra money will fund 6,700 intermediate care places. Where will they be located? I searched in vain in the NHS plan and the national service framework for elderly people for any specific mention of community hospitals. When they have cropped up, in debate or in parliamentary answers to written questions, including mine, the ministerial response has been lukewarm. It is not all the Minister's fault.

Community hospitals and small hospitals in general have not been helped by the centralising instincts of the medical royal colleges. The medical establishment has been good at dictating models of health care that are not necessarily the first choice of consumers. It is a classic case of the tail wagging the dog. A good example is the strange death of general practitioner surgery, partly due to the unhelpful attitude of the Royal College of Anaesthetists. Yet given the correct case mix, outcomes from GP surgery are at least as good as in acute units. Perhaps that was in the minds of those who drafted principle 8 of the NHS plan, which rightly demands:

> "The health and social care system must be shaped around the needs of patients, not the other way round."

That should be axiomatic.

Although the needs of patients and carers are paramount, we must be mindful of the attitudes and aspirations of staff who work in the health care system. Anecdotes suggest that community hospitals have less difficulty in recruiting than other parts of the NHS. When the maternity unit at Trowbridge hospital appeared to be under threat earlier this year, I pointed out that planners could not assume that staff would happily relocate to Bath. As we struggle to recruit and retain, we should bear it in mind that people choose to work in smaller units for a reason. They are often happy to work close to home, but would not be interested if they had to travel miles to work in a district general hospital.

Last week, the hon. Member for St. Ives spoke about small district general hospitals. The arguments for rationalising some of them are compelling. We cannot be blind to the need to secure cost-effectiveness, clinical standards, specialisation and postgraduate skills. Indeed, the logical extension of my argument is that a community hospital might be more appropriate in some areas than a small or sub-district general hospital.

I want to consider outcomes briefly. Care of the elderly in cottage hospitals must never be a means of denying appropriate access to acute units. Ageism should have no place in our health care system. People should be in cottage hospitals only in accordance with strict clinical protocols that are as rigorous as those that exist elsewhere. However, high quality should not be confused with high-tech. There is more than a grain of truth in the maxim that the greater the complexity and cost of an intervention, the less likely it is to add to the sum of human happiness. The outcomes of community hospitals will continue to be procured using relatively low-tech means, but that does not mean that they will have less value. The reverse is true.

A vision of community hospitals based solely on GP beds would be impoverished and outdated. A myriad services, therapeutic and diagnostic, can be as well provided in community hospitals as in large, remote and often inaccessible units. I happily cite the ground-breaking ophthalmic, stroke and maternity services in my constituency as evidence.

I should be grateful if the Minister provided an insight into the Department's vision for community hospitals, their outputs and how the voluntary and independent sectors might help in their development. I should be grateful if he would deal particularly with the care of the elderly and the elderly mentally infirm, especially those in rural areas, where there is a pressing need.

I gave the Minister advance notice, and he is aware of and will not be surprised by my special interest in the four community hospitals in my constituency.

2.44 pm

The Minister of State, Department of Health (Mr. John Hutton): I welcome the opportunity to discuss these issues with the hon. Member for Westbury (Dr. Murrison), who has displayed his usual knowledge and grasp of all the subjects he raised.

I hope that the hon. Gentleman will agree with me on two issues. First, the community hospitals in his constituency perform a valuable role and enjoy strong local support. I join him in expressing my appreciation and thanks to the people who work in them, for the care and support that they provide to their patients. The hon. Gentleman raised the issue of investment, and the change that has taken place in community hospitals, saying that we should recognise the contribution that local staff had made to some service developments and improvements. Of course, it is important to give credit where it is due. In relation to the examples that the hon. Gentleman gave, it is the hard work and energy of local staff that always make a difference in the national health service, both in planning changes and in seeing them through. I pay tribute to the work and energy of local staff in securing those developments.

The job of the Government is to set the overall standards and framework in which those service enhancements and developments can take place, and, most importantly, to provide the additional resources that the NHS needs to facilitate those changes, which cannot happen unless the resources are made available, and they are now being made available at a level that the NHS has never witnessed in the 50 years since it was established in 1948.

The second point on which I hope the hon. Gentleman will agree is that no part of the NHS can ever stand still. It is right that we always ensure that the services we provide are of the highest quality and are capable of

[Mr. John Hutton]

meeting the health care needs of the local population safely and in the most accessible way possible. That discipline applies, of course, to the future of community hospitals, cottage hospitals and smaller district general and acute hospitals—whatever terminology we use.

That is why I should make it clear that there are no plans to close any of the community hospitals in the hon. Gentleman's constituency, in Westbury, Bradford-on-Avon, Melksham, Trowbridge and Warminster.

Dr. Murrison: Melksham is not in my constituency.

Mr. Hutton: I am grateful to the hon. Gentleman for pointing that out. It must be very close to his constituency, but I was not trying to mislead him or other hon. Members.

The hon. Gentleman suggested that Warminster hospital was threatened with demolition to make way for a car park. My understanding is that there are no plans whatsoever to do so.

Dr. Murrison: My point was that part of the hospital is threatened with demolition to make way for a car park.

Mr. Hutton: I thank the hon. Gentleman for clarifying that. Perhaps it is a matter to which we can return.

There are no plans to close the hospitals that I have mentioned. They have served the hon. Gentleman's constituents well for many years and are a valuable local component of the NHS in west Wiltshire. On the contrary, the local West Wiltshire primary care trust, which is now responsible for the running of the hospitals, is strongly committed to their future, and is seeking further to develop the services that the hospitals provide. In a number of important areas, extra investment is being made in those hospitals.

Last year, a new nurse liaison service was introduced at Trowbridge hospital, to work across the other community hospitals to facilitate the discharge of patients from the Royal United hospital in Bath. As the hon. Gentleman mentioned, cataract surgery has been introduced within the last year at Westbury hospital—an important and welcome development—and this year the primary care trust will be spending nearly £250,000 additional expenditure on day surgery at the hospital. Across the hospitals, staff numbers have increased over the last four years.

It is important for local health planners to try to strike the appropriate balance between the convenience of local services and the requirement to concentrate expertise for reasons of safety and quality. The hon. Gentleman referred to those problems as they apply right across the NHS in all parts of England, not just in his constituency. He made the important point—with which I strongly agree—that many needs can and should be met locally, close to home, by delivering care through networks of skilled providers working together, rather than in isolation. We must remain focused on that. I believe strongly that community hospitals have a positive contribution to make in that area. The hon. Gentleman suggested that the Government did not believe that community hospitals have a positive role to play in the future, so I certainly want to set the record straight on that.

The provision of comprehensive and accessible services of the highest quality free at the point of use lies at the heart of the national health service, its purpose, its ethos and its rationale. The Government remain strongly committed to the values that underpin the NHS. The NHS plan, from which the hon. Gentleman quoted, offers what I believe—I do not know whether he does—is a good, strong framework for ensuring that those values can be reflected in a modern setting. Medical technology is changing very quickly, advances in science occur almost daily and, crucially, public expectations have risen substantially in recent years.

If we are to succeed in meeting those needs, we will need a broad range of local, regional and national provision that guarantees the best possible access to the full spectrum of care services. If, in turn, we are to do that, we will need to make maximum use of community hospitals and primary care organisations for delivering and co-ordinating a local population's care.

At the same time, we recognise that certain complex services and staffing requirements need the scale found only in larger centres. I am sure that the hon. Gentleman accepts that, given his expertise and knowledge. Numerous international studies—I am sure he is aware of them and may have contributed to many of them—have shown that patients fare much better when their care providers have more experience and the support of specialised teams and equipment, which is usually concentrated in the larger medical centres.

Primary care trusts will play an increasingly important role in the national health service. The decisions, thinking and strategy that the hon. Gentleman was calling for will need to focus on the work of primary care trusts. They will have a much greater influence in developing local services, and will be better able to tailor those services to local needs. If that is to be achieved successfully, they will need to engage front-line staff, local communities and partners in the independent and the voluntary sectors—to which the hon. Gentleman quite properly referred and with which we are keen to develop further and stronger links—in their plans for improving health services. In their role as primarily local organisations, PCTs will bring about improvements in local services by engaging and involving local people, patients and staff.

I understand that Wiltshire health authority has drawn up a strategic framework within which all the primary care organisations are currently working and to which they are committed. One of the most important elements of the framework is that care should, when practical, be provided at home or as close to home as possible.

The hon. Gentleman quite properly referred to the work being done in Westbury hospital and the new dedicated stroke unit. I think, as I hope he does, that that provides tangible evidence that our approach is working in practice. Patients from west Wiltshire who suffer a stroke are taken to the Royal United hospital at Bath, but are then quickly visited by the stroke co-ordinator from Westbury, who assesses them. Patients are transferred to Westbury hospital when they are ready, where they receive an intensive course of rehabilitation. I am glad to say that, in the vast majority of cases, that enables them to return to their own homes as soon as possible, where they want to be and where they will continue to receive support as necessary from the multidisciplinary community support teams. That is a good and successful model.

The PCT is now considering how to make best use of the skills of staff and the facilities of the other community hospitals and the two clinics in the area to see how other specialist services can be organised to provide local care in west Wiltshire.

The hon. Gentleman referred to the need for a vision behind this work. I am glad to say that the vision that the PCT has for its local community is positive. It is to support and promote independence; to reduce social exclusion and provide services with equitable access; to provide better care and higher standards; to provide choice for people using services and their carers—I believe that choice is increasingly important as we consider the future of the NHS—to provide care at or closer to home; to provide a wide spectrum of care options; and to deliver services through integrated working unimpeded by organisational boundaries and supported by shared or joint budgets.

I meet people in my surgeries—perhaps the hon. Gentleman does, too—who feel frustrated when they come into contact with public services in this important area of the welfare society. They are bounced between social care and health care organisations, and we need to improve on that. It should be our job, in the context of public services—in this instance, care services—to make navigation of the system much easier than it is now.

I consider the "vision" aims of the local PCT laudable. I understand that the PCT has already conducted a review of services provided at community hospitals, and that during the coming year it will work with local organisations, patients and carers to develop services that meet the health needs of the people of west Wiltshire. That is right, because it is its primary responsibility.

I know that there are worries about possible changes in services, especially in rural areas, where travelling can present difficulties. Careful consideration must always be given to such concerns. I understand that the PCT already provides some transport, both between local hospitals and to the Royal United hospital in Bath. I am told that it will work closely with the county and district councils to improve the service.

I said at the outset that the right strategy for all these issues should be based on local solutions. It must be for the trusts concerned, working with all local agencies, to consider how that can best be achieved—with, of course, the involvement of local people: that should be at the forefront. The public have a right to be consulted on matters of this importance, as, after all, it is their national health service.

We are fundamentally committed to a system of patient and public involvement providing not only more support and representation for patients, but rigorous scrutiny powers for local government. The hon. Gentleman mentioned the abolition of community health councils in the NHS Reform and Health Care Professions Bill. We believe—we have engaged in these conversations before—that the present arrangements do not meet the exacting standards required, which is why we are strengthening the arrangements for patient and public involvement.

West Wiltshire PCT will engage fully with local people and other agencies in discussions on how services are provided. If the hon. Gentleman has any concerns about the process in future, he should bring them to my attention.

The hon. Gentleman mentioned intermediate care—the important standards that we have set in the national service framework, and our wish to expand that part of the national health service. I agree with him that community hospitals can make an important contribution to intermediate care. All too often older people, in particular—through no fault of their own—find themselves in accident and emergency departments or busy hospital wards and stay there much longer than they need to, because there is no real alternative. Alternatively, they are admitted to residential or nursing homes prematurely because of that lack of real alternatives. Intermediate care means providing such alternatives.

In the development of an intermediate care service, the need for different organisations to work together in partnership with the older person involved to maximise that person's health and well-being is paramount. We are making a substantial investment in resources for such care and in related services: an extra £405 million of NHS money will be earmarked by 2003–04. That has already allowed us to commission an additional 2,500 intermediate care beds this year, as a contribution to meeting the total requirement mentioned by the hon. Gentleman.

The hon. Gentleman referred to residential care homes. They give cause for concern, and the Government have been discussing the issues with the care home sector for some time. We are trying to make progress, and I think that the extra money for local authorities this winter, and next year as well—£300 million—will make a substantial contribution. Moreover, Wiltshire county council will receive more than £700,000 this year to enable it to speed up the handling of problems relating to discharge.

Dr. Murrison: I asked specifically where the 6,700 intermediate care places would be located.

Mr. Hutton: We made that clear in the plan, but I can send the hon. Gentleman details of where the additional beds are. They will be in a variety of locations: some will be provided by the NHS, while others will be commissioned in a process of collaboration with the private independent and voluntary sector. Such services have historically been commissioned in that way, certainly when local authorities have been involved: the bulk of the expertise has come from the independent and voluntary sector.

As we have always made clear, we feel that identifying precisely where the extra intermediate care beds will be provided—whether they will be in the NHS sector, or in the independent and voluntary sector—would be a mistake. The process will involve a commissioning exercise, and flexibility is needed. The location of spare capacity, and the speed with which it can be used, will depend on local circumstances.

As always on these occasions, time does not permit me to say all I would like to say. Let me end on what I hope is a positive note. I share the hon. Gentleman's enthusiasm for, and commitment to, community hospitals, as he described them. As I have tried to convey to the House, the Government believe that they will play an important role in a number of key areas affecting the future of the NHS, and I hope that that will benefit the hon. Gentleman's constituents.

Question put and agreed to.

Adjourned accordingly at Three o'clock.

Westminster Hall

Tuesday 20 November 2001

[SIR MICHAEL LORD *in the Chair*]

Flood Defence

Motion made, and Question proposed, That the sitting be now adjourned—[*Mr. Stringer.*]

9.30 am

Mr. Andrew Lansley (South Cambridgeshire): I am grateful to have the opportunity to speak about flood defences, a subject that is of great importance to my constituents. I thank the Minister for being here; I know that shortly after the events that gave rise to so much unhappiness in my constituency on 21 and 22 October, he responded to the hon. Member for Braintree (Mr. Hurst) in an Adjournment debate about the consequences of that storm.

The House will recall that the weekend of 21-22 October was one of exceptional rainfall in Cambridgeshire. I see the hon. Member for Cambridge (Mrs. Campbell) in her place; her constituents and mine, and those of other hon. Members in the area, suffered greatly as a consequence. It was a one in 220 chance that 96 mm of rain should have fallen in Bourn, to the west of Cambridge in my constituency. The consequence of that in my constituency and in the surrounding area was extensive flooding. The current estimate is that 12 villages in my constituency experienced flooding of property, as did several in the hon. Lady's constituency and the constituency of my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice).

In many instances, such flooding had not been experienced within living memory. As one would expect, it gave rise to many questions about our preparedness, its exceptional nature notwithstanding—whether the circumstances led to worse flooding than should have happened, whether the response was adequate and what lessons should be learned. I know that the Minister and other hon. Members have debated flood defences extensively since the floods of Easter 1998, and again after last winter's exceptional flooding. I wish to draw on those debates and to make a modest contribution to the Government's thinking on the matter.

I raise this issue not only because of my constituents' unhappy experience of three or four weeks ago but because we in Cambridgeshire know that as a result of last winter's exceptional rainfall, ground water levels are very high, aquifers are full and springs are appearing in places where water has not flowed for years. We are now exceptionally vulnerable to flooding. That and the more volatile and extreme wet weather conditions that we are experiencing mean that flooding on such a scale may occur again if we do not take measures to deal with it.

Mrs. Anne Campbell (Cambridge): I congratulate the hon. Gentleman on securing this debate, which is timely. I wonder whether his constituents were in the same position as mine during that flood. My constituents, especially those in the Birdwood road area of Cambridge, phoned Cambridge city council to ask for sandbags when they realised that their homes were about to be flooded, but were told that they were not available. I wonder whether that happened in other districts.

Mr. Lansley: I am grateful to the hon. Lady. It will be helpful to deal with some of the questions that emerged from that flooding before moving on to the generality of what needs to be done. The hon. Lady is right that sandbags were not available in some places, although they were in others. I do not detract for a moment from the work that South Cambridgeshire district council did in my constituency: it responded quickly, and most residents were grateful for its efforts. None the less, there were problems, and villages such as Bourn have resolved to pre-position sandbags against future flooding. As the hon. Lady knows, there were difficulties because of the speed of the flooding, which would have tested any response mechanism.

A constituent in Great Shelford, just south of Cambridge, contacted the Environment Agency's flood line. The agency's report entitled "Learning the Lessons" looked to the flood line as a mechanism for conducting responses among a range of agencies. My constituent rang a recorded call-back system to learn when the River Cam would peak, but he was given information about the River Lea. He asked the agencies three times to call him back, but no call came until the following day. To be fair, the Environment Agency acknowledged in subsequent correspondence with my constituent that on

> "that particular day the primary call centre in Bristol was unable to function for most of the time due to a major problem with its telephone infrastructure."

It added with admirable candour:

> "As ever, failures such as these always seem to occur at the worst possible time."

As regards the area code quickdial number that was to provide my constituent with information, the agency acknowledged that

> "with your postcode we allocated the wrong quickdial number on our database. As yours is the first request we had from CB2 5EN, the erroneous entry had not been identified previously."

Understandably, my constituent feels that the system should—for the benefit of himself and others—work correctly the first time that it is put into operation because that is likely to be when flooding is experienced. As the hon. Lady rightly said, some constituents have inevitably encountered serious practical difficulties with the system that has been put in place.

Other hon. Members will relate their experiences, and I shall move on to the more general concerns that have become clear to me in my discussions with constituents and others. My constituents' experiences of flooding have raised considerable concerns, one of which is flood plain development, which the Government have sought to tackle in planning policy guidance 25.

The doctor's surgery in Bourn was flooded. When I visited three or four days later, patients' records were still drying off on tables, and one can imagine the distress that villagers felt about that. However, that was not the first time that the surgery had been flooded, although the flood was more serious than previous ones. The surgery and other properties had been built on what was recognised in the village as a flood plain.

[Mr. Lansley]

The consequence has been repeated flooding, which will continue unless we deal with flood plain development. We could talk about a specific response. PPG 25 points in the right direction, but the question is whether we need to go further. Developments that took place in the village more than a decade ago went ahead despite the fact that the parish and the Environment Agency recommended against them.

The second question is to what standard flood defences should be constructed. The hon. Member for Lewes (Norman Baker) and his constituents will know that one major issue is whether flood defences will be reinstated at a standard likely to deal with high flood levels in future. In a little more than a quarter of cases last winter, floods topped flood defences.

What indicative standards will there be for the future? The Government are being offered various pieces of advice. On the basis of what my constituents experience, some of the assumptions about standards for flood defence—for example, the [illegible] per cent. probability for urban areas and a lesser one for rural areas—will not be considered acceptable in future. Given the frequency with which extremes of weather occur and if we persist, contrary to recent experience, with high levels of ground water and aquifer levels, we shall have more substantial floods. They look statistically improbable, but will none the less happen.

As the Association of British Insurers stated in its recent report, we should consider a 0.5 per cent. or a one in 200 standard for flood defence to reassure the public, and to ensure that they can secure flood defence cover from insurers at a reasonable price. The Government have rightly sought advice from the Institution of Civil Engineers, which saw one in 100 as the common standard. Many of my constituents, who live in rural areas, would benefit from a higher level of protection than at present under a higher standard.

A need for investment would arise from a new standard. The Department for Environment, Food and Rural Affairs is right to continue to acquire research and reports, on the basis of which decisions must be made. It commissioned a report on the national appraisal of assets at risk from flooding and coastal erosion in July, which pointed out an increase in Government investment in flood defence of between 35 and 85 per cent. The ABI calculated that, on the basis of the Department's current expenditure, about an additional £145 million a year should be invested in flood defences.

It would be interesting if the Minister were to tell us more about the Department's review of the organisation of and funding mechanisms for flood defence. I hope that he will say that the Government will respond positively to the appraisal of the required levels of increased investment, and that they will strengthen the indicative standards. He could also follow up on a short exchange that we had during departmental questions on the revision of the basis on which individual projects are assessed. There is merit in the argument advanced by the Institution of Civil Engineers about the point-scoring system. The overriding priority, in terms of the human consequences of flooding, is the avoidance of threat to life. However, as many of our constituents know, flooding has many distressing features, including social and health costs.

It is clear that the subsequent distress of flooding means that, when we calculate the benefit to be derived from undertaking more flood defence investment, we should take fully into account the human cost as well as the strict economic cost, with the distortions that can occur in relative property values in any case. Perhaps we should go beyond that and consider a further, high-level Government target to reduce flooding of properties. We should identify the extent to which minimising the problems that flooding causes residential properties can be a target in itself.

Everyone will be aware of the confusion that surrounds the question of who is responsible for what in terms of flood defence. That is not a new question in my constituency; it was asked even before the events of 21 and 22 October. In a number of villages we had to take stock after the events of last winter. We met in a room not much smaller than this. Parish and district councils, the county council and the Environment Agency all came together to discuss the matter. The first conclusion was that, in many villages, the parish or district council knew who was responsible for the ownership and drainage of ditches, for clearing them out and for ensuring that flooding problems were not merely passed on to neighbouring properties.

I am sure that the Minister will be pleased to know that earlier in the year we began the process of saying that each parish must have a survey to establish riparian ownership and responsibilities, and that the district council must consider where it can undertake drainage clearance.

It was interesting in that context that the body that many expected to be able to participate in the process was the Environment Agency. However, the agency said that it could give advice but not funds, with the exception of a small grant to the village of Fowlmere to help with a study to ascertain how flooding could be alleviated there. Presumably, that was because we were not dealing with the main rivers for which the agency is responsible. Those who work for the agency and who were formerly with the National Rivers Authority seemed to feel that in the past they might have been able to do a little more than to offer sympathy and advice to those dealing with ordinary water courses.

I believe that the Environment Agency feels that it can take a wider role. It might not be the front-line authority in each instance—perhaps that should be the role of the district council. However, it should be the strategic body to view the entire catchment area for a river such as the Cam, which extends into many ordinary water courses that, having flooded, have caused a great deal of water to run into the Cam very rapidly, as the hon. Member for Cambridge knows only too well.

Mrs. Anne Campbell: I am grateful. The hon. Gentleman is being most generous with his time. He has highlighted the important issue of who is responsible for cleaning out ditches, waste pipes and drains. In the past, my constituents were aware of people who regularly cleared out such courses, but those people have not been seen for some time. Would their experience accord with that of his constituents?

Mr. Lansley: Yes it would, in various places. In some parishes, residents take it upon themselves to do the work, in co-operation with farmers. In other areas, the drains and ditches on farms themselves are not kept sufficiently clear. That is one of the reasons why the run-off was so extreme as a consequence of the flash flooding a few weeks ago. In many places, for example in the Shelfords, some of the culverts and drains were blocked—that can happen very quickly. The debris was already there; it was not brought there in the course of the flood. Thus the flooding occurred very quickly and some of the response mechanisms that might otherwise have helped were overtaken by the speed of events.

I should like to leave time for other hon. Members to contribute their thoughts and experiences. However, it might be helpful if I summarise the matters that I should like to put to the Minister. I realise that it might not be appropriate for him to respond now, because any comment will depend on the Government's further response to the review of organisation and funding mechanisms. Nevertheless, Members will want to give their input to that. On the basis of discussions that I have had with my constituents about their recent experiences, and of some of the material that I have seen, I would summarise in 10 points.

First, investment needs to increase. It is reasonable to look to the ABI. Its estimate of £145 million is in line with the figure that independent advisers have quoted to the Department. That is a reasonable starting point for reflecting the priority that has to be attached to increased flood defence investment. The benefits associated with that more than justify the direction of resources.

Secondly, the Institution of Civil Engineers suggested a new high-level target as a way of acting directly to reduce the number of properties that are flooded, especially residential properties. That may be a good way forward.

Thirdly, the criteria for projects should not merely be economic cost-benefit analyses, and should not necessarily be based on a benefit-to-cost ratio of five to one. A human dimension should be built in. It is difficult to express quantitatively something with a qualitative value, but it has been done in the health context, for example, to express quality-adjusted life years. That kind of methodology can be used to express the reduction of distress that would be the result of building a human dimension into the criteria for choice of projects. My constituents feel that projects that might benefit them in rural areas are not undertaken because of the property values associated with urban projects. I would like to see more evidence to support that argument. There should, at least, be a more transparent system for considering projects one by one and comparing them.

Fourthly, we are working to an indicative standard of 1 per cent. probability for all projects. Perhaps over time, however, as the ABI recommends, as new defence projects come on stream we might move to a probability of one in 200, which would ensure that insurers felt confident about giving affordable insurance cover to those who might be affected by flooding.

Fifthly, the Environment Agency has sought a role in co-ordinating catchment strategies. I understand that the Government are considering that idea positively, and I hope that it may be put into practice, especially as regards the River Cam, for which no such strategy exists. Clearly, the agency will not undertake projects alone, but will be joined by county councils and district and city councils, which need to have mechanisms in place to support their activities. In-year flood defence mechanisms are needed. The Local Government Association feels that no adequate mechanism exists, although it must undertake responsibilities as flood defence levies increase, and it does not anticipate that mechanism being put in place in relation to the standard spending assessment.

My sixth point relates to the SSA, although I hesitate to mention it, as it always makes hon. Members glaze over. Ministers are expecting further changes to be made to the structure of SSA, which I might wish to happen sooner. If they occur by April 2003, one hopes that local government in some places may find in the new structure an immediate response to an increase in flood defence levies. In Yorkshire, for example, levies are expected to rise substantially.

My seventh point relates, again, to the Environment Agency. Although it may be the right body to establish long-term strategy and take responsibility for examining the viability of projects, the front-line response should come from a front-line authority such as a district council. The Environment Agency should dovetail with such an authority. A district council would be the right body to act as the immediate co-ordinating mechanism, as it would understand the geography in the area where the flood had occurred and how villages were affected. I hope that the co-ordination of emergency responses through the front-line authority might be better achieved in that way. On 21 and 22 October in my constituency, many agencies were doing their best, but in isolation from other authorities because an emergency plan had not been put into place. The hon. Member for Cambridge referred to sandbags; that is an instance of how co-ordinating different bodies' responses can, with a pro-active approach, increase effectiveness.

My eighth point concerns the fact that some constituents experienced not just a flash flood but sewage flooding, as a result of living in relatively low-lying places. I know that the Minister will have received reports of that problem many times, but that sort of flooding is distressing to constituents. Anglian Water calculates that at present such flooding could affect 1,173 properties. The technical jargon calls them DG5 properties. The funding level until 2005, in the settlement with Ofwat, would permit 20 such properties a year to be dealt with. My constituents would consider it very important for the regulator to allow, in the price mechanisms for Anglian Water and other water and sewerage authorities, for a service of a standard that would enable sewage flooding to be reduced. I hope that the Minister will press the regulator to recognise that.

My ninth point leads me to wonder whether the Minister has considered giving district councils, the front-line authorities, greater powers to require riparian owners to undertake their responsibilities for clearing ditches and drainage, or allowing them to undertake the work and impose charges on those responsible. In some villages in my area, it is felt that the difficulties have reached the point at which that is necessary. There is confusion about riparian ownership, in some cases going back hundreds of years, and about overlapping responsibilities.

[Mr. Lansley]

Perhaps it would be in order for the Law Commission to work on regularising and simplifying the law. There might be scope, using the new system of orders under the Regulatory Reform Act 2001, for the Government to examine the difficulties in this area. I know that they are considering simplifying some other legislation. A mechanism exists enabling that to be done without taking inordinate amounts of parliamentary time on legislation. Perhaps the time has come to examine riparian ownership and responsibilities and to reform the law. I note that the Institution of Civil Engineers recommended that as titles are reregistered with the Land Registry, riparian ownership and responsibilities should also be registered. That would provide helpful transparency.

For my 10th point, I return to the matter of trying to prevent any more of the flood plain flooding that has occurred recently, which worries my constituents. As some hon. Members will know, in Cambridgeshire and around Cambridge itself there is an unprecedented amount of building work. The Government want 2,800 additional homes—the equivalent of one of our large villages—to be built every year. People wonder where so many properties can be built, year after year, in an area which is, in part, subject to fluvial flooding and which elsewhere—to the north and west of Cambridge—is relatively low-lying anyway, with internal drainage boards trying to avoid flooding problems. People ask, "How can we accommodate that sort of development?" That is one reason, among others, why the Government should consider stemming the increase in targets for building. They should bear in mind the environmental and flooding consequences.

Generally, when the Environment Agency examines plans for development, including structure plans, it should consider whether it should issue directions against building in certain places. Those directions should not be simply advisory. If planning approval is granted in contradiction to such a flood direction, the Secretary of State should call the case in, to stop flood plains being developed to the extent that has been going on. Clearly, there are circumstances in which some development can occur with appropriate defences. However, my constituents in Bourn see Cambourne being built—3,300 new homes where there are already 500. It seems to them that common things happen commonly and that the consequences in terms of flooding of the development occurring in such a place could fall upon them. They saw the balancing lakes fill on 22 October, when only one sixth of the houses that will eventually be built had been built, and they feel that, even if on that occasion the development was not the prime cause of their flooding, it may make things worse in the future.

Those are my points for the future. I know that the Minister recognises that the events of last winter and those recently experienced by my constituents should be prevented from happening again. As we enter another season of potential flooding, the public want to know that we have identified the necessary measures and that the work is in hand to deal with the problem. I hope that the Minister will respond positively to that.

10 am

Mrs. Ann Cryer (Keighley): I thank the hon. Member for South Cambridgeshire (Mr. Lansley) for initiating the debate. I wish that I had done so myself a few weeks ago, but I have had one or two personal problems. I am delighted to he here this morning. I would like to raise a number of mainly parochial issues, but before I start to talk about such matters I should say that we must not forget the fact of global warming, which causes many of the problems that we are experiencing in our constituencies. I hope that the President of the United States will continue in his new international mode. Perhaps it will draw him into returning to Kyoto, which would be very significant for the world but particularly for us, whose constituents are at risk from flooding.

Mr. Richard Bacon (South Norfolk): The hon. Lady may be aware that there are scientists who believe that the increase in flooding is due to the north Atlantic oscillation more than to global warming. We are dealing with a blip. The references to the flooding being the worst for 400 years beg the question of what caused the flooding 400 years ago. What is the hon. Lady's answer to that?

Mrs. Cryer: I was not around 400 years ago, so I have no idea. However, we should still concentrate on global warming—it clearly contributes to the flooding. I will not argue with the hon. Gentleman's point about what happened 400 years ago, but I feel that the United States is being selfish in its attitude to the use of fossil fuels and is causing many problems for our constituents and us.

In my constituency—Keighley—there are three rivers. These include the Wharfe, which is beautiful and comes down from the dales, but which also floods. Some 12 months ago, that River flooded and a small number of homes—about eight—in the Ilkley area of my constituency were affected. The River Aire caused many more problems. It is a beautiful river up in the dales, but as it gets into the industrial areas it becomes narrow, particularly near the Bridge Inn at Stockbridge, which the Minister visited shortly after the flooding. Stockbridge is built in a triangle at the confluence of the River Aire and the River Worth.

The Worth is a fast-flowing river because it comes from up in the Pennines towards Oxenhope, which is very high. It has a great force behind it. The 1950s houses in that small triangle where it joins the Aire have always been prone to flooding and will continue to be so unless something is done by the Environment Agency to the River Aire flood defences higher up the valley. The agency has promised me that work will commence next summer, but that seems to be moveable and I am worried that it may become next autumn. Some 12 months have already passed since the flooding devastated many of my constituents and their families.

Another problem arose in that area. In addition to the small semi-detached houses in the triangle, there were some Victorian terrace houses with cellars. To improve their homes, many people had dry-lined their cellars to keep the damp out and make them waterproof. Unfortunately, dry lining also keeps water in so at the time of the flooding 12 months ago, the homes became water tanks. The water did not simply seep away as it would have done many years ago.

Almost every day during the flooding, I attended a meeting of the co-ordinating committee of the local authority and the various agencies and services. One of my jobs was to co-ordinate with the West Yorkshire fire service, which initially told people that there would be a charge of several hundred pounds to pump out their cellars. As time went on, it became clear through discussions that they would pump out the cellars, but would charge if the householders had property insurance and the insurance companies could pay, rather than the taxpayer. I have no argument with that, but it took several days for that to become clear. The water came up to the cellar steps and the cellars were just tanks of water with things floating around in them.

We should clarify that issue before we have that terrible experience again. Every time that it rains heavily, some constituents are terrified and go through another trauma because they are reminded of the morning of the floods when they were awakened at 3 or 4 o'clock by the sound of water gushing down their street. That is a horrific experience for people, many of whom are elderly. One or two of the older people who, like me, are a bit deaf, did not hear the sirens or the water coming down and slept, oblivious to everything. At 4 or 5 am, they were awakened by well-meaning neighbours, who were breaking down the doors to get them out. They looked down and saw water coming halfway up the stairs.

We need to consider those issues, so that in the event of another terrible flooding, we know where we are going. Sandbags must be in place. There were sandbags, but there need to be more. We should also ask why the Environment Agency is telling us, 12 months on, that it will be another eight months before it can even start the work on the flood defences on the River Aire.

Some 300 houses in that area were flooded. Many problems have also been exacerbated by the reluctance of insurance companies to be more helpful. They simply dragged their feet. A few weeks ago, I got so angry with a large and famous insurance company—I will not name it—for doing nothing for an elderly lady that I wrote a postscript at the bottom of a letter, which said that if the company had not responded to my letter within a week, I would name it in Parliament. I am not sure whether I should do that, but I felt so angry with them, and it worked. The company started to respond to me, so I will not name it today, because it has gone some way to answer my constituent's problems.

Some 12 months on, my constituent is still out of her home, which was badly flooded. Four weeks before that, her husband died. She had to move out of her home, which was in a terrible state. The insurance company has still not sorted out the repairs to her property. It has had cowboys—people who are clearly unskilled—working on her home. They have only been working from 5 pm every day, so they obviously have another job and that is why it has taken the lady so long to have the work done. She was going to move back in a few weeks ago, but when she looked at the property, it was in an appalling state. My assistant and a surveyor have seen it and the surveyor says that it is not fit to live in. The doors do not fit and the plaster does not reach the skirting boards, which do not fit the floors. It will be a nightmare to live in, because it is very cold and full of draughts. That elderly lady, who is in her 70s, still cannot move back to her home, so I have a big moan about a few of the big insurance companies that have been operating in that way. I must admit, however, that a number were very good: within a few months of the floods, wonderful repairs were made to some of my constituents' houses, which were almost like brand new homes.

I have one more point about insurance. One family returned to their long-standing insurers, a small company, which said, "We're not keen on insuring you again, but we will. However, there will be a £10,000 excess for flood damage." For a working-class family, that is pie in the sky; there is no way that they could raise that sort of money. We advised the family to shop around for their insurance and I should like that to be the message that goes out from this debate. Had that family gone along with their insurance company, they could have ended up in great difficulties and debt.

I again thank the hon. Member for South Cambridgeshire. I shall not repeat the problems that he mentioned because other hon. Members want to speak, but a number of those problems have been with me for the past 12 months. I am still working on them and I am sure that many other Members are doing the same.

10.11 am

Mr. Roger Gale (North Thanet): I start by apologising to the Minister as I shall have to leave fairly shortly to chair the Standing Committee that is considering the Proceeds of Crime Bill. Of course, I undertake to read his remarks in *Hansard* carefully. I suspect that I may be joined in Committee by the hon. Member for Lewes (Norman Baker). If he arrives there late, I shall understand why.

On 23 October, the Minister wrote a "Dear Colleague" letter about flood defence preparedness for autumn and winter 2001. He said:

> "Operational responsibility for . . . flooding—saving lives and property—rests with the Environment Agency, who issue flood warnings, and local authorities and emergency services who ensure that emergency plans are implemented."

Would that it were so. The fact is that the devil lies in the detail. The notes to the section about the autumn 2000 floods, which the Minister kindly appended to what I appreciate was a well-intentioned letter, say:

> "It does not cover non main river or local drainage problems".

However, they are the crux of much of what we want to talk about, in parochial terms, this morning.

Last winter, the Minister and I shared a happy half hour at the end of what was a long and tiring day for both of us paddling around the Eddington lane area of Herne Bay in my constituency. That winter, Eddington lane, the Plenty Brook estate, the Nurserylands estate, Cherry gardens, Gordon road, Spencer road and much of Greenhill were flooded. The Eddington lane area was first flooded on 4 April 2000. It was flooded again on 12 and 13 October 2000, on 8 February 2001 and, most recently, on 21 October.

On the last occasion, the waters did not enter any houses, but my constituents suffered genuine trauma watching the waters rise, in exactly the same way as the hon. Member for Keighley (Mrs. Cryer) described. They finally stopped within 4 in of an elderly gentleman's door. The insurance companies have said that from now on, although they will maintain insurance on properties

[Mr. Roger Gale]

that are currently insured, they will not insure them again if they are sold. Effectively, therefore, my constituents who live in those areas cannot sell their homes unless they can find buyers who are willing to take them on without insurance.

Returning to the Minister's letter, the problem is that the responsibility is unclear. Certainly for minor rivers and riparian rights, there is no real responsibility. Sir John Harman, the head of the Environment Agency, made it plain that he was not prepared to take on the Government over their building programme. In opening this most welcome debate, my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) said that far too little attention appeared to be given to the problems of building on flood plains. I would extend that by saying that this is not only about flood plains but about land adjacent to them. The Minister visited the relevant site in my constituency, so he knows exactly what I am talking about.

Two big estates have been built in Herne Bay recently: the Willow Farm estate at Broomfield and the Stillwater estate adjacent to Thanet way. The Stillwater estate has balancing ponds, which are supposed to be satisfactory to compensate for the loss of drainage. However, in the most recent flood on 21 October the balancing pond came within about 9 in of the top of its bank. It had nowhere to drain, because the Southern Water reservoir, which is designed to take floodwater, was full and backing up towards the new estate. The Willow Farm estate is of interest, because this will be the first winter in which the houses have been occupied. They were built on what was—last winter—a lake with waterfowl nesting on it; I am sure that that will interest the Minister. A lot of twitchers came and watched the birds nesting on what is now a housing estate.

The building work is going ahead, but no control is exercised on the infrastructure and no responsibility is taken for it. The Environment Agency claims that it does not have the powers to enforce the correct infrastructure prior to planning. Building work is going ahead, and one does not have to be a genius or a rocket scientist to work out that if one builds on land that has been drained, puts down tarmac, and builds roofs with tiles, the water has to go somewhere. The "somewhere" in question is a stream, such as the Plenty brook, which turned into a raging torrent last winter, and the Minister knows that because he saw it. That lasted only for a matter of hours, but it was enough to affect the sewerage system, to pump raw sewage into people's homes and to do an immense amount of damage—for the fourth time.

People have had enough, and I endorse the 10 points raised by my hon. Friend the Member for South Cambridgeshire. I hope that the Minister and his colleagues will consider carefully the powers and responsibilities of the Environment Agency and local authorities to ensure that minor rivers—I was going to say "never mind the major ones", but they are important too—water courses and drainage systems are properly looked after. Until they are, and until the water companies carry out their responsibilities, floods will recur.

In my view, Southern Water has behaved disgracefully. When that company was privatised, it invested millions of pounds in new sewerage systems in Margate and Herne Bay. We were assured that floods, which at that time were caused by breaches of sea defences, would never occur again. As a result of the previous Government's investment in sea defences, and Southern Water's investment in a new sewerage system, many of the difficulties were overcome in an Edwardian and Victorian town. A new difficulty has arisen from the change in climate and too much building with too little infrastructure. Southern Water knew for more than a year that its reservoir was clogged with weeds.

I am happy to say that Southern Water, as a result of the threat of being exposed in an Adjournment debate and of the pressure brought to bear by the hard work of Canterbury city council's Viv Pritchard, has completed the dredging of the existing reservoir. That company is now investigating the possibility—no more than that—of extending the reservoir and increasing its capacity by a third. That would be welcome, but when does Southern Water intend to do the work? It is no secret that Scottish Power, which owns Southern Water, wants to flog the company, because it is a liability. I suspect that Scottish Power does not want to spend any more money. That suspicion is borne out by a letter about one of my constituents, Mr. Bevan, who lives in Herne Bay. His house is a listed building and has been subject to flooding for quite a long time, not just the last two or three years. In that letter, the engineering manager for Canterbury city council told me:

> "It would have been at least six years ago that my Drainage section, at Southern Water's request, reported upon the likely source of flooding at that time and recommended some possible solutions... I am not aware that any action by Southern Water resulted from our original recommendations. More recently my Drainage staff produced an updated version, initially for internal consideration, and this was passed to Southern Water... Southern Water have embarked upon a thorough investigation of the public sewers with a view to undertaking such works as are deemed necessary subject to their investment approval procedures."

Stuart Derwent, the managing director of Southern Water, in referring to the same case, said:

> "if it becomes apparent that a capital solution is required to resolve the flooding, then this will be prioritised and undertaken in accordance with our capital investment procedures."

In the meantime, my constituent has had enough, has moved out of his home and is unlikely to return. Southern Water and many others are reluctant to invest in the necessary flood precautions to help to alleviate a problem that is not entirely of their making. I agree with my hon. Friend that the regulator, Ofwat, must seriously consider the necessary investment, or our constituents will face an even worse situation this winter than they did last year. I look forward with great interest to reading the Minister's response to the matters raised by my hon. Friend.

10.19 pm

Mr. John Grogan (Selby): My hon. Friend the Member for Keighley (Mrs. Cryer) graphically described the situation in her constituency, which, like mine, is in Yorkshire. The hon. Member for South Cambridgeshire (Mr. Lansley) referred to Yorkshire in his speech on the levy increase, and I shall comment on the situation in Yorkshire and nationally.

Although Yorkshire can now boast that it has the best cricket team in the country, it has the worst flood defences—a fact that is just beginning to sink in across the county. Only 15 per cent. of Yorkshire's flood defences are categorised as good, or better than good; 85 per cent. are only fair, or worse. Following the floods that affected Keighley, Leeds, Selby and York, the Yorkshire flood defence committee was the only one not to accept the Environment Agency's recommended increase in the levy earlier this year. That is having massive effects on flood defences in the county. It led to a reduction in the capital works programme of £3 million this year and £2 million was cut from the maintenance programme, so the 64 communities at risk of flooding will not get a flood warning system this year. The Yorkshire flood defence committee is now politically balanced: it contains two members of the Labour party, two Conservatives and three Liberals and most of the local authority representatives. I hope that it will live up to its responsibilities and fund a flood defence programme in Yorkshire, which lost more than £2 million of Ministry of Agriculture, Fisheries and Food grant this year.

There is much diplomacy in Yorkshire at present as we do not want to let the county down again. Last year, Ros Amor, a flood victim from my constituency, presented white roses to the flood defence committee in an effort to get it to be less parochial and to live up to its responsibilities for the whole of Yorkshire.

The Environment Agency recently examined flood defences throughout the county; it found that those protecting Leeds are a major worry and that the standard of service in Doncaster is of prime importance because of the many properties potentially at risk. In Selby, Drax power station, alone among the major power stations in the country, does not have its own flood defence bunding. There is much to do in Yorkshire. There is a special meeting of the flood defence committee early in December, when options will be considered. At this stage, the Environment Agency is not making a recommendation, but presenting options to the committee. The reputation of local government in Yorkshire depends on delivering a partnership with the Government. Talk about regional government is a joke to many people in Yorkshire if it cannot get the flood defences right. I hope that local politicians of all parties will respond as necessary to the county's problems.

A national review is now taking place. The local authorities recommended that capital expenditure should be separated from the maintenance of flood defences and that the Government should assume responsibility for the maintenance of flood defences and other flood expenditure. I am dubious about that because the outcome could be that the bright, new and shiny capital schemes will be funded, but maintenance, which is so important, will be neglected. I favour the suggestion that the Environment Agency and the flood defence committee should be given borrowing powers. At present, the flood defences are funded from general revenue expenditure, although that was not always the case. They are major items of expenditure, and if borrowing powers were utilised they would allow the necessary expenditure to be spread over several years.

There is a case for an all-party group on flooding. We have heard the expertise of many. hon. Members. We need extra resources for the decades to come, and I know that the Minister has been prominent in arguing with the Treasury for that. It is a long-term issue. I hope to put out feelers among Members of all parties in the coming months on the feasibility of an all-party group.

Mr. Edward O'Hara (in the Chair): Order. For the benefit of hon. Members, I point out that the three winding-up speeches will start at 10.30 am.

10.25 am

Mr. Charles Hendry (Wealden): I shall be brief, in view of the time pressure. I congratulate my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) on securing this important debate. The number of Members present and the fact that they represent different parts of the country demonstrate that this is not just a local but a national problem.

It is more than a year since the town of Uckfield in my constituency and the villages of Buxted and Hellingly were devastated by the floods in October 2000. Some of the people affected by those floods are still not back in their homes, which shows the extent of the problem. The hon. Member for Lewes (Norman Baker) had similar huge problems as the problems in Uckfield shifted downstream to his constituency. A year on, there is frustration bordering on anger in towns such as Uckfield that so little has been done. A great deal of investigation has been carried out into the sort of projects that the Environment Agency could undertake. Some ditches have been cleared and some minor repair works carried out, but no major scheme has been started or seems likely to be started for some years.

The Minister will know that the Environment Agency has proposed four schemes, on which it is consulting. There is a general wish that it should skip the consultation process because those in the agency are the experts; they know best. Members of the public do not have real views on the issue. We should move as fast as possible to get these schemes implemented. There is a suspicion, which I know the Minister will understand, that the driving force behind the schemes is not that they are the best method of preventing flooding but those that are most financially acceptable for the Treasury. Will the Minister give an assurance today that his Department will support whatever scheme the Environment Agency comes up with, even if it is the most expensive of the four? That will enable us to move forward with greater speed.

The Minister will also know of the continuing concerns about insurance matters. We have discussed domestic insurance but my constituency has a particular problem with business insurance. A large part of the flooded area of Uckfield was the business area at the bottom of the town. The Minister has been having important discussions with the Association of British Insurers, as has the hon. Member for Lewes. If we cannot secure agreement from the ABI that it will look benignly on insurance cover for properties in flood areas, will the Minister consider the sort of scheme that the Government recently agreed with the airline industry, albeit in different circumstances, to accommodate the significant additional insurance costs that it has incurred? The hon. Gentleman might be able to assist companies that are unable to get flood insurance, thereby helping them stay in business.

The lesson that we most need to learn from our experience is that we cannot continue building at the rate at which we have in the past. I welcome the

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tightening of planning guidance in planning policy guidance 25 but the Government must also review the number of houses that they want built in the south-east. Many areas such as my constituency and Lewes cannot accommodate the number of houses that the Government suggest without building on flood plains. I therefore urgently request the Government to review that figure and reduce it.

I wish to end on a positive note. I recently attended a meeting of the Cuckmere flood forum—I sent the Minister a copy of the minutes—which brings together many of the villages along the Cuckmere. The hon. Member for Lewes also attended that meeting. It comprised environment agencies, the county and district councils, residents and a range of others who are concerned about the issue, and was an example of people working together exceptionally well and effectively. I hope that the Minister or one of the representatives from his Department will attend the next meeting of the forum so that it can be seen how effectively people who sit down together can avoid the heat of the discussion and focus on the steps that must be taken. Much work needs to be done, and I urge the Minister to bring that forward as fast as possible. As other hon. Members said, there is desperate anxiety every time it rains heavily. We nearly saw renewed flooding this year, so urgent action is required.

Mr. Edward O'Hara (in the Chair): I shall call the Minister no later than 10.50 am.

10.30 am

Malcolm Bruce (Gordon): I congratulate the hon. Member for South Cambridgeshire (Mr. Lansley) on this timely debate. Several Members spoke about flooding in their constituencies, and several others wished to do so. That demonstrates that flooding and the associated problems are live issues that must be addressed.

Using the situation in Cambridgeshire as an illustration, it is interesting and indicative that the exceptional rainfall in October happened during the warmest October on record. The hon. Member for South Norfolk (Mr. Bacon) should understand that arguments about whether climate change is having an effect are somewhat irrelevant. Flooding is becoming a more severe and increasingly frequent occurrence throughout the country and, unsurprisingly, the public and their elected representatives want action to be taken.

We must focus on the problems and the practical action that can be taken. The Minister will have received information from various sources that flood defences are inadequate and that investment is required to bring them up to existing standards and, because of the volatility of the weather, possibly even higher standards. Our planning situation must be fundamentally reviewed, not only to prevent building on flood plains but to recognise that development distorts drainage patterns and can create new flood risks in places that have not been affected. It is a more complicated problem than might otherwise appear.

We must address the practical problems of individual householders' ability to get effective insurance and payouts on that insurance. Although flooding is an insurable risk, that does not remove the horror of disruption, and total restoration is not always possible. When people find that they can get neither full compensation nor, worse still, further insurance, that has a devastating effect on the value of their property, and naturally they want to know where to turn.

Norman Baker (Lewes): Does my hon. Friend agree that the dangers of the insurance situation are possibly more worrying to people than the lack of flood defences and the flooding itself? Some insurance companies, such as AA Insurance, are failing to adhere to the Association of British Insurers agreement—I know of three outstanding cases on that—and nothing is in place for when the ABI agreement expires next October. There is a danger that hundreds of houses in Lewes and elsewhere will simply be uninsured. Should not the Government address that problem and assure people in Lewes and elsewhere that they will be able to get insurance from next year?

Malcolm Bruce: My hon. Friend has made his point about a specific insurance company and that is on record. I am sure that it will be acknowledged, and I hope that the ABI will address the problem. He raised a pertinent point. Despite the serious disasters, we have mercifully had no loss of life of householders. One could argue that property is always restorable in a way that life is not, but that is what insurance is for.

I have read the ABI report, and its first conclusion was:

> "In order to ensure that affordable flood insurance is available, at least throughout the greater part of the UK, urgent Government action is required."

We could say, "Well, it would say that, wouldn't it?", and there will have to be a partnership to decide who will deliver what. However, the ABI makes the reasonable case that unless insurers can be reassured that adequate flood prevention measures are in place, they do not see why they should accept all the risk of having to pay out incessantly for homes that flood continually. The ABI, although not ducking out of its responsibilities, has a reasonable argument that there must come a point where public authorities are responsible for that.

On planning, I agree that we should question any further development on flood plains. We must review that. That is a considerable problem in a county like Cambridgeshire because of the terrain. I urge the Minister to recognise the extent to which development can distort drainage patterns. Although his responsibility is for England and Wales, I represent a Scottish constituency where there has been rapid development. We have had severe flooding in the lower part of Inverurie, which is mostly directly due to a high building programme higher up the town. Natural drainage was absorbable before but water falling on tarmac and tiles is now rushing down into the town and overwhelming the systems. We have had to upgrade them. We must recognise that any development can contribute to flooding.

Quite properly much has been said about the role of the Environment Agency. It has the expertise and not the money, and local authorities supposedly have the money but not the expertise. In reality, many of them, as in the case in Yorkshire that has been described, either do not have the money or, because of the pressure on priorities, are unable or unwilling to contribute enough. My party produced a flood management programme earlier this year, in which we suggested that the Environment Agency should take a lead and be given some of the resources to deliver the programme. There can be regional flood committees but given drainage patterns, one local authority may be seriously affected by flooding while another is unaffected. Unless they both contribute there will not be the resources to deal with the problem, not least because action higher up a river or a river drainage system can have consequences further down.

While local authorities must be involved, and that co-ordination is relevant, we should shift more of the responsibility to the Environment Agency, not only to co-ordinate but to have the resources as well as the expertise to deliver the flood management plan and overall responsibility for it. More should be done within that plan for sustainable urban drainage. That is consistent with the planning point that I made, and the Minister has referred to that in the past. We must recognise that there are ways of developing new build that can help to absorb water in a natural and sustainable way and prevent it causing floods elsewhere.

Coastal defences are clearly a very live issue, particularly on the east side of the country where they have been seriously depleted. I have been at a number of meetings where people from East Anglia and further up the coast have expressed their concern that a decision has almost been taken to let a significant part of our coastline go. That will lose us agricultural and development land. There has been a consistent pattern of such erosion on the east coast over many years, and people in the area want to know what the Government's policy is. How much of England are the Government prepared to lose before they decide that we need defences to retain what is left? That is not a debate that would take long in Holland on the other side of the North sea, but it seems to go on for ever here. It is all very well to say that we can use salt marshes and allow them to re-establish, but that is effectively to allow the sea to invade and to yield our land to the sea. People want to know that there is a coherent strategy behind that, not just an unwillingness to pay the money to protect the coast.

My final point brings me round to the point that I made at the beginning. As well as considering how we should deal with the practical difficulties that arise from flooding and the severity of the rainfall that causes it, we must recognise, and make the wider public recognise, that these events will happen with greater frequency if we do not take much more global and international action to deal with the problems of climate change. The intervention suggesting that that was no longer the case astonished me. Not even President Bush would argue that there is no problem. The debate is about what action to take after the problem has been acknowledged.

Citizens must understand that what might appear remote—a change in climate that seems not directly to affect people—becomes very real when water is coming up the staircase. The two are connected and we must collectively support policies to modify the severity of climate change as well as deal with its practical consequences.

10.40 am

Mr. Jonathan Sayeed (Mid-Bedfordshire): The hon. Members for Keighley (Mrs. Cryer) and for Selby (Mr. Grogan) and my hon. Friends the Members for North Thanet (Mr. Gale) and for Wealden (Mr. Hendry) all congratulated my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) on securing this debate. They drew on their parochial experiences to produce more general conclusions.

My hon. Friend the Member for Wealden mentioned Uckfield in his constituency. In many ways that town epitomises the problem. For 13 months, people were forced out of their homes and they are still not back in them. They have been waiting far too long for action, which is also needed throughout the country. My hon. Friends the Members for East Devon (Mr. Swire) and for South Norfolk (Mr. Bacon) also wanted to contribute to the debate. I am sorry that, due to lack of time, they were unable to do so.

I, too, congratulate my hon. Friend the Member for South Cambridgeshire on securing the debate. His contribution was thoughtful and balanced. He drew on his local experiences, but translated them into valuable general propositions. There can be no doubt about the scale of the problem. The Environment Agency has reported that 4 million people live or work in flood risk areas and that 1.2 million homes and businesses are at risk. The National Audit Office suggests that 2 million properties are at risk, while the Flood Hazard Research Centre believes that 10 per cent. of the population live in risk areas and that property worth £200 billion is at risk.

Whichever figure is correct—they may all be correct but using slightly different criteria—it is clear that flooding is a major problem that is likely to get worse. Last year, 11,000 people had to evacuate their homes and 150,000 people lived in areas directly at risk. As late as this October, Alison Baptiste, who works for the Government's own agency, Environment Action, speaking about the southern region said:

> "Many houses in our region are far from back to normal"—

and we are now a year on from the floods.

My hon. Friend the Member for South Cambridgeshire asked who was in charge, who was responsible and where was the co-ordination to deal with flooding. Those questions were echoed by other hon. Members. The Environment Agency said:

> "Encouraged by the Minister, the EA directed the process to undertake a general supervisory duty over the many public sector organisations responsible for delivering flood defence".

There is no doubt that flood defence is by far the EA's largest expenditure category. At £275.6 million in 1999-2000, it was 44 per cent. of its total expenditure.

The EA falls under the Department for Environment, Food and Rural Affairs, but the position is more complicated. In 2001, the DEFRA grant aid was £107.9 million, but the Department for Transport, Local Government and the Regions supported local authorities through the local government finance system to the sum of £268.4 million. The Environment Agency's claim that it has taken over the general supervisory duties contradicts the proposition that he who pays the piper calls the tune. However, the Agriculture Committee clearly stated in its 1998 report that responsibility for flood prevention was too fragmented.

[Mr. Jonathan Sayeed]

Where are we now? The National Audit Office claims that 40 per cent. of flood defences are not up to scratch. The Environment Agency has surveyed all flood defences in England and Wales. I would like to know whether it will publish its findings and conclusions. Before the autumn 2000 floods, the Environment Agency claimed to be concerned about the adequacy and the mechanisms of funding for flood defence and delays to the funding review. I hope that the Minister will deal with that concern.

The Environment Agency claimed that repair work had restored the damage done to flood defences last winter to the condition of a year ago, but no more than that. It also claimed not to have the budget or time to make all the necessary improvements. We need to know what budget and time it needs.

A July 2001 report of the Department for Environment, Food and Rural Affairs indicated that budgeted spending was significantly below the levels necessary to meet its standards. The Association of British Insurers suggested that an extra £145 million a year is required for several years and, in a report commissioned by the Government, the Institution of Civil Engineers said that current expenditure must be doubled. We need a proper, quantified assessment of the protection that England and Wales have now, a statement about a reasonable and appropriate level of protection, and a budget and time scale to achieve it.

Clearly, 100 per cent. protection can never be achieved. However, communicating with people in risk areas is important. They must understand the risk, the system of warnings, the preparations to be made and the actions to take after flooding. The Environment Agency has responsibility for that and has spent millions of pounds on advertising and direct mail, yet its research shows that only 9 per cent. of people in risk areas have made any preparation for flood defence. We need to know how many people are aware of the risk and what will be done to increase awareness. How many understand and can use the warning system? How many have made the necessary preparations, and are the local authorities properly prepared? Do people understand what action to take after they have been flooded?

I have a quick point to make about the long-term problem of land use. One of the oldest tricks for evading a difficult question is to suggest that the question is other than what it is. That is exactly what the Minister did last Thursday, when he said:

> "Instead of saying that one cannot build on a greenfield site at any time, under any circumstances, we need a balance and some common sense."

I had not said that we should not build on any greenfield site, but that

> "plans for massive development on water-absorbing greenfield sites will make a thoroughly bad situation worse".—[*Official Report*, 15 November 2001; Vol. 374, c. 968.]

That comment has been echoed by nearly every hon. Member who has spoken today.

In addition to supporting planning policy guidance 25, we need to know that it will be easier for local authorities to veto planning applications on flood plains or on greenfield sites, because such developments affect the ability to deal with heavy rains. As the hon. Member for Keighley said, climate change is likely to get worse.

Last week, I said that I believed that the Government's response was too muddled, too little and too late. I hope that the Minister can persuade me that I was wrong, but they need to get organised, get funding and get on with it.

10.50 am

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Elliot Morley): I add my congratulations to the hon. Member for South Cambridgeshire (Mr. Lansley) on securing this debate. He made a thoughtful and detailed speech. He also raised several serious issues, but he had the good grace to acknowledge that the Government are trying to tackle them. It is clearly a subject for debate.

We have a great many issues to deal with, some of which go back many years. Although we can argue about the science, climate change is taking place. We are funding research at the Hadley centre for forecasting to help us understand the link between climate change and weather patterns. We cannot deny that sea levels are rising, the weather is getting warmer and heavy downpours are becoming more frequent. We have to prepare for change. We cannot ignore it. Indeed, as my right hon. Friend the Deputy Prime Minister said, the devastation caused by the terrible floods that we suffered last year was a wake-up call. That raises a series of questions, an important one being that of preparedness for flooding.

The letter that I circulated to all hon. Members shows that the Government are thinking ahead to ensure that we are prepared this winter. It lists what action we have taken since last year's flooding and what action we intend to take. Indeed, the reports that have been mentioned were all commissioned by the Department for Environment, Food and Rural Affairs. Undertaken by various independent organisations, they describe the standard of flood defences that we should expect, the cost-benefit ratio of spending on flood and coastal defence and some of the structures that we should be considering. Another report is to be published shortly on the sources of funding for flood defence and some of the institutional arrangements that have been mentioned. Those reports will all be in the public domain. We want to concentrate on making our flood and coastal defences better, and to ensure that we are organised and able to respond to any kind of flooding.

Following on from the major flooding of 1998, the Government acted on the Bye report, which put us in a good position to respond to the floods of 2000. Although I have every sympathy with those whose properties were flooded—I visited many of the areas affected, and I am aware of the stress and disruption that people suffered—it was a relief to know that not one life was lost as a result of the flooding. That was quite an achievement, given the scale of flooding. Many properties at risk were properly defended. The flood defences worked, in many cases beyond their designed capacity.

Following that, we had a major upgrade in flood warning systems. The Environment Agency, with Government funding, has invested in a major flood awareness campaign. It is an annual campaign to make people who live in flood areas aware of the risk. We also have flood risk mapping and a helpline called Floodline.

I was sorry to hear of the problem mentioned by the hon. Member for South Cambridgeshire, and I am sure that the Environment Agency will try to rectify matters if things are not going as well as we would like. Local authorities and emergency services have the task of running annual exercises in responding to any kind of flood emergency. That would have been the case in the hon. Gentleman's area, so the local authority would have known what to do and how to respond.

My hon. Friend the Member for Cambridge (Mrs. Campbell) mentioned sandbags, and I understand how important they can be. Apart from anything else, it offers people reassurance to know that sandbags can be made available by the local authority or the Environment Agency. I stress that the legal responsibility for providing sandbags rests with the home owners. However, we must be realistic; we need to ensure availability, and we are working on that with the Local Government Association. The LGA has written to all its members to check that they are making preparations for flooding and we intend to introduce a sandbag strategy, to ensure that people are reassured. The Environment Agency and many local residents groups have promoted innovations such as flood shields that are coming on to the market. In the medium term, they have a great deal of scope and I am keen to pursue them.

The hon. Member for South Cambridgeshire is right to say that there has been some bad planning. I visited the area represented by the hon. Member for North Thanet (Mr. Gale). Some bad decisions had clearly been taken, in terms not only of where houses had been built but of the impact of new estates, a new road and whether the sewerage system could cope. Flood defence is a multi-agency issue. I accept that we have a responsibility to bring agencies together and co-ordinate them properly, and we are considering that matter.

We expect planning authorities to take advice from the Environment Agency seriously. Current information suggests that they now give more weight to what it says about new developments. I would like to see a norm of a one in 100 years defence standard. We are raising standards in new defences, and those of some existing defences must also be raised.

The Environment Agency surveyed the constituency represented by the hon. Member for South Cambridgeshire after the floods and marked the peak flood areas, to help it understand where they are. That will guide its response, which is under way, as to whether the risk of future flooding can be minimised. As I said, 75 per cent. of the flooding was from non-statutory main rivers. Nevertheless, we must tackle that problem, which is partly due to lack of maintenance of ditches, dykes and drains and the impact of development. Discussions are under way on the subject.

The hon. Gentleman referred to the point-scoring system. I think that it is fair because it is clear and transparent, so people understand where they are in relation to priorities. When one spends money on flood defence, one will always want to defend the maximum number of homes at risk, which will tend to be in urban rather than rural areas. That is a fact of life, unfortunately. However, it does not mean that we cannot have schemes for rural communities, and we do.

Mr. Greg Knight (East Yorkshire): Why have the Government not claimed a penny of the money available from the European Union to help member states alleviate flooding problems?

Mr. Morley: The simple answer is that there is no such money to help member states. The suggestion that such money is available is a fallacy that has been circulated. There is money for disasters, but it does not relate to flood and coastal expenditure. We have to raise the money ourselves, as we are doing.

The calculation of the points score is based on economic, social and environmental need. The pertinent points made by the hon. Member for South Cambridgeshire, which we will try to address, were on social need. At present, the way in which the points system works is being considered in a review that is due to close on 26 November. It will take into account what people have said.

We have commissioned several independent reports on funding. We must calculate what would be a realistic rising spend. It is one thing to argue for doubling money to huge sums, but many engineering projects have to be planned two, three or four years in advance. Even if the budget suddenly increased, people would see no benefits because one would have to provide for the increase in the planning. We want a planned rising spend. In our spending review bid for 2002, we will discuss with the Treasury what the most appropriate spend will be.

My hon. Friends the Members for Keighley (Mrs. Cryer) and for Selby (Mr. Grogan) and the hon. Members for Wealden (Mr. Hendry), for Gordon (Malcolm Bruce) and for Mid-Bedfordshire (Mr. Sayeed) also spoke. It is difficult to address all the ills of flooding in the country in 10 minutes, but I shall touch on some of their points.

One of the most important subjects raised was time scales for flood defence schemes. Such schemes must be consulted on. We have to take into account the effects that any scheme might have on other parts of the watercourse. Solutions are not easy in some parts of the country, such as Uckfield, which is represented by the hon. Member for Wealden. However, I am sure that we can find cost-effective solutions that will work. We have commissioned catchment area studies, which will report on the Uckfield area in the beginning of 2002. All operating authorities have also been asked to publish policy statements to set out the responsibilities for watercourses and drains, and plans for their maintenance.

My time is rapidly running out. The hon. Member for South Cambridgeshire raised several other points, and I shall write to him about them. However, the wider debate continues. I like the idea of an all-party group, which my hon. Friend the Member for Selby mentioned. I give a commitment that my Department would fully support such a group by providing information and by any other means, as it would tackle our common aim of reducing the risks of flooding for all our constituents.

Transport (Eastern Region)

11 am

Mr. Kelvin Hopkins (Luton, North): I am pleased to have this opportunity to put my concerns about transport in the eastern region to hon. Members and to the Under-Secretary of State for Transport, Local Government and the Regions, my hon. Friend the Member for Plymouth, Devonport (Mr. Jamieson). Several parliamentary colleagues from the region are present, and I hope that they will have an opportunity to make clear their concerns.

The eastern region is doubtless one of the most prosperous in the country: average incomes are high, unemployment is low and the quality of life is better than in many other parts of the country. The region is not, however, without its problems. It is disparate and incoherent, stretching from Watford to Walton-on-the-Naze and from Basildon to Blakeney Point. It has areas of high-tech, high-skill and high-income activity, but also pockets of deprivation, unemployment and economic stagnation. Transport links are crucial to overcoming such problems, particularly at the periphery.

The region is dominated by radial transport links that spread outwards from London. Some are quite fast and efficient, but others are badly affected by overcrowding and traffic congestion during peak periods. New investment and higher on-going investment are necessary for transport purposes. Major difficulties are involved in travelling from east to west across the region, and poor east-west links will feature strongly in our debate. It is easier and quicker to travel from Luton to Sheffield than from Luton to Lowestoft.

The region has several significant sea ports. That sector is growing, and sustainable expansion must be supported by improved transport access. There are five airports, including Stansted and our rapidly growing airport at Luton. Those key regional and national infrastructure assets depend crucially on efficient and convenient terrestrial transport links. Given the decline of manufacturing in my town of Luton and, most notably, the closure of Vauxhall in four months' time, the growth of employment at our airport will be vital for the town's prosperity. Transport will also play a critical role in the successful regeneration of the Thames gateway.

Six multi-modal studies are being carried out in the east of England, of which the London and south midlands study is the most significant for my constituency.

Mr. Jonathan Sayeed (Mid-Bedfordshire): Before the hon. Gentleman leaves the subject of the benefits of better east-west links in the area that he and I represent, will he concede that one useful aspect of such links, which should have been in place many years ago, is that heavy goods vehicles would no longer thunder along roads and through villages and towns that were not designed to take them?

Mr. Hopkins: The hon. Gentleman is right. The problem is especially acute in my constituency because an east-west route takes heavy lorry traffic right through the middle of the town, which is wholly inappropriate. I hope that my colleagues will expand on how that problem affects their constituencies and the different parts of the region.

I turn now to the matters of most concern in my constituency and the sub-regions that surround Luton. The M1 motorway passes through my constituency and is regularly congested where it does so. I am delighted by the decision to erect acoustic barriers where it passes close to homes and schools in Luton, North. That will make a major contribution to the environment in which many of my constituents live. However, congestion on the M1 through Luton is caused as much by local commuting as by long-distance traffic. For example, a logical route from Dunstable to Luton airport and the car plants on the south side of Luton would use the M1 between junctions 11 and 10. Commuting between Milton Keynes and the Luton conurbation also pours local traffic on to the M1 in peak hours.

During peak hours, there is extreme congestion in Luton, and we move closer to gridlock year by year. New transport links must, therefore, pass through and around Luton and between the conurbations in our travel-to-work areas. The most urgent need is to develop the eastern corridor route in the constituency of my hon. Friend the Member for Luton, South (Margaret Moran). Before the roads review during the previous Parliament, there was much talk of widening the M1 northbound. Wisely, that was rejected. I trust that the M1 widening north of junction 10 has now been firmly rejected for the long term.

However, that has made even more vital the development of Translink, the dedicated public transport corridor from Dunstable and Houghton Regis that passes through Luton to the airport and other areas of employment on the south side of the town. Sadly, local authorities have been deeply divided about the form of transport that should operate on the corridor. Luton borough council has proposed a guided busway, while South Bedfordshire council prefers a rail option. Heavy rail would be an inefficient and inappropriate use of the corridor, and I support the development of guided buses.

The Translink corridor is too valuable simply for local bus traffic. That is why I have proposed that a light railway or tramway be built along the whole length of the old single-track rail line from Bletchley through the Translink corridor in Luton and onwards to conurbations further east. I have spoken to a number of transport engineers, who say that it is feasible to combine a tramway and a guided busway on one corridor. With a tramway and a busway, the Translink corridor would be more easily financed and of immensely greater economic benefit to our sub-region. It should be extended from Bletchley to the centre of Milton Keynes, and follow the old single-track railway line all the way to the conurbation of Welwyn and Hatfield.

A significant advantage of a light railway scheme is that the corridor would permit two-way trams but only a single-track heavy rail service. Although Milton Keynes is just outside our region, it has an impact on traffic in the Luton area, and on the M1 and the A5.

A second and associated major improvement that is vital for our area would be to build the long-proposed northern ringroad around Luton from the A5 to the

A505 Hitchin road to the east of Luton. I am not generally in favour of road building, but this is an exception. It would link up with the new M1 junction 11A north of Luton and provide an important link in a key east-west route across the region. It would take an enormous amount of through traffic off the narrow, residential roads in my constituency that are currently designated as a through route. That northern transport corridor has been protected for many years. It is time to develop it for future transport use. It is vital both locally and regionally and should be carefully designed and routed to minimise its impact on the local environment.

I must say something about rail. One of the casualties of the rail investment chaos of the last few years has been the Thameslink 2000 project. It should have been completed by now, but even the new track work seems to be years away from being started. As a rail commuter on that route for the past 32 years, I declare a personal interest. It is a vital project for the whole of the region, with the possibility of linking King's Lynn and Brighton at the extremes. I ask my hon. Friend the Minister to use all his influence to bring forward the regional railway investment that we so desperately need, in particular that for the Thameslink 2000 project.

I should comment on buses before I conclude. The deregulation and privatisation carried out by Conservative Governments were a profound mistake, driven by a market dogma that was wholly misplaced in public services. Our bus services are not good enough. They are not subject to democratic control or proper regulation and follow cherry-picked routes where most profit can be made. They do not provide a comprehensive needs-driven network, thoroughly integrated with other forms of transport. I would like to see bus services back in public hands, operated by local authorities or regional public sector organisations. Such arrangements work wonderfully in Holland and elsewhere in Europe and could bring enormous benefits both to our region and to the country.

Will my hon. Friend the Minister use his influence to the maximum on our behalf to bring forward the vital transport investment that the eastern region needs? The Government will need to play a greater role in transport provision in the future. I do not expect him to give definite answers to all the issues raised in today's debate, but I would ask that he give them serious consideration.

I could say much more about transport in our region, but I must leave time for colleagues to have their say. The primary theme of today's debate is the promotion of better east-west transport links in the eastern region. I hope that my hon. Friend will take that message back to his Department.

11.9 am

Mr. Bob Blizzard (Waveney): I congratulate my hon. Friend the Member for Luton, North (Mr. Hopkins) on securing the debate, which covers the top priority issue in the eastern region.

I wish to make a number of general points about transport policy. First, it should not be cast in environmental terms alone; transport is too often discussed as if it were merely an environmental inconvenience, whereas it is also the engine of the economy. This country will not be competitive on the global stage and will not achieve the productivity that the Chancellor wants unless we fully recognise the importance of transport infrastructure to the economy. A better balance must be struck between economic and environmental factors in making transport decisions.

Secondly, we must beware of a one-size-fits-all transport policy. The balance between environmental and economic considerations will vary in different parts of the country, depending on local circumstances. An elderly lady living just outside Beccles, a market town with a population of 10,000 in my constituency, once wrote to me in trepidation saying that she might have to pay a congestion charge to drive into town, and begged for exemptions for pensioners if such a charge should be imposed. The message that we are putting out is, in some ways, far too simple.

Thirdly, the overall state of transport infrastructure in this country is poor, as it is suffering from decades of under-investment. The road and rail networks have never been comprehensively developed and are now patently inadequate for modern purposes, especially in the eastern region, as my hon. Friend the Member for Luton, North said. The situation worsens the further east one goes, and one cannot venture further east than my constituency. The east-west links are bad, so coastal communities such as the one that I represent suffer the worst. Transport in East Anglia is all too often typified by large heavy goods vehicles trying to squeeze their way through villages and market towns, such as Beccles and Bungay, whose streets are narrow and full of historic buildings that shake as the trucks pass. Although those trucks may pass through villages for perfectly good economic reasons, nothing has been done to improve matters. Also typical is the experience of sitting in frustration in a line of vehicles following the ubiquitous tractor down an East Anglian road, whether it is an A road or a B road. What I have said must be set against the reality that people will not want to be less mobile under any future policy.

The Government's £180 billion 10-year plan for transport makes an impressive start in rectifying the problem. However, our planning system means that, all too often, large essential transport projects become bogged down and progress is painfully slow, so few people can plan ahead with confidence. As I travel the world, I see that we are falling behind other countries in developing modern transport systems.

We cannot continue like that. We must ensure that our transport policies meet the needs of the eastern region, while recognising that needs vary within that region, which stretches from the fringe of London to Britain's most easterly point. No single solution or policy will suit the whole of that diverse area.

The general principles to which I have referred are relevant in understanding the transport needs of my constituency. The long-standing problem in my area is unemployment, which reached 14 per cent. under the last Conservative Government and was 11.5 per cent. when I was elected in 1997. It now stands at 5 per cent., which is good news, but that percentage is still two or three times higher than that in much of East Anglia. The structural unemployment is still there, and one must ask why that is when our wage costs are low and our land is relatively cheap. We have excellent industrial relations and a pleasant working environment.

[Mr. Bob Blizzard]

The answer is location. Lowestoft, the main town in my constituency, is Britain's most easterly point. It is in a peripheral position, at the end of a peninsula—East Anglia may be rounded, but it is a peninsula. If one measures by journey time, East Anglia juts so far out into the North sea that it almost touches Holland. My constituency is not connected to the national network of dualled roads. One has to travel 45 miles south to Ipswich to pick it up that way, or 50 miles east to Bury St. Edmunds. We are not included on the national rail network map that one sees at stations and on trains. That is surprising, because we are the country's most easterly point, and I have taken the issue up with the rail authorities. I suppose that it is because only two branch lines come to Lowestoft. That fact speaks volumes.

Poor transport links put business in my area and the local economy at a disadvantage. Existing businesses do not have a level playing field and it is difficult to attract new businesses. All the signs are that businesses in Britain increasingly prefer a more central location. The Lowestoft area can become more central only if it has better transport links. Coastal unemployment is a national phenomenon. The league table of unemployment by travel-to-work areas shows that, in October 2001, the Lowestoft travel-to-work area had the 23rd highest unemployment in the country. Of the top 23 travel-to-work areas for unemployment, 19 are on the coast, and that is not just a freak result for October.

When a coastal community is not connected to the network, things get worse. There is a feeling among my constituents that things are unfair, and a perception that they missed out during the road-building era. Now we are often told that roads are not a good idea anyway and that our roads do not need upgrading. However, I wonder how many people in those places where relief roads and bypasses were built or key routes were upgraded feel that those roads should never have been built. My guess is that they are very pleased that they were.

The greatest irony of all in this is the reason for Lowestoft's very existence. The town's origins lie in its port. Ports integrate land and sea transport and the Government have given us an integrated transport policy, but Lowestoft's excellent low-cost port has to contend with not being integrated into the national road and rail network, even though the old railway lines run parallel to the docks. Efforts have been made to establish rail freight. We were even mentioned in the famous transport White Paper, but sadly, there have been too many obstacles to overcome to turn that into reality.

We need at least one good road link to the rest of the country. The A12 has been detrunked and, after the trunk roads review, the strategy appeared to be to dual the A11 to Norwich and then carry on the dualling to Great Yarmouth, which has the same unemployment problems as Lowestoft. That was probably not the best solution for Lowestoft, but at least it was a link, and we supported it. However, a group of consultants for the Highways Agency has produced a report that comes out against dualling the key part of the A47, which is a real setback. It has struck the wrong balance between environmental and economic considerations, and my hon. Friend the Member for Great Yarmouth (Mr. Wright) will seek a special debate on the matter. I am surveying businesses in my constituency on road priorities. The communities on the east coast of East Anglia with long-standing unemployment cannot be left unconnected. We must have one good road link to the rest of the country.

Transport is such an important issue in my constituency that, unfortunately, the problems do not stop when one finally reaches Lowestoft. The A12 runs the length of the town, north to south, right through the town centre. The town is bisected from east to west by the inlet that forms the port, which crosses the A12 at a lift-up bridge. It is the only bridge in the town—one must go 2.5 miles further inland to find another. The bridge has a special place in this country's transport system. It is the most disruptive lift-up bridge in the country, with the highest number of lifts per day and the second highest traffic flow. Those factors combined disrupt more traffic than any other lift-up bridge. It must lift to enable the port to operate. We have lived with that state of affairs for decades, and for decades we have wanted another river crossing.

I am pleased that some progress is being made. We were delighted before Christmas last year to learn that the Government are providing £25 million for the south Lowestoft relief road. That is the best news that my constituency has received for years, and it comes after the completion of the northern spine road. If, eventually, we can link the two together with another bridge—what we in Lowestoft call "the third crossing"—Lowestoft's long-held dream will have materialised. In Lowestoft we do not talk about the second coming; we talk about the third crossing. Successive Ministers have stood on our bridge. We sometimes wish that it had lifted up and tipped them off, but the one who grants the new bridge will be immortalised by the people of Lowestoft.

11.20 am

Mr. Richard Bacon (South Norfolk): I join the hon. Member for Waveney (Mr. Blizzard) in saying that the people of our area feel neglected compared with those of other parts of the country. Although the eastern region as a whole has done well economically, that economic benefit is concentrated more in the west of the region, around the Cambridge corridor, than in the east. When I went to Blackpool for my party's conference I found that I would save two hours by taking the train from Norwich to London and thence to Blackpool, instead of going direct from Norwich to Blackpool. That shows what neglect our area has suffered.

Further to the hon. Gentleman's remarks about Lowestoft, I have a good sense of how far east it is because when I was growing up in Worcestershire we used to visit my grandparents in Lowestoft. It was the most interminable journey that I ever had to undertake as a child. Points east in Norfolk as well as Suffolk are disconnected. The hon. Gentleman mentioned Great Yarmouth. We all look forward to the development of the Yarmouth outer harbour and the contribution that it will make to reviving the eastern part of East Anglia.

We are delighted that work on the section of the A11 from Roudham Heath to Attleborough is going ahead and that the Government have announced their preferred routes for the remainder. I understand that there will be one public inquiry to take account of both routes. That news highlights the problem of time scales. I am told that, if things go smoothly, the earliest that we can expect construction to start is 2005 and that dualling of the A11 will not be complete until 2007. That is six years—as long as it took to fight the second world war. There seems to be a wider policy point to be made about the length of time that planning inquiries take. However, we are grateful that progress is being made, albeit slowly.

What is the Government's current policy on bypasses? The residents of Long Stratton, in my constituency, are desperate for a bypass. I invite the Minister to visit Long Stratton to see what they put up with. The A140 from Norwich to Ipswich runs through the centre of that small town and 45,000 cars a day use it. That is wholly inappropriate. The problem has festered for years and we look forward to a rapid solution. The county council will consult on the issue next year and when the process is complete it will assemble a bid for a major project. I hope that the Government will look favourably on that when the time comes.

We should not forget the other kinds of transport that are available. Norwich airport, just outside my constituency, is a vital resource for the area, and for many people is much closer than flying from Stansted airport in the west of the eastern region. The national media sometimes do not bring out the difference between what is happening in the east of the eastern region and what is happening in the west of the region. I hope that the Government will bear in mind, especially in relation to the Cambridge to Huntingdon multi-modal study, the fact that economic development of the region requires better transport links in the east too.

The hon. Member for Waveney spoke about environmental links and striking the right balance. That relates to a more general point that environmental protection can be afforded only if there is wealth. It is not an accident that the poorest countries tend to have the least environmental protection. Greater economic prosperity means that we can better afford to enhance the environment.

11.25 am

Mr. Patrick Hall (Bedford): I, too, congratulate my hon. Friend the Member for Luton, North (Mr. Hopkins) on securing the debate and on his wide-ranging consideration of several issues that affect the eastern region. I also endorse a key point made by my hon. Friend the Member for Waveney (Mr. Blizzard) about the importance of location and of transport and its influence on economic development. That applies to coastal regions, as we have heard, but it also applies to Bedford, which is nowhere near the coast.

Bedford has two or three wards that record some of the highest unemployment in the eastern region, and the reason for that is connected to transport. North-south links are congested, and east-west links are under-developed. I shall concentrate on east-west links, especially the east-west rail link. The aim of the project is to establish a modern rail route that connects Ipswich and Norwich through Cambridge, Bedford and Milton Keynes to Oxford and the west country. Much of that link requires existing track to be upgraded, and some of it, including a section east of Bedford and parts of the Bletchley-to-Oxford stretch, requires re-railing on former track bed.

The project is being promoted by a consortium—the East West Rail Consortium—that comprises 36 members, most of which are local authorities. The consortium has worked hard for several years to put together feasibility studies and business cases on the preferred route to get the scheme under way. It has raised funds to pay for that work. The East of England Development Agency is fully on board and strongly supports the project, which it regards as an integral part of delivering the region's economic development objectives.

The project will relieve pressure on the existing radial routes to London, to which my hon. Friend the Member for Luton, North referred, that are congested. It will also offer more choice to residents and businesses in the region, and will underpin the economic benefits associated with what is known as the Oxford to Cambridge technology arc, a concept that is being studied seriously by several people in the region. The idea is that development that concentrates especially on the Cambridge area could extend along corridors to the west towards Oxford, but also, I imagine, to the east.

I fully support the east-west rail link. It will be good for my constituency, and I want it implemented as soon as possible. The route will serve the heart of Bedford. It will re-open the service to the east, which British Rail closed in the early 1960s, and modernise the badly neglected cross-country service west to Bletchley. The route onwards to Oxford, which British Rail also closed in the 1960s, will be re-opened. Importantly, the east-west rail link would not just benefit east-west movements in the eastern region, but would relieve pressure in London and the London orbital area, and create all sorts of opportunities for freight and passenger movements using parts of the east-west rail link across the country. It would also connect with movements north and south from the west coast main line, the midland main line and the east coast main line.

It is intended that the project be delivered in three phases: a western phase west of Bedford, an eastern phase east of Cambridge and a central phase, including the missing link, from Bedford eastwards to the east coast main line, mostly along the former track bed of the Bedford to Cambridge railway.

A rail passenger partnership joint bid to the Strategic Rail Authority for improved services eastwards of Cambridge was made earlier in the year by the consortium and Anglia Railways. It was surprisingly successful, winning £10 million for improved services and new trains, which will come into service in about 18 months' time. The problem is the western section; two years' hard work in research and discussion led to the consortium, on the advice of the SRA, making a much-reduced bid, a concept that the SRA eventually rejected on the grounds that it was not ambitious enough. However, the revenue schemes associated with a smaller project were not sufficient to deliver the correct cost-benefit ratios to pay for the longer-term capital investment. The fact that a scheme was advanced on the advice of the SRA, which said, effectively, that that advice was not correct, has filled many associated with the project with anxiety about how to deal with the

[Mr. Patrick Hall]

matter through the SRA in future. I hope that I am wrong, but it seems that although the SRA can handle simple projects involving a single franchise and train operating company, such as the successful and welcome scheme east of Cambridge, it has problems thinking strategically about more difficult concepts.

Mr. Hopkins: My hon. Friend may be aware of past railway investment projects, notably the east coast main line, where more elaborate and expensive proposals were rejected on Treasury advice. Over the years, the investment proved not to be effective and further work is now required for the future. Does my hon. Friend agree that it is better to get it right at the beginning and not to spoil the ship for a ha'p'orth of tar?

Mr. Hall: My hon. Friend is absolutely right. Strategic thinking is all about looking ahead and investing for greater gain in the longer term, rather than short-term revenue, budget-led ways of looking at things. My hon. Friend the Under-Secretary wants to break the old, narrow, finance-based thinking and look ahead, but that is difficult, as the SRA shows in many other cases, too.

The SRA's "Strategic Agenda" on the east-west rail link, which was published earlier this year, describes it as

"a scheme that would not be needed for seven to 10 years,"

which contradicts everything that the consortium has demonstrated in the past few years. It even goes on to state that the scheme has

"not been the subject of any substantial analysis"

thus dismissing, in the most cavalier manner, six years of work and analysis costing about £500,000, raised by the consortium. Can my hon. Friend the Under-Secretary confirm that the Government take the east-west rail project seriously and that they understand the strategic economic arguments underpinning the concept.

We all understand that the rail industry is facing financial difficulties, and not just because of events in the past few weeks. In recent years there has been an increasing lack of confidence in the industry to invest. Railtrack failed to maintain the existing network, never mind expanding and improving it. We must look ahead, beyond taking Railtrack into administration, to a positive, confident future for the rail industry. In that context, it is vital that the SRA becomes more reliable, business-like, professional and strategic. It needs more Government investment if it is to play its part in delivering the Government's transport plans, but it also desperately needs to be managed better and to deal with people in a straightforward and reliable manner.

I urge my hon. Friend to take on board my comments, which are offered in a positive way. I hope that he will tell me, perhaps today or later in writing, whether he is prepared to discuss with the Secretary of State the need to review the guidance issued to the SRA after the general election. I also ask my hon. Friend to ensure that nothing is done during the upgrades of the west coast and east coast main lines to jeopardise the east-west rail project, which will need to connect with and cross those main lines.

Another key matter is the rail industry's ability to invest. It was the Secretary of State's decision to put a stop to the 20-year franchise replacement process. In regard to east-west rail, that means that the consortium's train operating company partner has only a four-year financial horizon against which to assess a long-term investment project such as east-west rail. The fact that many franchises will have to be replaced soon after the next general election means that opportunities to deliver rail improvements in this Parliament will be missed. I cannot understand who will benefit from that—certainly not my constituents or people in other parts of the country, or the Government. I look forward to discussion on the issue.

We all know that life is full of problems but the problems encountered by the East West Rail Consortium in its bid for the western section of east-west rail has served to strengthen its will to succeed. That is pleasing, but if it is to be translated into positive action in the months and years ahead, it is crucial that the Government listen and that they support the project, directly and indirectly. I hear that we can have hope because there is talk—it may be only rumours—about means by which the project can be delivered. I refer particularly to the missing link east at Bedford: the section of track that was lifted in the 1970s after it was closed in the 1960s. That section is crucial to the delivery of the scheme as a whole and there is talk that that part of it could be delivered by the Government's special purpose vehicle.

I am not sure what a special purpose vehicle is. There is something attractive but mysterious about the idea. I have visions of a magical steam locomotive that will drive through and get everything built. However, tempting though that vision is, I do not think that Harry Potter, or east-west rail, will deliver the missing link. Ministers need to take action, possibly by waving a magic wand—that is up to them. Ministers, not Harry Potter, need to provide the motivation.

The consortium has looked at the important question of dealing with the missing link. With the agreement of the SRA some months ago, it advertised for an infrastructure partner to promote the development of that crucial section and Skanska Construction was selected by a competitive process. Skanska Construction is looking at route options, prior to the process laid down by the Transport and Works Act 1992, which will involve a public inquiry. It is also looking at interaction with the east cost main line upgrade plans in the Hitchin area and it is also investigating potential demand for services to Stansted and Luton airport. So we have the prospect of integrated transport and regional and national links.

With common sense and clear leadership—qualities that have not thus far been noticeable—we shall add to the improved services east of Cambridgeshire that are due to begin in October 2002. We could have new services from Bedford to the west of England by 2003 and—this could be called the full monty—the east-west rail link by 2006. How can my right hon. Friend resist such a temptation? I ask for his and his colleagues' support.

11.40 am

Bob Spink (Castle Point): I crave your indulgence today, Mr. O'Hara, because this is my first opportunity to contribute to such a debate. I hope that you will bear with me.

The hon. Member for Bedford (Mr. Hall) said that life is full of problems. Indeed it is and we certainly know about them in this place. Life is full also of opportunities, and I thank the hon. Member for Luton, North (Mr. Hopkins) for providing the opportunity this morning to discuss some of the problems, so that we can find the solutions. He introduced the issue of transport in the east of England eloquently and thoughtfully, and I am grateful for the opportunity to add my little bit.

This has been an excellent debate, but so far it has focused on the north of the eastern region. I shall bring a balance, as I will talk about the south. I represent the interests of south-east Essex, in particular Castle Point and, more parochially, Canvey island. I see the Minister wincing a little. He is clearly not surprised to hear me utter the words Canvey island in this place; he has heard them many times and has shown great tolerance and understanding of our local problems.

Although south Essex is on the periphery of the East of England Development Agency region, we have not been overlooked. The agency has shown our problems great concern and understanding, and is prepared to invest £5 million in Canvey island to prepare about 50 acres of land for what is potentially an important employment-generating development. I will talk about that and the transport infrastructure that it will require. Without a strategic transport infrastructure in place, whatever the East of England Development Agency spends on Canvey island—to provide economic development land and the internal infrastructure—will be less effective.

The Thames gateway initiative is a great one and, providing that it can be made to work properly, should be welcomed. Transport will play a crucial role in the successful regeneration of the Thames gateway, and proposals are being prepared through the Thames Gateway South Essex Partnership. It will require early ministerial support and commitment and, having heard Lord Falconer's comments, I am sure that the commitment is there.

However, there is a problem with the co-operation between local councils. The Thames gateway initiative involves local councils joining together to help put in place a strategic infrastructure for the economic benefit of the whole region. The key problem for me as the Member for Castle Point is that Basildon council is not prepared to co-operate with Castle Point council on an infrastructure that will see the Canvey Island third access road go over some of Basildon's greenbelt land. That road will be necessary if the vision of the Thames gateway is to succeed. The vision sees the Basildon-Castle Point business hub as an important local hub, and that is how the Thames gateway is being sold. Without that third road for Canvey island, the vision will become a nightmare rather than a reality.

I am seeking talks with Basildon council and my council, particularly councillors Dave Wells and Ray Howard, to try to break this logjam with Basildon council. I find it a bit rich that a new town that is built on greenbelt and continually expands on greenbelt wants to stop us putting our little road in so that we can have a little bit of the action because it is greenbelt land. No residential houses in Basildon are involved in the Canvey island third road and some of the greenbelt is tip land. Those are arguments that we will have locally and I hope that we can find a way around the impasse with Basildon. I know that the Minister is aware of the problem. He has shown great patience in listening to us over the years and I hope that that will continue.

I turn from the third road link to Canvey island, which I shall take up with Basildon council, to an important and more imminent local scheme: the extension to Roscommon way. There is some opposition from the residents of Western esplanade where the new road will join, but that always happens when there is a development. Generally the people of Canvey island see the benefit of this extension or southern relief road as it is being called. It is seen as an important opportunity for Canvey island.

The scheme has positive benefits across a range of integrated transport objectives, but its main benefits relate to two key issues. The first is employment and regeneration. The scheme will facilitate development opportunities and generate local jobs in the Thames gateway, which nationally is the number one priority area for economic regeneration. The second issue relates to transport and safety. By improving the island's distributor road system, the scheme will enable further improvements in safety and passenger transport to be made elsewhere on the island. In particular, the scheme will improve access to the eastern end of the island and provide much needed relief to Long road, which runs right down the middle of the island.

A key point to remember in looking at the potential benefits of the scheme is its role for the future of the island, which has a population of about 45,000 and is an important part of my constituency. In promoting the scheme, the county council, led by Councillor Ron Williams, who is a well-known advocate of integrated transport in Essex, recognises that its immediate impact on transport may not be as great as competing schemes. For that reason, the funding for the full £9.1 million cost of the road scheme is not being sought. The aim will be a form of private-public partnership. However, the long-term benefits to the island of securing this infrastructure improvement, effectively at a public cost of about £4.7 million, are considered to represent extremely good value for money.

Turning now to the detailed case for employment and regeneration, lack of local employment is a major problem on the island. In the borough only 38 per cent. of jobs are met locally. Putting the available land to use is expected to create a further 1,500 much-needed jobs. The East of England Development Agency has an 18-month plan for the preparation of the £5 million Northwick road site. The Thames gateway strategy identifies Canvey island as being one of the major sites for development and job creation. This 50 acre Northwick road site maximises the use of brownfield land. Accessibility to sites in Canvey will be improved by the new Roscommon way infrastructure, which is a key part of the proposed integrated infrastructure improvements for the island.

Canvey island needs support or it will become physically, economically and socially isolated from the mainland. Regeneration will also give the island a

[Bob Spink]

greater sense of purpose, helping it to be a place where people contribute to their local community and which contributes to the wider economy. I trust that the Minister has heard all that.

The Parliamentary Under-Secretary of State for Transport, Local Government and the Regions (Mr. David Jamieson): I certainly have.

Bob Spink: Again. I am grateful to the Minister for listening carefully. There is a strong case for the scheme, on the basis that it is a prerequisite for, and will facilitate, further improvements that fit within the broader aims of an integrated transport policy for the whole region.

11.50 am

Tom Brake (Carshalton and Wallington): First, I congratulate the hon. Member for Luton, North (Mr. Hopkins) on securing the debate and setting out imaginative proposals. The Translink idea of tram and bus is certainly worth pursuing.

The debate has been informative. There has, of course, been special pleading. The hon. Member for Castle Point (Bob Spink) asked for a little road to be built on the green belt. There was some not so discreet special pleading from the hon. Member for Waveney (Mr. Blizzard), who offered the Minister immortality if he delivered the third crossing.

The hon. Member for South Norfolk (Mr. Bacon) referred to interminably long journeys through the region to see his grandparents. I hope that he was not suggesting that the countryside in the area was boring—I am not sure what he was driving at.

The hon. Member for Bedford (Mr. Hall) was right to bring Harry Potter into the debate, because he stands a much better chance than the Government of achieving an integrated transport policy. Using broomsticks would certainly be an effective way of getting away from congestion, and they could use the new facilities at terminal 5 if that is announced later today.

Hon. Members have made interesting contributions. As they have outlined, the eastern region is quite prosperous. It has a population of 5.5 million and is one of the fastest growing areas in the United Kingdom, with one of the lowest recorded crime rates in England. Unemployment levels across the region as a whole are 3.3 per cent., which is well below the national average.

The East of England Development Agency is seeking to promote a number of key themes to 2010. One of the six key aims is for the region to become more outward looking, and Members have explained why the region feels isolated in many respects. If the development agency is to achieve that objective, transport in the area must be improved.

Many Members have outlined ways in which the transport system could be improved. I think that we all agree that the main transport problems have been caused over many years by neglect, a significant lack of investment in the road and rail networks and a lack of capacity. There are problems getting into Liverpool Street station, for instance, because of bottlenecks. In particular, there is a lack of east to west transport links, on which the hon. Member for Bedford focused.

The road network includes the A14, A12, A47 and A11, most of which are already dual carriageway or part dual carriageway. However, they are struggling with capacity. As the hon. Member for Luton, North explained, apart from the M1 and the M11, motorway links are poor in the eastern region.

The Government announced on Friday that the A11 will be dualled, but cited 2005 as the earliest completion date. Will the Minister tell us the most realistic, rather than the earliest, completion date?

The A14 takes most of the freight coming out of Felixstowe. Currently, 40 per cent. of the UK's freight comes into that port, and only 20 per cent. leaves Felixstowe by rail. If we are going to move freight off roads and on to railways, we must significantly improve rail links in the port area. The section of the A14 road from Cambridge to Huntingdon is one of the busiest and most dangerous in Europe.

A multi-modal study for that area has been completed and I hope that it emphasises improving rail links for freight. The Felixstowe to Nuneaton line needs improvement to achieve that. The line needs a basic change in the loading gauge to enable bigger, wider trains to carry large freight containers. That would affect bridges, which would need to be raised, and further electrification along the line would be needed. Will the Minister comment on the likelihood of making those improvements?

We must also consider passenger services. Decent passenger rail services would provide an alternative to the A14 for people travelling from Ipswich to Cambridge. At the moment, that service is very limited: only nine trains run each day and if anyone needs to travel quickly, the journey by rail takes about an hour and a half, but the trip by road takes only 40 minutes. If we wish to see more people using the rail network, we must improve train speed.

The hon. Member for Bedford referred to British Rail closing lines in the 1960s. The Oxford to Cambridge line was closed in 1968 by Barbara Castle, so in that case British Rail closed a line on behalf of a Labour Government. I hope that many lines will be reopened. Some have called for the reopening of the Cambridge to St. Ives line, but I understand that funding has not been forthcoming. I hope that the Minister will confirm that rail schemes are not disadvantaged when decisions are taken on the promotion of such schemes as opposed to road schemes, which seem regularly to get the go-ahead.

Many towns in the area are suffering from traffic congestion, although there have been success stories. The Cambridge park-and-ride scheme has been successful. Does the Minister believe, as the hon. Member for Luton, North mentioned, that there is a role for tram systems in smaller towns with populations of 100,000 or less? Will the Government provide guidance on such schemes to those towns?

Hon. Members will know that Stansted airport wants to increase its capacity from 15 million to 25 million passengers a year. Stansted has also called for a standby runway, which has caused local concern as some fear that it may be converted into a full runway. Has the Minister had any recent discussions on that and does he support such a proposal? Stansted airport is in a strong position: it has good public transport links to London, with trains every 15 minutes. However, the services going north are not nearly as good; for example, the service from Liverpool through Peterborough and Cambridge is a one-train-per-hour service and is extremely unreliable. Work must be done if we are to make greater use of public transport to access airports. That is increasingly a source of concern, particularly with respect to the terminal 5 announcement.

The public transport links to Luton airport are not good. In fact, I will be meeting with a representative from Luton airport tomorrow. Are there any plans in the pipeline for a decent rail link in addition to the bus service?

Mr. Hopkins: The hon. Gentleman is absolutely right about the link to the station. That link, between the new mainline station and the airport, is the problem. Translink might provide a link—certainly in my scheme—with a tramway that would go directly from the station to the airport departure area. That is part of my suggestion.

Tom Brake: I thank the hon. Gentleman for that helpful clarification about a way to solve that integration problem.

It is clear that transport infrastructure is at breaking point, not just in the eastern region but across the country. I hope that the Minister can explain the impact of the 10-year transport plan in the eastern region. How many extra miles of railway line will have been constructed by the end of the process? What effect will the plan have on the roads network? The Minister is frowning; he does not like my questions. None the less, I hope that he will respond. I thought that a purpose of Adjournment debates was to raise questions, but the Minister shakes his head.

We need guidance from the Minister about what the 10-year transport plan, which is the Government's key method of delivering improvements and integration, will mean for the region. Hon. Members have described the isolation that is felt in parts of the eastern region because of the relatively poor transport links with London and with the north and west of the country. The Minister's response will, no doubt, clarify whether the situation is likely to change.

12.3 pm

Mr. Malcolm Moss (North-East Cambridgeshire): First, I congratulate the hon. Member for Luton, North (Mr. Hopkins) on securing the debate, which has been wide-ranging and good. Many questions have been posed to the Minister, and I hope to allow him sufficient time to answer as many as he can.

The hon. Member for Luton, North began by describing our region as disparate and incoherent. I thought for a moment that he said "desperate"; I will accept "disparate". I throw at the Minister the fact that one of his colleagues thinks that the region does not have an obvious cohesive entity, yet the Government are pressing ahead with regional government for an area that is, apparently, disparate and incoherent.

Mr. Hopkins: The point is that a transport link would make it more coherent.

Mr. Moss: I do not disagree with that.

The hon. Gentleman said that the situation in our region results from the radial routes that come out of London. That key problem affects the important east-west links about which many hon. Members spoke and with which I shall deal in a little more detail.

Mr. Blizzard: Hon. Members, including the hon. Gentleman, rightly focus on east-west links and have spoken about the "radial" pattern. Does the hon. Gentleman accept that in the north-east region, where I come from, even the radial links tend to peter out some 40 or 50 miles before they reach us?

Mr. Moss: I agree, but the A11, which is a key link into his region, is being dualled. It is long overdue, but represents an important radial link from south to north.

The hon. Member for Luton, North spoke about the importance of ports such as Felixstowe and Harwich—the London gateway and east port. Luton and Stansted are the pre-eminent airports in the region. If those are to expand—and there is every sign that they will—we must focus on improving access. The hon. Gentleman spoke about congestion on the M1, and I would also mention the M11. The dual system north of Stansted airport is inadequate and long tailbacks often arise where it joins the A11. That problem should be examined immediately; we should not wait for the expansion at Stansted mentioned by the hon. Member for Carshalton and Wallington (Tom Brake).

I shall start at the macro level and later examine the micro detail, particularly with respect to my constituency in the north of the region. Six multi-modal studies on the roads have been undertaken: the London orbit, London to south midlands, London to Ipswich, Cambridge to Huntingdon, Norwich to Great Yarmouth and Norwich to Peterborough. The hon. Member for Waveney (Mr. Blizzard) mentioned the Norwich to Great Yarmouth route and the hon. Member for Bedford (Mr. Hall) mentioned the London to south midlands route.

Mr. Blizzard: May I put a correction on the record? The hon. Gentleman referred to the Norwich to Great Yarmouth study as multi-modal, as did the briefing paper produced by the East of England Development Agency. However, a road-based study was requested. Will the Minister explain why what was ordered as a road-based study turned out to be a multi-modal study?

Mr. Nicholas Winterton (in the Chair): Order. The hon. Member for Waveney (Mr. Blizzard) is trying to involve the Minister, but his intervention should be addressed to the Opposition spokesman.

Mr. Moss: Thank you for your guidance, Mr. Winterton. I am used to being a conduit for questions that hon. Members forgot to ask the Minister when they were on their feet.

On this occasion, it would be remiss not to thank the Minister personally for his recent announcement about the Thorney bypass on the A47. It has now moved on to its next stage and I know that the Minister has taken a keen interest in it. Thorney is probably the only village on a trunk road in the United Kingdom that has not yet had a bypass. The congestion there every morning and evening is huge, so the bypass is long overdue.

[Mr. Moss]

The problems do not stop at Thorney. The Eye bypass, which seems almost like a three carriageway road in design terms, is only a single carriageway. Two recent fatalities have involved motorcyclists, so I ask the Minister to examine the design and configuration of the road, which is inherently dangerous. The congestion around the periphery of Peterborough due to travel-to-work traffic is also huge, so the Eye bypass should—in conformity with the original intention—be upgraded to dual carriageway. The problem is that the Department bought insufficient land to achieve that.

I want to correct the hon. Member for Carshalton and Wallington, who said that most of the A47 was dualled. In fact, most of that road in the eastern region is not dualled, even though it is a key east-west route linking Yarmouth and Lowestoft to Norwich, King's Lynn and Peterborough. A multi-modal study is being undertaken, but does the Minister know when it will be published? Can we can expect a sensible dualling programme for the whole of that road? It is presently dualled piecemeal, which leads to all sorts of problems.

Another problem that has raised its head in the eastern region is the Government's policy of detrunking some roads, including the A10 from north of Cambridge to King's Lynn and the A12 between Ipswich and Lowestoft. It is simply an excuse for the Government to offload blame for failing roads. Once the roads are detrunked, they can say that the problem is no longer theirs but one for local authorities. The only way that those roads can be improved to beat the congestion problem is for the Government to make sufficient funds available through local transport grants to county councils and other bodies—

Mr. Jamieson *indicated assent.*

Mr. Moss: The Minister is saying that they have, but that is not so in every case. Unless it is done, some of our historic trunk roads—they are important arterial routes—will continue to decline.

Several hon. Members have touched on the importance of the rail network in our region. In particular, I refer to the east-west rail route—the hon. Member for Bedford asked the Minister about that—and the Felixstowe and Harwich to Nuneaton freight route, which is considered by EEDA to be a high priority. The recent decisions taken by the Secretary of State for Transport, Local Government and the Regions have thrown rail investment into chaos. It will cost more to pay the companies involved in receivership than it would have cost to pay Railtrack as originally envisaged.

Why are the Government not prepared to grant long-term extensions to some of the key franchises, especially the Great North Eastern Railway, which goes through the western part of our region and I believe runs an excellent service from Peterborough to London? The service has much improved since privatisation, but investment will grind to halt if the Government are not prepared to allow a long-term extension to its franchise. Without it, no company will make the necessary investment.

Many of the important and strategic rail links in the region are not yet electrified. The section from Peterborough to March in my constituency and on to Ely and Cambridge is a priority. It is difficult to link the various services: for instance, the trains that serve Stansted airport and Liverpool cannot be electric-powered because of the gap in electrification.

Many towns and cities in the eastern region have difficulty with the Government's policy on congestion charging. Councils are closing car parks in city centres and increasing parking fees. In Ipswich, car parking costs are set to increase by a massive 43 per cent. Have the Government given any thought to the future success of many local businesses in the city centres? That policy works only if there is alternative transport into city centres—in most instances, a bus service. All too often, bus services in our region are in chaos. For example, in Suffolk in 1994-95, public transport subsidies were £630,979, but by 1999 they had risen by a measly 0.3 per cent. In the current year, the county council subsidy for local bus contracts is only £636,000.

Ipswich is particularly badly served. It has poor bus services, which are frequently the subject of letters to the local press. One local paper, the *Evening Star*, has run a campaign to

"solve the scandal of Suffolk's bus services".

The key problem seems to have been the withdrawal of services because of a lack of funding. One might have expected the Government, wedded as they are to the idea of public transport, to seek to do something, either directly or indirectly through the borough and county councils. However, that is not the case in Ipswich. Through the Urban Bus Challenge, Ipswich Buses recently applied for a grant to improve late-night services and to increase to every 10 minutes the frequency of an out-of-town service to a village called Whitton. That would have been a great help to commuters and would have taken cars off the road, but both proposals were turned down. Thus a local Labour-controlled borough council, with a policy on congestion charging to get cars off the road in the city centre, turned down sensible applications by a local bus service to improve quality and timing.

The problem stems from the Government's policy, set out in the Transport Act 2000, to re-establish the failed bus monopolies of the past. The Government seem to want to dictate terms to local bus services through local councils, via "quality contracts". Given that that is opposed by the bus industry and is neither popular nor welcome, it is not likely to lead to the improved services that both the Government and we would want.

Bus passenger usage is still declining in rural areas in the eastern region and the Government seem uninterested in doing anything to address that decline. A report by the Institute for Public Policy Research in February 2001 revealed that the Labour party's 10-year plan envisages a decline in bus services outside London.

Mr. Blizzard: Did the hon. Gentleman receive yesterday a large report from the Countryside Agency, which found that the number of parishes that now benefit from a bus service has increased markedly since the Government came to power?

Mr. Nicholas Winterton (in the Chair): Order. Before the hon. Gentleman answers, let me say that the Minister requires a minimum of 10 minutes to reply to the debate. I hope that interventions will now cease.

Mr. Moss: Thank you, Mr. Winterton. I think that that was the third or fourth intervention by the hon. Member for Waveney, who has, I see, lost weight recently. Perhaps he has taken his bicycle or the pedestrian paths in Waveney to achieve that. I was going to wind up in any case.

We have had a useful debate and the Minister has many questions to answer, of which he might manage only a small number. I congratulate the hon. Member for Luton, North on securing the debate.

12.18 pm

The Parliamentary Under-Secretary of State for Transport, Local Government and the Regions (Mr. David Jamieson): I congratulate my hon. Friend the Member for Luton, North (Mr. Hopkins) on securing the debate and on putting his well-presented and carefully argued case so briefly. Brief points are often the best made. He raised a number of important issues and I shall try to address them. If I do not cover all of them, I shall write to him. Early in his speech, he welcomed the new acoustic barriers on the M1 where it passes through his constituency. I know how important that is to people in the area. He will have noted that our 10-year plan dealt with noise from motorways and other trunk roads.

Hon. Members mentioned the Milton Keynes to Hatfield light rail link. I shall discuss some of their specific points, and then deal with more general ones if there is time. As my hon. Friend knows, the light rail link is a matter for the London and south midlands multi-modal studies, which are examining east-west road and rail routes between the M25 and the A14 and will be completed in 2002.

I noted my hon. Friend's disappointment at the delay to Thameslink 2000, which is probably shared by many in my Department. He will know, however, that the public inquiry is now complete, and we expect the inspector's report soon. We cannot second-guess what it will say, but we share my hon. Friend's optimism that the project will go ahead as soon as possible.

My hon. Friend the Member for Waveney (Mr. Blizzard) rightly described transport as the engine of the economy and said that the region was rather rounded. The hon. Member for North-East Cambridgeshire (Mr. Moss) rather unkindly referred to the rounded regions of my hon. Friend's persona. None the less, my hon. Friend made some important points, particularly about the careful balance that we must strike between the environment and transport needs, although I suspect that he erred more in one direction than the other.

My hon. Friend also mentioned a lady from Beccles, and I can assure her that congestion charging is unlikely to be imposed on small towns. He welcomed the money from the 10-year transport plan. I should tell him and my hon. Friend the Member for Luton, North that we are using the plan as the engine of the economy to bring prosperity and employment to areas that suffer difficulties. If it does not achieve those aims, we shall not have succeeded in our ambitions.

The hon. Member for South Norfolk (Mr. Bacon) mentioned bypasses, but we receive requests for many more than funding would allow. Our general theme is improvement in the quality of people's lives, reducing congestion on roads and, sometimes, reducing noise and pollution. We take those in order of priority. The hon. Gentleman will know that, on a recent visit to the constituency of the right hon. Member for South-West Norfolk (Mrs. Shephard), we examined certain improvements to, and bypasses on, the A11, to which other hon. Members have referred.

Mr. Bacon: If Thorny is the only village in the United Kingdom on a trunk road that does not have a bypass, that is only because the A140 has been detrunked, and Long Stratton, which has the A140 running through it, is still desperate for a bypass. The fact remains that congestion in Long Stratton is unacceptable, and something must be done.

Mr. Jamieson: The hon. Gentleman's comments are well made.

My hon. Friend the Member for Bedford (Mr. Hall) welcomed some of the improvements that have been made on the east-west rail line. I assure him that we consider it important and are anxious that the matters that he raised are seriously examined. The SRA considered the scheme but felt that the economic case had not been entirely made. My hon. Friend's points were well made, however, and we shall ensure that they are conveyed forcefully to those who deliberate on the matter.

My hon. Friend and the hon. Member for North-East Cambridgeshire discussed the length of franchises, which we have carefully examined. Some people have asked whether two-year franchises are long enough. We must assess the state of the infrastructure to make a realistic long-term assessment of the franchise, but that is sometimes difficult given the current circumstances. To avoid delay, therefore, we are pressing on with two-year franchises. If appropriate, there will be longer-term franchises, but there is no blueprint. Different franchises are under different pressures, so we shall follow no specific model; we shall simply consider what will deliver best in the long term for railway customers.

My hon. Friend the Member for Bedford asked whether short franchises could inhibit franchisees from acquiring new rolling stock. Section 54 of the Railways Act 1993 ensures that purchased rolling stock can be moved on to a new franchisee if the company that has the franchise changes.

I was delighted to see the hon. Member for Castle Point (Bob Spink) back in debate, as he was regularly between 1992 and 1997. There was a brief interregnum at the wishes of the electorate. He bet me a tenner that he would have a bigger majority than me in 1997, but I have never collected it. Perhaps at some stage—

Mr. Nicholas Winterton (in the Chair): Order. The Minister will agree that all Members of the House of Commons are honourable gentlemen and ladies.

Mr. Jamieson: I am sure of that, and I hope that the hon. Gentleman will honour his commitment. Among the many good points that he made about his

[Mr. Jamieson]

constituency was one about the Roscommon way on Canvey island. He will be aware of the Essex county council local transport plan bid, on which the decision will be announced next month.

I am sure that the hon. Gentleman will welcome—perhaps he did not have time to mention it—the substantial extra funding that has come to local authorities through local transport plans. It must be welcomed by all hon. Members. In some cases, funding under local transport plans has increased two or three fold. Opposition Members do not always mention that fact when talking about their constituencies, but I keep a list in case they forget and their memories occasionally need jogging. Some of the benefits that he sees will have come from that funding, which we made available.

My hon. Friend the Member for Waveney tried to tempt me to Lowestoft. It would be my first coming to Lowestoft, but he said it would be greater than the second coming if there were a third bridge. I can think of no higher accolade than to be immortalised by the people of Lowestoft. He posed a question to the hon. Member for North-East Cambridgeshire—I like my questions to go by that route, as it gives me time to think—about the road-based study for the A47, which although not multi-modal does not preclude other forms of transport such as rail.

I congratulate the hon. Member for Carshalton and Wallington (Tom Brake), or at least the person who writes his speeches for him, because they always contain lots of questions. He said that I frowned at one stage, but I was doing so only because I was counting all the questions that he had piled up. He asked what we intended to deliver in the 10-year plan for the region. In broad terms, the plan will provide extra road improvements along the lines that hon. Members have mentioned, such as bypasses and dualling of roads, including the A11, which I visited recently. Some of our plans to modernise the railway system are under way. We shall cut casualties on the roads and reduce pollution. The eastern region will receive a substantial cut of the £180 billion available under the 10-year transport plan.

In a recent debate in this Chamber, the hon. Gentleman was challenged by the hon. Member for Maidenhead (Mrs. May) about Liberal Democrat plans for extra spending on transport. I would take him more seriously had he not said that there were none and that any extra money—that famous penny—would be spent on education. We like his lists, but we do not take them terribly seriously because they cannot be achieved.

I want to let the hon. Member for North-East Cambridgeshire, who mentioned buses, off the hook. The date of 26 October 1986 should be firmly in his mind, because it was then that the Tory Government deregulated bus services. That was when the decline in many rural areas began. The Labour Government supplied the extra funding that is providing rural bus services.

The debate has been very wide and, as always, I have had a brief time in which to deal with the valuable points that hon. Members have made. However, I shall endeavour, in correspondence, to deal with those as necessary.

Haemophilia

12.30 pm

Mr. Gary Streeter (South-West Devon): I am pleased to be able to discuss the plight of haemophiliacs in the west country, particularly those who suffer from hepatitis C. Many right hon. and hon. Members have taken part in a long campaign on the issue. As a Member of Parliament for the past nine years I have also been aware of the excellent and important campaign by the Haemophilia Society. I have been in correspondence with Ministers in the Department of Health about the problems.

It was, however, in summer this year that the campaign became real for me. I was contacted, for the second time I think, by Mr. Richard Waring, who lives in Staddiscombe in my constituency. I went to see him in July and found out more about his background and what he was going through as a haemophiliac who, sadly, has hepatitis C. Richard Waring is a good, decent man. He is a committed family man, happily married to Jacqueline with a lovely daughter called Charlotte. He lives in a very nice part of my constituency—although, of course, all my constituency is wonderful.

Richard Waring had the grave misfortune to be born haemophiliac. I used to think that, if haemophiliacs were cut, it would not be possible to stop their bleeding. Of course, that can happen, but the problem primarily concerns internal bleeding, particularly internal bleeding into joints. I am no medical expert but to me that sounds painful and uncomfortable. It is not a problem that I would want. Naturally, as a result of internal bleeding, many transfusions are necessary. That is where the problems began for Mr. Waring.

Mr. Waring was born a haemophiliac. It was not his choice or his fault. Because of regular blood transfusions he had the additional, secondary misfortune in 1985 to contract hepatitis C through one of the many instances of contamination of blood products in the 1970s and 1980s. The blood was provided by the national health service, and through no fault of their own about 5,000 haemophiliacs were contaminated. Hepatitis C is a horrible disease. It attacks the liver. It is potentially life threatening. It is extremely debilitating and painful and causes consistent tiredness. That terrible disease has greatly affected the lives of Mr. Richard Waring and many other people in the west country who suffer from it.

I sought the debate because I was not only informed, but moved by Mr. Waring's plight. I believe that a real injustice is being done to people like him. I accept that it is not the present Government's fault: this debate has been going on a long time. However, it lies in their hands to remedy the injustice. My reason for introducing a debate on a matter that has been the subject of plenty of debates over the years is to ask the Government to think again.

Living in the west country is terrific, but it is not so great for haemophiliacs suffering from hepatitis C. There are four reasons for that. First, we do not have a comprehensive care centre in the west country. The nearest such centres that haemophiliacs in Mr. Waring's position can use are at Basingstoke and Oxford. That is at least three hours' travelling time. Many people in London confuse Plymouth with

Portsmouth. I sometimes drive to Plymouth via the M3 and A303, and every time I reach the edge of London I smile at the sign that says "Portsmouth 65 miles", because I know that I have another 220 miles to travel. I wonder how people can confuse Plymouth and Portsmouth, but they do, and they fail to realise how far Plymouth is from London and Bristol—from the centre of the country, in other words. It is not unusual to have to travel three or four hours to get somewhere from Plymouth, which is the last thing people need if they suffer from a debilitating disease and have to go for treatment.

There is no comprehensive care centre in the west country, but the Trent region has four such centres, based in the west midlands and the north-west and possibly even serving your constituency, Mr. Winterton. The issue was debated on 9 November last year with the Minister's predecessor, the right hon. Member for Southampton, Itchen (Mr. Denham), who said that he hoped that the regional commissioning group would reconsider the provision of a comprehensive care centre in the west country. My first question to the Minister is, has any progress been made on that?

The then Minister for Health acknowledged that, although no comprehensive care centre existed in the west country, hospitals at Bristol and Southampton can provide some specialist services. That is good, but not good enough. Bristol is two hours away from Plymouth and even further away from Cornwall, and getting to Southampton is also difficult. This is an important point because those centres are the places to go for routine and emergency medical treatment for people suffering from haemophilia, for drug therapy, physiotherapy and counselling, and for genetic and specialised services for HIV and hepatitis sufferers. The west country is not a good place to live if one has hepatitis C and is a haemophiliac. We need better facilities.

Secondly, the west country does not receive recombinant factor 8 on the national health service as do other parts of the United Kingdom. Recombinant factor 8, as I discovered in the summer, is a blood clotting agent prescribed on the NHS in some parts of the United Kingdom. If Mr. Waring lived in Scotland, Wales or Northern Ireland, or elsewhere in England, he would get it free, but he does not get it free in the west country. How can that be justified?

I can cite an absurd example from the north-west. Welsh health trusts have decided that they will fund recombinant factor 8, which means that people who live to the west or south of Liverpool and happen to live in Wales can go to specialist hospitals in Liverpool and receive that product free on the national health service, whereas people living to the north or east of the city who go to the same hospital and have the same disease cannot get those blood clotting agents on the NHS. That is an extraordinary situation: it is a postcode lottery of the first order.

On 9 November 2000, the then Minister for Health said that

> "the clinical case for recommending the use of recombinant clotting factors has not yet been made. Plasma-derived clotting factors have had an excellent safety record".—[*Official Report*, 9 November 2000; Vol. 356, c. 546.]

If someone is born with a serious complaint and is infected with contaminated blood products provided by the national health service, is that person not entitled to the best support and treatment that we can give? Mr. Waring is in no doubt as to the superior quality of recombinant blood agents, and the Haemophilia Society has no doubt that they are superior. The Government themselves seem to have accepted that, because they decided that from April 1998 all 16-year-old haemophiliacs must be provided with recombinant factor 8 and that from April 1999 they must be provided with factor 9, which is another recombinant blood agent. If the Government are making a tacit admission that those agents are superior because they are safer, why cannot those drugs be made available to everyone?

Mr. Waring already has hepatitis C, and he might get more diseases, such as HIV or new variant Creutzfeldt-Jakob disease, through future blood transfusions, so we should give him the best and safest products. As I have mentioned, some national health service trusts in England already do that, but sadly, not in the west country. For all its beauty and its outstanding Members of Parliament, the west country is not a good place to live if one is a haemophiliac suffering from hepatitis C. In a written answer on 10 May 2001, Lord Hunt of Kings Heath said that the Department was carefully considering the case for extending provision of re-clotting factors to all haemophiliac patients in England. Has any progress been made on that issue?

My third point is brief. The Haemophilia Society is calling for a public inquiry into how, in the 1970s and 1980s, so many people were infected with contaminated blood products. Given the recent scares over new variant CJD, people who are vulnerable to contamination from blood transfusions are entitled to know that we have got to the bottom of what went wrong and that every conceivable lesson has been learnt and every possible safeguard put in place. Last year, the then Minister said that there would be no public inquiry. I understand that, but the Government should think again. I do not want to be too controversial, but if we can hold a public inquiry into the Bloody Sunday incident from 25 years ago, is it really too late to hold an inquiry into this silent scandal, which affected so many lives?

My fourth point about compensation is the most important of all. Richard Waring accepts that nothing can be done to undo the past, but the impact on his life of his unwilling contamination has been very great. It has had a serious impact on his family life and his potential to earn a reasonable income and live the kind of life to which most of us aspire. Is it really too much to ask the Government to introduce a compensation package for the relatively small number of people who are suffering in that way? When the matter was raised in the House on 9 November 2000, the then Minister said:

> "Government policy remains that compensation or other financial help to patients is paid when the NHS or individuals working in it are at fault. The underlying principles are clear cut and independently established under common law."—[*Official Report*, 9 November 2000; Vol. 356, c. 457.]

[Mr. Gary Streeter]

As a lawyer, I recognise that. The relation between negligence and compensation in such action is well established. However, there are more and more exceptions to that rule. Notably, in 1987 the then Government decided that they would compensate people infected with HIV in very similar circumstances, and established the Macfarlane Trust to do that. Perhaps the Minister will correct me if I am wrong, but I believe that the Government of the day did not accept legal responsibility for the fact that people had contracted HIV through blood transfusions, but seemed to accept that they had a moral responsibility to compensate people who, through no fault of their own, were given HIV. The problem may not have been the fault of the NHS—we have learned a lot more about screening blood products since then—but people suffered as a result.

If it was right to compensate HIV sufferers, why is it not right to provide a similar package for people who contracted hepatitis C in exactly the same way? Will the Minister deal specifically with that question? What possible justification can there be for treating HIV sufferers differently from those hepatitis C sufferers, given that the disease was contracted in just the same way, and the impact on a person's life can be just as great? Last week, I met some haemophiliacs at the House of Commons, as the Minister may have done. One of them told me that it would have been better if he had contracted HIV and not hepatitis C, because he would have had some financial help. It is terrible to hear someone say that. His life is in a mess as a result of contracting hepatitis C.

The Government were right in 1987 to provide financial help for HIV sufferers who had contracted the disease through blood transfusions, and they are right to talk about compensation for sufferers of new variant CJD who have acquired the disease in a similar way. Why cannot we do the same for sufferers of hepatitis C? If newspaper reports are to be believed, the Government are now considering compensation for families who witnessed the terrible events of 11 September, and who watched the planes knowing that members of their families worked in those buildings. I realise the impact that that would have had on them: one can never get over something like that. However, if the Government are prepared to consider compensation in a situation that was not their fault, why cannot they think again about the principles that apply to sufferers of hepatitis C? After all, negligence is not at issue, and litigation does not apply. Sufferers of hepatitis C are blameless. I sometimes think that we do too much for too many people who do not deserve support. Some groups of people, for whatever reason, have been overlooked. They deserve more support than they get.

It would be a popular decision if the Government were to reconsider the issue. That would be good news, not bad news. I have a petition signed by several hundred people in my constituency, who happen to know of the case and who feel strongly that the Government should put their hands in all our pockets to give more support to those who suffer in this way.

The Government have resisted claims for compensation before, and I understand that. However, the case is compelling and, inevitably, the Government will one day have to address the issue of compensation. I ask the Minister to respond as positively as she can and to think about the justice of the case. She must take whatever steps are necessary to put in place better local facilities and end the postcode lottery. She must also understand the need for an inquiry.

I am sure that the Minister's speech will be excellent and well worth hearing. However, whatever else she says, I hope that she will agree to think again about the situation of Mr. Waring and others who have suffered this injustice. I realise that Governments make decisions and run along the same track for years and years, but in this case a paradigm shift is required. I ask the Minister to think again and to come back with the welcome news for these 4,800 sufferers that the Government have seen the justice of their cause, believe that they deserve compensation and are willing to put a package in place.

12.48 pm

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): I thank the hon. Member for South-West Devon (Mr. Streeter) for raising this matter, and I pay tribute to him for the committed and passionate way in which he has represented the interests not only of his constituent, Mr. Waring, but of the wider group of people who, unfortunately and tragically, are in similar circumstances.

I hope to be able to deal with all the issues raised by the hon. Gentleman. He may have anticipated some of my comments, and they may not take him as far as he would like to go, but I shall deal with his points separately and in some detail, so that he will understand the Government's position.

Some 7,000 people with inherited bleeding disorders are registered with haemophilia centres in the United Kingdom. Those disorders include haemophilia A, which affects one in 10,000 men, the rarer haemophilia B, which affects one in 50,000 men, and the milder von Willebrand's disease, which affects one in 10,000 men and women. Haemophilia is a lifelong, painful and debilitating condition. However, modern treatments are effective and many patients can look forward to a good quality of life. Sadly, during the late 1970s and early 1980s, as the hon. Gentleman said, the majority of regularly treated patients with haemophilia were infected with HIV or hepatitis C before it became possible to remove those viruses from clotting factors made from human plasma. As a result, about 3,000 haemophiliacs are estimated to be living with hepatitis C, 500 of whom are also infected with HIV, and most of those with HIV are also infected with hepatitis C. That co-infection may accelerate the clinical course of both disorders as well as making the haemophilia more difficult to manage. People in those circumstances face considerable medical and psychological problems over and above the ordinary problems faced by people with haemophilia.

The Government have enormous sympathy for haemophiliacs in that situation, and it is essential that the NHS is properly geared to delivering the full range of clinical and support services needed by people with haemophilia and treatment-acquired infections. Those include routine and emergency medical treatments, drug therapies, physiotherapy, counselling, which is crucial in such circumstances, genetic services and specialised services for HIV and hepatitis. As the hon. Gentleman said, the key need is for a range of high-quality services. He is right that specialist services are provided by a network of comprehensive care centres, but there are a range of smaller haemophilia centres that help to support the existing comprehensive care centres.

All haemophilia patients who need the care provided by a comprehensive care centre should have access to one. People, especially from the south-west, often have to travel a long way to gain access to the wide range of comprehensive services. Many of the hon. Gentleman's constituents have to travel to London or Oxford for that care. He rightly drew attention to the need to ensure that there is equity in the service, and that people who live in far-flung, disparate rural areas have access to as much comprehensive care as we can provide.

As the Minister with responsibility for the south-west region, I took time out in the summer to visit Plymouth, Exeter and Cornwall, and I appreciate the distances that people living in that part of the country have to travel. There is a tension between excellence and specialised services and local access throughout the country, but the problem is acute in the south-west region, which needs special attention. The Haemophilia Society has been drawing up a national service specification to inform the Government of the range of facilities that should be available to people with haemophilia and other acquired infections. The work of the Haemophilia Alliance, which comprises the Haemophilia Society and the UK Haemophilia Centre Doctors Organisation, is a sign of progress. People with these conditions and their medical specialists are drawing up the service specification that informs Government policy on how to put it in place.

The hon. Gentleman highlighted specialist service commissioning. The comprehensive care facilities offer extremely specialist services, and now that responsibility for commissioning is to be devolved to primary care trusts, it is necessary to ensure that they have sufficient expertise and guidance to undertake regional specialist commissioning of those highly specialised services. The issue must be kept at the top of their agenda. The development of the national service specification will ensure that the commissioning process is informed by a depth of knowledge about what the services should be like and where they should be located.

There must be enough patients to justify the provision of a comprehensive care centre in an area, and a balance has to be struck in ensuring that everyone has reasonable geographical access. However, a plan is being developed in the south-west for several haemophilia support centres rather than one, and for specialist facilities to be available in a range of centres so that within the region there will be access to the full range of facilities normally found in a comprehensive care centre. Rather than drawing provision into one geographical centre, each centre could specialise in a service. That may be a way of overcoming the problem of insufficient patients to merit a comprehensive care centre.

We must be more innovative, flexible and creative in our development of services so that they are appropriate to the needs of people in areas such as the south-west. That theme is emerging not just in haemophilia services, but in the full range of NHS services. An attempt is being made to meet the requirements of disparate areas, where transport is a real problem, by departing from set models of care and taking more flexible and innovative approaches—what might be termed hub and spoke arrangements, whereby spokes radiate out from the hub into the community, allowing people access to facilities.

On recombinant clotting factors, as the hon. Gentleman said, synthetic clotting factors have been developed in the past 10 years. The Haemophilia Society and British haemophilia doctors have actively pressed for factor 8 and factor 9 to be the treatment of choice for people with haemophilia. I understand why people want that. Recombinant products are regarded as free from the risk of transmission of as yet unknown viruses and from the theoretical risk of variant CJD. People with haemophilia are very worried about the likelihood of future risks and the incidence of HIV and hepatitis C.

The unavailability of recombinant factor products is not a matter simply of funding. Worryingly, there is a world shortage of those products. Along with the medical profession, we have been directing our energies to the management of existing products so that they are given to the people most suited to receive them. That was one of the reasons why children under 16 and new haemophiliacs were priorities for recombinant products. We are actively considering whether recombinant clotting factors should be the treatment of choice for all haemophiliacs, although that is not possible at the moment because of the world shortage, as a consequence of which some children have been temporarily switched back to the plasma-derived clotting factors. We are keen to get children back on to recombinant factors as a priority as soon as the supply of those products improves.

I am afraid that my response on compensation will be disappointing. As the hon. Gentleman said, successive Governments have considered the matter and established the principle that compensation payments are made when the NHS has done something wrong. Whether such actions fit the technical definition of negligence, the principle is that compensation is paid only when the NHS is at fault. The hon. Gentleman highlighted the issues of HIV and CJD compensation. Those cases were truly exceptional and have been considered in depth. In the late 1980s, HIV had a vast and dramatic effect: it carried huge stigma, no treatment was available and sufferers almost invariably died of AIDS-related diseases. The prognosis for people with HIV at that time was virtually nil. The circumstances were therefore exceptional, and it was in that context that the Macfarlane Trust was established and payments made. The circumstances of and background to variant CJD are also exceptional. Such circumstances do not change our long-standing policy on compensation for injuries caused by the NHS: the hon. Gentleman said that he understood the logic and reasoning behind that policy. I understand his strength of feeling on the matter, but I cannot say that there will be any change in the position.

[Ms Hazel Blears]

The hon. Gentleman requested a public inquiry. I understand the strength of feeling of people infected with hepatitis C, who want to know how and why it happened. We have given careful consideration to the issue of a public inquiry, and it has been raised at numerous meetings and in correspondence. We have explored the possibility, but I am not in a position to promise a public inquiry into this matter. However, I believe that it is vital that the health services available to those with hepatitis C, HIV or haemophilia are of the highest possible quality. I entirely understand the hon. Gentleman's wish to improve those services in his region. We must ensure that combination therapy is available to sufferers, that there is good local specialist commissioning and that those health services are improved.

Prisoner Rehabilitation

1 pm

Mr. Graham Allen (Nottingham, North): It is a pleasure to be here in Westminster Hall, Mr. Winterton. This is my first time. As someone who has come blinking into the sunlight from the Whips Office, I am once again participating as a full Member. I look forward to your gentle guidance as I stumble through the procedures. I sent the Minister a copy of my speech yesterday to try to be helpful. It is also available on my website and through e-mail at Allengw@Parliament.uk. Essentially, there are three points that I should like to make. I shall make them very briefly so that the Minister can have as much time as she wishes to put her views on the record.

First, I should like the Government to outline the state of play with regard to the rehabilitation of prisoners and their proposals to improve rehabilitation. My second point, which I have already raised with the Minister, is about personal rehabilitation plans for each prisoner. The Prime Minister outlined several months ago that the hard core of recidivist prisoners have three things in common. First, they have a problem with literacy and numeracy. Secondly, they have a high propensity to drug problems. Thirdly, they have problems in their family background.

I should like the Minister to consider seriously introducing a personal prisoner plan for most prisoners—it probably would not apply to all—in which they would be set targets that they would be helped to meet. They could thus become more literate and more aware of the problems of drug abuse, and could develop the personal and emotional skills to allow them to re-enter society and not to go back into prison. Prison does not work. The statistics make that clear. Our exploding prison population gives eloquent testimony to that.

Finally, I should like to refer to a scheme that does not take place in prison but which helps those who are trying to reduce prison numbers, and that is the youth offender panels. Youth offender panels have been an immense success in Nottinghamshire. I shall explain the scheme briefly. The panel consists of volunteers from the community. They meet offenders in the 10-17 age group who have pleaded guilty. The offenders bring along their parents and the victim is present. They are challenged by the volunteers about their behaviour and what they intend to do to become better citizens, so they do not need better rehabilitation in prison because they do not get to prison.

The Nottinghamshire scheme is important and I hope that it has come to my hon. Friend's attention. I would like to praise it publicly in Parliament and also, if I may, ask that people who listen to this debate participate in this valuable scheme, which helps to get young people back on the rails before they end up in prison needing expensive and serious rehabilitation.

With those brief remarks, I will leave as much time as possible to my hon. Friend the Minister. If it is appropriate and acceptable, I may intervene on occasions. Incidentally, I do not expect her to go all the way to half-past 1 if she has not been given an enormous brief to take her there.

Mr. Nicholas Winterton (in the Chair): I believe that this is the first time that I have been in the Chair in

Westminster Hall when a Member who has raised an important subject has spoken so briefly and sent his speech to the Minister prior to the debate. I can only express hope on behalf of the hon. Gentleman that the Minister will deal with the matter fully, in detail and to the hon. Gentleman's satisfaction.

1.05 pm

The Parliamentary Under-Secretary of State for the Home Department (Angela Eagle): We have seen another aspect of the evolution of Parliament in the way in which my hon. Friend the Member for Nottingham, North (Mr. Allen) introduced the debate. I thank him for giving me notice of the issues that he wanted to raise. I hope that his speech will appear in its entirety on his website, because I have just been told that the Parliamentary Data and Video Network is down and in total chaos. Equipment updates are causing it problems, and I hope that his speech will be restored to the web quickly, as well as our electronic services, which we desperately need.

The hon. Gentleman has got to the nub of the question of reducing reoffending and trying to turn the tide of increases in our prison population in past years. I am not one of those Ministers who thinks that a rising prison population is a cause for great rejoicing. Some Home Office Ministers may have thought that in the past, but I hope they do not return in the future. Clearly, we must do what we can to battle crime and ensure that those who perpetrate it are appropriately punished. The public must be protected from those who pose a danger to the society that we cherish. However, if we want to get crime rates down and have a long-standing effect, we must reduce reoffending. We must put a lot of work into rehabilitation, so that we get people, especially younger people, off the path on to which they have stumbled before they damage themselves, their families and society as a whole.

Clearly, prison has a role in rehabilitation. We want to give people the skills and motivation to rebuild their lives, so that they do not reoffend. The Prison Service, the national probation service and other groups are working hard to achieve that. They share a target of reducing the reconviction rate of those serving custodial or community sentences by 5 per cent. by April 2004 compared with the predicted rate. A substantial agenda of joint work is in hand to achieve the target, and my hon. Friend mentioned the areas on which we must focus—basic skills, drug addiction and offending behaviour. Offending behaviour may result from rage, or an inability to express anger or violence in childhood. There may be many reasons for such socially unacceptable behaviour.

We do not underestimate the problems, and we must concentrate on the hard core of people who keep reoffending. Like my hon. Friend, I praise the Nottinghamshire youth offender panel. It has been a pioneer in the establishment of a central feature of our youth justice reforms. Juvenile offenders who appear in the youth court for the first time and plead guilty can be referred to a youth offender panel comprising trained volunteers from the local community and the local youth offending team.

The panel agrees a contract with the young person, perhaps providing some structure in their lives for the first time. The contract often involves reparation to the victim or the community for the offence. Other activities may be specified that address the offending behaviour and associated factors. If young offenders do not follow the contract, they can be returned to court for resentencing. The Nottingham project piloted and pioneered this highly successful approach. Because of its success across England and Wales, we intend to implement youth offender panels in April 2002.

I visited the youth offending teams in my own constituency and met some of the mentors. Young offenders, often for the first time in their lives, have someone who is not from officialdom or from their family who is interested in them and able to provide support and guidance as they struggle to come to terms with the change in their lives.

Mr. Allen: People in Nottinghamshire and the east midlands will be pleased to hear the Minister's strong encouragement of youth offender panels. It is often the last chance for 10 to 17-year-olds to break away from a path that leads inevitably to prison. As an aside, the volunteers on youth offender panels who help to tackle these young people's problems and get them back on the straight and narrow are the motivators, the mentors and the gold dust without whom the schemes cannot work. I hope that people reading the debate will reflect on whether they could spend some of their precious time helping out on youth offender panels, which would help young people not just in Nottingham, but throughout the UK.

Angela Eagle: I agree with those sentiments. I was struck by the degree of satisfaction enjoyed by individuals who agree to mentor young offenders. When it works, it is extraordinarily rewarding, so I would encourage those who feel that they have a contribution to make to get in touch with their local youth offending teams to offer their support.

I should like to deal with the scale of the problem of the social exclusion of offenders, to which my hon. Friend referred in his opening remarks. The figures show that one key aspect of effective resettlement that can make reoffending less likely is getting individuals back into jobs and into stable housing conditions. That is often difficult when people leave prison. It is less easy for people who have been in prison to obtain employment.

Some figures show the scale of the problem: only 50 per cent. of prisoners have reading skills; only 30 per cent. numeracy skills; and only 20 per cent. the writing skills necessary to apply for 96 per cent. of jobs. Basic skills training, for which extra money has been provided, is the key to making the prospect of resettlement and a reduction of reoffending a reality—both for those in prison and those working with them.

My hon. Friend is right that the people who are likely to end up in prison are those who have been in care or institutionalised in other ways, which makes it difficult for them to live independently in the community. Mental health and drug-related problems and low levels of basic skills are also factors. Once those problems are taken into account, it becomes clear what we should focus the extra money that we are spending on trying to bring down levels of reoffending.

Mr. Allen: People watching or listening to the debate may say, "Here we go. The Government are being soft

[Mr. Allen]

on prisoners and giving them an easy time. Now we're going to teach them to read and goodness knows what else." In fact, it is very demanding for someone to tackle a drug habit, or for someone who was frightened by school and probably opted out of it to try to achieve challenging educational goals within the prison system. We can almost hear the ghosts in the distance saying that we are being soft on these people. In fact, rehabilitation is designed to keep people out of prison in future by making them better citizens and more able to look after themselves, rather than to keep recycling them through the prison system, which is very expensive. That will greatly benefit everyone who may be under threat of crime.

Angela Eagle: Clearly, if we contemplate the cost of keeping people in prison, on and off, for most of their lives, we realise that the prison system is a far more expensive option. If we can make these policies work, we will take some people out of the system. I do not want to become too philosophical, but there will always be some recidivists whom it is very difficult to rehabilitate. To some extent, we are not as interested in them as in the people whom we can help. We are trying to give those people practical opportunities. It is no good telling people that they should reform if we do not give them practical ways in which they can transform their lives.

We are investing an extra £18 million in prison education over the spending-review period, which will deliver 23,400 nationally recognised qualifications in literacy and numeracy at level 2 or higher. Last year, 12,462 qualifications were achieved. The target is for a rise to 36,000 at the end of the spending review process. That will make some people literate and numerate for the first time and therefore much more employable than before.

We are spending an extra £88 million under the Prison Service drugs strategy to ensure that we help almost 6,000 prisoners a year to enter drug rehabilitation programmes. Clearly, that will deal with some of the issues that have been raised.

We are spending an extra £16 million over the same period—2001-04—on the continued extension of independently accredited offending behaviour programmes. The number of completions is targeted to rise to almost 9,000 by the end of that period. We hope that, by focusing on the areas in which prisoners have difficulties, we will reduce the likelihood of reoffending in many thousands of cases.

We await the Social Exclusion Unit's study on reducing reoffending to provide us with further impetus in the development of our integrated inter-agency action zone resettlements. That includes an investment by the Employment Service of £1 million a year from this financial year to strengthen links with prisons. Often, the Benefits Agency does not know that a prisoner is coming out. A place to live and housing benefit claims could be sorted out before the prisoner leaves. Everyone knows the release date, but agencies have not been working together. Clearly, the prospect of reoffending rises significantly if the individual is just turned out of prison on to the streets without support, so a place on a training course or a structure in which he can look for work is necessary.

Mr. Allen: I am sure that the Minister will deal with two important points. The first is about personalisation of a plan for the prisoner. My hon. Friend spoke about the global amounts of money that are allocated to education, drug awareness, and so on. That is welcome, but devising a personal plan is important if initiatives are to be practical and real for the individual. I would be interested in the Minister's remarks about that.

Secondly, would the Minister discuss the culture in prisons and the value of prison officers, education officers, probation officers and others who perform education and rehabilitation work? Again, I welcome the additional resources, but it is important not only that we keep prisoners under control and locked away, but that we value those who undertake education and rehabilitation work—unusual, at the moment—in the Prison Service.

Angela Eagle: Certainly. I was just about to deal with personal plans as part of a seamless sweep across the whole structure. All young offenders and those aged 21 and above who are serving sentences of at least a year are subject to arrangements for sentence planning and post-release supervision, which involve the probation service and youth offending teams. Such arrangements include joint action to tackle offending behaviour problems, and address practical issues such as employment and accommodation. Post-release supervision follows up and reinforces the work that is done in prison.

However, short-sentence prisoners—those who are serving under a year—may, depending on whether they were on remand, end up in prison for less than three months, and certainly no more than six months, by the time sentence has been passed. That is not always enough time to get to grip with their problems.

The recent Halliday report proposed a framework for short-sentence prisoners. It suggested a new sentence of custody plus, which would involve a substantial amount of custody planning and post-release supervision for those serving short custodial sentences. The number of such prisoners is a significant proportion of the overall figure, and we are considering how to deal with them in light of the Halliday proposals, the consultation and the responses that we have received. We must get to grips with that issue.

In my time in government, I have often had to tackle cultures in institutions. Closed institutions such as prisons have a stronger sense of their own culture than organisations that are more open. Despite the large increase in prison numbers, we have managed to maintain the 24 hours a week average that prisoners spend on purposeful activities. That average is not as large as I would personally like but, given the rapidly increasing numbers of prisoners, our commitment is shown by the fact that the amount of activity that is arranged for individuals has not fallen. In allocating extra resources for education, we must maintain the focus on ensuring that prisoners spend their time in a purposeful and useful way, which increases their chances of being able to avoid reoffending after they leave.

If my hon. Friend wants me to praise those who educate people in prison, I certainly will; if he wants me to say something about their salaries, that might be a bit harder. We obviously value those who carry out that work, because we want to give prisoners a chance to reform.

Mr. Allen: My hon. Friend is extremely generous in giving way again. Sentence remission is often automatic in personal plans. If prisoners behave themselves and keep their noses clean, they may get a third off their sentence. Will the Minister consider linking personal achievement to remission? A prisoner may have worked damned hard with courage and determination to achieve a low level of literacy, or broken a long-standing drug habit. It may also be linked to the prisoner's category, so that people can claw their way to a better life and have that achievement recognised while in prison.

Mr. Nicholas Winterton (in the Chair): Order. Before the Minister replies, may I say that I allowed the hon. Member for Nottingham, North long interventions because he was brief in his opening remarks? I hope that that does not set a precedent.

Angela Eagle: My hon. Friend's idea is interesting and I will regard it as a submission to the Halliday review. I will ensure that that goes back to my ministerial colleagues and those who are considering our response to the Halliday review, because we want to encourage positive behaviour, and what he said was logical. I am grateful to my hon. Friend for raising the issue.

The Government are investing in public services, but they are also reforming and developing them so that the money is used well. The Prison Service is part of that programme, and focusing on reducing offending behaviour is a more efficient use of money than putting people into prison, locking the door and throwing away the key. As long as the public are protected, it is cheaper to reform offenders and reduce reoffending.

Mr. Allen: My hon. Friend seems to be ending her remarks. This subject is so important for people in our constituencies. It is important to the Under-Secretary of State for Health, my hon. Friend the Member for Salford (Ms Blears), and the hon. Member for Bosworth (Mr. Tredinnick), who are both present, and to all of us, that we crack the problem. When people are arrested, it must not be the first occasion of many on which they go to prison, but the first occasion that enables us to prevent them from going to prison again.

Finally, I would like to thank the Minister for her positive response, and you, Mr. Winterton, and the staff of Westminster Hall, for helping a novice through his first debate here.

Angela Eagle: My hon. Friend has raised an important matter. Unless we tackle reoffending, we will not reduce crime levels and maintain that reduction. The number of ex-prisoners who reoffend is a large percentage of those committing crime. If we crack that problem, we will see a sea change in the crime figures, which we are all working to achieve. Despite some early signs of success, I would not underestimate the problems. Already 12,500 prisoners have achieved level 2 literacy and numeracy qualifications. We have also promoted random drug testing, and the number of those who tested positive fell from 24.5 per cent in 1996-97 to 12 per cent. Drug use in prison has reduced dramatically. The number of completions of accredited offending behaviour programmes rose from 1,373 in 1996 to nearly 6,000 in 2001. We are on the right track. It is a difficult issue, and we have to focus our resources, our creativity and our attention on it. I hope that we shall succeed.

Mr. Nicholas Winterton (in the Chair): It has been a different debate—one might almost say unique. We now come to the final debate, initiated by the hon. Member for Bosworth (Mr. Tredinnick), on the traditional medicines directive—a subject in which the hon. Gentleman has been involved for a long time.

Traditional Medicines Directive

1.30 pm

Mr. David Tredinnick (Bosworth): I am most grateful to you, Mr. Winterton, for that kind introduction. I cannot say that I have caught your eye—we all know that these debates are balloted—but I am grateful to have this opportunity to debate such a vital issue at this important time. It is also a pleasure to see the Under-Secretary of State for Health, the hon. Member for Salford (Ms.Blears), in her place.

Many herbal products are sold in the United Kingdom under section 12 of the Medicines Act 1968 as medicines not requiring a product licence. Those products are regarded by some regulators as technically illegal under European Union law, but I shall not go down that route today. The proposal for a traditional medicines directive would allow a product licence to be given to herbal medicines without proof of efficacy, provided that they are safe, have been traditionally used for 30 years—the current proposal suggests that at least 15 of those years must have been in Europe—and that they are produced to good manufacturing practice standards.

I suggest that regulation on the subject should aim to establish a new system that provides the consumer with assurance on the safety and quality of the products that they purchase, and enables information on the purpose of the products to be given. However, individuals and organisations in the UK, including the Health Food Manufacturers Association, the European Herbal Practitioners Association and the Consumers for Health Choice—umbrella bodies that represent many interests—are concerned that the directive no longer does what it set out to do.

The problem is that, as the directive has developed, it has changed direction. Its criteria now rule out many safe and popular products that are on the market. That leaves many products in limbo, because although they are regarded as medicines they are unable to meet the criteria for registration. The consequence will be that many valued products will be removed from the market and thus denied to the consumers who wish to use them.

The traditional medicines directive is now in its third informal draft. The first formal draft is due to be published by the Commission soon. If the Minister is to act, it is vital that she does so speedily. The title of the latest draft is significantly different. What earlier drafts called the "directive on traditional medicinal products" is now entitled the "directive on traditional herbal medicinal products". Thus the new directive will not accommodate those traditional medicines derived from mineral or animal sources. Traditional medicines from India, China, Pakistan and Tibet that use natural products of animal or mineral origin will therefore have no place—especially if we do not use them now. That does not seem to be a scientific decision, and the Commission needs to redraft the directive so that it can include traditionally used medicinal products of non-plant origins. The decision whether to include such products should be taken on scientific grounds alone.

The directive has become very Eurocentric. In its present form, it runs the risk of being branded Eurocentric because it will prevent a full range of traditional medicinal products from ancient medical traditions—Chinese and ayurvedic—from being placed on the European market.

Another problem is that there must be evidence of usage for 30 years, of which 15 must have been in the European Union. Furthermore, many companies have gone out of business or changed hands, and many new companies marketing old products have not been around for 15 years, let alone 30. That problem will be overcome if we apply that qualification not so much to the product but to the active ingredients—the constituents of the product.

Thirty years is a long time, so it will be difficult for manufacturers to meet that requirement. As a result, it will be impossible for other traditional medicines to enter the United Kingdom market, as they will not qualify under the 15-year rule. I fear that many traditional products—we may not know about some of them—will be blocked, which is highly unsatisfactory. As drafted, the directive applies to traditional products. The industry's view is that it should refer to traditional ingredients because, although data will support a long history of use of ingredients, they are less likely to be available for products. There are also concerns that the directive is drafted in such a way that it could not be used to register products from non-EU traditions.

Although the current draft is called the "traditional medicinal products directive", its scope will probably be restricted to herbals. I cannot see what else could happen. At a stroke, that would make the many products that combined herbals with food nutrients ineligible and would rule out many important and popular combinations produced in traditional Chinese and ayurvedic medicine.

There are concerns that the standards proposed for registration under the directive will be too difficult for manufacturers to meet. That issue needs to be addressed, as there will be serious problems if the industry simply gives up trying to register products that are already saleable.

The directive should be a major step forward, but it no longer looks as though it will help. Indeed, it now seems to threaten many herbal remedies. It would require natural herbal medicines to comply with strict pharmaceutical testing procedures that are completely inappropriate for such naturally occurring substances. Especially at risk are blends of herbs with vitamins and minerals, which the Medicines Control Agency argues should be classed as medicines requiring a full licence if the herbal ingredient is at therapeutic levels.

One expert said to me in a written submission:

> "What is needed with regard to regulation in this area is either a Directive that can be used by a broad range of unlicensed products currently on the market or, if EU agreement for this cannot be achieved, appropriate national rules for products unable to achieve EU registrations."

If such a measure could not be implemented, the effects on industry in terms of employment, survival and growth, and on the consumer in terms of restriction of choice, would be extremely serious.

Another expert told me:

> "As the Commission is likely to press ahead rapidly with this revised draft, it is essential that trade associations and companies fully appreciate its possible consequences. It is unlikely to have any significant benefit for firms in a large number of EU countries.

and it could have a serious effect on the market in those countries currently enjoying relative freedom for the sale of herbal products."

If ever there was an amber light for a Minister, and if ever a Back Bencher fired a Verey light to alert the Government to a problem, surely this is it.

You were generous in your remarks, Mr. Winterton, about the interest that I have shown in the subject in the House during the past almost 15 years. I warn the Minister to take great note of what I say, as the subject is worrying.

The consultation exercise by the Medicines Control Agency on a proposal to extend the list of potent or toxic ingredients that are not permitted in unlicensed herbal medicines has an indirect bearing on the directive. We need to educate the Department and the agency on the fundamentals of Chinese medicine. It works by combining as many as 15 herbs. It is nonsense to test one herb to see whether it is safe, because others are often included in a recipe to counteract side effects. It is meaningless to test in isolation a herb that is part of a prescription. I gather from one source that formulating

"various herbs into a recipe is the essential way to treat diseases in clinical practice of Chinese herbal medicine."

Usually, between four and 15 herbs are used. Practitioners believe that it is fortunate that their ancestors have left them so many effective formulae, which have been tested over thousands of years in clinical practice. Doctors in this country have been regulated for more than 100 hundred years, but Chinese medicine is based on thousands of years of experience. When people say that there is no evidence to support such remedies, I ask, "What about the anecdotal evidence?" Are we so misguided as to adopt an imperious, if not imperial, attitude towards countries that have used such remedies for such a long time?

Why must herbs be used together to treat a disease? A single herb usually cannot resolve a complex disease, so to do so Chinese medicine must combine several herbs with similar or different therapeutic effects. The basic principles behind combining herbs are co-ordination and mutual restriction. In co-ordination, two or more herbs with similar therapeutic functions or two or more herbs with different therapeutic functions are combined to strengthen their curative effects. Mutual restriction is quite technical, but important. It means that one herb inhibits or relieves the side effects or toxicity of another. Combining herbs is, therefore, the art of selecting two or more herbs with a clinical purpose—that is the crux of the matter. Mutual restriction means that one herb can inhibit or relieve the side effects or toxicity of another, but well-known Chinese herbs that should be used only as part of specific combinations are now being taken off the market in Britain, and will be taken off elsewhere in Europe, too. A senior Chinese practitioner told me last week, "David, it is so sad. It is a disaster for us. We simply cannot treat some conditions. The Medicines Control Agency foolishly banned substances on the ground that they were toxic if used on their own. But they are not toxic if used as we use them."

Traditionally, there are four methods of combining herbs in Chinese medicine. It is a pity that the Minister is not a former Whip because the language involved might have appealed to her. Generally, practitioners talk of using a chief herb, a deputy chief herb, an assistant herb and an envoy to achieve curative results. That would go down well in the Whips Office, where there is a Chief Whip and a deputy. The chief herb is used to produce the leading effects in treating the cause. The deputy herb has two purposes: first, it helps the chief, just as the deputy does in the Whips Office; and, secondly, it is used to produce the leading effects in the treatment.

The assistant herb strengthens the therapeutic effects of the chief and deputy herbs, and treats less important symptoms by itself. It is also used to prevent the possible toxic side effects of the chief and deputy chief herbs—the very side effects for which the MCA has banned these herbs. Finally, the assistant may possess opposite properties to those of the chief herb, and may be used to deal with possible adverse reactions in serious cases where the herbal tea has too potent an effect.

The fourth constituent is the envoy, which we do not have in the Whips Office, although there are perhaps such things in the diplomatic service. The envoy herb works in two ways, as the medicinal guide and as the conductor. As the guide, it leads the other herbs in the formula—the chief, the deputy and the assistant—to the affected parts of the body. As the conductor, it harmonises them, co-ordinating the effects of the various herbs. I do not think that anybody on the expert panels—except, perhaps, one person—is capable of making such assessments, and that is a fundamental problem.

The easy way out is to say that all the herbs should be tested on their own. However, as I hope that I have shown by giving the House the benefit of this briefing from one of the leading Chinese medical institutions, that policy is nonsense and must be looked at again. I have been through the problems that we face with the medicines control directive, not least because it has been renamed, because the 30-year period is beyond reason, and because if we do not address the issue now, products will be removed from the shelves in many shops and pharmacies across the country at a time of public demand for greater access to them. The blame will lie fairly and squarely at the door of the hon. Lady and the Government.

1.46 pm

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): I am grateful to the hon. Member for Bosworth (Mr. Tredinnick) for having raised the important matter of the proposed European directive on traditional medicines. This is an opportune time for the debate because we are expecting the European Commission to make formal proposals. As the hon. Gentleman said, several unofficial drafts of the directive have already been issued.

I should like to pay tribute to the work of the hon. Gentleman. I have not been in the House for 15 years, but I am aware that he has raised such issues regularly and he brings to the subject great knowledge and expertise. I have learned some things today that I was not aware of before the debate. I should also like to record our appreciation of the helpful contribution of the many herbalists, manufacturers and people involved in the industry to the preparation of the directive. It is important for us in the Department of Health to look outwards to the industry, to consumers and to the range of people with direct experience of how medicines work.

[Ms Hazel Blears]

There has been a constructive dialogue between the industry and consumers and the Medicines Control Agency. I understand that there are tensions, but it is important for dialogue to continue, otherwise we shall be operating in isolation from each other. I hope that today's debate will contribute to the effort to identify both the weaknesses of existing arrangements for regulation and what might be done to improve the regulatory framework for herbal medicines. As a result of the dialogue, and of the information that we have, the UK has been able to play a prominent role among member states in arguing the case for the reform of European law to provide a secure regulatory home for traditional herbal medicines.

It is widely acknowledged that the current, unlicensed system is a very weak legal basis for regulation, and there has been a search for a more secure regulatory framework. To give a simple example of the problem, a consumer might find two apparently similar, unlicensed herbal remedies at a local health store. One might be made to high standards, following good manufacturing practice, and the other might be a low-quality product. However, the consumer has no way of knowing which is which. Product information can vary widely between two apparently similar products. The consumer cannot tell which is the more reliable and effective product.

The hon. Gentleman gave examples of unlicensed herbal medicines that contain products that pose a risk to public health. The Government must be mindful of striking the right balance and ensuring that the public are protected. By implication, he mentioned the ingredient aristolochia, a toxic herbal ingredient used in traditional Chinese medicine. It has been known to cause renal failure and cancer. I understand that there is documented evidence of that. It has happened not just here but elsewhere in Europe and, indeed, in China.

Mr. Tredinnick: The Minister makes a valid point. That ingredient was over-prescribed in Belgium, but one case does not necessarily make good law. The Minister must consider my explanation, which described how proper Chinese practitioners often use ingredients that can be toxic in one situation but are beneficial in another. That is the real issue.

Ms Blears: The hon. Gentleman's explanation about the chief, the deputy, the assistant and the envoy gives a clear picture of the complex interaction of herbs, and I understand his point. However, the Government have a responsibility, when serious public health issues arise, to protect the public from toxic ingredients. I expect that the hon. Gentleman would accept that.

Another example of what I am concerned about involved Chinese skin creams that were found to contain prescription-only steroids. That is a serious matter. They were being used on children, and I do not think that any hon. Members would want such a state of affairs. I do not say that that is typical, but cases arise in which the Government need to take action.

I reassure the hon. Gentleman that the traditional Chinese medicine sector will have every opportunity to contribute to discussions about the ingredients that should be licensed and regulated. There is no intention of making the process exclusive, and one in which the Medicines Control Agency adopts a "we know best" attitude and imposes its views. We want to be inclusive and to consult people, because we want to reach the right result. That is the most important thing for the public, including people who want access to traditional herbal medicines.

The directive is being developed to provide a secure regulatory framework, so that consumers can be assured on quality, safety and a history of use. Those factors will enable them to have trust and faith in a product, and reassure them that it is not completely untested and undependable. We are keen to ensure that people representing all the traditional sectors are represented in our consultations. Responsible herbalists are concerned that proper standards should be built into the system. For the sake of their reputations and the conduct of their business, they want standards to be raised to enable the public to depend on the products in question.

We have three main aims. We want the public to have continued access to a wide range of safe, good quality, traditional herbal remedies; we want consumers to receive systematic information to enable them to take the right decisions; and we want the regulatory framework to be established, so that we can safeguard the long-term future of various herbal traditions, which are greatly valued by many people. We should not underestimate that.

As to the requirement for 30 years of traditional use, the United Kingdom has pressed strongly for account to be taken of use outside the European Union as well as within it. Remedies must be safe and meet the normal quality standards, and people need information about them, but it is important to draw on the experience of other cultures and the use of herbs outside Europe. I understand that some European countries have good, well-documented histories of traditional use. In France and Germany there is a good base of information on which we should be able to draw.

We also want to ensure that as well as traditional Chinese medicines, ayurvedic medicines, which, I understand, originated in India, should be available. The idea is to find the right balance and, without compromising on safety or quality, to permit access to a wide range of traditional remedies that might help people to improve their health.

We are aware that many people in the industry would like the directive to extend further than it does at present. The hon. Gentleman raised the issue of combinations of herbal and non-herbal items. The difficulty is that consensus across the European Union about extending the directive to cover that would be unlikely. Our prime objective is to find a safe regulatory framework for traditional herbal medicines. Combination products cannot be sold as an unlicensed medicine, although many can be sold as a food if they contain vitamin and mineral supplements, and we should ensure that they can continue to be sold in that way. However, we should focus on what we can achieve within the confines of the directive, which has widespread support, although I accept the concerns expressed by the hon. Gentleman.

Mr. Tredinnick: What the hon. Lady says will be reassuring if combination medicines can be sold under existing legislation. If she can assure us that that is the case, she will remove many of the concerns expressed by the representative groups.

Ms Blears: Some of the combination products can be sold as foods under the legislation, as I said, and that position will continue. I can also give an assurance that, as the Commission's proposals proceed, the Medicines Control Agency will continue to consult the herbal sector. Last week, a useful meeting took place with representatives from the industry's herbal registration forum. We have established a group considering specifically ethnic medicines, and we also have an ethnic medicines forum. Plenty of discussion and consultation is taking place, which is key to getting the maximum benefit from the directive to secure the future of traditional herbal remedies in this country. People rely on those remedies and value them for improving their health.

There should be many more such meetings, which will help to inform our negotiating position when we go to Europe, and will enable us to speak from a position of strength, based on evidence in the field. We look forward to keeping in regular contact with those groups.

We are cautiously optimistic that the directive and the proposals will achieve the objectives that we have set for safety, quality, information and a good regulatory framework. Many in the herbal sector have been hoping for such an approach for a long time. Those operators who fail to operate systematic quality standards will have to raise their sights considerably to meet the requirements of the new scheme, which is good because it will bring consistency into the industry. Consumers will be able to rely on the quality of the products that they are purchasing, which will benefit the public and the many responsible operators. It will make for a good regulatory framework, and could lead to greater stability in the industry and increased public confidence in the products on offer. The industry has little to fear because setting up a proper regulatory framework will mean that the products have a standard of guaranteed quality on which people can rely. We should take the best scientific advice that we can find.

The hon. Member for Bosworth raised interesting issues about the combination in which some products are provided. I undertake to do more work on those issues, because it is important that we consider matters not only in isolation but across the piece. I will take those issues away with me for consideration, and acquire some further information.

Mr. Tredinnick: I am grateful for that assurance. Will the Minister also consider the proposed 30-year role, which may restrict the number of companies that can register their products?

Ms Blears: I understand the hon. Gentleman's concern about the 30-year rule, but persuading Europe that 30 years is not an appropriate period may be difficult, to say the least, so we must consider what we can reasonably hope to achieve. A 15-year rule exists for use in the European Union, and there is a possibility of looking outside the European Union to make up for the 30-year rule. Trying to make the period shorter than that would pose severe difficulties, especially in achieving a consensus on the directive across Europe. It is difficult to achieve consensus within the European Union, but we are anxious to do so in the interests of consumers, the public and the industry to ensure that quality products are available on which people can rely for their traditional value. We must provide a good regulatory framework to sustain products that have been of such great benefit to so many people.

Question put and agreed to.

Adjourned accordingly at one minute to Two o'clock.

Westminster Hall

Wednesday 21 November 2001

[SIR ALAN HASELHURST *in the Chair*]

Alder Hey Hospital

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Heppell.*]

9.30 am

Derek Twigg (Halton): I am pleased that this important debate is taking place. A number of my colleagues have been contacted by their constituents, and 12 families have contacted me over the past few weeks. They have asked me to express their concerns about a terrible and emotional issue. Indeed, it is a scandal. They are concerned about the way in which matters have been dealt with after the publication of a report and following on from various recent events. Some of my hon. Friends are present, and others would like to be. I hope that I can express many of their views. Some of my colleagues will speak when I resume my place.

My constituents are determined that their views should be highlighted in Parliament. What happened at Alder Hey hospital was a shocking scandal and almost beyond belief. Equally appalling is the way in which families have been dealt with at times by people at the hospital and by some members of the medical profession. The chief executive has been found guilty of misconduct. I note this morning that she has accepted the disciplinary panel's decision. It found that there was no alternative but regretfully to terminate her employment summarily in accordance with the terms and conditions of her contract. Miss Rowland was advised of that decision. It will be welcomed by the families concerned, as I welcome it.

Much of the parents' criticism is based on the need for further legislation. I know that my hon. Friend the Minister will refer to that. The parents believe that disciplinary action has been avoided. A typical family in my constituency who have raised concerns are Mr. and Mrs. Jarvis of Runcorn, whose son, Matthew, died aged four. The loss of their child is an important human story. We can imagine the emotional upheaval when they learned of the retention of organs.

We hear of a whispering campaign in the medical profession to the effect that families have over-reacted. I do not know how I would have reacted in the circumstances. It is clear that families have faced emotional upheaval. Mr. and Mrs. Jarvis are typical of the families involved and wanted me to voice their concerns.

The families are upset and concerned that all the doctors referred to the General Medical Council, as mentioned in the Redfern report, have been cleared, except for Professor van Velzen and Dr. John Martin. As I understand it, their hearings have not been set. Parents are concerned also that doctors' actions before 1988 and after 1995 have not been considered. They want to know why the GMC has used the Redfern report as a stand-alone document without referring to individual cases. With thousands of pages of documentary evidence, why did the GMC not call upon that material when making its decisions or call parents and relatives as witnesses? Parents cannot understand why they were not called as witnesses.

I have referred to Alder Hey hospital, but some of my constituents want other hospitals to be mentioned. For example, there is Warrington hospital, where about 60 families have been contacted and a disciplinary case has caused concern. The problem is widespread and concern extends throughout the country beyond Alder Hey.

Families are concerned about legislation. A change in the law has been promised in respect of the procedures used to gain informed consent to carry out post mortems and permission to retain organs. Pity II, the organisation that represents the families, says that it has been told that a change in the law cannot be brought before Parliament before the Session that starts in October 2002. The parents say that that is too long to wait. They fear that legal change may be diluted or even forgotten about. They want to know why the date cannot be brought forward. The matter is causing significant concern to the parents' group and among parents in Halton. I hope that my hon. Friend the Minister can deal with it this morning.

Parents are concerned about the role of the GMC. Disciplinary action has been considered but it has not been taken in most instances. That raises the issues of transparency and fairness and the way in which disciplinary action is handled for doctors. I understand that the GMC can basically take two forms of action. One is to strike off a doctor to stop him or her practising. The second is for it to send a letter of advice. Such letters went to eight doctors in the case that I am raising.

To the general public and many hon. Members, a letter of advice may not seem to be particularly strong disciplinary action. I understand from a doctor's point of view that such a letter is quite an important event in his or her career, and they would be very worried about receiving one. I understand also that there is no halfway house, such as a final warning or a yellow card system—a term that I do not particularly like—which would mean, "Next time, you're out." That situation concerns constituents, my colleagues and me.

I understand that the GMC has asked the Government to legislate on fitness to practise. It also wants more regulation. I met the council yesterday to discuss some of the issues. I considered it important that I understood its side in respect of the events. I know that the council has been encouraged by the Government to review its procedures—which is long overdue.

It seems strange that the medical profession does not have provision for taking disciplinary action locally. A doctor will be referred to the central body in London. The profession has an unusual way of dealing with colleagues who may face disciplinary action. It may be asked why alleged offences that took place in Liverpool, for example, will be dealt with in London. Why not deal with them locally? Parents have raised the issue with me. The GMC seems to be under general attack. Even doctors are attacking it for its handling of this case. I shall refer to a specific example later.

It is important that disciplinary procedures for doctors are seen to be fair and applied in a transparent manner. Last year, about 4,470 complaints and

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inquiries were received by the GMC, an increase on the 3,001 received in 1999. Of the 4,470, some 753 were referred to various GMC committees. There are about 180,000 doctors, but the number of complaints is a significant proportion.

Disciplinary action must be seen to be transparent and fair. At present, the GMC is seen as a toothless tiger run by doctors who look after their own. That may not be a fair view but there is that perception in many parts of my constituency and among the public generally. That underlines my suggestion that something must be done to ensure that the GMC deals with cases fairly.

I know that there are lay members on the GMC, but I still feel that it is necessary to review how disciplinary action is taken against those in the medical profession. The present system is not seen as fair.

I said that I would refer to some of the criticism of the GMC. I believe that it is important to do that, although I do not want to take too much time because other hon. Members want to speak. David Hughes, a consultant paediatrician, who is chairman of Alder Hey's medical board, said that Professor Donaldson, the chief medical officer, was looking for someone to blame when he referred many senior medical staff to the GMC. That is a scandalous accusation. He said that Professor Donaldson asked the council to investigate doctors who were criticised in the report. I am glad that he did. It is incredible that he has been criticised for doing that.

Dr. Hughes writes:

> "It was with great distress that we witnessed the indiscriminate referral of our colleagues to the GMC by Professor Donaldson".

That is an extraordinary accusation by a senior member of the medical profession against the chief medical officer. Dr. Hughes also writes that Professor Donaldson

> "displayed poor judgement and political expediency."

He suggests that the chief medical officer is influenced politically. By whom? He continues:

> "This action demonstrated the need to seek individuals to blame rather than acknowledge the culture that created the circumstances for 'scandals' that were manifestly widespread and an accepted part of the system."

He also criticises the GMC for the "demeaning" way in which it handled the cases and for telling solicitors who acted for the parents that charges against most doctors had been dropped.

Dr. Hughes talks about blaming the culture, not individuals. It is unbelievable that such a culture could appear out of thin air rather than being created by individuals and that it went unchallenged. It is incredible for such a senior man in the medical profession to suggest that no individual, but a culture that appeared out of thin air, is to blame. It is important to emphasise that the Alder Hey scandal revealed that no one challenged the culture, so it persisted. Even those who did not like what was happening do not appear to have challenged it.

I repeat that I find it extraordinary that a senior member of the medical profession can take Dr. Hughes's line of argument in this day and age. Arrogance exists in some parts of the medical profession and parts of the NHS bureaucracy and management. It should be challenged. It has been manifest in the treatment of the families of the children, and not least in the dismissal of the chief executive of Alder Hey. That arrogance has made matters 10 times worse. It is time not only for the medical profession to adopt more open procedures, but to accept openly that it must sometimes take the blame for mistakes. If it starts to do that, matters will improve.

I believe that several questions need answering. The medical profession should examine itself and consider the way in which problems are managed. Legislation should be introduced sooner rather than later.

9.43 am

Mr. George Howarth (Knowsley, North and Sefton, East): Sir Alan, I congratulate my hon. Friend the Member for Halton (Derek Twigg) on securing an important debate and on his thoughtful and well informed presentation of the arguments. My hon. Friend the Member for Knowsley, South (Mr. O'Hara) is disappointed that he cannot attend, but he had long-standing engagements away from the House.

We need to distinguish between the horrendous events that my hon. Friend the Member for Halton described, especially their effect on the families—many are constituents of mine—and Alder Hey as a working hospital. As a local resident, never mind a political representative, I have many connections with the hospital through members of my family. The medical treatment and the nursing care there are exemplary. It is therefore important to distinguish between the deplorable saga of organ retention and the medical treatment that is available at Alder Hey. It is no exaggeration to say that, despite the difficulties of the past few years, Alder Hey continues to enjoy a good reputation as one of the foremost treatment centres for children in the our region and beyond.

The sorry saga that my hon. Friend outlined is an example of a wider problem in our communities. We have no clear set of routines and procedures for dealing with horrendous events. Let us consider the Hillsborough disaster. I am not trying to make a direct parallel between that and events at Alder Hey, but there seem to be no adequate procedures for dealing with large-scale, emotionally charged events.

My hon. Friend said that he looked forward to legislation, but the problem is not confined to health. I hope that we shall look beyond health, important though it is, and consider the way in which we deal with all such matters, whether through judicial processes, coroners' procedures or inquiry procedures that are available to Secretaries of State and the Prime Minister. We do not handle such events well. That is not a criticism of my hon. Friend the Minister or the Government. We have simply inherited a set of accumulated practices that do not measure up to the difficulties.

When the Redfern inquiry was in progress, I was a member of the Government and I tried to arrange a meeting between me, the solicitor who represented many of the families and Lord Hunt, the Minister who was responsible at the time. I was unable to do that. In 15 years as a Member of Parliament, I have never been refused a meeting with a Minister. I am still angry about my treatment by Lord Hunt, not only because I was a member of the Government, but because I felt that such treatment of any hon. Member was a discourtesy. Today is the first opportunity to put that on the record, and I am pleased to do that.

I shall not go through all the detail that my hon. Friend the Member for Halton outlined so ably. Sir Alan, I therefore conclude by saying that I hope that, as we review the procedures, we will find better ways of dealing with such problems. We are left with a series of unresolved issues and many aggrieved families, who do not know how matters will end. Although it may not be possible to find perfect procedures, I hope that we can find better solutions than those that have applied so far.

Mr. Deputy Speaker: I did not interrupt the hon. Member for Knowsley, North and Sefton, East (Mr. Howarth), but the correct form of address when a Deputy Speaker is in the Chair in Westminster Hall is "Mr. Deputy Speaker". Members of the Chairman's Panel are addressed by name.

Mr. Howarth: My apologies.

Mr. Deputy Speaker: I accept that it is confusing.

9.48 am

Mr. Robert N. Wareing (Liverpool, West Derby): I must get that form of address right.

I congratulate my hon. Friend the Member for Halton (Derek Twigg) on introducing the debate, which is about one of the most appalling scandals in recent medical history. It happened before the Minister assumed her responsibilities, so any comments that sound critical of the Government do not apply to her. She was generous enough to meet me and Robin Makin, a solicitor from Liverpool who is covering several hundred cases, on 23 October. I thank her for that.

I agree with the comments of my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) about Alder Hey hospital, which was always regarded as a centre of excellence. It looked after children from Merseyside, the north-west, north Wales, the Isle of Man and further afield and it had a wonderful reputation, but that has been marred by recent events. It has devoted employees, and I make no criticism of the staff as a whole, but considerable trauma has been caused for the parents. They are still traumatised. After all, some have attended two, three or even four funerals to bury the hearts of their children. We must bring those responsible to book.

I understand from talking to the Secretary of State on the day that the Redfern report was published that no criminal sanctions are available. There are the disciplinary proceedings to which my hon. Friends referred, but a considerable number of wrongdoers have got off scot free. Hilary Rowland, the hospital's chief executive, was dismissed, but one might say that she is the tip of the iceberg. Perhaps "tip" is the wrong word; she may be lower down the scale and she may not have had complete responsibility, as has been alleged. In September 1999, she warned Robert Tinston, director of the north-west NHS executive, that the situation at the hospital constituted a major issue, but the executive failed to ensure that appropriate disaster planning, guidance and measures were introduced and implemented.

On 23 March 2000, the chairman of Alder Hey was sacked. Professor Robert Tinston was put in charge and given personal responsibility for ensuring that arrangements for the return of the organs were in place and reporting fortnightly to the Minister on progress. On 18 July 2000, I asked the Secretary of State to make public Professor Tinston's report. Hon. Members should note when I asked my question and that I received a reply on 20 November, which stated:

> "Internal reports between officials and Ministers are normally exempt from disclosure under exemption 2 of the Code of Practice on Access to Government Information that relates to information that would harm the frankness and candour of internal discussion, unless justifiable reasons are presented why they should not be covered by this exemption clause."—[*Official Report*, 20 November 2000; Vol. 357, c. 42W.]

I would have thought that there is no justification for the Government concealing from those with a vital interest information about the state of knowledge regarding organs removed and retained at Alder Hey and that among those people are the parents of the children involved.

On 30 January 2001—the day that the Redfern report was published—the Secretary of State answered a question from my hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle). On the sale of live tissue to pharmaceutical companies, my right hon. Friend said:

> "it is our understanding that there was such a practice at the hospital in the early 1990s."—[*Official Report*, 30 January 2001; Vol. 362, c. 184.]

I am appalled. I acknowledge what my hon. Friends have said about the culture at the hospital, but, candidly, a culture that allows large private companies to profit from the remains of children is surely criminal. I hope that such activity has ceased, and I believe that it has.

We must get a strong grip on the hospital authorities, but I agree that Alder Hey must not be sacrificed because the problem is national and has existed in hospitals all over the country for a considerable time. Indeed, we know that, as long ago as 1995, Alder Hey and Liverpool university were aware of the existence of accumulated human material, so the problem arose long before Redfern was brought into play.

There have been failings much higher up the chain of command than Hilary Rowland. I have referred to one such person—the chief executive of the north-west NHS executive, Professor Tinston—and I believe that they should all go. The Government must get a grip on the situation and I want the Minister to say what is being done and what progress they are making. For example, what is being done to research the psychological features of the problem and have they kept faith by consulting all the parents who were prepared to give evidence? I hope that she supplies that information.

Many parents are suffering traumas and no doubt my colleagues have, like me, received postcards from individuals. I have half a dozen in my hand: they call for action against the wrongdoers and hope that parliamentary privilege will protect us as we make our remarks today. I do not intend to name any other person, but I am concerned about what the Government are doing.

A great many Britons go abroad as tourists or on business, so I would have thought that the international implications of the problem were being researched. We

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should consider what happens in other countries. For example, I understand that when a person dies in Austria, hospitals have an automatic right to strip the body of any organs or tissue that they believe that they require. That may affect British holidaymakers and British business men who visit that country, but we do not appear to know what happens, even in European Union countries. Perhaps the problem should be discussed in the Council of Ministers to achieve uniformity throughout the EU.

The good name of Alder Hey must not be sacrificed, because the problem is national, but we must legislate to ensure that criminal sanctions are available to punish wrongdoers. No such sanctions appear to exist. I would insist on a code of conduct, but not only to regulate the doctors. We need an over-arching system to regulate all in the NHS and that has to include the administrators, who must be made accountable and subject to individual scrutiny.

I hope that the Minister responds to those points and that a genuine search is made for the answers to the questions that cannot be dealt with today to ensure that this never happens again. That has been said so often in the past, but this time we must really mean it.

9.59 am

Mr. Colin Pickthall (West Lancashire): I thank my hon. Friend the Member for Halton (Derek Twigg) for securing a debate on a matter that is important to all of us, especially those in the north-west. Eight families have contacted me since the publication of the Redfern report, and no doubt many more constituents who have not been in touch have also been affected.

I strongly agree with what my hon. Friend said about what I think he called a whispering campaign, suggesting that families were overreacting. That is not true of the families to whom I have spoken, who, although deeply hurt, have taken a restrained and responsible approach and done their homework—researching on the internet, for example, to try to ensure that they get the facts right.

Merseyside has had more than its fair share of tragedies in recent years. Like the Hillsborough disaster, the Alder Hey scandal needs to be dealt with in a comprehensive way, allowing relatives to bring an end to their grief and anger in the knowledge that all relevant information has been exposed publicly, guilt has been acknowledged and, where appropriate, action has been taken against those who have failed in their duty—and, most important, that systems have been changed so that such tragedies do not happen in future.

The grief and anger stemming from Hillsborough—I make no excuse for the comparison—has never been fully assuaged, although the disaster occurred some 12 years ago. We must not allow the feelings of the Alder Hey parents, and their friends and relatives, to go unanswered, as happened for far too long after Hillsborough. It is hard to overstate the deep distress caused to parents who discovered that their children's organs had been removed without their permission, or even their knowledge.

I want to raise a specific issue, at the request of my constituents Janette and Stephen Robinson of Skelmersdale, whose son Michael was one of the unfortunately deceased children whose organs were removed. They point out that, although some senior figures have been disciplined—we heard today that the chief executive was among them—Mrs. Karen England, who was at least involved in some of the cover-up, has avoided any formal censure, if such was appropriate, by moving to another job.

I seriously dislike referring to this lady by name, but her involvement is an important aspect of the case, and I could not describe what happened without identifying her. I realise that it is not pleasant to talk about an individual who is not present to speak for herself, but by virtue of her role as a senior administrator working with Professor van Velzen, Mrs. England must have known the truth—or at least part of it—about the removal and retention of organs. She was put in charge of handling relationships with the parents when the scandal broke, and is heavily criticised in the Redfern report for mishandling them. It seems that she may well have falsified records in at least one case, and she has certainly misled families.

When the chairman of Alder Hey was removed and the chief executive was sent on gardening leave, Mrs. England was seconded to Warrington General hospital. In January this year, she was suspended by Alder Hey, but it turned out that in the interim she had secured a full-time post at Warrington, and therefore could not be disciplined or investigated by Alder Hey. When those at Warrington looked into the case, quite properly, they found that Mrs. England had not broken her contract as far as they were concerned, so there was nothing that they felt they should do.

I realise that when one goes into a particular case like this, it may seem like a witch-hunt aimed at an individual. I do not intend that; I simply assert that there is at least a prima facie case to answer in connection with one person.

I have some questions for the Minister. I understand that she may not be able to answer them today, but perhaps she could do so later in writing. They were put to me by my constituents Mr. and Mrs. Robinson, who attempted repeatedly to speak to Mrs. England about what had happened to their son. She refused to respond, so they never received an answer. I am now seeking answers on their behalf.

First, my constituents ask why Mrs. England was allowed to remove herself from the Royal Liverpool Children's NHS Trust when an external inquiry was taking place in which she was a key player. Secondly, who at the trust supplied references in connection with the full-time post that she secured at Warrington General? Thirdly, what did Warrington General know of her background, and her possible involvement in the events that we are discussing? Is she obliged to reveal her involvement when she applies for another post?

In a letter sent to me earlier this week, Mr. and Mrs. Robinson make points reiterated today by my hon. Friends the Members for Knowsley, North and Sefton, East (Mr. Howarth) and for Liverpool, West Derby (Mr. Wareing). They say:

> "We are not trying to damage the name of Alder Hey or to vilify the hospital. We would like some natural justice for what happened to our own child and to all the other children involved. It seems completely inconceivable that people involved in wrong doing have been let off scot free. This would not be allowed to happen to others in positions of authority in other professions."

I agree with all of that final paragraph in the letter, except the last sentence. This is, in fact, allowed to happen to others in positions of authority in other professions. We saw it happen in the case of Hillsborough: we saw people who should have been examined and possibly disciplined for their negligence in regard to that terrible event managing to escape by retiring at the appropriate moment. In this case, someone who may well have been involved—or at least had something to explain to the health authorities—has been able to escape, possibly by accident, through the simple mechanism of changing job and moving from one trust to another, which has removed her from any further investigation.

I do not believe that that is right. I feel that it should be addressed by the NHS as a whole, so that people such as Mr. and Mrs. Robinson and the other parents mentioned by my hon. Friends can be confident that the health service will not allow such things to happen again—or, should they happen again, will not allow those responsible to go unpunished.

Several hon. Members *rose—*

Mr. John Butterfill (in the Chair): Order. A number of hon. Members still wish to speak. It would be helpful if speeches were reasonably short, to allow time for the Minister to reply to the debate.

10.8 am

Dr. John Pugh (Southport): Like one of the earlier speakers, I have a family connection with Alder Hey: my brother was born there, and a young child received medical help there. Until the very recent and very sad events, Alder Hey had a sound reputation throughout the Liverpool area.

I thank the hon. Member for Halton (Derek Twigg) for raising this issue. One phrase has stuck in my mind—a reference in, I believe, the *British Medical Journal* to the spurious distinction between culture and individuals: culture can be blamed, but individuals cannot. I submit that that distinction has no validity. Blame cannot simply be laid on an anonymous culture; it must be embodied in the actions of individuals.

The Redfern report identified two necessary and important changes, which bear on individuals as well as cultures. As is widely acknowledged, there must be legislative change, but there must also be cultural change. What happened at Alder Hey was not simply a consequence of the behaviour of one rogue doctor; a number of people were implicated or involved, or overlooked what was going on—administrators, for instance, and the coroner's office. It is not simply the actions of that one particular doctor. The administration subsequently was not desirable. As a result of the incompetence of administrators, constituents of mine have had to suffer the pain of multiple burials of members of their family. No one would wish that upon anyone.

We must remember that there has been a police investigation and that reforms are promised which we would all collectively support—a new law on consent, a review of the coroner system and a review of management accountability. We would endorse that and be comfortable with it, but the question put by the hon. Member for Halton is whether there has been sufficient cultural change—whether it has really got home—and whether it is universal. That is what this debate appears to highlight best.

There has been an element of cultural change. I was speaking last night to Ed Bradley, who organised on behalf of parents much of the action that brought the sad events at Alder Hey to light. He is now working with the Institute of Pathologists in order to provide a better way of behaving and of proceeding, and to avoid the unfortunate aspects that have characterised Alder Hey—unfortunate is to put it very mildly.

However, there are other indications—the hon. Member for Halton has drawn them to our attention—that the cultural change has not bitten sufficiently. One mentions in that respect the comments in the *British Medical Journal*, where there seems to be an unwillingness to accept that to ask for appropriate disciplinary procedures is distinct from pure witch-hunting. There is a clear intellectual distinction that I think we would all support.

As I have said, I thank the hon. Member for Halton for securing the debate. If it serves any good, it is to highlight that there is some way to go in changing the culture. I hope that the Minister will bear in mind the fact that there is certainly some way to go in changing the legislation. There is work to be done there. Sadly, there is some way to go in apportioning blame.

10.12 am

Mr. David Watts (St. Helens, North): I congratulate my hon. Friend the Member for Halton (Derek Twigg) on securing the debate. Many hon. Members have tried for some weeks to secure a similar debate to put on record our concerns and those of the parents who have contacted us over the past few weeks.

I pay tribute to Pity II, which has been campaigning for justice for that group of people for the past few years, and the solicitors who are acting on their behalf. I am not a lover of solicitors as a group, even though my son is one, but I believe that there are some good solicitors and the two who have been involved, Mr. Cohen and Mr. Makin, have done an excellent job in ensuring that the case is heard.

I would like to be associated with some of the comments about Alder Hey. There is no doubt that many parents throughout the north-west and a wider area owe their lives to the skill and dedication of staff at Alder Hey. There is no doubt that the current investigation and the controversy about what went on is having a tremendous effect on the staff who are still working at Alder Hey. The message from here is that we support those general staff, and we want that hospital to go from strength to strength and welcome the contribution that it has made over many years.

There is no doubt, however, that many parents have been let down by Alder Hey hospital and Liverpool university. We have heard a lot about the hospital, but it was a joint action. It would have happened only with the support of Liverpool university and Alder Hey. There was clear involvement of both medical and administrative staff in bringing about the problems.

No one should underestimate the grief that the parents felt. Anyone who has ever known someone who has lost a child understands that it leaves them with an

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emptiness and hopelessness. Often they cannot rebuild their lives. We cannot overestimate the strain, stress and profound effect that the death of a child, regardless of the age, has on a family. Therefore, it is possible to imagine what the grief would be like when they find out that the child they buried, or thought they buried, had had their organs removed without consent. The grief would refocus and they would not be able to get back to rebuilding their lives.

That is bad enough, but let us remember what happened. Even when those parents found out that their children's organs had been retained and they had a second burial for those organs, a third element of organs was left in either the university or the hospital, so they often had to have three burial services. That is a scandal.

Then the parents found out that the organs had been retained for no good purpose, that they had not been used for anything that was worth while. Therefore, not only have they gone through that traumatic experience, but they have found that it had no purpose. They were told initially that there was nothing wrong, it was normal practice and that they had no case. They were asked what they were moaning about. They were told that it was standard practice in hospitals and universities. They are very angry, and rightly so, to find out that their child's organs were retained without their permission.

The parents want to know the detail of the investigation. They want to know the detail of the administration disciplinary hearings that took place. A number of my colleagues have raised those issues. There are three administration staff at Alder Hey. One has been named today. The accusation is that that person lied to the inquiry and falsified documents. That person was then transferred to another hospital. If that is the case, it is another scandal. The one thing we need to know from the Minister is, if those allegations are true, is it acceptable for someone who has been found to do those two things to still be working in the NHS? The answer is no. I hope that the Minister will ensure that there is an investigation into that issue and that action is taken, if it is needed.

For those people who do not know, 76 doctors were referred to the General Medical Council for investigation to examine whether there was a case against them. Only a small number of those doctors are now going through the disciplinary hearing system. I was amazed when I met the GMC yesterday with my hon. Friend the Member for Halton to find out that the GMC cannot take action against a doctor unless it believes that he is unfit to practise—even if it believes that he has made a terrible mistake or misjudgment, it cannot take action. The proof has to be that he is not able to do his job and should have his registration papers removed. The test for whether action is taken against a doctor is too high.

In fairness to the GMC, it accepts that. I understand that it is campaigning for and has contacted the Government to say that it wants wider powers, to be able to take action below that threshold. That is right.

My experience is that self-regulation is no regulation at all. As a Member of Parliament, I have had dealings with the GMC before—I am sure everyone in the Chamber has. I have also had contact with the Office for the Supervision of Solicitors and even with the Association of British Travel Agents. When we try to get accountability into those professions and services, we find that we are dealing with people who are more interested in their members than the general public. The Government should take action to make those bodies independent and to ensure that, when they review issues regarding the public's interest, the public interest will come first.

Derek Twigg: On that last point, my hon. Friend may recall that I mentioned that doctors are now attacking the GMC too. We assume that none of the doctors is stupid. They obviously are not attacking it for no reason. Does he think that they are attacking it because they feel that it has been too hard on doctors and their colleagues, or do they want to give the impression that the GMC has been unfair—it must have been because the doctors are attacking it?

Mr. Watts: My hon. Friend raises an interesting point. There are two reasons for that. First, there is an arrogance in the medical profession. It believes that lay people, the ordinary public, should not be able to hold those groups to account. Secondly, it is trying to hide the facts of the case. It sets itself high standards, which we would all expect doctors to do, but it has failed in this case. It has failed in the investigation, failed to protect its good reputation and failed to take action to ensure that those events could not happen again.

I leave hon. Members with one thought. People believe that, after this scandal, the matter has been resolved, that accountability systems have been put in place and that legislation is on its way. I do not believe that it is. The purpose of the debate is to make sure that Ministers hear loud and clear that we want legislation on this matter, and that we want it quickly.

However, we must start to make sure that the good practice developed in Alder Hey following the inquiry is maintained throughout the system. Two weeks ago, a constituent told me that a hospital close to my constituency had retained organs without permission. It was not Alder Hey, and I shall not name it in this debate. I wrote to the hospital two weeks ago for an explanation, and have yet to receive one. I sent a fax yesterday, telling the hospital that I was taking part in this debate and asking whether there was any truth in the allegation.

So far, I have received no reply, so I take it that there is something in the allegation. If so, that demonstrates once again the arrogance and lack of accountability of the medical profession. I strongly urge my hon. Friend the Minister to take immediate action to ensure that the legislation is changed so that what happened at Alder Hey cannot happen again.

10.21 am

Sandra Gidley (Romsey): I congratulate the hon. Member for Halton (Derek Twigg) on securing the debate. All hon. Members who have spoken have highlighted the human aspects of the story and, as politicians, we must take careful note of them.

I am sure that no one can fail to be horrified at the extent of what went on at Alder Hey. Most people will be familiar with the unfortunate story: a large number of organs were retained without parental consent, and that nightmare was exacerbated by the actions of van Velzen, which can only be described as bizarre. I make no excuses for him, but every profession contains some bizarre individual of whom no one is proud but who seems to get away with totally unacceptable behaviour. We need to make sure that the public are protected from those rare people.

Similar problems in other parts of the country have not received so much national publicity. For example, local hospitals in Southampton retained a large number of organs, and perhaps lessons should have been learned from their handling of the matter. They were proactive and honest about what had happened. They spent much time, effort and manpower talking and explaining things to parents.

In addition, the hospitals in Southampton apologised for what had happened. Members of the medical profession are not good at apologising and saying that they are wrong. My postbag would be halved if people occasionally could say, "I'm sorry, what we did was wrong."

However, I do not want to dwell on the past. The law as it stands is clear: organs should not be removed and retained for medical purposes after a coroner's post-mortem examination unless prior consent has been obtained. It is depressing to acknowledge that it seems to have been common practice to flout that law, but the important question is how we move on.

The hon. Member for Halton made some important points about openness in the NHS. I agree that the perceived culture is that everyone in the medical profession stands together. That often leads people to believe that matters have been covered up, and the GMC has come in for a lot of criticism.

I hope that such allegations will become things of the past. Last night, the House of Commons discussed the National Health Service Reform and Health Professions Bill, which will establish the Council for the Regulation of Health Care Professionals. I hope that the new council will take the best practice from all the different regulatory bodies, so that all such bodies perform their duties in a spirit of openness, and with greater transparency in their processes.

The hon. Member for Halton also referred to criticism of indiscriminate referral of people to the GMC. I stand to be corrected in this respect, but my understanding is that the referral of people to the GMC was indiscriminate, and that some of the people referred were doctors but were not in fact medically qualified. As the GMC deals with only the medical profession, it is therefore fair to say that some of the referrals were indiscriminate.

I am not an apologist for the GMC, but my view is that it can deal only with professional misconduct. It has no remit to deal with poor judgment, and that is why the people involved were let off. The key people involved were responsible for about 90 per cent. of the problem. What those key players did amounted to professional misconduct, and it is right and proper that they should be referred to the GMC.

There seems to be a general feeling in the debate today that everybody involved should be brought to book, even if they were only bit players. My question is, would that do anything to progress matters, and to make sure that the same thing did not happen in the future? I believe that that is what we, as politicians, should be concerned about.

Derek Twigg: I think that I heard the hon. Lady aright, and that she said that she considers that indiscriminate referral took place. Does she believe that Professor Donaldson, who undertook that referral, behaved unprofessionally?

Sandra Gidley: I am saying that I would question his judgment. Professor Donaldson thought that he was right, but I would question his judgment. Sufficient research to ensure that the correct people were referred does not seem to have been done.

Mr. Watts: On what basis does the hon. Lady reach that assumption? Has she gone through all the cases, one after another, and decided on the merits of each case whether they should have been forwarded, or does she base her statement on what certain doctors and consultants have said?

Sandra Gidley: As I said earlier, the list of those referred to the GMC includes people who are not medically qualified. The GMC can deal only with medically qualified doctors. If that is not indiscriminate, I do not what know is.

I agree that the whole process is grindingly slow, as has been stated already. We must do all that we can to speed matters up, without sacrificing fairness. We must ensure that disciplinary action is swift and fair. That would be in the interests of patients, relatives and the medical profession as a whole. The "Doctor as God" culture is disappearing, thankfully, but it remains prevalent. I believe that it was present at Alder Hey.

The experience gives us a chance to ensure that a proper framework is in place so that we will never be in the same position again. Work has been done on a proper code of conduct, and I do not understand why legislation should be needed. Many hospitals have implemented that code of conduct, as they have no desire to become known as "Alder Hey 2". However, given the scale of the problem, I believe that legislation is needed, as there should be no possibility of anyone being able to get away with such malpractice in the future, and no excuse available if it happens.

Mr. George Howarth: I hope that the hon. Lady will help me on one point. Is she saying that, on the one hand, she does not think that legislation is necessary but that, on the other, there should be legislation for some other reason? I find that very strange.

Sandra Gidley: I am saying that it is a shame that we need to have legislation. In a perfect world—and I accept that we do not live in one—hospitals and doctors would be keen to put in place the right procedures. However, there can be no excuse for any recurrence of what happened at Alder Hey. For that reason, as a safeguard against people like van Velzen and others who are equally off the wall, we need to put legislation in place. I wish that that were not necessary, but we must protect the public. The system has been shown to fail and we must do something about that.

[Sandra Gidley]

Medical students and doctors are not trained to deal with such delicate matters. It must be extremely difficult to explain to a bereaved parent that the hospital might want to keep a child's organ for the greater good. If those matters are faced sensibly and sensitively, some parents might think it heartening that something good can come out of the situation. However, the secret and surreptitious way in which it was done meant that parents felt that their children had been violated. Medical students and doctors must have the training to ensure that that does not happen again.

Hon. Members have raised questions today about disciplinary procedures in hospitals. What plans does the Minister have to ensure that in future the hospital disciplinary systems are more effective and transparent, given that there have been accusations of cover-ups? That is not an issue solely for Alder Hey, but for all hospitals around the country.

Dr. Pugh: Is the hon. Lady saying that the lack of transparency at Alder Hey has made it difficult to operate a perfectly proper pathology and for the medical fraternity to feel that it is secure in doing things that would in the long term benefit children, parents and the community? In other words, has the lack of transparency and the attempts at a cover-up by some members of the medical profession harmed the interests of not only parents and communities but the profession itself?

Sandra Gidley: Almost definitely. The lack of transparency and doctors' unwillingness to share information and explain what is going on has a knock-on effect on everybody. We have to move towards a culture in which medics explain the problem and the situation and have a transparent disciplinary procedure, if such is necessary. In that way, the public can see what is going on and know that justice is being done.

It is fair to say that events at Alder Hey have had a knock-on effect on people donating organs. There has been a detrimental effect on the medical profession because it has not learned to move with the times and operate with greater transparency.

These are the issues that we have to address. I will finish now so that the Minister has time to address them.

10.32 am

Mr. Simon Burns (West Chelmsford): I add my congratulations to the hon. Member for Halton (Derek Twigg) on securing this important debate. As we are all aware, it is more than two years since the tragic and horrific scandal that occurred at Alder Hey children's hospital became known. What took place over the past decade needs no explanation here; suffice it to say that the deeply disturbing actions of some at that hospital are the most horrific and distressing that I have heard about in our health system.

We cannot begin to know the pain and suffering that was caused to so many parents and their families by the callous, barbaric actions of a few at Alder Hey. That pain and suffering continues for far too many. As all hon. Members who have contributed to the debate have said, this is a deeply upsetting and disgraceful affair.

It is also important to put this matter in context, as the hon. Member for Knowsley, North and Sefton, East (Mr. Howarth) said in his speech. There was a culture at the hospital that involved some people, but we should, to be fair, draw a distinction and avoid making a sweeping condemnation of the hospital itself. Alder Hey has, throughout its history, pioneered significant improvements in surgical techniques and care, and has made a valuable contribution to paediatric medicine. Inevitably, Alder Hey will for ever be scarred by these cataclysmic events, but we must try to ensure that the work of the hospital is not harmed in the future because of the horrific events of the past.

There is no point in reliving the events surrounding this horrific case. We have all become familiar with them as the whole sad story has unfolded. Reliving what happened would serve no purpose today, especially in the light of yesterday's announcement that Alder Hey's chief executive has been found guilty of misconduct and of bringing the hospital into disrepute.

I would like an update on the progress in dealing with this case. Most importantly, can the Minister inform us of the progress that has been made with regard to the special commission that has been established to oversee the return to families of organs and tissues from around the country? It is essential that as much help and assistance as possible be provided to the families affected and that a proactive approach be taken to support them and endeavour to relieve some of the pain that they have endured over the past years.

The overriding concern of the families affected is to be able to put their children to rest so that they can try to move on with their lives. Until they can do that, there can be little relief for their bereavement. I fully understand that, owing to the nature of the case, such action is not easily achieved in all cases. That is the crux of why this case is so distressing. However, where finality can be sought, every effort should and must be made, and unparalleled assistance should be provided to ensure that it is.

Can the Minister inform us of the steps taken to ensure that all NHS trusts provide support and advice to families at the time of their bereavement? The spotlight is on Alder Hey, but it must not be forgotten that the unravelling of the events there has shown that this practice has been going on in varying degrees throughout the country. There are deeply distressed families elsewhere in the country as well as in the Merseyside area.

Can the Minister also inform us of the progress that has been made in the review of the coroners system, established following the scandal? The review was intended to inform us of the lessons we can learn from these events and thus help to establish safety mechanisms to prevent such instances from ever recurring. Linked to that is the wider review of existing law on all aspects of taking, storing and using tissue and organs from both the living and the dead. Many hon. Members have highlighted this issue, and I know that we all look forward to hearing what the Minister has to say on it.

Furthermore, there is the question of the Government's commitment to introduce legislation to make any necessary changes. Is the Minister in a position to enlighten us as to when that might happen? If that is not possible, does she have in mind a time scale that she can share with us?

I hope that the changes in the law will be supported by a new statutory code of practice that will cover organs used by the pharmaceutical industry. Can the Minister assure us that a standardised consent form to be introduced throughout the health service will accompany such a measure if one does not exist at present?

A number of hon. Members have also referred to the procedures and systems in place when it becomes apparent, following investigations, that someone has been grossly negligent in carrying out their duties or—with regard to some of the allegations that have been made in this debate—has allegedly sought to cover the tracks of the activities of some. I believe, as I think any reasonable person would, that those are very serious allegations. If I were a parent who had been affected and had had this appalling experience, I would want anybody who had been abusing the system or seeking to cover up such an abuse punished, and punished severely, not simply for the sake of vengeance but because of the degree and scale of the offence they had committed or the negligence for which they had been responsible.

I do not think it acceptable for people to be shunted around from job to job if they have been grossly negligent or inefficient in their job or have deliberately taken part in any cover-up. It is not good enough to say that, because someone has gone from one trust to another, nothing can be done to bring them to account—if the evidence warrants it. I hope that the Minister will look into that issue further if she is unable to say anything today about those concerns, which many hon. Members share. I have personal experience with my local trust of health care performance being of serious concern to health Ministers, and that was during the lifetime of the Labour Government. It could have been assumed that because certain members of staff had grossly failed, they would be removed from their jobs and would need to look for another job in another sphere. They were, however, shunted sideways to another job in the NHS. The lack of accountability for performance in the profession is extraordinary.

Everyone will agree that the case of Alder Hey is alarming and distressing. We must ensure that its consequences are dealt with swiftly and thoroughly, and with as much sympathy as possible. Above all, we must ensure that mechanisms are in place to change the culture, so that such events, which have caused so much grief and suffering to so many, can never happen again in our health system.

10.42 am

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): I join in congratulating my hon. Friend the Member for Halton (Derek Twigg) on initiating today's debate. I have been involved for several months with the issues that have been raised by hon. Members. Some months ago, I visited Liverpool to meet many of the families, under the auspices of the Pity II group. I spent some time with them listening to their concerns, and they shared with me their grief, distress and anger at the events connected with the taking of organs without consent at Alder Hey. I discussed with the families the way forward and how we could develop mechanisms—through legislation, codes of practice, guidance and changes in the system and culture, as many hon. Members have mentioned—to try to ensure that other families are not put in a position similar to those families from Liverpool and the north-west region.

Last week, I was invited to join parents and relatives in remembrance of the children whose organs had been retained by the Alder Hey hospital at a memorial service held in Liverpool's Anglican cathedral. It was not possible to remain unmoved by such an occasion, but we need to try to keep a clear head to ensure that we take action in the future. That is what the parents want. They have to live with their grief and the damage that has been done to their families, and it will take many of them years to come to terms with what has happened. They want the Government to hear their concerns and to act upon them. That is the responsibility of Government and of politicians generally.

Everybody acknowledged that many of the children who died received first-class care at Alder Hey, and many hon. Members have today recognised the dedication of the staff. In Liverpool and across the north-west region, people respect Alder Hey for the top quality services that it provides. In the immediate sadness and grief after the death of their children, the parents took their bodies away and buried them in accordance with their cultural beliefs, but afterwards they felt let down by some of the people on whom they had relied. The parents felt that their trust had been betrayed in the light of subsequent events.

I understand why it is so difficult for these families to regain their trust in the medical profession. We all now know that organ retention was widespread throughout the NHS at the time. Although we have taken urgent steps to end that abhorrent situation, many parents are not yet ready for their confidence and trust to be restored in the organisations and, especially, in the individuals who let them down. It is up to us, as a Government, and the staff working in the NHS to try to win back that trust. That will take time to achieve because, as the Bishop of Liverpool said last Saturday, the families

> "feel betrayed, so much so that it becomes difficult to trust anybody in authority".

It is our responsibility to try to heal the emotional wounds and, without forgetting the past, to put in place the practical measures that will begin to rebuild the trust of those families.

I am grateful to my hon. Friend for raising the issue, because it gives me a chance to update hon. Members on the progress that has been made since the Redfern inquiry, and on the recommendations of the chief medical officer and their implementation and development. I am hopeful that that progress will go some way towards restoring confidence in those parents and families. I am also grateful for the opportunity to place on record my thanks to the staff at Alder Hey hospital who have gone through some difficult times but have continued to care for families from across the region.

I know that families have felt frustrated in their quest for answers to some of their questions. I also know that they feel deeply that no family should ever again

[Ms Hazel Blears]

experience what they have experienced. It was the concerns about organ retention at Alder Hey that led the chief medical officer to conduct an investigation to see how widely that practice was followed in the NHS. That is why last year we issued the interim guidance—to which the hon. Member for Romsey (Sandra Gidley) referred—to ensure that in future there will be no ambiguity about the need to obtain consent for the retention of organs for the purposes of teaching, research or donation. That is also why we are preparing full guidance and consent forms, which are being piloted. The families have been fully consulted about the content of those consent forms and whether they are appropriate, sensitive, easy to understand and accessible.

We have to ensure that when parents consent to the retention of organs, they do so in the full knowledge of what is likely to happen to them. Hon. Members will recognise that some families are content for research to take place if they are provided with the full information. It is not that they do not want to co-operate. They know that the research can assist in preventing illnesses affecting children in the future, and that can be a tremendous testament to their own children. However, transparency, honesty and openness in dealing with families are crucial, as they mean that they can trust the profession in dealing with those matters.

The Redfern report made a series of recommendations covering serious incident procedures, the training and management of staff, record keeping, the development of audit trails, the roles of clinicians, the review of the coroner system, and the necessary review of the Human Tissue Act 1961, as well as the issue of consent. My hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) made an interesting point about the way we deal with serious incidents generally, not just those that happen in the NHS. We are poorly prepared for the emotional distress that arises from serious incidents. Over the past few years, we have seen several such incidents and I take seriously the need to learn the lessons from each of those events and to prepare an over-arching strategy, so that we do not try to reinvent the wheel. That strategy could include bereavement counselling, the role of the emergency services and contingency plans to support people after a serious incident.

When the report was published, we introduced a number of early measures that we could implement straight away. My right hon. Friend the Secretary of State established the retained organs commission to oversee the return of organs and tissue to families around the country. I have held several meetings with members of the commission, whose procedures are well established. They have kept in close consultation with all the families concerned, and have held several public meetings where families have expressed their point of view. The commission is fulfilling an extremely worthwhile role in ensuring the orderly return of organs, and in trying to minimise the distress suffered by many families who had to hold multiple funerals. Managing the process of return is an important part of the measures we have taken.

The Home Secretary set in train a review of the coroners system. The Department of Health is keeping in close contact with the review. Tom Luce, a former head of social care policy at the Department of Health, has been appointed as chairman of the review, so there are clear links between the two Departments. It is crucial that the coroners review should not take place in isolation from the events that led to the need for the review.

One of the recommendations in the guidance from the chief medical officer was that we should consider new, non-invasive forms of post mortem and, where possible, use new technology, such as scanning, that can provide an authoritative cause of death. In some cases, there would thus be no need for an invasive post mortem, which would alleviate much of the distress experienced by families when such procedures are carried out on a child. The coroners review will be considering that recommendation.

The Secretary of State for Education and Skills has established a review of the joint contracts of employment between trusts and universities. The accountability of academic staff, through their contracts of employment, as between the university and the trust is a key issue, so it is an important part of the review.

A commitment was given to ensure that all trusts provide support and advice to families at the time of bereavement. An extensive mapping exercise is under way to assess existing bereavement services throughout the country—where they are patchy and where they need improvement—to ensure that every family has access, if they want it, to bereavement counselling and psychological support. From my personal experience with the families, I know that their psychological well-being has been affected by the events that they suffered, so it is extremely important to ensure that they have psychological support and counselling if they want it.

We gave a commitment to enshrine the concept of consent in law. Many hon. Members have asked when that legal review will take place and when legislation will be introduced. There was a proposal to publish a simple, two-clause Bill, but after examination it is clear that we need a wider and more comprehensive review of the Human Tissue Act. A consultation document is due to be published shortly; we are seeking the views of a range of people as to how we can strengthen the legislation on retained organs. We must ensure that we think the process through properly, that the right sanctions are implemented, and that our definition of "consent" is right.

Dr. Pugh: Can the Minister tell us when there will be new legislation? When can we envisage the introduction of new legislation if it is to be preceded by lengthy consultation?

Ms Blears: The consultation need not be lengthy, but I want it to be thorough because I want to get the legislation right, since this is such a sensitive matter. Obviously, the introduction of legislation depends on parliamentary time. That is why I told the parents that I did not envisage it in this parliamentary Session, but hon. Members can rest assured that I shall press extremely strongly for parliamentary time to enable a Bill to be introduced. We made a commitment to the families at the time of the inquiry, and we certainly intend to honour it.

I have also undertaken to keep the families involved in the consultation process. Many of the problems in relation to retained organs have arisen owing to a breakdown of communication between people in authority and many of the families. The families have my personal assurance that I shall keep in very close contact with them.

Mr. Watts: Will my hon. Friend deal with the issue of the GMC structures and their reform?

Ms Blears: I want to deal both with the disciplinary procedures that have been taken against managers and administrative staff and with the GMC procedures. As hon. Members heard earlier, the former chief executive at Alder Hey has been dismissed. Members have expressed much concern, and indeed the chief executive was named in this Chamber today—as was Karen England.

Mr. Burns: Will the dismissed member of staff receive a financial pay-off?

Ms Blears: I understand that it was a summary dismissal, in accordance with her terms and conditions of employment, after the finding of misconduct. In those circumstances, there is not normally financial recompense. It is a disciplinary matter and the person has been summarily dismissed.

I understand that, in May 2000, Karen England was seconded to a temporary post at Warrington hospital for a period of up to six months, but in August 2000, before her suspension, she successfully obtained a substantive post at the Warrington hospitals trust. I also understand that that post was advertised externally, that references were taken up and that she was appointed through the usual recruitment procedures. It was not a case of her being transferred or, as one hon. Member said, "shunted", into an alternative post. She applied, references were taken up and she was appointed in the normal way.

All the disciplinary proceedings were conducted in accordance with the disciplinary procedures used in the various trusts. As there was concern as to whether the proceedings would be robust and rigorous, an external human resources adviser was appointed who had nothing to do with Alder Hey and who independently validated the procedures. Although I understand the anger, concern and frustration of the parents, the disciplinary proceedings were conducted in accordance with the individual contracts of employment and were externally validated.

I understand the desire of the parents to read the detail of those disciplinary matters, but as there is a legal mutual duty of confidence between employer and employee it is extremely difficult to put such matters in the public domain once the trusts have undertaken and resolved disciplinary proceedings. As there was concern about how the proceedings would be conducted, there was external validation by someone completely unconnected with the trusts involved. I hope that gives hon. Members some reassurance, but I entirely understand that concerns will remain.

I am pleased that the GMC is considering radical changes to the way it deals with fitness to practise issues. The Government are considering the GMC's proposals with interest and encouragement. As my hon. Friend the Member for Halton and other hon. Members said, the current system is extremely rigid: when someone is unfit to practice, one can either take action or do nothing. A halfway house system is proposed—the issuing of a yellow card to doctors that acts as a warning.

Mr. Watts: If those discussions are not fruitful or successful, will my hon. Friend legislate?

Ms Blears: Obviously, the regulation of the health care professions is governed by their regulating bodies. We want to ensure that we maintain that regulation system. Furthermore, the NHS Reform and Health Care Professions Bill proposes the establishment of a Council for the Regulation of Health Care Professionals. That would be the over-arching body that many Members want, and would consider how all the regulatory bodies function. For the first time, there will be a public interest element in the council, so that if a regulatory body takes a decision that is manifestly against the public interest, an independent body will be able to refer the matter to the courts for reconsideration.

That is a huge step forward. When I explained it to the families, they were extremely encouraged at the prospect that somebody could intervene when a decision was taken by a regulatory body that was clearly not in the public interest. I think that hon. Members will welcome that development. Furthermore, the adoption of a type of yellow-card scheme, so that action can be taken if similar matters arise in future, would also be an extremely positive way forward.

As many hon. Members have pointed out, the GMC has been criticised from both sides. The parents feel strongly that doctors have not been brought to account. Many doctors feel strongly that the chief medical officer was wrong to refer them. Our experience in this place makes us aware that we sometimes receive criticism from both sides, but that occasionally we may nevertheless tread the right path. Obviously, serious matters have arisen.

It is unfair to say that the chief medical officer referred doctors indiscriminately. He sent a copy of the Redfern inquiry report; it was then for the GMC to take action. Obviously, the CMO was concerned about doctors' behaviour in this case and referred the report.

The Government are taking these matters extremely seriously. I am grateful for all the contributions that hon. Members have made to the debate and I shall certainly take note of the suggestions and ideas that have been proposed. I hope that over the months to come we can begin to re-establish trust between the families that have been affected and the health service.

Farming (North-West)

11 am

Mr. Nigel Evans (Ribble Valley): I am grateful for this opportunity to debate farming in the north-west. This is a vital time for farming, and the industry is at a crossroads and will need clear direction from the Government. I have received an apology from my right hon. Friend the Member for Fylde (Mr. Jack), who is a member of the Select Committee on the Environment, Food and Rural Affairs, for not being able to be here.

There is no doubt that farming is now seen in a completely different light since the outbreak of foot and mouth disease. Those who felt that it was a stand-alone industry can think again. Farming was reeling from its own recession, which has lasted for about the past five years, and foot and mouth was just another body blow to it. Its impact has also hit tourism and allied trades with enormous repercussions.

The foot and mouth outbreak is obviously important to tourism—one of the fastest, if not the fastest, growing industries in the world. The outbreak has had enormous repercussions in Ribble Valley on industries such as rural garages. There are still some garages in villages, and they have been hit, as have post offices. Many post offices run tearooms, which rely on passing trade for business, and at least one simply shut up shop halfway through the outbreak because of the fall in custom.

Pubs have also experienced a decline in trade. I spoke to the landlord of the Coach and Horses at Bolton-by-Bowland today, and he said that the trade from walkers, which is the cream to his industry, fell away completely as paths were closed. That had an enormous impact on him, and he could not make the financial progress that he wished to make. An enormous investment in time as well as money is made in village pubs.

The foot and mouth outbreak hit the Lake district particularly hard. In March this year, the Cumbria tourist board conducted a business survey, which showed that the total tourism spend in that month suffered a 53 to 68 per cent. drop, which has had enormous repercussions throughout the Lake district.

So a healthy, vibrant countryside means a healthy, prosperous countryside. Although my debate is entitled, "Farming in the North-West", we should also consider the state of the north-west itself. There are almost 18,000 farms in the north-west, supporting 38,800 workers, and 17 per cent. of the cattle and calf population of England and Wales is found in the north-west. The Council for the Protection of Rural England reported in a paper that it published on the strategic lessons of the outbreak of foot and mouth disease that 40 per cent. of rural microbusinesses in the north-east had suffered a high or medium financial impact, according to a survey carried out in April. The outbreak had also adversely affected a quarter of all firms in the United Kingdom, and we know that to be the case in the north-west.

In October 2001, a survey by Deloitte and Touche showed that farm incomes had declined, year on year. For example, a 500 acre family farm earned £18,000 in 1995-96, but that figure was down to £8,000 last year, and it is estimated that that farm would now earn about £2,500. Farmgate prices have fallen, although consumers might be forgiven for thinking that they have not.

It has also been estimated that there are 500,000 farmers in the country and that 50,000 have left the industry in the past two years. That, too, will have an enormous impact. Many farmers who were involved in full-time farming have switched to part-time farming. Commenting on the haemorrhage from the industry, the president of the National Farmers Union, Ben Gill, said:

> "These figures are a dire reflection of the continuing desperate situation in British agriculture. They illustrate what we have warned: that the crisis has cut so deeply into the heart of farming in this country that, in spite of the survival instincts of our farmers, many simply cannot carry on."

That has had an impact on farmers in many ways; bank borrowing has increased; farm incomes have decreased by 70 per cent. over five years; and investment in the industry is at its lowest level since the 1970s, which will, of course, have an enormous follow-on effect in years to come.

Dugdales—a feed merchant in my constituency—is a perfect example. I spoke to Stephen Dugdale today, and he said that the tonnage of feed that he was selling had decreased—people simply do not feed dead animals. It will take a long time for that business to come back; it is doing so slowly, but the impact on businesses such as his has been enormous, especially during the outbreak's peak.

One farmer in my patch—Andrew Bristol—spoke scathingly about the way in which the clean-up operation was handled, especially given the delays that followed the Prime Minister's intervention in it. Andrew had to wait eight weeks for his contract to arrive, which has delayed considerably the clean-up and disinfection of his farm. Fortunately, he was signed off just two days ago, but he thinks that he will not restock his farm until March or even later. When he does restock it, he says that he will have to wait before his first cheque comes in.

There are similar examples. A farmer from Grindleton—David Coupland—showed me his initial contract for the clean-up operation. It was estimated that it would take him two hours to clean one very large shed, with concrete at the back and wooden sleepers on each side. That estimate is totally unrealistic; it takes me more than two hours to clean my living room. I simply do not know how anyone can reasonably be expected to clean and disinfect a barn properly in that time. Even J. K. Rowling would not get away with that—it is more potty than Potter. We need realism in the estimate times for the clean-ups. The contracts need to be issued more quickly and the payments need to be made on time.

That view was reinforced by Steve Fawcett of the NFU. He said that the mood of farmers in Ribble Valley was still downbeat, with many questioning whether there is a future for farming. Henry Rowntree—another farmer—believes that the industry now needs more focus. He said that there is no doubt that some farmers will have to bite the bullet and that they will leave the industry. He also said that they definitely need to become more competitive, but he has told me that the French will introduce a ban on imports of sheep older than six months with their spinal cords in place as from 1 January and that they are using certain health measures to do so.

Many people ask why we cannot restrict imports into this country. We are told that we cannot do that because of the single market, yet the French manage to do it.

Why cannot we look very carefully at the rules and regulations that they are using to protect their industry and do exactly the same? No, we play by the rules, and others do not quite do so.

There has been a lot of unease about the importation of cheap or inferior meat into this country. I suspect that no debate on farming would be complete without the term, "level playing field", so let us get it out of the way sooner rather than later. I spoke to a farmer in my constituency, Janet Wallbank, who said that, when one of her friends took a car across to Ireland, the family was questioned by officials when they got off the ferry to discover whether they had any food on board. They said, "We've only got some milk", so the officials took the milk from them, yet on their return to the United Kingdom, they were not even questioned about whether they were bringing in any food.

I went to Australia this summer, and there were posters on either side of the entrance to the main hallway at Sydney airport, and one person was employed to shout at the passengers, while pointing at the bin, that it was their last opportunity to get rid of any foodstuffs that they had brought into the country, including anything that was on the plane; otherwise they could end up with a costly fine. That does focus the attention, but nothing like that happened when I returned to the United Kingdom. So we must consider, yet again, what happens with food imports into this country.

Those involved in airport security are very strict about anyone with knives or metal objects, and we need the same effort to be made against the importation of foodstuffs, which we believe led to the initial outbreak of food and mouth disease. We need the same determination to stop foodstuffs coming in as we show in preventing metal objects or anything that might be dangerous from being taken on to planes. We need to focus our attention on that problem.

Janet also said something about the insurance problem. It has been argued that all farmers should insure against an outbreak of foot and mouth but, once the outbreak began, we know that it was impossible to obtain insurance. Henry Rowntree wondered what factors the insurance companies would consider in determining a proper premium and he told me that one of the issues that they would examine is how the outbreak was handled this time. Before they can set a realistic premium, they will want to know exactly what action the Government will take in any future outbreak. I ask the Minister to address that issue.

Touch wood, we hope that we are coming towards the end of this outbreak; there has not been a case in my patch or in the country for several weeks. It is therefore time to focus attention on what we will do to prevent any future outbreaks.

Henry Rowntree told me that the then Ministry of Agriculture, Fisheries and Food knew that there were virulent strains of foot and mouth in other parts of the world and that it had been told about the imports coming into this country. However, no checks were made on the meat stuffs coming in. He also told me that farming was under great economic strain—we know that from the decline in farm incomes—that the state veterinary service had been cut and that there was fragmentation of holdings within the industry. However, we now know that there were no contingency plans whatever for foot and mouth. That was a clear recipe for an outbreak, and he said that he had spoken to people from New Zealand and Australia who told him that they were not surprised that we had had an outbreak in this country.

The Minister for Rural Affairs (Alun Michael): It is only fair to ask the hon. Gentleman to put to one side the comment that there were no contingency plans. Whether those plans were adequate for the recent outbreak, which was quite different from the one that we had in the 1960s, is an entirely different matter. However, the suggestion that there were no contingency plans has been refuted on a number of occasions.

Mr. Evans: I want to come to that point shortly. I have reported what a farmer in my patch said, so the Minister must accept that many farmers believe it. However, when Ministers were asked about the rumours that abounded that phone calls were made before the outbreak to order wood for funeral pyres, we were told that they had been made because rehearsals and practice take place every year.

Alun Michael: My memory from when we were in opposition is that it is the role of the Opposition to spread enlightenment rather than unfounded rumours. Some things are believed because they are repeated. It is not the job of Members on either side of the House to repeat things that are not true.

Mr. Evans: It is also the job of Opposition to spread a little realism in light of whatever we face from those on the Government Benches. Although biosecurity will never be perfect whatever we do, the Minister must accept that it could be better. We must work towards improving it.

Mr. Stephen O'Brien (Eddisbury): The Minister has just referred to the contingency plans, but my hon. Friend will be aware that I tabled many written questions about those plans towards the end of last Session and received very inadequate and exceptionally late answers. They did not deal satisfactorily with the questions of what contingency plans were in place and why, after a gap of 34 years, certain people had been rung up for timber supplies. It is incumbent on us to question seriously why, at least two months before the initial outbreak was announced, such inquiries for supplies had suddenly been made. Satisfactory answers have simply not yet been produced. It is our job to hold the Government to account.

Mr. Evans: That is one issue on which there were not rumours. We know that the phone calls were made and that perhaps explains the feeling that the Government knew more than they were letting on.

Such questions relate to the 1967 outbreak and to the report that followed an independent inquiry. Recommendations were made but we wonder why they were not properly followed in the current outbreak. Perhaps they were not good enough.

Mrs. Ann Winterton (Congleton): My hon. Friend raises important issues. Everyone will come to their own

[Mrs. Ann Winterton]

view as to whether the contingency plans were in place or whether they were inadequate. However, one of the recommendations in the Northumberland report was that action should be taken immediately after an outbreak was diagnosed. Did not the Government make the mistake of leaving three critical days in February in which livestock movements continued as usual? Decisions were delayed unnecessarily.

Mr. Evans: If I were quicker on my feet, I would come straight to that point. My hon. Friend raises an important issue, and I shall come shortly to the concerns expressed that delays led to the outbreak being far worse than it would have been if action had been taken straight away.

I have already mentioned David Coupland, and he came to see my at my surgery. Any Member who represents a rural constituency has been visited by farmers since the outbreak began and some of the stories that they relate are very sad. There are also some horror stories about the mishandling of the outbreak. David told me that a number of animals were culled on his farm and that the vehicles that turned up to remove the dead bodies spilled all sorts of fluids on to the roads. Anyone who knows my constituency will realise that farmers drive around those roads.

David Coupland also said that some of the personnel involved clearly did not follow their guidelines. It was a hot day and they were wearing only half their protective uniforms; they had no protection on their heads. He said that what was most depressing is that farmers were blamed for spreading the disease. It is upsetting when farmers are told that they and their animal movements are spreading the disease when the people from MAFF and latterly the Department for Environment, Food and Rural Affairs were not following the guidelines.

Robert Parker of the Clitheroe auction mart believes that there is much talent in farming that the Government are not using. He hopes that, after the outbreak, they will listen more to the experts who can provide good advice about biosecurity and the future for farming. I give the Clitheroe auction mart 100 per cent. support, because it has suffered badly since the cessation of sales. Robert has started a farmers' market where he has more than 20 stalls and he says that it is doing really well. That is a superb example of the industry supporting the industry.

I turned up at the auction mart a couple of weeks ago when John Barber of the rural stress network organised a whole day of activities so that the community could support the farming industry. A number of stalls from all sorts of countryside organisations were present and more than 1,200 people turned up to support the day. It ended with an auction of items that had been donated by the community, and the money went to the charities that have supported the farming industry since the outbreak of foot and mouth. I congratulate everyone involved.

Will the Minister specifically consider the activities of the Bowland initiative in my constituency? It is supported by a number of organisations, including, in the past two years, MAFF and DEFRA. However, DEFRA has announced that it will no longer support the initiative, which is sad because that support has been especially necessary since the outbreak began. The initiative employs 10 people and, to date, it has given advice and assistance with grants to more than 120 farmers in the area; another 400 are on the waiting list. Farmers now need advice on diversification and assistance in filling out forms. If they are late sending the forms back, they do not receive anything but the forms are sometimes very confusing. To be able to obtain assistance from an organisation such as the Bowland initiative is very valuable. Will the Minister consider the support that DEFRA gives it?

Alun Michael: The hon. Gentleman makes an important point about the assistance and advice that is available to farmers. The Bowland initiative is excellent and I have given it specific consideration. The problem is that it was part of the objective 5b arrangements. Those have been changed and that option is no longer open to us. I assure him, however, that we have learned lessons from the Bowland initiative and objective 5b. We are keen to make advice and help available and are considering ways in which that can be delivered. Unfortunately, the strand of funding to which the hon. Gentleman refers is no longer available. That is the simple answer.

Mr. Evans: I accept that and I am sure that farmers will be grateful for the right hon. Gentleman's remarks. I hope that the ingenuity and flexibility of his Department will allow it to find a way to support that initiative so that it continues.

On the need for an independent inquiry, we know that Devon county council held its own inquiry. It is sad that DEFRA did not give evidence to it. No doubt the Minister will want to comment on that.

Alun Michael: I am grateful to the hon. Gentleman for letting me correct him immediately. The Devon inquiry issued a press release welcoming my response to its questions. We made it clear from the beginning that getting involved in giving evidence directly might look as though we were anticipating the independent inquiries established by the Government. That was understood by the Devon inquiry and the chairman, to whom I spoke only last week.

Mr. Evans: I am grateful for that clarification. I understood that written rather than oral evidence was submitted. I appreciate why the right hon. Gentleman has acted in that way. However, if he believes that the two inquiries announced by the Government will be sufficient to compensate for a full and independent inquiry he is sadly mistaken. Northumberland county council is holding an inquiry and I asked Hazel Harding of Lancashire county council to do the same because of the impact of foot and mouth outbreaks on our patch. Sadly, she said that the council is not prepared to do that. It is a pity that we have to rely on county councils to do the Government's job of setting up inquiries.

The *Farmers Guardian*, which is published in my constituency, had an interesting front-page article on 9 November about the lack of an early ban on animal movements to combat the spread of foot and mouth disease, which relates to what my hon. Friend the Member for Congleton (Mrs. Winterton) said. It refers to what two Government advisers, Mark Woolhouse and Professor Roy Anderson, say about the spread of foot and mouth. They believe that the delay resulted in far more animals being culled. According to Mark Woolhouse, the number of cases could have been halved if livestock movements had been banned immediately. Professor Roy Anderson, advising the Government on the fight against the disease, said that

"the speed it spread meant the consequences of any delays were huge".

He went on to point out that it might sound odd

"'to say a three-day delay was crucial, but it was crucial.'"

That is what Government advisers are saying.

It is also interesting to note that page 2 has an article on the foot and mouth disease inquiry in Strasbourg. It is fair to say that I am not the greatest supporter of the European Union, but it is odd that we have to rely on county councils and the European Parliament when we cannot rely on our Government to establish an independent inquiry. I suspect that the Government fear that something may come out of an inquiry which will embarrass them, but they should take that embarrassment on the chin. It is far better to have a full independent inquiry that gets to the core of why the disease spread as quickly as it did because it did not spread in the same way in France or Ireland. We need to get to the real reasons for that. Let us take evidence from as many groups as possible so that if we have another outbreak—heaven forbid that we do—we will at least have learned the lessons and have recommendations to follow, such as those in the Devon county council report. Far better to be embarrassed than to have no proper full public inquiry.

Alun Michael: The hon. Gentleman has come to a disgraceful part of his speech. If he really cared about the farming industry, farmers and the damage that foot and mouth has done, he would want—as he has said that he does—a full independent inquiry to get to the bottom of the matter. We have established three inquiries to do just that and speedily provide recommendations for the future. There is an open invitation for people to give evidence to them. The diversion of pretending that a public inquiry would be a magic wand is an irresponsible indulgence.

Mr. Evans: Having set up two inquiries that will not be as thorough as they could be shows that the Government are totally irresponsible because they want to push the problem into the long grass.

Mr. Bill Wiggin (Leominster): I am keen to take issue with the Minister. If he is correct about how quick and efficient his inquiries will be, why on earth has he introduced the Animal Health Bill when he has not received the results from those inquiries?

Mr. Evans: The case for a full public inquiry is overwhelming. Those who suffered from the worst outbreak of foot and mouth ever to occur in this country want it; the only people who do not are the Government. I can only conclude that they are afraid of what a full and independent inquiry would produce, but it would be much better for the industry and its future if such an inquiry were held. Farmers whose animals were culled are thinking about restocking. They are unsure about the future of their industry. A full and independent inquiry, with proper recommendations, would reassure them.

Mr. Tim Collins (Westmorland and Lonsdale): As the only representative in the Chamber of Cumbria, the county that was by far the worst affected by foot and mouth, I have yet to meet a single farmer, tourist business or constituent of any party political affiliation who does not want a full public independent inquiry and who believes that the Government's proposals are adequate.

Mr. Evans: That is also the opinion of every organisation involved in the farming industry, and I suspect that it goes further. We saw the disease's impact on tourism and other allied trades. The Government should bite the bullet and get on with it.

I am glad to say that the last outbreak in my patch was in July. We have just moved from being classified as a high-risk area to an at-risk area. I hope that we will be free of foot and mouth disease next week, which offers the industry some light at the end of the tunnel. We need an integrated approach on the part of organisations in the north-west, with the North West Development Agency, the county councils and rural development bodies working together to ensure that there is a future for the industry.

Certain issues—the old chestnuts—still need to be resolved, and it is important that we get things right. Supermarkets should prioritise local produce, which needs to be clearly labelled and promoted. We talk about the web of industries that rely on one another, and local supermarkets can do much to help local farmers. We must reconsider the costs and burdens on the industry. The livestock markets—the auction marts—need to be given hope that they can start up again because they are an important part of the farming industry. British produce needs to be properly marketed again to enable consumers to appreciate the benefits of buying British meat.

There must be proper and clear guidance for the future. There can be no hidden agenda for the farming industry. Our farmers are important not just as producers of foodstuffs, but for the health of the countryside, of tourism and of employment in areas where it is difficult to create new jobs. Farmers will look to the Government, post-foot and mouth, to come up with the answers. I hope that the Minister will reassure them.

Several hon. Members *rose*—

Mr. John Butterfill (in the Chair): Order. Quite a number of Back Benchers are seeking to catch my eye. We have a limited amount of time for the debate, so if contributions are relatively brief it may enable everyone who wishes to speak to do so.

11.29 am

Mr. David Borrow (South Ribble): I congratulate the hon. Member for Ribble Valley (Mr. Evans) on securing a debate on an important issue for many of us in the north-west. The hon. Gentleman represents the upper reaches of the Ribble Valley, where the countryside is

[Mr. David Borrow]

hillier than it is at my end of the valley, which is very flat. Significantly, he focused on the livestock industry, which is obviously the main farming activity in his constituency, whereas I shall focus on horticulture and market gardening, which is the main activity in my constituency. First, however, I shall mention a few issues surrounding the foot and mouth outbreak this year.

As we look to restructure the farming industry in the north-west, we should recognise that the parts of the industry that will face the biggest challenge in restructuring are those that depend on subsidy or trade protection measures. As a result of the reform of the common agricultural policy, the recent agreement at the meeting of the World Trade Organisation in Doha and the continuation of those changes, many upland farmers who are involved in livestock farming face real challenges in maintaining the sustainability of those farms. Over the next few years, the challenge for my Government—and for the industry—will be to consider ways to ensure that as many of those farms as possible are sustainable and viable in the medium to long term, and ways to move from direct production-based support for the livestock industry to different forms of support.

Those changes are coming; we cannot assume that the existing regime will last more than a few years. Change arising from forces outside the United Kingdom is inevitable, so the Government and the industry must work closely together to ensure that as many businesses as possible survive, and that those that do survive are sustainable and have a long-term future. Some very difficult, painful decisions—which have little to do with foot and mouth disease—will have to be taken.

On the inquiries that have been set up into foot and mouth disease, my view is that it is important to get some interim reports back into Government on what has happened and what measures need to be taken to prevent a repeat of the outbreak. The inquiries that have been set up by the Government are independent of Government. They may not take the form of an independent public inquiry of the type that some people have demanded but, given the time that it took for the public inquiry into BSE to report, I am not sure that we can afford to wait so many years before we have something definitive on which to base a decision.

My view, which differs from that of Ministers, is that when those inquiries have reported and we have studied the reports, there may well be a demand for a further public inquiry of the traditional type, which may take several years, but which may be welcome at that point. I am not yet convinced that such an inquiry can happen now.

The hon. Member for Leominster (Mr. Wiggin) made a comment about the Animal Health Bill. In my view, we need to take measures urgently to deal with possible further outbreaks of the disease on the basis of the information that we have, so I support the Bill. On Second Reading, I commented on the way in which the Government had handled its introduction, but the need for the measure has been demonstrated. We need to sort out some of its details in the next few weeks. We cannot afford to delay until we have held a massive public inquiry on the issue.

Mr. Wiggin: The difficulty in what the hon. Gentleman has just said stems from the fact that none of the inquiries has reported, so your argument, which so sensibly suggested that you would wait to find out what the results were before legislating—

Mr. John Butterfill (in the Chair): Order. I am not making any arguments.

Mr. Wiggin: I apologise. The argument that we should wait before legislating is negated because the legislation is already under way. What is disturbing is that, whatever evidence emerges from these public inquiries, it will be too late to help shape the Animal Health Bill.

Mr. Borrow: In my view, if Ministers have information on the ways in which the existing system is not adequate, they have a duty to report to Parliament and to introduce legislation as soon as possible to put those things right. They may not be able to put everything right because they may not have all the information, and when the inquiries are concluded the Government may need to introduce further measures, but I do not believe that one should delay doing anything simply because one does not have all the information necessary to get everything right at once.

Mrs. Ann Winterton: Will the hon. Gentleman give way?

Mr. Borrow: I wish to move on.

I am aware that my hon. Friend the Member for Chorley (Mr. Hoyle) is here this morning. I was fortunate in that none of the livestock farmers in my constituency suffered from the foot and mouth disease, but the nearest outbreak was in my hon. Friend's constituency, so I am sure that he will refer to the subject if he gets the opportunity to speak.

I wish to discuss some of the broader issues surrounding agriculture. In the past few years, it has often been assumed that all agriculture is livestock agriculture. That assumption is wrong and causes difficulties. In my constituency and others in the north-west, thousands of people work in agriculture that has nothing to do with livestock. The bulk of those constituents work in parts of agriculture where the CAP does not apply. They do not rely on subsidies at all. In the arable sector and the horticulture sector, they are working in a market situation, competing with producers throughout the world.

Most people who work in the livestock sector are members of a farming family, who own and run the business themselves. Most of the horticultural firms in my constituency are family firms, but they do not simply consist of a farming family. A significant aspect of the horticulture sector is the large number of employees who work in it. Consequently, the horticulture sector operates differently.

In the four and a half years that I have represented South Ribble I have noticed that, in the arable and horticulture sector, the industry has moved away from the north-west towards eastern England. Several aspects have contributed to that move.

Given the good quality of the land in Cheshire and the Lancashire plain, the north-west has traditionally been an important area for arable farming and market gardening, but the areas are somewhat isolated from the main part of the rest of UK agriculture. Although they have strong local markets, many of the major supermarkets and other purchasers of products have moved their purchasing to eastern England. That change has come about partly as a result of the decline in traditional wholesale markets—Liverpool and Manchester in particular.

Many of the small businesses that, traditionally, took their produce to the wholesale markets no longer have that means of access to the market, and most production now goes directly to supermarkets. Therefore, for many supermarkets, contracts are increasingly made through large companies in eastern England rather than with smaller companies in the north-west. There needs to be recognition that one problem of the sector in the north-west is the fact that many businesses are not operating in a co-operative way with one another as happens in other parts of the country, and many businesses are relatively small, which means that, in a market situation, they do not have the muscle of producers in eastern England.

I believe that the weather in the north-west has helped to encourage production and purchasing in eastern England. In the very wet autumn of last year, a large proportion of the vegetable production was never taken out of the ground. Many of the potatoes were left frozen in the ground, which delayed the spring planting, so most of the production moved from winter crops to spring crops, which are less profitable. That ties in with the long-term decline of production in the north-west.

Figures that I got from the National Farmers Union in my area yesterday show that some 20 out of the 60 sugar beet producers in the north-west are likely to leave the industry in the immediate future. All that points to the fact that the arable sector in the north-west is in decline, and much of the production is moving to eastern England. We need to look seriously at those issues.

I turn now to horticulture. The hon. Member for Ribble Valley mentioned the number of people leaving farming. Horticulture relies to a large extent on casual labour, much of which now has to come from overseas, and that is a significant problem. The season for horticulture production is longer than the period for which the seasonal agriculture worker scheme operates. Many businesses in my constituency use the scheme to bring in workers, particularly from eastern Europe, but they are not in the UK long enough to complete the season. There have been incidents of gangmasters bringing in illegal workers, but the farmers to whom I have spoken would much prefer to know that their casual employees are here legitimately.

Mr. Stephen O'Brien: In considering those issues, and given the weather patterns in the north-west, and his constituency in particular, has the hon. Gentleman also made an honest and thorough assessment of the cost to horticulture of the Government's climate change levy, which penalises that sector?

Mr. Borrow: That is on the list of matters on which I intend to comment later, if the hon. Gentleman will wait.

As local farmers have pointed out to me, in a constituency where the unemployment rate is under 1.5 per cent., there is a long-term problem in recruiting full-time, permanent employees, even when people are paid significantly above the agricultural wages board figures. There are casual workers who show aptitude and could take on a full-time post, but immigration rules do not allow them do so. I am aware that the Home Office is reviewing the rules governing workers from overseas taking specific jobs in the UK, and the needs of horticulture must be considered in that review.

Another bugbear for the horticulture and market gardening sector is its relationship with supermarkets. The Department of Trade and Industry has introduced a voluntary code of practice covering the relationships between supermarkets and farmers, but there is concern that the consultation on it was largely with the supermarkets, and not to any significant extent with farmers. In addition, the code of practice simply deals with foodstuffs and excludes the domestic plants sector. The production of house plants is a growth area in horticulture, and if it is not covered by the code of practice, there will be no solution to the problem of the producers' weakness in relation to the supermarkets. In addition, many of the companies that sell house plants are not supermarkets but big do-it-yourself chains, and they are not covered by the code of practice—

Mr. John Butterfill (in the Chair): Order. The hon. Gentleman is going a little wide of the debate. There is a boundary between horticulture and farming, although it is not always clear. He is pursuing the subject of horticulture into areas that are beyond the normal definition of farming, and I hope that he will be brief. I have been indulgent so far.

Mr. Borrow: Thank you, Mr. Butterfill. I am not sure that my farmers would make that distinction, but I will abide by the rules of the Chamber on that matter.

The hon. Member for Eddisbury (Mr. O'Brien) mentioned the climate change levy. I have always found it difficult to understand how we can apply that policy to greenhouse horticulture. I am pleased that the Government have agreed to a 50 per cent. discount for horticulture, but I am not convinced that it will solve the problem. The levy is linked to the use of energy rather than to emissions. In the glasshouse sector, emissions are used within the glasshouses and are absorbed by the plants, so we can ask whether the levy should apply at all. A year ago, when gas prices were increasing rapidly, I suggested that Ministers should monitor the situation towards the end of the first year of operation of the climate change levy, to see what impact it is having on horticulture. I should be grateful if the Minister could say in his reply whether he is prepared to do that.

The Government are introducing a fruit for schools scheme to encourage healthy eating among children. Many salad-growers in my constituency have suggested

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introducing a similar scheme to promote salad crops. Companies such as Flavourfresh in my constituency produce small, sweet tomatoes, which are part of a range of salad crops that would be very attractive to children, so I urge Ministers to consider extending the scheme.

Finally, I turn to the long-term effects of the decline in salad crop and vegetable production in the north-west and nationally. If we increasingly import salad and vegetables, instead of producing them in the UK, and particularly in the north-west, we will not only lose jobs in agriculture, but find that the food processing industry increasingly relocates. If potatoes are being imported rather than produced locally, there is less need for factories making crisps, and when those companies are looking to reinvest, they are increasingly likely to do so overseas. If we lose a large proportion of the vegetable and horticulture sector in the north-west, that will have serious effects on food processing.

Those sectors are not subsidised and expect to compete with other countries on a level playing field. The Government need to think what they can do to ensure that these industries are not affected by short-term changes, and if long-term movements are taking place, they need to consider how to assist them so that they remain viable.

Mr. John Butterfill (in the Chair): I appealed for relatively short speeches so that all hon. Members could speak, but I think that it will now be difficult for them all to have the chance.

11.48 am

Mr. Stephen O'Brien (Eddisbury): Farming in the north-west, like that in other regions, has already diversified. Eddisbury shares with Congleton, Tatton and North Shropshire the largest milk field in Europe.

Mr. Nicholas Winterton (Macclesfield): And with Macclesfield.

Mr. O'Brien: Indeed. I think that my hon. Friend's constituency contains a few more sheep than mine. As a result of the foot and mouth crisis, we have had to face yet again a major collapse in confidence, as well as the very severe practical difficulties that have been heaped on the farming community. Although the incidence of foot and mouth in the current outbreak has been considerably lower than in 1967, it should not be suggested that that has in any way diminished the sheer fear, concern and stress that have been the condition of life for farmers and their families throughout my constituency.

Given the pressure of time, I need not rehearse all the criticisms about the Government's actions, or rather inactions, in relation to the crisis that we have just experienced—luckily, Cheshire has had FMD-free status since the middle of last month, so certain movements are now occurring again under licence. In 1967, when my constituency was the epicentre of the outbreak, the Northumberland inquiry reported within nine months. The inquiry was holistic, complete and thorough. As it happens—I make no connection—the crisis occurred under a Labour Government. The then Minister of Agriculture, Fred Peart, later Lord Peart, came out of it with a greatly enhanced reputation. His handling of the crisis, the way in which the Northumberland report was prepared and the actions that it recommended redounded to the credit of Governments generally, irrespective of party-political affiliation.

My farmers and the communities in the rural areas of Eddisbury wish that what happened then could have been emulated now. I dare say that that feeling reaches across the north-west, especially in Cumbria, where my right hon. Friend the Member for Penrith and The Border (David Maclean) and my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) have had to face by far the worst of the crisis. There have been lost opportunities, for which the Government must stand accountable, in what all of us feel has been a very sad episode in the life of farming in the north-west. I urge them to think again about having a collection of inquiries, not least as there is a very large question mark about whether they are truly of a public nature. While they have a number of inquiries, it is impossible to dispel concern and suspicion about their motivation being an intention to divide and rule. There is anxiety that the inquiries represent the desire to use a more manipulative approach, rather than a genuine attempt to learn the lessons, however hard, for all concerned, as we go forward and try to build a future for the rural economy, which is so critical to my constituents and to people throughout the north-west.

It is right that the Animal Health Bill has been criticised. Yet again, the Government are using the title of a Bill to try to lull people into false security. If one looks very carefully at the detail of the clauses, one has the impression that animal health is not necessarily the motivation of the Bill. The more that I have looked into the matter, the more that I am concerned, especially in the light of representations from my farmers, that the Bill is the nearest that I have seen in my two and a half years in the House to the introduction into a Parliament of a Stalinist measure—a suggestion that I am loth to make.

There is something that the Government could do now—or could have done previously—that would alleviate the problems. I refer to the need to address issues relating to honesty in food labelling. I make no apology for the fact that this matter is something of a passion of mine. By dealing with it, the Government could not only help farmers, but demonstrate once and for all that they have grasped that the link between producers and consumers is essential to the survival of the rural economy in the north-west and elsewhere. By breaking that link in the value chain—a simple and obvious business and economic notion—through the Food Standards Agency's introduction of labelling regulations, they have ensured that accountability now rests with the Department of Health. The Government have suggested that they have only a consumerist agenda—or perhaps an eye on voting intentions—rather than a true understanding of the true drivers and economic underpinning of food production in this country.

There is a need for honesty in food labelling in countries of origin, as there is an enormous need for the consumer to have confidence in where food has come from. A proper approach is also required in terms of the control and expectations of high-quality production standards. Our farmers, not least in Eddisbury, and throughout the north-west, have production standards that are not only the highest in Europe, but can match the best in the world. It was a huge disappointment that yet again, when a private Member's Bill on food labelling was recently introduced, it was a Minister, this time from the Department of Health, who talked it out. The same thing happened when I introduced a private Member's Bill on the subject in the last Session. That Bill was blocked by the right hon. Member for Gateshead, East and Washington, West (Joyce Quin), then a Minister in the Ministry of Agriculture, Fisheries and Food.

It is a great shame that the Government are taking that approach. Such proposals are a lost opportunity and they could easily take them forward, instead of hiding behind what is becoming a nightmarish and bureaucratic set of skirts around the EU. To realise what they are doing, one has only to look at the latest letter from Lord Whitty, the Minister for food, farming and waterways, to the public relations manager of the National Farmers Union. In the letter, which is dated 15 November, Lord Whitty talks much about illegal imports and tries to give some sense of confidence to all of us who are concerned about these matters and the desperately anti-competitive position that is created for our farmers, but there is not a word about food labelling and the need for honesty. The letter is yet another smokescreen that attempts to get away from the essential element that should be addressed.

Dairy farming is, patently, critical to my constituents, but it is also fundamental throughout the north-west. It is clear that the collapse in incomes has been severe. The Government are often focused on the need to dispel the idea that intensive farming is a way forward and to suggest that we should consider diversification. Most of my farmers have diversified to the nth degree and have continued to try to do so. When the Prime Minister appeared in the Ceredigion by-election and was spouting diversification, it was notable that he came with none in his pocket. In a number of conversations, farmers in my constituency have told me that diversification is all very well, but often relies on the tourism industry. That has also been shattered by the foot and mouth epidemic, which has broken confidence in tourism. For most farmers, who cannot alienate the asset—the land is where it is—such an approach is tinkering at the edges and is not fundamental. Many have been encouraged by the Government to go organic, but the organic market is now over-supplied, often by products from abroad—a problem that is causing intense difficulty for those who have got to undergo a long period of adjustment.

Mr. Nicholas Winterton: My hon. Friend presents a splendid case on behalf of farmers in the north-west. Will he also comment briefly on the right to roam, which will cause immense difficulty for livestock farmers, especially in respect of guaranteeing safety for people when they are on the land? Moreover, the Government seem to have extended the right beyond heath, moor and down to ordinary farmland. Will there be no privacy, security and rights for farmers in this country?

Mr. O'Brien: As always, my hon. Friend makes a topical and important point. Cheshire is one of the first areas in the country to be mapped for those purposes. To relate the matter to the debate, I turn to one of the major points that I hope the Minister for Rural Affairs will take away with him, even if he is not in a position to respond to it today. In the light of the Lord Haskins report, there has been a comprehensive attack on the underpinning of the rural economy and market. I refer to the suggestion that cattle marts should be put to a slow—or even fast—death. The lorry that comes to take cattle to the abattoir—sadly, this one of the only services that works—can go past the end of the farm gate. The calves cannot be taken to the gate for picking up. However, people who would like to roam and ramble can come to the lane, if there happens to be a public footpath, and there is no control over them, especially as the vehicles will travel along the route. There is a complete and utter discrepancy between the approach regarding those who wish to enjoy the countryside for its amenity—I would certainly encourage them to do so—and that which relates to those who have to earn their living from it. That is causing deep distress to many of my constituents.

Mr. Michael: Does the hon. Gentleman accept that his words about encouraging people to come to the countryside contrast starkly with what he has just said? He appears to be suggesting that there is a risk of walkers spreading foot and mouth disease when the veterinary risk assessment demonstrates that that is not the case.

Mr. O'Brien: On the contrary. The Minister has helped to reinforce the point that the discrepancy works against farmers, rather than for the ramblers. No doubt, there will be discussion of routes that ramblers can take, but many of my constituents are upset by the fact that farmers are continually subject to enormous pressures from regulation, which is driving many of them to despair and is certainly attacking their income. Fear of a renewed outbreak of foot and mouth has created the difficulty that sheep from north Wales will not be overwintered on the flat pastures of the Cheshire plain, which will lead to further loss of income. Cheshire county council and Business Link are aware of that and have sought to give advice, without much funding to back them up, to help businesses through the worst of recent times.

It would be right to record that during the collapse of incomes there has been a dearth of young people wishing to join the industry, which is causing intense concern among family businesses. To make sure that the Minister at least takes something away from our debate, I should like to put on record again the fact that Cheshire is on the front line in the increasing spread of tuberculosis. We are waiting, with bated breath—if we carry on holding our breath I dare say that we will all expire before we get an answer—the results of tests originally conducted on the recommendation of Professor Krebs. Measures on the spread of TB need to be thought through, and we must consider whether the

[Mr. O'Brien]

problem is related to the badger population. We need a conclusion on the tests, because the disease is causing intense concern in Cheshire. I know that farmers in the north-west feel that if Cheshire is breached, they will all be at exceptionally serious risk.

This is not a case of special pleading for farmers; we are doing the job of representing our constituents—our farmers, all those involved in the rural economy and communities that are dependent, first and foremost, on a thriving farming industry and have faced many pressures recently. I accept that there is probably no quick fix, but a number of farmers will no longer be able to survive in the industry. I urge the Government to look at that major strategic issue. The industry is worth fighting for. The Government should not simply tinker at the margins and give priority to people who see the countryside as something to be enjoyed. If farmers in the north-west are not supported, the countryside will not be the attractive place that the rest of the community wishes to enjoy.

12.2 pm

Mr. Lindsay Hoyle (Chorley): I thank the hon. Member for Ribble Valley (Mr. Evans) for ensuring that this debate has taken place. I am sorry that we do not have more time; Members have been a little greedy this morning, and could have shared the time a little more.

My constituency was one of the first to be affected by foot and mouth; one of the first cases in the country occurred there. We were lucky that MAFF was effective in south Lancashire; it dealt with the case although, unfortunately, a neighbouring farm lost its cattle as well. However, I congratulate the Department on the way in which it dealt with the problem; we had no further cases. I am pleased that our farmers were lucky. However, I am concerned about the effect on farmers whose animals did get foot and mouth. They suffered, are still suffering and have not secured free transportation for their animals; they cannot get into the export market. Farmers in our area got out of beef farming because of BSE and the problems that it created. They went into sheep farming, but now they cannot get a proper price for their animals and are beginning to suffer. Will the Minister consider seriously the idea of blood-testing sheep to get them into the export market? I hope that he will take that on board because Mr. Lawrence, a farmer in my constituency, is suffering; he has done everything right but, through no fault of his own, is beginning to suffer because he cannot get back into the export market.

On BSE, I am interested in figures for France and Germany, since our export markets are still blocked. We must look at that and get the ban lifted; we want to make sure that the same thing applies to all countries. Without question, tourism in south Lancashire has been affected. The Salmon family have run Rivington Barn for many years, and provided a good quality service. However, it was affected, just like the farming community. I hope that we can ensure that tourism will return.

Tony Cunningham (Workington): I apologise for my late arrival; I have just come from a Select Committee. When talking about farmers and tourism, we must remember that many farmers are also involved in the tourism industry; we need to protect the industry because it is important to farmers as well.

Mr. Hoyle: I agree with my hon. Friend. We must look at how to assist farmers who want to diversify; it is important that we help them. A moorland farm in my constituency can apply for funding, but the adjoining farm cannot. We need to deal with that and ensure that there is a level playing field for all farmers—that all have an equal opportunity to diversify and can all apply for funding.

I turn to the issue of labelling, which has already been raised. We need clear, open labelling to ensure that people know where food is sourced from, where it has gone and what is on the shelf. We want to develop that and make sure that it is introduced. People have asked for a public inquiry, and I believe that we should have one: indeed, I would go even further. Many people will not agree but, once this is over, we should have a royal commission on the future of farming in the new millennium. The Government could consider that proposal. We should also conduct research into vaccination and the effects of cattle vaccination on wildlife, because without vaccination, foot and mouth can be transferred to deer herds. More money, resources and research are needed. In future, better resources for the Department for Environment, Food and Rural Affairs are needed; at the moment, they come in cycles and we never know when the next cycle will be. We want to ensure that money is available.

The armed forces played a major role during the outbreak, but did so too late. They should have been brought in much earlier and quicker. They were good and effective and we ought to be ready if they are needed again; we must ensure that they know what their role is and what they are expected to do. It is important that their role is established, and they are ready if the situation ever arises again. I hope that it does not, as many farmers have been affected in the north-west and we must look after them.

Members of Parliament should have been briefed at the beginning of the outbreak. MAFF would not reply to us and said that we had to go to a Minister. How could a Minister deal with our inquiries, when we were asking questions posed by our farmers? We cannot rely on the press to inform Members of Parliament; it should be us who inform the press. Local authorities were receiving information. Luckily, I have a good working relationship with my local authority, which informed me of what was happening, but that is not right. There should be a clear route from DEFRA, locally and regionally, to Members of Parliament and their offices. At the end of the day, farmers were in dire straits. They were suffering and were under the cosh. They needed support, and the way to provide that is to ensure that we have the information in the first place.

I shall conclude now, as I know that others wish to speak.

12.7 pm

Mr. Colin Breed (South-East Cornwall): I add my congratulations to those already offered to the hon. Member for Ribble Valley (Mr. Evans). This is a timely debate because, just as the crisis has slipped from the newspapers and from many people's minds, many farmers and people involved in farming activities are beginning to feel the pinch. Most of them have managed to get through the summer; they have had a reasonable cash flow, and there is evidence of people visiting their village pubs, shops, post offices and so on. Now, however, we are hitting winter and farmers' cash flow is certainly drying up; now is the time when some will clearly fail.

I want to say a couple of things about something that is turning into a great divide. Some farmers have a choice because they have received compensation and have a particular holding that gives them opportunities. Their age and family situation give them a choice about what they can do in the next year, or in two, five or 10 years' time. However, a considerable number of struggling farmers have little choice. They have not received any compensation, but have been hugely affected by foot and mouth, especially the movement restrictions. The banks have been sympathetic to them, but they have had to borrow considerably more money. Although interests rates have come down a bit, which has cushioned their position a little, they are now borrowing more than they have ever borrowed in their lives. Their borrowing is going up and the value of their assets is going down; they are locked into a bleak future. Some of them are tenant farmers who have received little—in some cases, nothing—in assistance at this critical time.

There needs to be a strategy for both sets of farmers. For those who have a choice, there should be an understanding of the Government's over-arching strategy. They need to know how they will play their part in future farming patterns. Diversification is a matter for them. They also need to know what investment they may be able to make and how they can spend their compensation money in restocking or moving into something else. In other words, they need to understand what their future is and the best way of using their assets to invest.

Those farmers will be able to have a future, but we need a strategy for those who will remain in agriculture, to ensure that they can provide the safe, sustainable, animal welfare-friendly and properly labelled food that we all want.

I have considerable sympathy with the views of the hon. Members for Eddisbury (Mr. O'Brien) and for Chorley (Mr. Hoyle). There is a desire to move the debate on and to tackle the issues. I know that some of them are difficult from a European perspective, but consumers want us to get on and do our job in providing honesty in labelling.

Will farmers who have seen their income fall and costs increase be able to trade their way out of that situation? If the answer is yes, how long will the process take? Will banks be sympathetic for ever? What support can be given to them? What is the strategy for those who are locked in?

What about farmers who have reached the age at which they are thinking of retiring? Many farmers in my constituency, and I am sure in the south-west as a whole, are rapidly approaching the time when they would like to retire, but they cannot. They are locked into an extremely difficult situation. Is there no hope of a dignified early retirement scheme to allow them to get out of a situation for which they are not to blame?

There are businesses that will fail this winter; through no fault of their own, they will not make it through to next summer. Given the costs that they have endured and the income that they have not had during the summer, they will go under. There will be little information about that published in the newspapers. I hope that the Government will not abandon farmers who find themselves in that position.

12.13 pm

Mrs. Ann Winterton (Congleton): I join other Members in congratulating my hon. Friend the Member for Ribble Valley (Mr. Evans) on introducing this timely debate, which has been extremely interesting. I shall have to gallop to pick up some of the points that have been made.

My hon. Friend stated categorically that agriculture does not stand alone. It underpins the economy of rural areas. Foot and mouth disease has had an enormous impact on farming, with shock waves going through allied industries, including machinery and feed merchants, and particularly tourism.

The north-west is a large livestock area. The impact of the foot and mouth epidemic, especially in counties such as Cumbria, has been dramatic. It has devastated the industry. The point has been well made that those whose farms have been culled out have the time to consider whether they should restock or change their enterprise. Livestock owners whose farms have not been culled out are suffering dreadfully, especially those in the hills. Over-stocking has taken place because of the inability to move the animals. There are difficulties with forage. This is the busiest time of year for movements of sheep, but livestock owners have been unable to move anything from their holdings.

Mr. Collins: My hon. Friend is entirely right. Does she agree that it would be helpful if the Minister addressed the great difficulties for hill farmers in my constituency and elsewhere which stem from the operation of the 21-day restrictions, and their fear that they will be made permanent? There are serious agricultural necessities that make it necessary for farmers to move livestock on and off farms within 21 days. The weather makes it impossible to operate otherwise. The Minister must address the difficulties that arise from the introduction of such a system.

Mrs. Winterton: I cannot add more to the important point that has been made by my hon. Friend. Having been fortunate enough to visit his constituency recently, I know only too well that what he says is true. The sheep sector and other livestock sectors would be devastated if the 21-day rule remained.

There must be an understanding of the difference between intensive agriculture and extensive agriculture. In the uplands, we have extensive agriculture, and there have to be animal movements.

My hon. Friend the Member for Ribble Valley called for fair competition for farmers, with no more added regulation being placed on their shoulders by the Government. The climate change levy is one example

[Mrs. Winterton]

that has been mentioned. In addition, cheap food imports are flooding in, bringing with them the possibility of both animal disease and human disease. The problem needs to be tackled. In introducing the Animal Health Bill, the Minister has put the cart before the horse. Surely the Government should have done something about illegal imports and other imports as a matter of priority. The important issue of keeping disease out of the country needs to be addressed.

Biosecurity has been mentioned. Farmers feel sore about being accused of spreading disease themselves. I said only the other day that Department for Environment, Food and Rural Affairs officials and others are equally to blame, if blame is to be apportioned. In another area—not the north-west—I have seen the poor biosecurity arrangements at DEFRA headquarters. In Cumbria, however, I was most impressed by what the county council had done in terms of biosecurity. We all know that delays in the slaughter and disposal of dead livestock were more responsible for spreading foot and mouth. The initial delay in making decisions meant that twice the number of animals were slaughtered than need have been.

I think that everyone is still in favour of a full independent inquiry. We believe that that is essential if there is to be transparency. Until the Government face what went wrong, no real progress can be made. Confidence in the Government's integrity will remain shattered until such an inquiry takes place. Every farming and rural organisation demands an independent inquiry. We commend Devon and other counties for their individual initiatives, but the Government should be taking the lead.

The hon. Member for South Ribble (Mr. Borrow) mentioned horticulture and arable areas. Those are extremely important, but we should perhaps concentrate on the livestock sector. The hon. Gentleman talked about the need for co-operation among smaller units if they are to get together to build a critical mass. That is equally true of the livestock sector. Unless it can negotiate with supermarket chains on better terms than at present, it will continue to be screwed into the ground.

My hon. Friend the Member for Eddisbury mentioned the Northumberland report and the lessons from that which were not learned by the Government. He mentioned the importance of honesty in food labelling. He referred to diversification, which has been going on since the 1980s. However, that can never replace the necessity for farming and agriculture to thrive in the United Kingdom, with commodity prices at added value, to ensure that the countryside is kept as we all wish to see it kept. We all want to see a vibrant industry.

Mr. Nicholas Winterton: My hon. Friend has raised an important point. Will she emphasise that unless the countryside is farmed and farmers are making a profit, we shall not be able to maintain the countryside in a way that will attract tourism, which is so important?

Mrs. Ann Winterton: My hon. Friend is right. At present, cash flow is extremely difficult. Perhaps many farmers will leave the land when the crunch comes. The Government can help them now. For example, the annual sheep premium is at a low level, and we could have a national supplement. The hill farm allowance was introduced at 90 per cent. of the former hill livestock compensatory allowance. Will the allowance be maintained at that level until 2002 and later, and not cut to 50 per cent.? Will the Minister ensure that the teams that are now not having to test for foot and mouth will move on, as we hope, to test for TB? That testing has gone by the board. It is a vital issue for livestock farmers in the west of the UK.

12.19 pm

The Minister for Rural Affairs (Alun Michael): I congratulate the hon. Member for Ribble Valley (Mr. Evans) on obtaining a timely debate, in which we have examined the impact of foot and mouth disease on the north-west; I have witnessed its effects on people and the economy in the region. Monday was the 50th day since the last outbreak. It must be cause for some optimism that 52 days have passed since 30 September, when the last outbreak occurred. Despite that, there is no doubt that times are tough for many farmers, and foot and mouth disease has hit the north-west hard. The problems have been compounded by low world commodity prices, exchange rates and other matters.

Several excellent contributions have been made to our short debate. It is difficult to do it justice, especially when many contributions were one-sentence interventions about massive issues. It is impossible to respond to them adequately in such a short time. For example, my hon. Friend the Member for South Ribble (Mr. Borrow) made a thoughtful speech in which he referred to the inevitability of change and the importance of events at Doha, and challenged the Government to engage with change. We accept that challenge.

We must record the success of farmers such as those in my hon. Friend's constituency who compete effectively as businesses. He was right to stress the need for farmers to work co-operatively if they are to have enough muscle to ensure that a greater proportion of supermarket prices reaches their pockets as primary producers. Good examples exist, but we must continue to encourage that. Many more farmers need to learn the importance of working together. Pressure of time prevents me from responding to all the points in my hon. Friend's considered contribution, but I shall do that in writing.

I shall also write to the hon. Member for South-East Cornwall (Mr. Breed) about some of the points that he made and to the hon. Member for Westmorland and Lonsdale (Mr. Collins), whose intervention covered a big question, to which there is hardly time to refer, let alone respond in detail.

My hon. Friend the Member for Chorley (Mr. Hoyle) stressed the need to get back into export markets. I assure him that we are focusing on the international dimension of the challenge to farming. Diversification and extending opportunities are also important.

The hon. Members for Eddisbury (Mr. O'Brien) and for Congleton (Mrs. Winterton) missed an opportunity when they referred to measures that are currently being considered. Surely they acknowledge that speedy action is crucial in tackling an outbreak. When culling was challenged, delays caused problems. Imagine the criticism that Conservative Members would be levelling at us if we had not acted to take powers, and another outbreak of foot and mouth disease had come rushing through the country.

Mrs. Ann Winterton: What about prevention?

Alun Michael: Of course prevention is important and the Government are putting a great deal of effort into it to ensure that outbreaks do not recur.

We are tackling import control. Conservative Members do not appear to understand that diversification is not only about tourism.

Mr. Nicholas Winterton: Of course we do. We are part of the community. It is the right hon. Gentleman who does not understand.

Alun Michael: The hon. Gentleman is blustering as usual. He should listen for once.

Mr. Nicholas Winterton: Rubbish.

Alun Michael: The hon. Gentleman claimed that the organic market was oversupplied. It is not being oversupplied by British farming. That is why the Government support diversification into organic produce.

The hon. Gentleman's ranting intervention about opening rights of way should have been treated with contempt. If Conservative Members examine the veterinary risk assessment of a variety of activities—farm-related and non-farm-related—they will appreciate the care with which controls have been placed on them. All controls are based on the assessment.

Promoting the myth that walkers spread foot and mouth disease damages the countryside and farmers who depend on tourism, as my hon. Friend the Member for Workington (Tony Cunningham) said. Movement between farms and groups of animals creates the problems. Farmers have commented on the interdependency of farming and tourism. Many say that they had never appreciated it before they witnessed the impact of the outbreak on the whole rural economy.

The hon. Member for Ribble Valley made several serious points, although I fear that most of them were negative. However, he and the hon. Member for Congleton indulged in some regrettable populism when they suggested that a public inquiry would act as a magic wand. The Government's arrangements, which comprise three strands—consideration of veterinary issues, the future of food and farming and especially what may have gone wrong at different stages of the outbreak—have been established to ensure that lessons are learned quickly and measures are introduced so that failures are not repeated. That is the correct approach to issues that hon. Members have rightly raised.

I have spoken to many people involved in farming and other parts of the rural economy. Some understand the difference between a public inquiry, and the mantra that suggests that it is simple, and the alternatives—

Mr. Nicholas Winterton: What about transparency?

Alun Michael: The alternatives will be transparent and bring information into the public domain. They will be speedy and exhaustive. Those who understand the difference have said that the Government are doing the right thing. *[Interruption.]* Those who suggest that a public inquiry is a magic wand which reaches parts that the three strands cannot reach are irresponsible. *[Interruption.]* Conservative Members are being irresponsible.

Mr. Nicholas Winterton: You don't want the truth.

Alun Michael: The hon. Gentleman is wrong.

Mr. Joe Benton (in the Chair): Order. I am sure that hon. Members appreciate that the Minister has 10 minutes in which to reply. There are tried and tested, orthodox means of intervening. May I prevail on hon. Members to keep the background music at its lowest volume?

Alun Michael: I am grateful, Mr. Benton. It would be nice if Conservative Members listened. Having put them right on a public inquiry, I need to set the record straight on the Government, who have been a good friend to farmers.

Mr. Nicholas Winterton: Arrogance.

Alun Michael: No, it is the hon. Gentleman who is being arrogant in trying to shout down the truth. He is irresponsible.

Mr. Nicholas Winterton: I am not. You are.

Mr. Joe Benton (in the Chair): Order. I have already asked for hon. Members' co-operation. I now ask hon. Members to listen patiently to the remainder of the winding-up speech. If any hon. Member feels it necessary to intervene, it is up to the Minister to decide whether to give way. I ask again for the background music to be kept low.

Alun Michael: I am tempted to suggest that Conservative Members simply want to cut the time available for the response.

Those who peddle scare stories are not undermining the Government, but the confidence of those who deserve encouragement and support. Those people desperately need confidence. Let me nail the rural myths. The Government are not trying to shut down British livestock farming; there is no European Union plot to sabotage farming; we are not using foot and mouth to close down large parts of the sheep sector. The Government are committed to viable, vibrant and sustainable British agriculture, which comprises livestock and arable farms.

Mrs. Ann Winterton: Will the Minister give way?

Alun Michael: No, the hon. Lady had her chance.

Mr. Nicholas Winterton: Oh!

Alun Michael: The hon. Lady should control her husband; we would then have more time for debate.

Mrs. Ann Winterton: On a point of order, Mr. Benton. I understood that you were in charge of proceedings and

[Mrs. Ann Winterton]

that you would call hon. Members to order if necessary. It is not for me to call any hon. Member to order and I should like the Minister to withdraw his rather silly remark.

Mr. Joe Benton (in the Chair): I call the Minister.

Alun Michael: It is understandable that most of the debate has focused on foot and mouth disease because the crisis has devastated farming communities. It has affected not only farmers but tourism and rural businesses generally. It has also highlighted the strong interdependence of farming and other parts of the rural economy. It is therefore encouraging that the crisis has brought together previously disparate rural interests to collaborate on mutually supportive solutions. I am sad that that has not been reflected in Conservative Members' contributions.

I want to place on record my thanks and those of my ministerial colleagues to the staff who have shown such dedication and commitment throughout this period. I have visited the disease control centres in Carlisle and the north-east. Many relatively junior members of staff have taken on major roles and risen to the occasion, and they deserve our appreciation.

The interruptions have meant that I have had little time to respond. I undertake to examine the record of what has been said by all hon. Members, especially the hon. Member for Ribble Valley, and ensure that I do not fail to cover in correspondence any points that I have been unable to tackle in the debate.

Children Act

12.30 pm

Ms Karen Buck (Regent's Park and Kensington, North): I am grateful for the opportunity to raise this issue. The 35th anniversary of Ken Loach's groundbreaking documentary "Cathy Come Home" fails next month. The programme put homelessness on the post-war map by dramatically showing the effect it can have on attempts to keep families together.

A great deal has changed since that television programme was made. Indeed, it was part of the reason why changes took place. The safety net for homeless families has been strengthened considerably, most notably by the Housing (Homeless Persons) Act 1977 and, following a setback under the Housing Act 1996, the Homelessness Bill, which is going through Parliament. As I said in a debate on the Bill, it is attempting to rewrite "Cathy Come Home" with a happy ending, but, unfortunately and separately from mainstream housing legislation, two recent court decisions on the operation of the Children Act threaten to undermine some of the good work and once again raise the spectre of homelessness leading to parents facing separation from their children.

Under the 1996 Act, local authorities have a duty to provide accommodation for unintentionally homeless people in priority need, but where families with children are not to be housed by a housing department the Children Act provides a further safety net, which is particularly important when families are found to be intentionally homeless. Approximately 9,000 households are found to be intentionally homeless every year; the majority are families with children.

Decisions on intentional homelessness are notoriously complex. Shelter's experience is that local authority intentionality assessments are often harsh—I can bear out that experience from my case load—and in many examples inadequate. Housing aid centres often successfully overturn assessments when they can prosecute cases to conclusion. In addition, some authorities apply the letter of the law so strictly that households may be found intentionally homeless in circumstances that appear unjust. For example, a family may experience unexpected financial difficulty and sell their home to avoid falling into debt.

The consequences of being found intentionally homeless are severe. The household are given only limited time in temporary accommodation—usually about 28 days—and are often barred from the housing register. In such circumstances, their options are likely to be extremely limited. Private sector accommodation requires a deposit and rent in advance—resources that are beyond the reach of many homeless households. Again, I have extensive constituency experience of such difficulties.

The Children Act provides an important means to secure vital assistance for families with children when the housing department is not under a duty to house them. Families are often given assistance by social services authorities under section 17 of the Act. For example, help with a deposit or the rent is provided or, in some cases, accommodation, which may also be provided under section 20, is offered.

Although the combination of the duties placed on housing departments under the homelessness legislation and the powers available to social services under the Children Act has provided a reasonably satisfactory, though far from perfect, safety net for homeless families with children, the nature of the obligations on social services authorities under the Act has been considered in two recent cases.

The Court of Appeal decision of 11 April 2001 on the application for judicial review by G found that section 17 merely confers a power rather than a duty for local authorities to provide assistance and that the duty to provide accommodation under section 20 is one to house the child, not the parents with the child. The High Court reiterated that judgment in A *v.* London Borough of Lambeth on 25 May 2001. The decision was reconfirmed in the Court of Appeal on 5 November.

The decision of the courts in those cases is likely to have a significant impact on homeless families seeking assistance in finding accommodation from social services authorities. As a result of the judgments, social services authorities are likely to provide help in far fewer cases. When help is provided, it is much more likely to be an offer to house the children, without their parents, under section 20. It will be an offer to take the children into care.

In my judgment, that severely undermines the central principles of the Children Act: that the needs of the children are paramount and that families should be kept together wherever possible. Parents will clearly not want to be separated from their children and, in practice, it is likely that families confronted with a social services offer to take a child into care will search desperately for other alternatives to stay together, no matter how inadequate or short term.

I am conscious of the fact that such threats and pressure may be a salutary experience for families that get into difficulties with rent or mortgage arrears or whose older children become involved in antisocial behaviour, but, when the final penalty is applied and the families are effectively homeless and without further call on public support having exhausted their various options, it can lead to a rapid deterioration in family circumstances.

The result may be that families sleep on friends' floors, often in highly overcrowded and volatile circumstances, and I have experience of families and children sleeping in cars. Furthermore, enhanced mobility makes it difficult to track families, particularly those with younger children. I do not want to overplay the situation, but the Victoria Climbie inquiry shows the dangers for that small minority of children who fall through the service net. Such mobility may lead to teenage boys and girls drifting into casual arrangements with friends or girlfriends, which are unsuitable in terms of minimising the risk of becoming involved in unfortunate circumstances such as unplanned pregnancy or antisocial behaviour.

I accept that parents may be at fault and that some intentionality decisions are justified according to the letter of the law, but that does not justify the unacceptable risks arising for families from the removal of all the legislative safety nets.

I refer briefly to a letter sent to me by ATD Fourth World following the recent article on the issue in *The Observer*. It makes a point that I agree with:

> "Most of the families we work with have had experience of being in care as children . . . again and again we see evidence that the deeper the poverty of the family, the wider the range of disadvantages they struggle with, the more likely they are to lose their children rather than get long term help and support to stay with them."

I shall run through cases that have come to Shelter's attention as a result of the recent judgments. One involves a family with children aged six, 10 and 13. There were no health or child protection issues and the household were found to be intentionally homeless because of rent arrears. They stayed with in-laws until asked to leave and they then approached the homeless persons unit, which refused to assist. They slept on the streets for a night and returned to the homeless persons unit, which referred them to social services.

Social services said that no help could be provided for the family as a whole and offered to take the children into care. Shelter contacted the social services department to arrange an assessment under the Children Act. The parents called back the next day to say that they had been refused additional assistance. At that point, Shelter lost contact with the family. That is exactly the risk of vulnerable families falling through the net to which I referred.

The second case involves a woman with mental health problems stemming from being sexually abused as a child. She brought her assured shorthold tenancy to an end because she could no longer afford the rent. She has two children aged 15 and 10, and the youngest, who attends a special needs school, has learning difficulties. They approached the local authority for assistance under the homelessness legislation and were placed in hostel accommodation for a month.

The family were then found to be intentionally homeless—a decision that was upheld on review—and they applied to the social services authority for assistance under the Children Act. It offered accommodation for the children only when the hostel accommodation was no longer available. The woman refused the offer.

The housing department has sought possession of the family's hostel accommodation. With representation from Shelter, the possession order has been delayed for six weeks, and a judicial review is now under way against the social services authority. Although the opinion of the health authority community care team is that the mother is vulnerable and in need of on-going support, and that her condition is being exacerbated by uncertainty about her housing and fear that her children will be taken into care, the recent court decisions mean that the prospect of success is weak.

Another family, with two children aged six and three months, were refused assistance by the housing department. They stayed secretly in a friend's room in a single person's homelessness hostel. The hostel found out, and asked them to leave. They sought advice from Shelterline, which arranged for them to be referred to social services for an assessment under the Children Act. Social services responded by offering to take the children into care. Although the mother was still breastfeeding her three-month-old baby, they told the Shelterline adviser that separating the children from their parents was not against their best interests, and no further assistance was offered.

[Ms Karen Buck]

Shelter has been involved in other cases. I am currently dealing with two. On Friday, the mother of an 11-year-old was told to leave her homelessness accommodation. I do not query the validity of the intentionality decision; I do not know whether it is correct or not. What I do know is that the mother refused a review, and then consulted me on the day on which she was due to leave. I have reason to suspect that anyone who refuses a review in such circumstances is confused and vulnerable, and in need of a high level of assistance.

Another case involves the mother of five sons, two of whom, regrettably, have been involved in serious antisocial behaviour. The family face eviction, and an offer has been made for the three youngest children to be taken into care by social services. I have no doubt that the family are likely to end up sleeping casually and with friends in the area where the antisocial behaviour was occurring, and that the proposal will not offer a long-term solution.

A number of people have written to me since *The Observer* article, pointing out that part of the problem is that it is becoming increasingly difficult for families on housing benefit or low incomes, and particularly families with a chequered housing history, to gain access to private rented accommodation. Alternative provision, particularly in London and the south-east, simply does not exist.

I raised these issues in July, in the Standing Committee considering the Homelessness Bill. In last week's Second Reading debate in another place, they were raised by several peers. Lord Falconer said that the Government took the matter very seriously and were giving it careful consideration, and that he intended to meet representatives of local authorities and social services and report what they had said. I am sure that he is doing that, and I welcome the seriousness with which he is taking the issue.

I have had my own conversations with representatives of local government and social services, who have described court decisions on the Children Act as retrograde steps. They have also made important points about the resource implications for hard-pressed social services departments.

I know that the problem is being addressed. My aim is to push things further, especially in the context of legislation currently being considered in Parliament. I believe that sections 17 and 20 of the Children Act, which have been called into question by the courts, should be amended to strengthen social services' duty to give assistance to homeless families with children. Guidance should not be sufficient. In the case of R *v.* Lambeth Borough Council ex parte A, Lord Justice Laws said:

> "The guidance is not a legal resource for the construction of the statute".

Guidance therefore will not be sufficient. I hope that if the Homelessness Bill cannot be amended—and we were advised that such amendments would be outside its scope—an amendment can be tabled to the Adoption and Children Bill, which is currently before a Special Standing Committee in the House of Commons.

The court cases have thrown up a serious issue that particularly affects vulnerable families at a time of nothing less than housing crisis, especially in London and the south-east. It is essential for the Government to use whatever opportunities are available to close the loophole.

I am grateful for the opportunity to raise the matter, and I look forward to the Minister's reply.

12.44 pm

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): I welcome the chance to discuss this important issue. The debate is timely, because these matters are at the forefront of our minds following the recent Court of Appeal judgment—referred to by my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck)—in the case of A *v.* London Borough of Lambeth. We all agree that our social legislation should provide an adequate safety net for the most vulnerable members of the community.

The Children Act 1989 remains extremely important to the establishment of such a safety net. The Act, its accompanying regulations and the associated volumes of guidance cover all statutory care of children in England and Wales. The Act created a comprehensive framework of powers and duties for local authorities with social services responsibilities, to ensure that children receive the care and protection that they need. It promotes co-operation among the various statutory agencies and among professionals to safeguard and promote the welfare of children, and imposes a range of responsibilities on local authorities for the care and protection of children and young people under the age of 18.

My hon. Friend drew particular attention to issues raised by sections 17 and 20. Section 17 requires local authorities to promote and safeguard the welfare of children in their areas who are in need and, so far as is consistent with that duty, to promote their upbringing within families. It gives authorities a range of powers that they can exercise to fulfil that duty. They can, for instance, assess children's needs, provide assistance in kind or in cash, and arrange for others to provide any necessary services. Section 17 also makes clear that assistance can be given to the family of a child in need—my hon. Friend referred to that important point—or to any member of the family, as long as it is intended to promote or safeguard the welfare of the child. A connection must be made: the main consideration must be the child's welfare, but if in the fulfilment of the child's needs it is necessary to assist the family, section 17 allows that.

The Act and, more recently, the legal judgments from which my hon. Friend's concerns stem make clear that the section 17 duty is not a specific duty relating to the needs of an individual child, but a general duty. Local authorities must meet the needs of children in their areas. They must provide a range of services that promote and safeguard the welfare of all children in need, but those services do not have to be perfect for each child. Authorities have no legal obligation to address the needs of individual children in any particular way.

Under section 20, however, authorities have a duty to individual children in need. It is, specifically, to provide them with accommodation if they have no parents, or if those who have been caring for them cannot give them suitable accommodation and care for whatever reason. That safety net is probably used most often by local authorities to accommodate disabled children for short periods, allowing their families a respite from their caring responsibilities, but it can also be used as a support by homeless parents, giving them time to find suitable accommodation without having to worry about their children's safety in the meantime.

I know that my hon. Friend is very concerned about the effects of recent court judgments. Officials in my Department are still considering them carefully, particularly the one that my hon. Friend mentioned most—the A *v.* Lambeth Borough Council judgment, handed down only on 5 November. These are clearly important cases that will have far-reaching effects, and my hon. Friend has done us all a service by drawing their implications to our attention.

The case of G *v.* London Borough of Barnet defined section 17 duties more specifically. It made clear that once an offer of help under the section had been rejected—provided that accommodation for a child was available under section 20 and the offer of help under section 17 remained open—a local authority was under no obligation to offer a different form of help, although its offer might not be entirely what the family wanted. When an authority has made an offer of help under section 17, it has a fallback under section 20. If a family chooses not to accept the offer, the authority has met its legal requirements.

The finding of the High Court in the second case again confirms that the section 17 duty is a general duty. However, the judgment of Sir Philip Otton and Lord Justice Chadwick went rather further than the matters being considered by the court. They concluded that section 17 did not encompass, or give powers in relation to, the provision of accommodation. I believe that in the past some authorities have used section 17 as a permissive power enabling them to give families accommodation, perhaps on a short-term basis—despite having no legal duty to do so—when that has been judged to be in the best interests of a child in need. The worrying part is that, if the A *v.* London Borough of Lambeth judgment were to hold, there would be no such power under section 17, which could limit the actions of local authorities. As I say, officials in the Department are considering the judgment extremely carefully to ascertain the implications of the comments by Sir Philip Otton and Lord Justice Chadwick.

Before April this year, housing authorities that had assessed a family as intentionally homeless sometimes told local social services that there might be one or more children in need in the family. Social services would then carry out an assessment of the needs of the children. It might end up housing the family, sometimes in less than satisfactory bed-and-breakfast or hostel accommodation. There is a desperate shortage of housing, certainly in the London area, so accommodation is hard to come by. That is not always the case in other parts of the country, as my hon. Friend is aware. Indeed, in the area that I represent, there is a surplus of accommodation, but I recognise the stresses in London and the south-east area.

Housing people in bed-and-breakfast or hostel accommodation and carrying out assessments took up a great deal of social services' time and often did not result in a satisfactory solution for the families concerned. I am pleased to be able to tell my hon. Friend that, perhaps as a welcome spin-off from some of those judgments, some local authorities are trying to work far more constructively with intentionally homeless families in their area. The London borough of Lambeth has taken the view that the clarification of roles between local authority housing departments and local authority social services departments has given it a fresh opportunity to provide intentionally homeless families more effective help in securing long-term accommodation. Rather than providing short-term, unsatisfactory solutions, they have been working together to support families in some of the difficult areas that my hon. Friend has mentioned such as access to private sector housing, where there is a need for initial deposits and sometimes a need for extra financial assistance. Lambeth council has appointed three specialist workers to provide advice, assistance and support to those families as well as advice from the housing department.

I understand that so far the borough has supported at least 30 families in finding long-term accommodation and securing financial assistance for the initial deposit and the first month's rent.

Ms Buck: I am impressed by that example. I congratulate the London borough of Lambeth on its work. Does my hon. Friend not agree that, if that example were followed to its conclusion, homeless families would face a postcode lottery in terms of the quality of service? If they were lucky enough to reach the end of the road, as it were, in a borough that had developed a positive strategy, that would be excellent, but many local authorities have simply not made such provision. Families could end up in the worst possible circumstances without a legislative framework or good local authority practice.

Ms Blears: I accept my hon. Friend's point that provision of a range of services for local communities varies from local authority to local authority. She has highlighted examples of families who have found themselves in extremely unsatisfactory circumstances, such as sleeping in motor vehicles and on the floors of friends' houses. We do not want vulnerable children in need to be placed in that position as a result of current circumstances.

Since April this year, Lambeth has worked with 50 intentionally homeless families. Although I am aware that Shelter has expressed concern that more children will be taken into care and accommodated by local authorities as a result of the current situation, Lambeth has not had to accommodate any more children as a result of the current legal interpretation of its statutory powers and duties. In fact, it has been able to provide better care.

We hope that local authorities across the country will begin to develop such services to support people. That is why, as my hon. Friend has said, discussions are going on with the Association of Directors of Social Services and local authorities across the piece to try to gather information on the way in which procedures may have changed as a result of the judgments. We need to map out the practices that local authorities are adopting as a

[Ms Blears]

result of the judgments that might lead them to make decisions different from those that they would have made previously.

Lord Falconer, with officials from the Department of Health, is meeting directors of social services next week to discuss those issues. We are writing to Shelter to ask it to let us have full details of any examples. Obviously, we will take on board the examples that my hon. Friend has highlighted, so that we can gauge the extent of the problem. Officials in the Department will then meet Shelter to discuss taking up those matters.

We will consider the judgments very carefully, especially the judgment of 5 November, in terms of the powers under section 17. We will then decide whether any action needs to be taken and, if so, what would be most appropriate. The amendment of primary legislation, both the Children Act and the housing legislation, has already been suggested. Although I accept that my hon. Friend does not feel that guidance would be sufficient to amend the situation, it is an option that is open to us. We want to study the judgment and examine what effect it is having in the field. We want to find out whether local authorities are deciding to change their practices. We shall certainly encourage the type of scheme that Lambeth and other authorities are beginning to establish. It is far better if families with vulnerable children in need can be assisted to find long-term sustainable solutions, rather than provided with short-term unsatisfactory ones.

Ms Buck: Part of the problem is that the definition of children in need is itself subjective. My view is that part of the problem is that children may not be deemed to be in need at the beginning of the Children Act process before becoming homeless, but that the homelessness process tips them over into being vulnerable and in need. Living in the circumstances that I have described or in hostel and bed-and-breakfast accommodation is virtually equivalent to defining a child as being in need, and has serious consequences for the child's health, educational performance and behaviour. That wider context also needs to be borne in mind.

Ms Blears: I accept what my hon. Friend says. I have met many families who face a series of issues, which multiply and create a huge layer of deprivation, poverty and difficulties. It is very difficult for families in such circumstances to see a way out and to look at their future.

My hon. Friend has highlighted one of the key difficulties for all of us—striking the right balance. Access to social services must not be used almost in direct contravention of our housing policy. Where people are intentionally homeless as a result of their actions—for example, serious antisocial behaviour—they should not seek recourse simply to social services and end up being rehoused perhaps two or three doors away from where they committed the antisocial behaviour.

I am aware that that has happened occasionally, and it has caused immense distress to the wider community. Although I accept that the priority is children who are in need and who are vulnerable through no fault of their own because of family circumstances—we as a society have a fundamental duty to meet the needs of those children—we must balance that with the needs of the wider community and other families.

Resources are limited. Local authorities are under immense pressure to find appropriate and adequate housing solutions for many people. Certainly in the London area, there is a shortage of housing. Trying to strike the right balance between all the people who need support and proper housing—housing is a fundamental platform from which people manage to organise the rest of their lives, whether it be work, training or employment—is very difficult, but we undertake to study the judgments extremely carefully, look at their implications, and see what needs to be done. However, overall, our top priority must be to ensure that those vulnerable children in need receive the protection and care of all of us.

Small Acute Hospitals

1 pm

Andrew George (St. Ives): I am pleased to have secured this important debate. I had hoped that it would be longer, but I am happy with a short debate and I shall try to keep my comments brief.

I raised related matters in connection with the small acute West Cornwall hospital in Penzance in my constituency in a debate in this Chamber on 13 March. Today, I want to deal with developments since then, and to raise questions relevant to small hospitals in general. I may of course refer to West Cornwall hospital in particular, as I know it well.

I should also declare an interest, as my wife works at West Cornwall hospital. If time allows, Mr. Benton, I hope that the hon. Member for Wyre Forest (Dr. Taylor) may make a short contribution.

A number of things have happened since the debate on 13 March. At the beginning of that debate I mentioned that my oldest brother, Mark, had been admitted to West Cornwall hospital. He was seriously ill, and ultimately he was transferred to the Treliske hospital. Before going to hospital, my brother had been staying with me and my wife. I am sad to say that, after returning to our home for a short time, my brother tragically died on 2 May at Treliske.

Since then, I have had meetings with the Under-Secretary of State for Health, the hon. Member for Salford (Ms Blears), at which matters were discussed with local representatives and the district council. The promised risk assessment at West Cornwall was completed at the end of May. Its conclusions, which were not a surprise to anyone, were that the hospital had inadequate anaesthetic cover, and that it needed more investment in its diagnostic facilities—especially in radiology, ultrasound, CT scanner equipment, and so on. It also found limitations in the accident and emergency service, especially at night, when the service is led by nurses. I have asked the trust to address the concerns that have been raised, rather than wait for the end of the review period.

I am pleased that the West Cornwall hospital trust has, with other partners, produced a strategic outline case for investment in the hospital, with remote diagnostic and treatment centres throughout Cornwall. I and other Cornish Members have another meeting with the Under-Secretary tomorrow to discuss that outline bid. I welcome that as an important step forward in the process.

Finally, I draw the Minister's attention to the document published by the Nuffield trust entitled "Local Medical Emergency Units". It recommends a different approach to the opportunities that small acute hospitals provide.

The case for the maintenance and retention of accident and emergency services at small acute hospitals rests on the fact that they are clearly closer to events and therefore to the commencement of the episode. In addition, the lengths of time that people wait to be assessed, and the trolley waits that they have to endure, are generally shorter than in larger district general hospitals. I am not criticising the staff in DGHs, who I consider to be as dedicated and committed to the health service as staff in smaller hospitals. It is simply a fact of life that trolley waits are longer in the larger DGHs. That is certainly true in my constituency.

However, patient confidence remains high, as is shown in campaigns that have been held across the country. In west Cornwall, 8,000 people have signed letters expressing support for the retention and expansion of services at West Cornwall hospital. In general, communities do not campaign to prop up bad services. If people perceive services to be good, they want to keep them and thus are moved to campaign on their behalf.

The pressures on small hospitals must be recognised. It is harder to provide 24-hour cover when junior doctors' hours are under pressure. As was mentioned in the debate on 13 March, that will be increasingly the case from August 2003. The fact that consultants are increasingly unwilling to work rotas that affect their family lives must be taken into account. Specialisation in medicine is creating fewer general physicians and doctors who are good at managing medical emergencies. Emergency admissions are rising, and it is sometimes difficult to appoint additional staff in smaller hospitals, where there is a sense that the environment is in decline.

Those difficulties must be seen against a background of rising expectations, the increasing incidence of litigation by patients, and the commitment to changes in clinical governance. The favoured model for dealing with the problems faced by small hospitals is to create large, central hospitals. As a result, local hospitals become the focus for discharge treatment and outpatient services in general.

The problem with that model is that it creates logjams in the service. As the Nuffield report to which I referred earlier noted, there is a lack of shared care between the central and the smaller hospitals. As a result, there is a weakening in people's appreciation of the systems of nursing care in the smaller hospitals.

The report contains a model proposed by the former chief executive of Middlesex general hospital, Andy Black, who is now a health consultant. He suggests that that whole approach be turned on its head, and that local hospitals should become the front doors of the district general hospitals. Moreover, local hospitals would provide assessment and rapid consultation using modern systems of digital transmission. They would also use telemedicine, a matter about which my questions to the Department have received useful replies. In that way, the model suggests that medical and nursing staff would be part of the same team, working in rotation between the main site and the local site or sites.

Crucially, Andy Black's model proposes that the local hospital would have imaging and laboratory support, and high-quality electronic links. That is another matter about which I have asked questions, and I am pleased that over the past two years the Department has been looking into the availability of the technology. A report will be published next year on the results of that investigation and on the recommendations that flow from it. Finally, it is clear that a critical transfer team will be needed in the structure that I have described.

The advantage of the model is that patients would arrive at hospital sooner after an incident, and that they would be seen more quickly. Moreover, the structure would ensure a good link with primary care.

[Andrew George]

When my constituents in west Cornwall—from Land's End, the Lizard and the Isles of Scilly, for instance—go to a central hospital, it is much more difficult to discharge them back home. That results in bed blocking and the clogging of services in the central hospital. The model proposed by Andy Black would lead to the quicker discharge of patients.

Moreover, many patients would not need to go to the central DGH once they had been assessed, diagnosed and treated locally. Those who had to go to the DGH would not need to be assessed and diagnosed again, as a lot of that work would have been undertaken by the local hospital. The transfer team—and there would also be a team capable of dealing with the transfer of critical cases—would take people to the DGH, where the process would continue rather than start again.

I have a series of questions for the Minister on these matters. No doubt he will say that small hospitals are a good thing and that we should keep them, but the moot point is what facilities are retained at them. I have had meetings with the president of the Royal College of Physicians and I detect that the college is changing its approach. It does not seem to see itself as the institution that has to pronounce on the future of small hospitals, but as a body that exists to advise and reflect on the professional standards that should apply in them.

As a result, the Government should give a political steer on this matter. The Department needs to make a clear statement about how the configuration of services should be provided, especially in the remoter rural areas.

The report mentions Downpatrick in Northern Ireland, which is already implementing a model of what Andy Black describes as a step-up rather than a step-down approach. In the latter, patients come into the centre and ultimately step down to the local centre. Under a step-up approach, they come in the front door of the small hospital and step up into the district general hospital if required.

That process is being increasingly considered in other places. There are reviews at West Cornwall hospital and no doubt there will be pressure in areas that face similar pressures because of the small size of their hospitals. It would be helpful if the Department of Health, rather than leaving it to the Royal College of Physicians, indicated where it believed the priorities were and in which direction local services should go in this type of delivery. Otherwise, we are moving increasingly towards centralising services rather than creating or using the front doors that already exist.

I am grateful for the opportunity to introduce this subject and look forward to the remainder of the debate.

1.11 pm

Dr. Richard Taylor (Wyre Forest): I am grateful to my hon. Friend the Member for St. Ives (Andrew George) for allowing me to speak briefly on a subject that, as the Minister knows, is close to the interests of my constituents.

To emphasise the importance of the change of view from the Royal College of Physicians, the president told a group of Members of Parliament that there are already 40 hospitals in the country taking acute medical admissions that do not have full surgical services to back that up. That is a crucial change.

The president also said that hospitals must have a front door for emergencies. That was borne home to me only today after talking to an elderly lady who went to Kidderminster hospital this week for a breast cancer screening report. Her elderly husband went with her but had an epileptic fit in the out-patients department and was taken to the minor injuries unit. He was told that no doctor was available and had to go 18 miles to Worcester. The knock-on effects on the larger hospitals make this a very important issue.

Other patients have invited the Secretary of State to spend 24 hours on a trolley in the medical assessment unit at Worcester to see what it is like. Many small hospitals that are close to larger ones have not been mentioned. I refer in particular to Pontefract, which is close to Wakefield, and to Macclesfield, Runcorn and Ashington. They could all be under threat from the sort of moves that have taken services away from some hospitals.

Let me conclude by paraphrasing the words of the Under-Secretary of State for Health, the hon. Member for Salford (Ms Blears), at the end of an Adjournment debate that I was lucky enough to secure. Can we go forward in partnership, because if we do, we can avoid conflict and come to a resolution that will be more satisfactory to the large numbers of patients who have, until now, relied on small acute hospitals?

1.14 pm

The Minister of State, Department of Health (Mr. John Hutton): First, may I say how sorry I was to hear about the brother of the hon. Member for St. Ives (Andrew George)? I genuinely did not know that that had happened, and I send him and his family my sincere condolences. It must have been a terrible time for them.

The hon. Gentleman has raised what most people in the House would rightly regard as very important issues that not only affect the future of the West Cornwall hospital but address the wider question of change in the national health service and the balance that needs to be struck between ensuring that services are fully accessible and of the highest possible quality. The hon. Member for Wyre Forest (Dr. Taylor) also alluded to those concerns.

The provision of comprehensive and accessible services of the highest quality, free at the point of use, lies at the heart of the NHS and its rationale, ethos and purpose. The Government remain strongly committed to the values that underpin the NHS. The NHS plan offers what I believe to be a good and strong framework for ensuring that those values can be reflected in a modern setting in which technology is changing quickly, advances in science occur almost daily and public expectations have risen substantially. To meet those needs, we need a broad range of provision—local and regional as well as national—that guarantees the best possible access to the full spectrum of care services.

The hon. Member for St. Ives was right about anticipating what I was going to say—he must have seen a copy of my speech. In this context, local hospitals such as West Cornwall have a very important role to play. There is, by the same token, one obvious pitfall to try to avoid. When we think of modernising medical care, it is easy to think of sophisticated, high-tech treatments provided in large, specialised hospitals. It is true that certain complex services and high-risk conditions require a critical mass that can be found only in larger centres, but that tells only part of the story. In determining care for a new century, it is vital that, wherever possible, we place at the centre of our thinking the views of the people and patients that the NHS is here to serve.

The public place a high value on locally available acute care; so do we. That means providing treatment as close to where people live as is practical, in hospitals that serve local communities and that are focused on meeting their needs.

When the hon. Gentleman raised the subject of acute hospital services in remote areas in March, he acknowledged the need to strike an appropriate balance between the convenience of local services and the requirement to concentrate expertise for reasons of safety and quality. He was right to do it then and right to emphasise the point again today. However, many needs can and should be met locally, close to home, by delivering care through networks of skilled providers, working together rather than in isolation and utilising the latest advances in telemedicine, to which he referred. It is a strategy based on local solutions that sets standards and quality measurements. That is what we must remain focused on.

The hon. Gentleman expressed his continuing concerns about the future of the West Cornwall hospital in his constituency. The local primary care trust, in conjunction with the acute trust—the Royal Cornwall Hospitals NHS Trust—is reviewing the services provided at that hospital. He is aware, as I am, that one of the main reasons for the review has been concern to ensure that patients at the hospital receive the best possible clinical care.

There is a clear commitment on the part of the Royal Cornwall Hospitals NHS Trust to develop the West Cornwall hospital. In August, a major scheme to expand the day case surgery and out-patients departments was opened. I understand that the hon. Gentleman was there for that. That will mean that more patients will be seen and treated closer to home; there are extra staff and more beds than ever before. A new treatment room for endoscopies has also been created, with the ability to reduce waiting times—an important objective—by increasing the number of weekly sessions from three to five. Three years ago, capital investment of more than £250,000 saw the renal unit's capacity double. Altogether, I think that that constitutes a clear commitment to the future of the hospital. However, let me repeat again the assurances that have been given to him before. There is no intention whatever to close the West Cornwall hospital or its casualty service. Indeed, the review is looking at proposals that would increase the number of services provided and patients treated at the hospital.

Since the hon. Gentleman raised the subject in March, the review process has largely been completed. A range of models of service provision at West Cornwall hospital have been developed by local clinicians and are being tested against criteria drawn up by local people. The Royal College of Physicians has been asked to comment on the suitability of the models, and it is the intention of the local primary care trust that formal consultation on the proposals will commence in February.

The review of services at the West Cornwall hospital is feeding into work on service and capital developments to modernise health services across the county. It is being undertaken by the entire Cornwall health community, led by the Royal Cornwall Hospitals NHS Trust. The emphasis in this work to modernise health services is on achieving the closer integration of acute, community and primary care, and providing acute care as close to patients' homes as possible. Of course, the public have a right to be consulted on matters of this importance.

The review process in West Cornwall is, I understand, being carried out in as open and transparent a manner as possible, with heavy public involvement. I hope that the hon. Gentleman is satisfied with the way in which the process is being conducted. There have been numerous local meetings, including with all the local councils and the community health councils. If he has any concerns about the detail of that process, I hope that he will raise them with me and I will pursue them on his behalf.

I shall say a few more general words about the future of acute care, which was the subject of most of the hon. Gentleman's remarks today. As I said at the start, I fully understand the desire of people to receive care as close to home as possible. It is clear in that regard that small hospitals have an important role to play, provided that safety and quality are not compromised. I hope that both hon. Members who have spoken in the debate would agree with that observation. However, there is no one model to fit all local scenarios. It is properly a matter for local consultation, taking into account as fully as possible the views of local people.

Historically, there has been a gap between care provided in hospitals and care provided in the community. The need for efficient, effective and joined-up care requires that those separate parts of the system should work more closely together. For example, cancer networks have been developed to improve linkages across hospitals and between acute and primary care. Through those networks, services can be planned across the care pathway for cancer patients, with resources targeted where they are most needed to serve the needs of the local population. Such networks have already proved very effective in many areas. The Devon and Cornwall network, for example, is participating in a national programme to educate and support district and community nurses in the general principles and practices of palliative care. That will allow more patients to be cared for at home, if that is their wish—and that is probably true of most people—and avoid unnecessary hospital admissions. I hope that the hon. Member for St. Ives agrees that that is the right direction to take.

Primary care trusts will play an increasingly important role. Shifting the balance of power in the NHS means that local PCTs will have much greater influence in developing local services and will be better able to tailor services to local needs. If that is to be achieved successfully, they will need to engage front-line staff and local communities and partners in their plans for improving health services. In their role as primarily local organisations, PCTs will bring about improvements in local services, by engaging with and empowering local people, patients and staff.

[Mr. John Hutton]

Small hospitals are working hard to develop their role and to embrace new ways of working. The challenge is to deliver the right care in the right place at the right time—as the hon. Gentleman said, and I agree with him—across the system. Internal organisation of hospital services can be substantially improved through a redesign process, such as that of the booked admissions programme. Some 5 million patients are expected to benefit from the national booked admissions programme by 2005.

Andrew George: I am grateful to the Minister for giving way and for his response thus far. My points were mainly about acute emergency admissions to local hospitals. While I appreciate that local hospitals make a significant contribution to primary care, and will continue to do so, I would appreciate it if he would address emergency admissions to small hospitals before the end of the debate.

Mr. Hutton: I certainly intend to do so, and this might be an appropriate point. One often runs out of time in these short Adjournment debates. The hon. Gentleman mentioned the Nuffield report and the work of Andy Black, which are both important. We need to consider their wider implications carefully, and we are doing so. The Nuffield report considered routine emergency medical cases and how they could be treated, as opposed to traumatic cases that require a full range of surgical and intensive care procedures, which are very different. The only useful point that I can add to the ground that the hon. Gentleman and I covered earlier is that it is a difficult balancing act.

Local hospitals have huge amounts of expertise available and we will not fritter that away. That would be stupid. However, we need to strike a balance between quality and good patient outcomes on the one hand and the natural desire for people to receive critical care as close to their communities as possible on the other. It is difficult to get that right, but we have had the opportunity to consider what has already been done. The Nuffield work has been piloted in several different areas, including Scotland, east Kent and Witney, so that we can look, listen and learn about the safest and best way to adapt and modernise emergency care services.

I lived in Hexham for many years, and the hon. Member for Wyre Forest often mentions that area. We need to try to ensure that services are appropriate to local needs and geography. The constituency of the hon. Member for St. Ives is probably one of the most remote in the country. I know it well, because my father lived in Cornwall for many years, and he also died there. The needs of people in Cornwall differ from those of people in the north-east, in terms of geography and the spread of services.

Shifting the balance of power and moving decision making in the NHS much closer to the front line—of staff and of local communities—offers us an opportunity to consider the issues in a different way so that the right judgments can be made. We have to make difficult judgment calls and if the hon. Gentleman ever has the chance to sit in my place, he will learn just how difficult it is. It is not possible to ensure that everyone is 100 per cent. happy with all the decisions that have to be made, but we work hard to try to ensure that the proposals are fully consulted on. We take care to ensure that we have the best clinical advice available to us to inform the decisions made locally and—if necessary—for the benefit of Ministers who make such decisions. We certainly do not take decisions on the provision of emergency medical care lightly.

Andrew George: Before the Minister returns to his prescriptive notes and while he is speaking ad lib, will he comment on the fact that the Royal College of Physicians, in its report on West Cornwall hospital, identified the need to establish one clinical community, rather than the artificial divide between the district general hospital and the small hospital as two separate clinical communities? The work done by Andy Black suggests the possibility of rotating staff. If a Minister were to welcome an environment in which rotation happened, between sites and within trusts, it would help to enable further progress to be made.

Mr. Hutton: I accept that point and I will draw the hon. Gentleman's remarks to the attention of the Under-Secretary of State for Health, my hon. Friend the Member for Salford (Ms Blears), who has responsibility for the development of emergency care services. At the risk of stating the obvious, the NHS is a service based around science. Unfortunately, medical science is not an exact science, but it is a science and our decisions are informed, first and foremost, by the science and what we understand about advances in technology and what they mean for the patients and services of the NHS. That will continue to be the case, and we always listen carefully to the professional advice given to the Department from different quarters about the best way to proceed.

The advice is not always one way. Sometimes, there are two or three different schools of thought and Ministers are then expected to exercise the judgment of Solomon. However, I wish to assure the hon. Gentleman that our judgments are informed by the best clinical information that we have and that will remain the case.

The hon. Gentleman politely and charmingly described me as ad libbing so I had better return to my text, to reassure my officials and before any further policy is developed in a somewhat unannounced way. He talked extensively about telemedicine, which will be an exciting opportunity for us to work more collaboratively and make better use of resources in the NHS. It is one way to tackle what he described as the divide between local hospitals, trauma centres and district general hospitals—

Mr. Joe Benton (in the Chair): Order.

Education Funding (Stoke-on-Trent)

1.30 pm

Mr. George Stevenson (Stoke-on-Trent, South): The problems associated with the standard spending assessment formula did not start at the 1997 general election. The problems and the basic unfairness of the SSA, especially as it applies to education, have been with us for a generation. I do not want to give the impression that the problems affecting education funding in Stoke-on-Trent began when the Labour Government were elected. Nevertheless, the issues—the challenges and the unfairness—are still with us, and are certainly having an increasingly serious effect in Stoke-on-Trent.

For example, in 2000-01, the education SSA in Stoke increased by 4.6 per cent. That contrasts with the lean, dark years of Conservative Government when we experienced year after year of cuts. However, that 4.6 per cent. must be compared with a national average increase in the education SSA of 6.1 per cent. In 2001-02, the education SSA in Stoke is increasing by 3.8 per cent., compared with 4.8 per cent. nationally.

The point I need to drive home to my hon. Friend the Minister for School Standards is that, although the Government are rightly providing additional resources for education, the gap is getting wider due to the inequities of the SSA system, especially as it applies in areas such as Stoke-on-Trent. We are very much aware of that. Indeed, the SSA in the current year was so low compared with the national average that the Government agreed to provide Stoke-on-Trent with an education support grant of £140,000, which of course we welcomed. The result of that education SSA is that Stoke is, and has been for many years, rooted in the lowest third of all local education authorities.

Another example is to be found in the local schools budgets, which provide the interface between the local education authority and the schools—where the Government rightly want the money to go. One definition of local schools budgets is all expenditure relating to schools. The Government's target for 2001-02 is that the percentage of the local schools budget that should be delegated should increase from 85 per cent. to 87 per cent. in April 2002. I can report that in Stoke, 88.3 per cent. of the budget was delegated last year, so we are way ahead on the delegation. We are not dragging our feet on Government policy.

If we compare the percentage of delegated local schools budget in Stoke-on-Trent with the unitary authority average of 86.3 per cent. and the national average of 86.5 per cent., we see that Stoke-on-Trent is doing very well on the implementation of Government policy, despite the problems of its relatively low SSA.

The position on delegation continues to improve. The Government target for 2001-02 is that there should be a minimum increase of 5 per cent. per pupil in the delegated budget. That target has been more than met in Stoke-on-Trent: the figure was no less than 9.9 per cent. I realise that the Minister may question the strictness of the reference of some elements of that delegation to the SSA issue, but the figures are further evidence of the success of Stoke-on-Trent LEA's policy of maximising the delegation of resources to schools.

As far as the LEA has the capacity to do so, it ensures that money goes to the schools and is not retained by the centre. I make that point to show that Stoke-on-Trent LEA has a good record on the use of its resources, no matter which comparator is used.

If we consider the delegated budget in Stoke-on-Trent in absolute terms—the delegated funding per pupil—we see that the figure was £2,466 per pupil in 2001-02. The unitary authority average was £2,523 per pupil and the national average was £2,546 per pupil. I do not want to trip out a series of statistics, but the figures that I have given make the point vividly. If schools in Stoke-on-Trent received the national average amount of delegated funding—nothing special, just the national average—we estimate that an additional £2.9 million per year would be available to schools.

If we consider the amount of resources per pupil in the local schools budget as an inclusive figure, comprising the delegated and non-delegated resources—the funding kept by the centre to ensure that the LEA can implement its responsibilities—the situation is even starker. Using that base of comparison, the amount per pupil in Stoke is £2,793; the unitary average is £2,922 and the national average is £2,944. Using that yardstick, if Stoke-on-Trent LEA were funded at the national rate—nothing special, just the national average—it would receive an extra £5.5 million a year.

We should not think that one of the elements in this is the money held centrally by the LEA—I am sure that the Minister understands that. The central administrative costs for Stoke-on-Trent LEA are £46 per pupil. That compares with a Government target for this year of a maximum of £60 per pupil, and with an average for all unitary authorities of £50. Stoke is doing very well on central administration compared with not only the Government target, but with the unitary authority average.

That is the picture. It shows the direct result of the injustice and unfairness of the present SSA system.

I want to praise the Government, however, because much progress has been made. There has been much Government action. Despite the difficulties in Stoke-on-Trent, there has been excellent progress in educational achievement. The Minister is very much aware of that. That progress is manifest and can be illustrated by referring to two of its elements.

We have three beacon schools. Janet Worthington, the head teacher at Adderley Green infants school, and her staff do an excellent job. Weston Coyney infants school, where Janet Phillips is head teacher, is an excellent school, with excellent staff doing ground-breaking work, and the same is true of Sandon high school, where Barbara Hall is head teacher. I visit those schools regularly, as all three of them are in my constituency, and I am very happy and proud about that. Excellent work is being done—they are some of the best schools in the country, and they are all in areas of significant deprivation. That shows what can be done, with the Government's support, and we are grateful to them for that.

Stoke-on-Trent LEA met the maximum class-size target of 30 for five, six and seven-year-olds a good 12 months before the date on which it was due to do so. We have a progressive LEA, which has been ground-breaking in some respects, and the private finance

[Mr. George Stevenson]

initiative for schools is one of the best in the country. We are grateful to the Government for that, but the ideas came from Stoke-on-Trent, and we are proud of that.

The Government have given us a positive response to the difficulties—it would be wrong and unfair to say otherwise. In Stoke-on-Trent, the standards fund has been increased significantly, but the Minister will know that the LEA's ability to match the standards fund resources is becoming critical simply because of the problems of the base funding of the SSA.

In conclusion, I wish to offer one or two points, to which I hope that the Minister will be able to respond. First, the House was told earlier this year that the Government intended to produce a White Paper on local government finance and reform. Indeed, in a press release, dated 16 October, from the Department for Transport, Local Government and the Regions, the Minister for Local Government was quoted as saying that

> "the forthcoming White Paper will set out measures to build on the modernisation agenda already under way."

On the same day, a parliamentary written answer referred to:

> "The Local Government White Paper due to be published later this year".—[*Official Report*, 16 October 2001; Vol. 372, c. 1173W.]

However, I began to get worried when I read a letter, dated 5 November, from the Minister because he said:

> "The work that we have done so far with external partners has shown that we need to put in more time to get the new education formula right."

On 16 October, we were told that the White Paper was imminent; on 5 November, I was told that the Government wanted more time. I hope that the Minister can not only confirm that the White Paper will be published this year, but give us some idea when it will be published.

Secondly, the Government have announced that, unfortunately, they have had to delay any change in the local government resource formula until 2003-04. That is a great disappointment, because the situation is critical in Stoke-on-Trent now. A delay until 2003-04 poses really serious problems for us, and it will mean that we shall have had almost two Labour Governments since 1997, but this important issue will not have been tackled effectively.

Thirdly, I wonder whether the Minister would care to consider rolling the standards fund into the SSA. There are precedents for that. My understanding is that, in Stoke-on-Trent, ring-fenced funding in social services has been rolled into the SSA when it had been available for two or three years. That has been enormously important. Will the Minister consider doing that, or at the very least exercising some flexibility on the need for match funding?

There is a real danger in Stoke-on-Trent that, because of the SSA, we will not be able to provide the funds to match the standards fund, which would be a tragedy. There should be no increase in the area cost adjustment. There is no reason why any increase in SSA should be reflected in the area cost adjustment, as that would simply widen the problem.

Finally, the Minister said in his letter of 5 November that he could not meet us for all sorts of diary reasons. I repeat that request today, because the issues that affect the LEA in Stoke-on-Trent are so critical that a meeting with the Minister would, I hope, prove useful. We have some concrete suggestions to make, and I hope that he will reconsider that request.

1.45 pm

The Minister for School Standards (Mr. Stephen Timms): I congratulate my hon. Friend the Member for Stoke-on-Trent, South (Mr. Stevenson) on securing this debate. I am very much aware of the strength of feeling about this issue in Stoke-on-Trent and, indeed, in Staffordshire. I am aware of it from his letters to me, and if I was in any doubt about it, he has made it very clear in this debate.

I join my hon. Friend in paying tribute to the schools in his constituency for their achievements and those of the LEA as well. For example, he has drawn attention to the early achievement of the class-size target. That achievement is important, and I gladly join him in paying tribute to those involved.

I do not see it as my job today to defend the current system of standard spending assessments. Our commitment is that the system will be reformed. We are working on the new formula, together with others who represent local government and other education interests, such as the Local Government Association, the teacher unions, governors' organisations and other schools bodies.

Our aim is to create a new system that reflects fairly, on the basis of up-to-date evidence, the needs of authorities in different parts of the country. I have listened carefully to what my hon. Friend has said about Stoke-on-Trent, but, of course, it is by no means the lowest funded authority under the present system. It comes 80th out of 150 authorities—about the halfway mark in terms of education funding. The national average figure for SSA per pupil is £2,911, compared with a figure of £2,845 per pupil in Stoke-on-Trent. So the figure is somewhat less, but the figure for some other areas is approximately £2,600—significantly less.

Our view is that, where differences in funding exist—there will inevitably need to be such differences—they should be considered on the basis of the educational needs of the children affected. I accept that that is not the case under the current system, but the task of devising a new system is not straightforward. It is an important priority for us, but we need to ensure that there is sufficient time to develop proposals and to consult on them before a new system can be introduced. It is not just a case of reviewing education funding; we also need to consider the impact of the proposed changes on other local government services and to look at the broader picture.

The work we have done so far shows that—my hon. Friend touched on this—we need to put in more time to get the new education formula right. That is why we have decided to introduce the new system in 2003-04, as he said. We believe that that will give us the time that we need. That decision has disappointed authorities such as Stoke-on-Trent, which had hoped for earlier reform, but it will give us more time to get the new arrangements right. We do not want to change the system every year, as has happened before, especially under the previous Government.

It is important for local authorities to have confidence in the system and for us to ensure that we do not return to the unpredictability that was a problem in the past. We have already brought about greater stability in the system, by freezing formula changes and introducing floors and ceilings. Local authorities have welcomed the additional stability, and we certainly do not want to throw it away.

My hon. Friend may also know that we tried to change the system in our first year in office. He said that there had been a Labour Government for some time now, but this is certainly not the first time that we have addressed this issue. We got everyone together—from the LGA, the counties and the urban areas, including London. He will not be surprised to know that not one local authority leader admitted to doing well under the present SSA structure. That is where the problem lies. Some people—not my hon. Friend—have argued that London is particularly well funded, but it faces many of the toughest recruitment pressures in education. London authorities can point to the especially strong challenges that they face.

Mr. Stevenson: I realise that time is short but, before the Minister moves off that point, will he confirm or otherwise that the White Paper will be published this year?

Mr. Timms: I can confirm that the local government White Paper will be published as announced. However, it will not contain the new SSA formula. The formula is being drawn up on a different timetable from the White Paper, which is going ahead.

The current SSA system has been in place for more than 10 years. My hon. Friend and others have been very assiduous on behalf of their constituents in pressing to get the formula changed, and we have accepted their case that the system needs to be altered.

We have said that the new formula will have two separate elements: one for schools and another for an LEA's central core functions. I join my hon. Friend in paying tribute to the extent of delegation that has taken place in Stoke-on-Trent. That is to be commended. The split between schools and LEAs' core functions will be a feature of the new formula, and it will be assessed on the basis of data in authorities' budget statements for 2002-03. It will thereafter be updated annually on the basis of the most recent data.

There will need to be an element to reflect levels of deprivation in an area and an enhancement for areas that need to pay more to recruit and retain teaching staff. However, we want those enhancements to be decided on the basis of evidence in pupil characteristics, of data on costs and of achievements rather than on a regression analysis of historic spending. That is the basis on which the formula has operated in the past. I anticipate that we should have a more detailed set of proposals by next spring and we should then be able to start discussions with authorities about whether the initial proposals are right.

My hon. Friend has drawn attention to a major difference. Under this Government, we have substantially increased the funding going into schools. Between 1992-93 and 1997-98, average recurrent funding per pupil fell by £120 or 4 per cent. in real terms. Since then it has risen by an average of £540 or 20 per cent. in real terms to £3,250 this year. If one considers all the funding for education—the SSA and other elements—going into Stoke-on-Trent, one sees that the figure per pupil is above the average and comes to £3,360 per pupil this year. There will be further increases during the current spending review period and following the Budget announcement last March. By 2003-04, national spending per pupil will have increased by around £750 in real terms—compared to £540 so far—since 1997-98.

There is no doubt that funding has been part of the problem for education in Britain. In 1960, we spent a higher proportion of gross domestic product on education than most comparable countries. By 1988, however, an Organisation for Economic Co-operation and Development study of 24 members showed that our spending was the lowest of all those involved. The share of GDP committed to education fell from 6.5 per cent. in 1975-76 to 4.7 per cent. at the time we were elected. I came across the remarks of Howard Glennerster the other day. He said:

> "The significance of this change should not be underestimated. No such previous reduction in education's share of the nation's resources had occurred this century . . . it is not to be found in the experience of any other leading nation."

That is now starting to change. We have raised the proportion to 5 per cent. already. The Prime Minister pointed out at the Labour party conference that we were the only European country to be increasing the proportion of our GDP committed to education. It will rise to 5.3 per cent. over the next three years. We are committing unprecedentedly large additional sums to education this year, next year and the year after. Schools and head teachers can see the difference.

My hon. Friend referred to the standards fund, and there have been substantial rises in that for Stoke-on-Trent in the past few years. He mentioned the difficulties of providing match funding for the standards grant, but I am pleased that Stoke-on-Trent has been able to take in full its standards fund allocation for this year. Nationally, 99.5 per cent. of standards fund grant offered has been taken up by local education authorities this year, so they have been able to provide the match funding where that has been needed. Next year, LEAs' match funding requirements will be allowed for in the national increase in education standard spending.

One of the things that has changed between the previous Government and this one is that there are a number of different routes—not just the SSA—for funding to go into schools. Stoke-on-Trent's grant for revenue costs in the standards fund this year is almost £10 million, rising with the council's contribution to just over £13 million. Standards fund grant for individual authorities has yet to be finalised for 2002-03 but, at national level, the grant is increasing by more than £85 million next year compared to this.

My hon. Friend suggested that the standards fund should be rolled into the SSA formula. He has drawn attention to some of the difficulties with that formula. Some areas and some hon. Members, including him, think that it is unfair, so if we were to roll the standards fund into it, we would increase the difficulties that some see with the present system. We expect to announce at the end of this month the provisional SSAs for individual authorities.

[Mr. Timms]

Let me say a word about capital investment because it is an important part of the picture. The figures for Staffordshire local authority—which included Stoke-on-Trent before it became a separate authority—show that, in 1996-97, the capital expenditure was £3.5 million. This year, in Stoke-on-Trent alone, the figure is £8.3 million and, for the rest of Staffordshire, it is £25.4 million. Adding the figures together shows that the capital allocation for the whole of Staffordshire is almost 10 times what it was in 1997.

My hon. Friend also mentioned the private finance initiative credit support from which Stoke-on-Trent has benefited. As he said, £93 million has been used creatively to provide energy, energy management and repair and maintenance work to all 120 maintained schools in the area. Although the work will be completed over a period of five years, the benefits will last for the 25 years of the contract. This is the highest level of PFI credit that has yet been awarded to any LEA in England.

In making all those points, it is no part of my intention to seek to defend the current SSA funding formula. We are committed, with all reasonable speed, to changing the system on the principle that funding differences should be based on differences in cost, and not just on a regression analysis of how things were in the past. The system will change and we have set up consultative arrangements under which we will take those changes forward. It is important that we consult fully and carefully before we introduce the changes, so that we are as confident as we possibly can be that the new formula is right.

However, as my hon. Friend has said, children in Stoke-on-Trent receive significantly more money for their education than they have done in the past. Because of the investment that we have made, schools and buildings are certainly in better shape and are starting to look fit for education in the 21st century. What he said about the achievements of schools in his constituency reflects all that.

Of course, there is a good deal more to be done, and addressing concerns about the funding formula are an important part of that. However, I also want to draw attention to the substantial improvements from which Stoke has already benefited.

My hon. Friend has made the case for a meeting, as he did in his letter. We will shortly make announcements about the SSA, the standards grant and the capital grant. If, having seen the figures, he thinks that there is a problem of which I should be aware and which I should discuss with him and colleagues in his local authority, I shall be more than happy to accept his proposal for a meeting.

Question put and agreed to.

Adjourned accordingly at Two o'clock.

Westminster Hall

Thursday 22 November 2001

[SYLVIA HEAL *in the Chair*]

Social Inclusion and Sport

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Caborn.]*

2.30 pm

The Minister for Sport (Mr. Richard Caborn): Madam Deputy Speaker, it is a privilege to be addressing my right hon. and hon. Friends as the Minister for Sport. This is my first opportunity to set out some of the current policies and ideas of the Department for Culture, Media and Sport. When I came to this job, I did not need convincing that sport can be a tremendous power for good. It can transform lives and communities. Many of us in this Chamber today know that sport can engage, enrich and empower young people, but the real challenge is to create the structures and resources for that to happen.

I have two key goals as Minister for Sport in relation to the regeneration agenda. I want to ensure that there are more and better facilities to realise the goal of more people participating in and benefiting from the power of sport.

When I went to No. 10 Downing street to see my right hon. Friend the Prime Minister and he gave me the job of Minister for Sport—which is a great privilege—he said that one reason he had done so was to see whether we could use the great asset of sport more effectively and productively. Immediately on taking up the post I went to the regions to see what was happening at the chalk face. Those visits made a lasting impression on me as I saw the tremendous amount of work that was being done at all levels, particularly by volunteers. I saw specialist sports colleges and local authority sports development initiatives. I was privileged to visit centres of excellence such as the Liverpool football academy and Loughborough university. Those are at the top of the range. I also saw many of the activities that are being developed by national governing body initiatives, such as the Royal Yachting Association's Sailability scheme, dthrough which young people of many backgrounds are being given what is probably their first experience of the thrill of sailing.

Perhaps I have been lucky to see the best of the facilities in question. However, I have the impression that although there are many very good facilities, provision is pretty patchy. Funding is dispensed in a way that does not always secure the best use of facilities in a sustainable way. There is a need for a more strategic approach to providing sports facilities and the human capital that goes into them.

The Government have been aware of that for some time. That awareness gave the impetus to our statement published earlier in the year, "The Government's Plan for Sport". The plan states how we will implement our vision set out in the sport strategy document, "A Sporting Future for All". It is a blueprint for the PE and sport development framework that we need if we are to nurture sporting champions more consistently than we have in the past. The title "A Sporting Future for All" is a clear statement that the Government's priorities are not only about sports development. We are determined to widen participation in sport.

The development of schools and communities through sport is a central element of the sport strategy, because we are convinced that sport can make a real difference to all people's lives. The plan for sport maps out the practical steps that need to be taken at national, regional and local level if the potential of sport as an agent to improve health and tackle social exclusion is to be achieved.

Much of what is set out in the plan is happening now. On Monday, my right hon. Friend the Secretary of State announced the allocations made under the £750 million new opportunities fund for PE and sport in schools. That unprecedented investment in school sport is giving every local education authority in England money to build and improve school sports facilities.That does not stand alone, as it comes on top of the space for sport and arts programme, which is providing about £130 million of further funding—£75 million from the Treasury's capital modernisation fund and £55 million from the lottery—to improve sport and arts facilities in about 300 primary schools in our most deprived communities.

Like the new opportunities fund facilities announced on Monday, those facilities, which are already being developed, will be based on and around school sites and will help to improve education standards. However, they will not be only for school pupils to use. We are investing in our commitment to wider social inclusion by encouraging the wider community to become involved in sport and physical activities and to enjoy the health and social benefits that school brings, making our schools community hubs.

There is a real need for that. Despite the drive to end social exclusion that was begun by the Government four and a half years ago, there are many evils blighting the lives of the most disadvantaged people, such as ill health, poor education, poverty, crime and drugs. Too many people are living in rundown, depressing and even threatening environments. Many hon. Members will be familiar with that sort of situation, which we inherited from the previous Administration, in the run-down areas of our inner cities. I say that with feeling because I represent Sheffield, Central, and the quality of life for many of my constituents has changed dramatically during the past four years. However, social exclusion still needs to be addressed. We have gone the first mile, but there is much more to be done.

That was borne out by the policy action team—PAT 10—report on social exclusion, which showed that although sport and arts initiatives can have a great impact on neighbourhood renewal, a body of evidence to make that case convincingly has been lacking in the past. I had the privilege of working in what was then the Department of the Environment, Transport and the Regions, on regeneration, planning and regional policy. We were shown that developing an urban renaissance was not only a matter of the urban environment, although that was important, but concerned human factors as well. We are trying, through sport and the arts, to tackle inequalities and improve the quality and standard of life.

[Mr. Richard Caborn]

To tackle that, the DCMS, in partnership with the Department for Education and Skills, is studying a range of projects targeted at addressing social exclusion in key areas of education, health, employment and crime. No doubt my hon. Friend the Member for Selby (Mr. Grogan) will appreciate the fact that Leeds Metropolitan university is carrying out a study for us with the aim of establishing what works best and to establish some common core principles. The projects include the Leeds community link project, which targets five to 16-year-olds from low-income communities and uses football to engage them in positive activities and divert them from crime and antisocial behaviour.

The relevance of the study is heightened in the context of the Government's cross-cutting reviews, which will inform the next spending round. That is an important development in Government policy. In trying to realise our assets, we are responding to a holistic agenda with a cross-cutting approach. The reviews focus on a number of key areas crucial to raising the quality of life of the most vulnerable communities. The subjects of these reviews include improving public spaces, tackling the problems of children at risk and health inequalities, and the potential of volunteering. In all these, sport can be a medium to deliver improvements.

It shows the seriousness with which the Government are approaching the cross-cutting review that the Departments leading it include the Treasury, the Department for Transport, Local Government and the Regions, the Department of Health and the Home Office. I believe that they are all beginning to understand the contribution that sport can make; it can help them to deliver their policies and agendas much more effectively. It is essential that the DCMS makes those connections across government and that it responds to the interest of other Departments and in Sport England's social inclusion programmes.

We need to assess carefully the key priorities for Government policy towards sport, and ensure that our resources are effectively directed towards them. I do not want to go into detail about the major projects that we have had to deal with since my right hon. Friend the Secretary of State and I took office. However, the major projects that we have considered include the Commonwealth games, Picketts Lock, and the national stadium. The latter problem has yet to be resolved, but we are determined to review it, as we promised the Select Committee. I hope that we shall return with a more considered, more cost-effective system that will be able to deal with the big events and programmes.

We should remember that although £120 million has already been invested in Wembley, we have not seen much movement. Against that, we could have embarked upon expenditure of between £120 million and £240 million for Picketts Lock; and the income from the lottery to sport is on average about £240 million a year. That puts into perspective where we ought to put our investment. That is not to say that we should not invest in some major events, but a cost-benefit analysis must be undertaken. That would add real value to the sporting infrastructure. That will form part of the review that will be undertaken by my Department—and I hope by other Departments.

Chris Grayling (Epsom and Ewell): I had the pleasure and fascination a couple of weeks ago of visiting east Manchester with the Select Committee on Transport, Local Government and the Regions. We saw at first hand the impact that the Commonwealth games development is having on that part of Manchester. Clearly, it is a huge benefit to bring major sporting events to places that need regenerative support. Given all the toings and froings over the national stadium, and the loss of Picketts Lock and the world athletics championships, what prospect is there in our lifetime of major sporting events like that coming to the UK?

Mr. Caborn: The hon. Gentleman has answered his own question. One of the biggest sporting events will take place next year in Manchester. It has 17 disciplines and a budget of £330 million, and the public purse has paid about £300 million of that. It will be a first-class event. Immediately after the election, we put in place a robust financial structure, which has had a further injection in excess of £100 million. I believe that it has shown dividends, because I had the great privilege yesterday, with the Manchester organising committee, of announcing that 42 per cent. of tickets for the event have been sold and that the opening and closing ceremonies are sold out. Quite a lot of tickets remain for other events, but I think that it will be a huge success. Coupled with the Queen's golden jubilee, it will give us the opportunity to show the world that Britain is in the premier division. It is a major event, and it has 167 disciplines. I think that the north-west will be very proud of that, as should the UK and the Commonwealth.

Chris Grayling: I wholeheartedly endorse the success of the Commonwealth Games; it is a tribute to the organisers that it is likely to be such a success. Against that background, it is disappointing that we, perhaps alone of all the major industrialised countries, have had to walk away from one of the world's premier events, the athletics championships in 2005. As a result, it is hard to see that international sport will entrust us again, in the foreseeable future, with a major event.

Mr. Caborn: The hon. Gentleman runs down the ability of the UK to host major sporting events. Of all the European countries, we probably stage more international sporting events than any other. Motor racing, tennis, golf and football have all been tremendously successful so far as the UK is concerned. We made a manifesto commitment to provide a venue for 2005 that would be commensurate with the aspirations of the International Amateur Athletics Federation. That is why, having undertaken the evaluation, we offered Sheffield.

Before the hon. Gentleman seeks to intervene again, might I say that the late IAAF president, Primo Nebiolo, when he was the president of the Universade, said that it was a fantastic facility—one of the best in Europe—that was a credit to athletics and left a tremendous legacy. That facility is what we have just offered to the IAAF for 2005. To back it up, there will be an investment of about £40 million into state-of-the-art amenities. There will be a 200 m indoor running track, serviced by a tunnel, with some of the best sports science and sports medicine to back up our athletes. There will not be better facilities to support athletes anywhere in Europe; not because of the IAAF but because of the planning that has gone on through the English Institute of Sport. That complex will be there, ready to be used.

Chris Grayling: In that case, perhaps I have misunderstood. Will the Minister confirm that the 2005 athletics championships will be held in this country?

Mr. Caborn: That is a decision for the IAAF, which it will take on 26 or 27 November. We have given it the opportunity to bring the 2005 games to Sheffield, and is up to it to take it; it is not the decision of the Government. If the IAAF heeds the words of its late president, the answer to the hon. Gentleman might well be yes.

Jon Trickett (Hemsworth): Nobody doubts the passion and commitment of my right hon. Friend the Minister to large-scale sport or to the regenerative effect in deprived communities of such events. He will also be judged—perhaps more so—by his capacity to bring about sporting regeneration at the grass roots, among the rank and file, particularly if he tackles social exclusion at that level as well as great events. If the Opposition focused more closely on that, we might have a genuine debate today.

Mr. Caborn: I hear my hon. Friend and will try to comply with his suggestion. One of the things that I have instituted since I became Minister for Sport is monthly meetings with my ministerial colleagues in the interests of cross-cutting, of trying to develop policy in a more holistic way and of using the assets of government more effectively. I meet Ministers from the Department for Education and Skills and the Department of Health, along with Trevor Brooking, the chair of Sport England and its acting chief executive, and the chief executive and chair of the new opportunities fund. We discuss monthly how we can move the sport agenda forward in a more holistic way. Next month, I shall invite Ministers from the Home Office and the Department for Transport, Local Government and the Regions.

One of the big issues that the Select Committees have been addressing is the revision of planning policy guidance 17, which is important for the development of sporting facilities and open spaces. My Department and Sport England are working closely in the redrafting of PPG17. The regular meetings are reinforced by official meetings and contacts across government concerning the benefits of participation in sport and physical activity. For example, the School Sport Alliance was established last year and brings together DCMS, the Department for Education and Skills and the Department of Health under the chairmanship of Trevor Brooking to take a strategic overview of developments in and around school sport.

I firmly believe that if we are serious about widening access to sport, and using sport to tackle the manifestations of social exclusion, we must start at the real bottom, with school sport. School is where most children are first introduced to sport and where they either develop a lifelong passion for it, as the vast majority do, or are turned off it for life, as I know from visiting schools. As we believe that that early experience of high quality sport and physical education is so important, the Government are investing more than £1 billion in school sport. The DFES has promised to deliver an entitlement of at least two hours high quality PE and sport per week for every child.

We are putting in place better sports facilities, but it is no good building state-of-the-art sports halls if people do not use them. Bricks and mortar and astroturf alone will not make an impact. To increase participation, there must be people with the right skills, expertise and time to devote to delivering quality physical education and getting young people involved in sport. The school sport co-ordinator programme builds on the networks created by the first 100 specialist sports colleges to provide a national infrastructure linking secondary schools, primary schools and local sports clubs. It works alongside the healthy schools co-ordinators to realise the health benefits of school sport. There are now almost 400 school sport co-ordinators in place, with 1,700 primary school link teachers attached to them. By 2004, there will be 1,000 school sport co-ordinators linked to up to 6,000 primary schools. We have a national placement strategy, so there will be at least one co-ordinator partnership of between four and six secondary schools in every local authority in the country, with more in areas with greater deprivation.

School sport co-ordinators are teachers who are released from the timetable for two days a week so that they can work alongside colleagues in other schools, make partnerships with sports clubs and national governing bodies of sport, link with local primary schools and organise competitive fixtures and a range of out-of-school-hours clubs and coaching opportunities.

By forging links between schools and local sports clubs, school sport co-ordinators are opening doors to constructive out-of-school activities and networks for children who might never dream of approaching a sports club themselves. One of the serious structural weaknesses in our sporting infrastructure is the fall-out rate, which is as bad as any in the developed world. Between leaving school at the age of 16 and going to university or to a place of work, about 80 per cent. of people do not go back into sport. In countries such as France, that happens in reverse proportion. That shows clearly the weakness of the sports club infrastructure.

We need to address the resources and development of facilities much more effectively. It is important to have cross-cutting and cross-fertilisation of cultures, so that we can use facilities in education—in the formal structure—in the development of sports clubs in the wider community. Our investment in building those facilities, in terms of quality, quantity and location, will go through the education structure, but must involve building a wider infrastructure for sport in the community.

Mr. Derek Wyatt (Sittingbourne and Sheppey): What does France do to make it so successful that we do not do? On another matter, can we pilot some schemes in which clubs take part in sport with schools? Kids get involved with clubs in the community on Saturday and Sunday, so why can they not do so on Monday, Tuesday, Wednesday, Thursday and Friday? A hundred

[Mr. Derek Wyatt]

technical coaches across the land work after school on my sport, rugby. They go into schools, but are not enmeshed in them.

Mr. Caborn: I will come to coaching a little later, as it is important. However, coaching concerns human capital, and I have been talking about physical capital and facilities.My hon. Friend wondered why we could not transplant the French system. The French system is based on the club structure in villages and towns, although that is not true in areas such as Paris. The system in the United States is based on colleges, and the Australian one on academies. It is difficult to transplant systems from one country to another, but we can learn from them, and we are learning from several other countries that probably achieve better results than us.

Vernon Coaker (Gedling): I do not know whether my right hon. Friend will have the answer to my question. If he does not, I would ask him to find it out. He said that something like 80 per cent. of young people did not continue with sport when they left school. What is the gender breakdown of that figure? I suspect that it will be a lot higher for girls than boys, although it is high for everyone. We should not lose track of that point, because different solutions may be needed for different sexes.

Mr. Caborn: I cannot give my hon. Friend the answer now, but I know that we have those statistics, as I was considering them earlier in the week. I shall write to him on the subject.

I want to talk about volume. Some argue that the initiatives benefit only a minority of schools, but we are putting facilities and human resources in every education authority to create a national infrastructure from which good practice can spread to other schools in the same area. It will sit alongside a range of other initiatives open to all schools to encourage pupils to become involved in sport.

There is scope for a greater role for colleges and universities in developing sporting talent, and in community regeneration. Centres of excellence such as Bath have taken talented young athletes to the top, but their excellent facilities also benefit local people who want to play sport to improve their health, make social contacts or merely to have fun. We must be careful that we do not use sport as an end in itself, but as a means to an end, as centres such as Bath do extremely effectively. We need to make more use of our resources in higher and further education. I also look to other Departments, such as the Ministry of Defence, which have facilities that could be used more effectively in the community.

The sporting facilities of universities and, probably to a lesser extent, further education colleges are not the only reason why those bodies are important. The fact that many of our universities specialise in sports science and sports medicine is an asset that needs to be exploited much more effectively. When I was making a speech to some engineers a few weeks ago, I made an analogy with Formula 1 cars. Seven of the top 10 Formula 1 teams are in the UK due to our fantastic engineering abilities and design. The sport pushes the motor car to its extremes. What happens in the Formula 1 car today happens in the luxury car market tomorrow, and in the volume car market the day afterwards.

Many of our universities push the human body to its extremes, and measure that. I was at Loughborough a few weeks ago and saw samples of muscle tissue that had been taken from cyclists in the tour de France to study recovery rates. A spin-off from that is the possibility for others to recover more quickly from illnesses and exhaustion.

In many areas, we are gathering intellectual property that can be exploited for services, facilities, goods and products, and we should be able to make bigger advances. In my city of Sheffield, 150 companies have been set up on a medipark in the medical and science area of the two universities. They are not driven purely by sport, and go slightly wider. They have put Sheffield's traditional skills—materials and engineering—into a modern setting. They export 80 per cent. of their products, using intellectual property and the skills of a place such as Sheffield. There are tremendous opportunities to exploit in the universities.

Other universities are involved in more direct advocacy of social inclusion. Loughborough leads the way in tackling educational inequalities. Its "Higher Education Participation through Sport" project is supported by Sporting Equals, the Youth Sport Trust, Leicester Racial Equality Council and Loughborough university and is funded by the Higher Education Funding Council. It does a great job of using sport as a vehicle to encourage young people from black and Asian communities into further and higher education.

Mr. John Greenway (Ryedale): The Minister is saying something with which I very much agree. He mentioned Loughborough, and he will know that there are also excellent facilities at Bath. I advocated to his predecessor that we should ensure that such regional centres of excellence at our universities were involved in the regional development of the English Institute of Sport and were not replicated, because that would dilute them. Will the Minister comment?

Mr. Caborn: I cannot comment in detail. I have had three sessions with Steve Cram, who heads the English Institute of Sport. The institute is evolving, and its broad regional base and the division of responsibilities will not be duplicated. However, I want the EIS to work more closely with higher education and centres of excellence to ensure that we use all our resources—whether physical or human assets—as effectively as possible. That has been done to a large extent, and I will encourage it in the future. That basis of facilities is necessary if we are to increase the quantity and quality of elite athletes. I do not disagree with the hon. Gentleman, but further work must be done, and there needs to be greater synergy between higher education, centres of excellences and the EIS.

The initiatives that have been undertaken are indicative of what the further and higher education sector can contribute to the development of sports and communities through sport in the regions, given the right conditions. That potential is not being fully realised, but I look forward to the review body's report about higher education and sport, which will come out at the end of this year or in the early part of next year. That, too, will fit into the Government's plan for sport.

The issue of children at risk of dropping out of education is being tackled. Schools and universities have much to offer, but many children still lose out on their education. Disaffection with education is one stage in a cycle of deprivation. Last Monday, I had the privilege of being with the Prime Minister at the announcement of a new opportunities fund scheme. I talked to some of the teachers who were involved in sport and physical education, and they told me of their experiences. They were from Birmingham, Manchester, Cornwall and inner London. They said how sport had transformed the ethos of their schools. Kids who did not want to go to school before now go to play sport and are then educated. That gateway into those establishments is important. We need to concentrate some of the research and resources in that area. We can see that sport makes a difference and can reverse trends.

The DFES "Playing for Success" scheme has been a phenomenal success in re-engaging 8 to13-year-olds who were beginning to miss school or lag behind. It is terrific news for all of us that this model is so successful and that it is expanding to bring in other influential sports such as cricket and rugby league. For young people who leave school with few educational qualifications and poor educational prospects, sport is now a new deal option. It is working very well. Pilots are under way in Stockton and Barrow, placing young people in secondary schools that are engaged in local school sport co-ordinator partnerships.

The new deal clients have the opportunity to undertake a range of tasks including general duties such as kit and equipment maintenance, planning activities such as setting up after-school sport and working with school and community teams. There is a programme of operation built around sport, giving young people access to sport and to organising it in their local communities. Again, it goes just beyond the education establishment into the wider community.

I turn now to coaching, another important area. Good coaching is as least as important as the big names in influencing children and giving them a leg up into sport. We have asked Sports Coach UK to look at the establishment of a coach development bursary fund to encourage under-represented groups to become sports coaches. Coaches play a key role in motivating and equipping sportsmen and women to succeed. That applies in the school playground and the local playing field, as well as at major international events.

The Government recognise that there is a need to develop and support coaches, to encourage more people to become coaches at all levels and to create a more robust coaching structure that starts at the grass roots and provides a clear pathway all the way up to elite coaching. To achieve that, the Government have established a coaching taskforce drawn from a variety of organisations involved in sport and coaching. I was with the taskforce this afternoon and some of the developments are very interesting. It will report its findings in the early part of next year.

I was astounded when I came into this job, as I did not realise that there was no career structure in coaching, which is one of the most vital parts of the whole infrastructure of sport. There are the various disciplines in coaching, but no national qualifications or career pathways. We are looking at how we can invest in this human asset in a much more systematic way. It also has to be sustainable. We must look at how we can fund this for the medium to long term. If we do not improve the quality of coaching in this country and get the career path needed to sustain it, we will not realise the potential of our young people and we will not realise the investment that we have put into the facilities.

Mr. Andrew Love (Edmonton): I was looking for a suitable juncture to ask a question. In its submission to the recent report by the Culture, Media and Sport Committee, UK Athletics stated that fundamental agreement must be reached on whether major events are wanted in the UK or whether the emphasis should be placed on wider sports development initiatives. The Minister is talking about coaching and the move from grass roots through to elite sports. Does he think that we have got the balance right between the development of elite sport, or should more go into the grass roots?

Mr. Caborn: These things must always be balanced. UK Sport is in dialogue with the governing bodies and resources have been allocated.

We are discussing the Cunningham report with the various governing bodies, with the athletes and with funding organisations such as Sport England and UK Sport. We are trying to strike a balance between concentrating on the grass roots and on the elite levels. Yesterday, my right hon. Friend the Secretary of State and I met athletes to discuss investment. My hon. Friend the Member for Edmonton (Mr. Love) asked some reasonable questions about the English Institute of Sport, and coaching; although the answers may involve some expense, answers are needed.

I want to create a structure in which to tackle three fundamental issues: facilities, which I have dealt with, coaching, and access to sport. Access to sport depends on the location of sports facilities, and the availability of public transport to those locations, whatever their quantity and quality, has a bearing on that. That matter was raised with us on Monday by local authority representatives and by teachers, and we are considering how to tackle it.

A taskforce is working on the problem of coaching. I do not know how much it would cost to have a sustainable structure of, for example, X number of coaches, which increased year on year in quality and quantity, at every level. We are quantifying what will be needed for elite athletes, in the light of the Cunningham report. Once we have done so, I may be able to answer my hon. Friend's question more effectively.

To conclude, I want to say something about the structure of sport in the next 12 to 18 months. I want a ministerial committee to look at the policy from Whitehall in a more holistic way and to consider how sport can help to deliver the policies of the Government on health, education, drugs, social inclusion and many other matters. We want Sport England to be in a more strategic position to give an overview of what is needed to tackle the structural weakness in sport.

We want a much stronger delivery mechanism to empower the regions to find solutions to their problems, because the problems of the north-east are not those of the south-west. Powers need to be devolved to the regions to ensure that sport is more outward looking; as

[Mr. Caborn]

I said earlier, sport is not an end in itself, but is a means to many ends. We must encourage a greater involvement by the private sector, the education sector, the local authorities and others. That can be done at regional level, by empowerment.

There also needs to be another fundamental change. If potential is to be released, it must be facilitated, not frustrated, and power and resources are needed for that purpose. We must look seriously at funding at the grass roots. Sport England has about 60, 70 or 80 different schemes and programmes; could they be delivered at a local level, with money following those programmes? Would it be better for the regions to consider how to deliver a strategy for sport against targets such as year-on-year increases in coaches, facilities and access to sport, and for outputs to be measured against an agreed strategy that the various constituent bodies have agreed? That is open for debate; the Government and the Department are considering the matter seriously. Encouraging wider participation is necessary to realise sport's potential to deliver in many of the areas mentioned by members of the Committee.

I want to have an open debate. That will be facilitated by the appointment of the new chief executive for Sport England, who takes up his role early next year. [*Interruption.*] He is not an Australian—he was born in Doncaster—but he has been in Australia and New Zealand. Sport England will be refocused next year and I hope to strengthen the regional structure to deliver and build on many of the achievements to which I have referred.

3.15 pm

Mr. John Greenway (Ryedale): It is always a pleasure to debate sport. As I have said before—I repeat it for the benefit of the Minister, whom I warmly welcome to the post—we are fortunate to be able to shape the future of sport and participation in sport, which brings so much enjoyment to so many of our constituents. Sportsmen often say how fortunate they are to play sport for a living; the Minister and I are fortunate to have our jobs, which allow us to talk sport in a quasi-professional way.

I wish to make clear to the Minister from the off that while I will make some criticisms of Government policy, I am on as good terms with him as I was with his predecessor, the hon. Member for Vauxhall (Kate Hoey), although he has already demonstrated an approach different from hers. I think that he will recognise that I try always to have a constructive approach, as far as one can within the political environment.

I am glad that the Minister mentioned, albeit briefly, the Wembley and Picketts Lock issues. I was concerned that those subjects, which are much in the news and of great interest to the public, are slightly outwith the title of the debate. I hope that the Government will find time soon to discuss the Select Committee report, to which the hon. Member for Edmonton (Mr. Love) referred, if only on one of the days allocated to discuss Select Committee reports in Westminster Hall.

Before I talk about sport, particularly in schools and the voluntary sector—the area on which I have chosen to concentrate within the theme of social inclusion in sport—I wish briefly to comment on the exchange that the Minister had with my hon. Friend the Member for Epsom and Ewell (Chris Grayling). The Minister made clear, in discussion at Old Trafford on the day of the England-Greece match, his priority for where limited resources should be spent. My main criticism of the Government's position—is that the he did not say that the Government were making a commitment to provide a venue for the world athletics championships in London in 2005, as all the debates, parliamentary answers and Select Committee hearings have made abundantly clear. If we are to learn any lessons from that, it is that before Governments make such commitments, they must ensure that the wherewithal to deliver that promise and commitment is available. I am not saying that the Government are any better or worse than any previous Government in that regard.

The issue is a serious one. I understand what the Minister says about Sheffield but I suspect that on Monday Sheffield will not be accepted and that if it does decide to make a bid, it will not succeed. The IAFF has made it clear that it wanted London. The decision not to go ahead with the commitment on Picketts Lock has major implications for the future of athletics and the staging of major sporting events such as a future Olympics. If we want to host an Olympics, we must provide the facilities first. Who will believe a promise that we will create a facility? All of that has an impact on the standing of sport and on people's enthusiasm for getting involved. The Government have missed that element.

Mr. Love: The hon. Gentleman commented on the recent report from the Department for Culture, Media and Sport, which recommended that there should be a Minister for events. Would the hon. Gentleman be sympathetic?

Mr. Greenway: I would love that job, but the Conservatives have to come to power first. It would be a lovely Government job, if one had the clout to go with it.

Sporting organisations can apply for lottery funding and develop a project or facility within the rules. There is a world of difference between that and the other extreme; projects such as the Commonwealth games, in which the Government had a role from the start. The Government appointed a Minister to oversee the games. The national stadium development and the Picketts Lock proposal seem to have fallen between two stools.

Mr. Caborn: For the record, I shall correct the hon. Gentleman. In 1991, I was involved with the largest sporting event in this country at that time—the world student games. The then Administration gave not one penny to Sheffield to support a major investment of about £180 million at 1990 prices. In 1995, when the hon. Gentleman's friends were in power, I had the privilege of representing the bid for the Commonwealth games. Sheffield's local authority was expected to write an open-ended indemnity to produce its bid for the 2002 Commonwealth games. Sheffield did not, but Manchester did; its local authority said that it would underwrite all costs. When Sheffield hosted the world student games, it had to pay for everything, and it is still paying off a debt of about £20 million per year. Sheffield ratepayers are paying for facilities that the previous president of the IAAF commended as some of the best in Europe. In 1995, the previous Administration would not put a penny into that type of development.

This year, Manchester asked the Labour Government to invest £150 million to rescue the Commonwealth games. We have done that; the games have a robust financial structure and will be a huge success. Does the hon. Gentleman believe that the games would have been saved under the Conservatives? Furthermore, in the light of the Carter report, would he have supported a decision to go ahead with Picketts Lock earlier this year?

Mr. Greenway: The Minister has waited a long time to get that off his chest, and I am glad to give him the chance to put it on the record. He asked two hypothetical questions, which I will do my best to answer. I understand that the agreement reached between the Government and Manchester city council meant that there would have to be a Government contribution; the Minister has seen the agreement, and I have not. There was not a total indemnity. If the hon. Gentleman is saying that the bidding process is not fair, I am not responsible for that.

On the funding of Picketts Lock, if the Government's priority lay elsewhere, they should not have made the commitment to host the world athletics championship in 2005, or to provide a London venue. He and his right hon. Friend the Minister should do as we have asked and publish all of the Carter report. We exchanged correspondence earlier this year about the Carter recommendations on the Commonwealth games and, in the end, the Minister provided a helpful answer. However, the whole world wants to see exactly what Patrick Carter recommended, and I am particularly interested in his figure of £750 million to redevelop Wembley stadium. The Minister has access to the papers; we do not.

Mr. Wyatt: I cannot offer the hon. Gentleman a career path as the Minister for events, but perhaps I could offer him a different career path. We missed a trick in the report. The International Olympic Committee, the IAAF and FIFA are all based in Switzerland or Monaco, but there are no diplomats in either our Berne or our French embassy who are dedicated to sport issues. Not one single diplomat goes to one single meeting. That is a major flaw in the way in which we deal with sport.

Mr. Greenway: The hon. Gentleman makes a further case for debating the issue on its own.

Mr. Caborn: The Carter report on Picketts Lock is in the public domain. Two factors changed the Government's position. First, Hatfield led to revised expenditure priorities for Railtrack that threw into question whether we would have an adequate transport system to Picketts Lock. For any major athletics event, people have to be able to travel in and out in a satisfactory way.

The second problem was the uncertainty about accommodation for the athletes. This was to have been student accommodation at Middlesex university, built through a private finance initiative. World-class athletes would have had to travel 19 miles across the north circular and the M25 every day of an 11-day event for events, quarters, semis and finals. That situation was well outside the Government's control. Would the hon. Gentleman have made the decision to go ahead, in light of the information in the Carter report?

Mr. Greenway: The Minister says that it was inevitable that he had to say no to Picketts Lock when he took office. Last weekend, I said in *The House Magazine*, to which we both contributed articles, that it might well be that the Government had no alternative but to take that decision. However, proper research should have been done before the Picketts Lock site was offered. That was the clear conclusion of the Select Committee, which said, I believe, that the Picketts Lock proposal was plucked out of thin air. None of the issues had been properly explored. The Government should have learned something from the experience of the Wembley planning consent. The hon. Member for Colchester (Bob Russell) knows about the discussions that we had on the all-party football committee. For two years, there was total stalemate on the development of transport infrastructure for Wembley.

I wish to make one other point about the Select Committee report. The Conservatives have always said that the decision to take athletics out of the Wembley project was wrong. The fact that the hon. Member for West Ham (Mr. Banks), who was the Minister involved in that project from the beginning, is now saying that we are back to square one, with two years—

Mr. Barry Gardiner (Brent, North): On a point of order, Mr. Griffiths.

Mr. Win Griffiths (in the Chair): If the hon. Gentleman believes that we have gone beyond the subject of social inclusion and sport, I was just going to interrupt to say that that is the case.

Mr. Gardiner: I believe that there has been social exclusion—of Back-Bench Members.

Mr. Win Griffiths (in the Chair): If the hon. Gentleman will give me the opportunity, I wish to say that the end of this part of the speech of the hon. Member for Ryedale (Mr. Greenway) will be the last that I want to hear about Picketts Lock in the debate on social inclusion and sport.

Mr. Greenway: The debate demonstrates that there are strong views about the matter. The point that I want to make is that the World athletics championships in London would have had a major effect in motivating and encouraging young people from all walks of life to take up sport, especially athletics. I hope that a successful Commonwealth games in Manchester next summer—I believe that it will be a success—will have a similar effect.

As the Minister knows, many youngsters, especially girls, are not motivated to take up sport, as the hon. Member for Gedling (Vernon Coaker) said earlier. Several Government initiatives depend on promoting participation with the support of active local communities and, significantly, encouraging participants to strive for sporting excellence at all levels. The need for increased encouragement,

[Mr. Greenway]

motivation and opportunity is acute, and nowhere more so than in our schools. Our children need time for sport, somewhere to exercise and better facilities.

I can think of no more important subject for us to consider than inclusion in sport. Indeed, the Minister spoke of how the ethos of sport encourages school attendance by some children who would otherwise tend to drop out. Research by the Leeds Community and Mental Health Services Teaching NHS trust found that the number of obese children has reached record levels. By the age of 11, a third of children are overweight and a fifth of boys are obese. That should cause little surprise, considering that a third of primary schools reduced the time for physical education during the past school year. Children now spend twice as much time watching television and playing computer games as they do exercising or playing sport.

Children are supposed to have two hours' sport and PE each week in curriculum time. I know that the Government understand the problem and that many children are not being offered two hours because of an overcrowded curriculum. As I have said before, I do not blame Ministers in the Department for Culture, Media and Sport; the problem lies elsewhere. The Central Council of Physical Recreation best summed up the situation when it said:

> "National Curriculum Physical Education is the only way that all children can exercise their entitlement to quality PE and sport programmes. At a time of record childhood obesity, curriculum PE ensures that all children benefit from regular exercise."

James Purnell (Stalybridge and Hyde): Does the hon. Gentleman accept that the Government have just introduced a requirement for two hours of sport in school per week, and that it is largely irrelevant whether that happens within the curriculum or as part of after-school activity? It is a welcome development.

Mr. Greenway: I accept that the Government want every child to have two hours of sport, but like the CCPR—whose quotation I was halfway through—I do not accept that that is necessarily the solution. The CCPR continued:

> "For 30 per cent. of children, curriculum PE is their only physical activity each week. After school sport is less accessible for children with special needs, children from low-income families and single parent families. Access to after school sport poses problems because of restricted transport."

I should put it the other way; restricted transport causes the problem. I guess that between 65 and 70 per cent. of secondary pupils in my constituency use a school bus. For younger children, the figure is probably equally high. The CCPR said:

> "Children in rural areas have limited access to public transport to take part in after school sports clubs. However, whilst after school sport activities are welcomed, they must not be allowed to replace the unique position of PE within the curriculum."

That is what the CCPR says and what I have tried to argue in the two years that I have had this post.

On the question of places to play and exercise, school playing fields and other sites are still being sold off to fund non-sporting developments. According to a leaked DCMS report, 446 applications for building on sports fields were approved in the year between April 2000 and March this year. That was 60 per cent. more than the 279 approvals in the previous 12 months. Before any Labour Member tries to intervene, we are conscious of the fact that Ministers have repeatedly claimed that 5,000 playing fields were sold off during the 18 years of Conservative Government, which is an annual average of 277. That is still fewer, but that is not my point. Numerous opportunities to justify the claim through parliamentary questions to Ministers have produced no concrete evidence for this allegation. *[Interruption.]* If the Minister has concrete evidence, I hope that he will publish it.

The previous time that we debated the issue—under the Minister's predecessor, the hon. Member for Vauxhall—I readily acknowledged, as a former member of North Yorkshire county council, that pitches and playing fields were sold. Sometimes it was right to sell them; a sale is not always wrong. Frankly, however, we have now reached the stage where far more robust action is required. The cumulative effect is deeply worrying.

Referring to the leaked report, the hon. Member for Vauxhall was quoted in *The Sunday Telegraph* last weekend as saying:

> "The figures bear out what I am finding when I go round the country and show quite clearly that our promises to save playing fields are not working."

The same article also quoted Elsa Davis, director of the National Playing Fields Association as saying:

> "The loss of playing fields is proceeding at a rate which is totally unacceptable. For years, the Government has talked motherhood and apple pie, saying that they will save playing fields, but nothing has been achieved. Ministers can't keep talking about the need for children to exercise to stop them getting obese if there is nowhere for them to run around and play team games. We need much stronger safeguards."

Mr. Gardiner: Does the hon. Gentleman accept that prior to the 1997 general election, 40 playing fields were being lost per month? The current rate is two playing fields per month. Will he not acknowledge that this Government have invested £750 million in a playing fields initiative for schools?

Mr. Greenway: I shall talk at some length about the latter point later. The hon. Gentleman may be shocked to discover that we generally approve of this money being spent, but not of the people who are spending it. The hon. Gentleman is also wrong about the former point. The figure I read from the leaked DCMS report suggests that 446 playing fields were lost in the 12 months from April last year to this March. That is considerably more than two per month. The hon. Gentleman intervened at an opportune moment, because I was about to quote the CCPR as saying:

> "New published figures are required from Government on the sale of playing fields".

Will the Minister take that clear message away with him? We must know what is happening. He alluded to the need to strengthen the case for PPG17, through which the Government gave an advisory role to Sport England. The latest draft from DETR weakens the current planning guidance. It must be strengthened if we are to avoid judicial review of sale and planning refusals, which would lead to even more sales. The recent case of Foster's field in Dorset tells us that urgent action is needed. Notwithstanding our past political arguments, I hope that we can move forward in the spirit of consensus. I hope that our debate will help the Minister in his discussions with colleagues in other Departments so that the much needed action can be taken.

Chris Grayling: Having heard the interventions of Government Members, does my hon. Friend agree that going through history lessons on this subject serves no purpose? We all need to tackle the problem today. Accusations about what took place in 1997 or before do not serve the interests of today's young people.

Mr. Greenway: I agree with my hon. Friend. One allegation after another has been made about what the last Conservative Government did, but sports organisations tell me, anecdotally, that it is worse now than it has ever been, although the position is supposed to have been improved. I hope that that brings that matter to an end.

I return to the point made by the hon. Member for Brent, North (Mr. Gardiner) about the funding of new sports facilities in schools by the new opportunities fund. That should make a big difference to the quality of facilities that are enjoyed by many children. I am sure that the Minister was delighted by the *Yorkshire Post* headline, "Yorkshire schools to get £60m bonus", as we are both Yorkshire Members. The article gives a breakdown of where all the money goes. [*Interruption.*] I did not want to make a point about Sheffield but, having been tempted, I will say that Sheffield gets £6 million, but Leeds gets the gold star with £7.7 million.

The key point is that, although we welcome the bonus, many people will argue that some of the expenditure in schools should have been funded by the Exchequer and not by the national lottery. The test of additionality, which the Labour party in opposition thought was so crucial when the lottery was established, has been avoided.

The more important point raised by the article is how the money has been divided across the country. We have all seen the press release that states how much is going to each local education authority, but we need to know how that has been decided. I note that York will receive £818,000. To put that in perspective, that is little more than the cost of the excellent artificial sports pitch centre at Huntingdon school in my constituency, which all my children attended. That was two-thirds funded by the sports lottery fund. It is not as if we could not raise funds by other means.

It is reported that each local authority will receive the money as a grant. Is that the case, or will there be an allocation against which the LEA must submit a bid? Will there be match funding? Who will determine how the money is spent, and monitor that it is spent appropriately and effectively? Unless I have got it wrong, Sport England has been given no role in assessing the viability of the projects. Why not?

All the expertise that Sport England has built up over the past seven years as the lottery distributor would surely have been invaluable in ensuring the scheme's eventual success. Those are all valid observations, because it is not Exchequer funding, but lottery funding. Sport England's sports lottery fund is the appointed lottery fund distributor for sport in England and should have a role. I heard what the Minister said in his speech about the strategic role of Sport England, but it also has the expertise to assess the viability of many of the projects.

There is a real danger that the new opportunities fund initiative, although well intentioned, will undermine the efforts of Sport England to ensure a more needs-based distribution of lottery funds. Sports lottery funding has become more scarce. Over the past few years, its available funds have dropped from £250 million to a likely £185 million this year, and that is down from the £300 million that it used to receive in the early days.

There is more demand and more need to allocate funds to major projects such as the Commonwealth games, as the Minister says. The money cannot be spent twice. For that reason, Sport England has been insisting that local authorities carry out a pre-application audit and needs assessment on any project sponsored by the LEA.

I have said for some time that we need an audit of facilities. That is not easily done. My heart sang when the Secretary of State said in the summer that she wanted a Domesday book. That is a very profitable suggestion, but it will take time. We are not sure who will spend all the money before we have even got off the starting blocks with regard to the audit or the Domesday book. I welcome the Secretary of State's intention to have an audit, but there is a danger that by sidelining Sport England from the NOF funding process—or, at best, relegating it to a minor role—some of the money could be spent in the wrong place and in the wrong way. Independent funding bodies, not politicians and particularly not local councillors, should determine where lottery money is allocated.

The NOF announcement will add to the growing sense of injustice and frustration felt by many voluntary sector grass roots sports clubs. They are finding it even more difficult to access sport lottery funds and they are still waiting for a more formal announcement from the Government about how the Chancellor's Budget pledge of help with rates and tax will be honoured. I note that the Chancellor will speak again in the House next Tuesday; perhaps we shall hear something then.

A clear sign of frustration was revealed in the CCPR's recent "Hit and Miss" campaign, which I commend to the Minister. Several governing bodies, including those of cricket, tennis and bowling, all of which have high participation levels among older generations—I am thinking of our generation, Mr. Griffiths—conducted surveys of member clubs. They show that the "Paying for Local Government" Green Paper proposals for rate relief will not help most clubs and, worse still, that many could be worse off.

Our policy at the general election was to work with the Charity Commission to amend the law if necessary to provide charitable status to more community sports clubs. The demand for sport to be given parity with charity must be addressed more positively, although we do not underestimate the difficulty.

I do not doubt the Minister's sincerity in demanding that the new sports facilities in schools that emerge from the NOF scheme be for community use; I think that he made that point today. However, there are huge practical difficulties in achieving that, one of which involves maintenance. Someone from York cricket club, which I think contributed to the "Hit and Miss" campaign, asked who would cut the pitch. That is an example of the tender loving care given by volunteers to ensure that facilities are kept in pristine condition. We

[Mr. Greenway]

know from constituency experience that schools just do not have the budgets, manpower, skills or wherewithal to do all that. Something must be sorted out.

We should recognise that voluntary sector sports clubs provide the more thorough and far-reaching opportunity for community participation in sport and, as a consequence, the best chance for greater social inclusion. Helping more clubs to become genuine charities would nurture that process and, perhaps even more importantly, would secure their pitches and facilities for future generations.

Mr. Love: Will the hon. Gentleman give way?

Mr. Greenway: I will not give way, because the Minister and I will have taken up about 40 minutes each by the time that I stop speaking, and we have already had a good exchange.

We should remember that, particularly in many rural areas, children get the chance to participate in team sports such as soccer, rugby, hockey or cricket only through their local voluntary sports clubs. The 400 schools sports co-ordinators, whom the Minister mentioned and by whom the Government set great store, have a crucial role to play in securing and increasing co-operation between schools and voluntary sector clubs. If we really want every child to have a sporting chance, we need both elements. Schools and clubs need to be used to the full and to work in partnership to identify and nurture talent to ensure that when young people leave school and college, they continue to participate. I agree with what the Minister said about that.

It is right to use sport not only to tackle problems of social exclusion but to harness the benefits to health of people being more fit, the benefits to communities of less crime, vandalism and delinquency, and the benefits to society as a whole of taking pride in sporting achievement, both domestically and on the world stage. Our standing in world sport really matters to people in Britain, which is why there is so much dismay and disbelief about the situation with the world athletics championships.

Let me conclude on a more positive note, as sporting interest is founded more than anything else on hope, if seldom expectation. That is certainly the case if, like the hon. Member for Colchester and me, people follow teams in a lower league. One of the few items of sporting news that cheered me this week—a week in which none of our teams managed to win a European Champions League game—was buried at the back of the latest edition of Sport England's magazine. The magazine states that the under-12 Wolverhampton Wanderers team—representing the west midlands under-12 academy—defeated Brazil, the USA, Australia, Korea, Thailand and Japan to win a prestigious international football tournament, hosted by the organisers of next year's World Cup [*Interruption*]. That cheered me and, as I can see from their reaction, it has cheered hon. Members. If only they can do the real thing in 10 years' time; that has to be the point.

The magazine, which also carries two photographs—two that I have found so far—of the Minister, highlights a number of Sport England programmes that are aimed at improving and strengthening social inclusion in sport, such as tackling racism, encouraging minorities and creating more opportunities for women and those with disabilities. I, too, pay tribute to Trevor Brooking and his team and welcome the appointment of David Moffatt, a Yorkshireman, as the new chief executive. I hear what the Minister says about what he wants to do with Sport England regionally; doubtless we can discuss that another time. Today, I strongly urge him to make the use of Sport England's expertise. Involve it in making sure that the money—which is not new, it has been announced three times—is spent wisely and effectively.

Mr. Win Griffiths (in the Chair): Before we hear any further contributions, may I point out that about 10 hon. Members wish to speak and that the Minister is going to need about 10 minutes at the end to respond? Will hon. Members please think about the length of their speeches?

3.52 pm

Mr. Derek Wyatt (Sittingbourne and Sheppey): The issue is the place of sport in our political culture. It is lost in the Department dealing with culture. We need a Secretary of State for sport and health education, who should be the chairman of UK Sport. We have to locate the issue so that we are in control of decision making; we can no longer allow quangos to dictate to us. Until we have such a structure, we might have debates, but not much will change.

I have asked a number of questions about the new opportunities fund for sport. I cannot understand why we have set up a second administration for sport. We shall waste between £8 million and £10 million on a second system. What is the purpose of that? That money will be lost. I cannot see why the new opportunities fund for sport could not have been located with the Sport England offices, so that they could learn and be grafted together. What we have done is crackers; it makes no sense. We have missed a golden opportunity. The figure of £750 million is mind-boggling; nobody can say that it is not enough. However, all that we are to receive in Kent, the largest local education authority, is £10 million. I have heard what Yorkshire will get and I am amazed.

We should take 10p in the pound from every lottery ticket sold and keep it in the community where that money was spent. Community sport would very quickly develop, because there would be a community chest. I have often said that if we could just tweak the lottery funds cleverly, we could create local community chests. At present, we do things the wrong way round; we do not want a top-class bureaucracy, which ours is not anyway. We want the system to be bottom up, so that a local fund is available to which people can go for their shirts, goalposts or netballs.

The main thing to address is planning. Wherever I look in my constituency, houses are being built. They are built before anything else is ready. There is no school, doctor's surgery or police station; in fact, there are not enough doctors, policemen or school places anyway. Nor are there enough schools, so we cram children in to use the playing fields, and they are being sold. If we are serious about the White Paper on planning, we should ensure that we do not consider the playing fields at the end, after the houses have been built. Playing fields should be planned first, along with the surgery and the community hall. Putting planning first is an important trick. When it comes last, people start to argue. They say, "We meant to put the community hall there, we meant there to be indoor bowls, we did mean to include a football pitch, but when push came to shove we couldn't be bothered. Why don't we just pay £100,000, and someone else can do it." That is a game and it is played back and forth, but it is fundamentally wrong. We are talking about inclusion, but we should get it right; we have a golden chance with the White Paper. If we do not get it right, we will have to wait to get new facilities built. I urge the Minister to put his back into the fundamental change suggested in PPG17.

Mention has been made of ground staff, but we have none. We have no cricket squares left, and playing fields everywhere are flooded, and cannot be played on. If they are not flooded, in the summer, they are too hard. It is ironic that the schools in my constituency cannot use their grounds in the winter because they are not properly watered. It is nuts; the schools cannot play football or run around on the fields because the grounds are too crusty and dangerous, and the health and safety people say that they cannot be used. We need a fast-track ground staff training scheme. We must also include the clubs. They too need good facilities and fields; if they played on better fields, their skills would improve. We can provide coaches, but if we do not have good playing facilities, it will be pretty pointless. Indeed, hockey proved that when it moved from grass to an artificial surface; we could see the skill change. Real momentum is needed to ensure that there are good ground staff.

We have given public service broadcasters £1 billion extra, but they refuse to have a sporting coach education channel. It is, frankly, outrageous. In the late 1960s, Jennie Lee and Harold Wilson took £3 million from the BBC's licence fee money to start the Open university. Why cannot we squeeze the BBC for £20 million a year to pay for a sports and health education channel? The whole sporting curriculum could be included. People could watch Steve Redgrave rowing every day for two hours, and see his brilliant skills online and on television. I have written to the Minister to say how ridiculous it is that it is not a public service requirement for the BBC to provide such a service.

As people know, sport has been a huge part of my life. However, there remains a skill shortage in sporting management, which could be taken up by the institute. As it is, we cannot manage big events, we cannot deliver them on time and we cannot do it on budget. That is another aspect of the culture of sport that must change.

3.57 pm

Bob Russell (Colchester): We have rightly been reminded that this is a debate on social inclusion and sport. I regret that the Minister and the Opposition Front-Bench spokesman have taken 81 minutes between them, speaking on matters that had nothing to do with social inclusion and sport. As a result, I, and other hon. Members, are unable to contribute to the debate as we would wish. The subject is serious, and I resent the fact that our time has been eaten up. My speech will be brief, like those of other hon. Members, yet we have undertaken considerable research for the debate. I regret that not all of my speech will be on the record—but others will not have the chance to speak at all.

It would be a refreshing change if the Government were to include sport as a serious part of its overall strategy. Surely sport deserves more consideration than an occasional debate in Westminster Hall when there is a need to fill a gap in the timetable. The problem does not lie with the Minister or his predecessors, nor, in fairness, with the Department for Culture, Media and Sport, although it must be said that sport always comes third even in that Department, which seems to rank lowest in the Government's ministerial league table.

Sport has been the poor relation under successive Governments because they have underfunded it and failed to recognise its importance to the nation's health and well-being. One football song says that people only sing when they are winning. The same can be said of the performance of the ministerial first team squad, because we hear from them only when sport is going well.

If we are serious about sport and social inclusion, we need to get back to basics. According to an Ofsted report, 75 per cent. of pupils are not getting the minimum two hours' physical education a week under the school curriculum. We do not have school league tables for physical education and sport, but perhaps we should. We could then see which schools were failing our children. Three quarters of pupils are excluded from the two hours' physical education, so let us sort that problem out before embarking on gimmick slogans about social exclusion and sport. Mrs. Jean Gates, an honorary officer of the National Council for School Sport, who is also an assessor for the International School Sport Federation, tells me:

> "Pressures of examinations and the shortening of the summer term have contributed to the sharp decline of tennis and cricket in schools, also athletics."

What does the Minister intend to do to reverse that shocking state of affairs? Why do so many schools fail to provide the basic two hours' PE per week, let alone proper involvement in competitive sports? Many say that they would love to do that, but that Government strictures about higher academic standards—about which the Prime Minister again boasted yesterday—and the need for better exam results each year and for a higher league table place mean that they must cancel or reduce the timetabling of physical education and sport. That is a daft thing for schools to do, because all the evidence is that healthy children are likely to do better academically than those not in good health.

In the light of the unhealthy obsession with academic achievement, it is little wonder that sport is increasingly excluded from the lives of the nation's young people. If sport is not undertaken at school it is unlikely in most cases that it will be pursued outside school and in adulthood. That is borne out by research done by Sport England, suggesting that children's experience of sport at school will greatly influence their decision whether to remain involved in sport on leaving. A caveat to all that I have said is that sports coaching and training must be undertaken only by qualified staff. Sport England's head of public affairs, Mr. John Zerafa, says:

> "Essentially, if you can win hearts and minds early you tend to keep them committed to a more active lifestyle which, in turn, delivers numerous health and social inclusion benefits—both for the individual and society as a whole."

[Bob Russell]

Education policies under successive Governments have resulted in today's young people being less fit than their parents' and grandparents' generations. As a consequence today's youngsters will, as a generation, experience breathing, mobility and heart problems at an earlier age, putting even more pressure on our health services. The situation appears even bleaker when it is realized that the less well-off in society are those who are the most excluded from sport.

I welcome proposals for after-school sport, but it should be additional to, not a replacement for, the two hours' physical education in the school curriculum. The Central Council of Physical Recreation has already flagged up concerns that after-school sports provision does not necessarily produce the social inclusion that many may think it will achieve. As its senior policy officer Simon Taylor told me:

> "Transport barriers can prevent children taking part in after-school sport. The school bus is often the only way home for those most at risk of exclusion. As such there is a real danger that the record lottery investment of £750 million in school sport facilities will only benefit those children with access to private cars."

The council also states:

> "It is widely recognized that the most inactive pupils are those least likely to volunteer to stay behind for after-school sport. Those at greatest risk of exclusion are less likely to be able to stay behind after school. This can be for a variety of reasons including access to transport, having to do part-time jobs, looking after siblings or doing other after-school activities—particularly homework."

There is also a fear of vulnerability for some children returning home out of school hours.

I should be obliged if the Minister would explain how he proposes to address that major hurdle of transport, which will be particularly acute not only in rural areas but in all schools where a large number of pupils rely on the school bus. "Sport for all" is a slogan we should return to. It is far more meaningful than the current politically correct phrase "social inclusion and sport". Although I have concentrated my comments on those of school age, social inclusion applies to people of all ages and from all social backgrounds.

Had I been given the time that the debate warrants I should have developed many of the themes that I have outlined. I hope that we shall return to the debate, and that the Minister will treat the occasion with more sincerity in future.

4.4 pm

Dr. Ashok Kumar (Middlesbrough, South and Cleveland, East): I should like to put on the record my thanks to the Minister for coming to Durham recently to launch the northern regional sports strategy. What he has said today is similar to what he said at that meeting, and it was highly refreshing to hear him remark that the problems of the north-east are different from those of the south-east.

I want to highlight the concerns of young people and to focus on my constituency, particularly with regard to health and social inclusion. Redcar and Cleveland council, one of the two local authorities in my constituency, has a good track record on education. In 1999, Redcar and Cleveland was among the top five most improved local education authorities nationally at key stage 2 and was the most improved LEA nationally at key stage 4. Five schools in the borough have been identified in their Ofsted reports as outstanding. We have everything—sure start, beacon school status, education action zones and single regeneration budget bids. Money is flowing in from all directions.

Without a good education, a good start, we cannot expect our children to do well. It is that simple. Reading, writing and arithmetic are at least as important as they ever were, if not more so, but there are many other subjects that are of value to young people in their formative years. As the Minister said, the many activities that comprise sport or physical education lessons in school have in common the aim of creating well motivated, healthy, independent young people. They are so important that they should be seen as a vital part of children's education. They should not just be a Wednesday afternoon filler, or an add-on to enable us to tick the national curriculum "sport" box.

Increasingly, there is an acceptance that the education system in general, and schools in particular, do not just shape young minds, but affect the whole package. Making children mentally strong is only part of the answer. As well as encouraging healthy minds, schools should be encouraging healthy bodies. Sport can offer our children the opportunity to gain extra skills and confidence. By giving children healthy meals in the canteen and engaging them in sporting activities, schools can help them to become successful in later life. If young people are taught from an early age the ideas of healthy living, there is a better chance of them staying fit and healthy in later life. The alternative to healthy young people, and the resulting problems in later life, does not bear thinking about.

There is ample evidence to suggest that there is a link between poor health in adult life and lifestyles. Health indices in many of the wards in my constituency show, in marked fashion, the health patterns that unfortunately mar much of my constituency and the north-east of England. The indices of death from cancer and heart diseases across Teesside are among the worst in Britain, a rate that is mitigated and disguised by the fact that some more prosperous wards have relatively low rates of those diseases.

For example, parts of Middlesbrough such as the suburb of Hemlington have a standardised mortality rate for heart disease of 147, compared with a national average of 100. They also have astonishing SMRs of 236 compared with the same national average of 100 for women dying of cancer. In other areas, such as Park End, the SMR for men dying of lung cancer is 262, with a female equivalent rate of 223. In the neighbouring Easterside ward, the female lung cancer SMR is 252. A similar pattern emerges at the rural end of my constituency.

A recent study conducted by Teesside health authority found that younger people, men and affluent people were more likely to be physically active than older people, women and people who are poor. It also found that the proportion of men and women not taking part in any moderate or strenuous physical activity rose between 1995 and 2000 from 36 per cent. and 46 per cent. respectively to 50 per cent. and 51 per cent. I do not claim that playing football for two hours a week can prevent cancer, but growing up with a culture of fitness and regularly taking part in sporting activities can bring dramatic health benefits.

Not only the young can benefit. Age Concern in my area recently published a document with several low-intensity exercises for older people that can provide mental and physical stimulation, as well as an improved sense of camaraderie when conducted in group settings. It is often hard for older people to participate in sporting activities, as opportunities are more limited. That is not the case for one of my constituents, Mary Russell, who teaches aerobics in Guisborough despite having recently celebrated her 65th birthday. It is important that older people are borne in mind when we discuss inclusion in sporting activities.

How can school sports help social inclusion? In January, the social exclusion unit published the conclusions of the report of policy action team 10 on best practice in using art, sport and leisure to engage people in poor neighbourhoods. It especially considered those who feel most excluded, such as disaffected young people, and ways to maximise the impact of Government spending on policies for art, sports and leisure in those neighbourhoods. Its stated aim was to draw up an action plan designed to maximise the impact of arts, sports and leisure policies that contribute to neighbourhood regeneration and increases in local participation.

The report found that participation in arts and sports, and the provision of services to support it, could assist neighbourhood renewal by improving communities' performance in the four key indicators, which are more jobs, less crime, better health and improved educational attainment. In addition to the well established benefits to physical health, regular moderate-intensity exercises can contribute to greater self-esteem, improved mental well-being and, in certain circumstances, improved mental ability.

I began my speech by talking about young people, and moved on to acknowledge the wide-ranging nature of the subject. I shall approach my conclusion with the fact that organisations such as the Young Women's Christian Association have suggested that young women, who, as has been said, are under-represented in sport, would benefit from changes to the way in which sport is taught in school and to the range of activities available. Many organisations believe that allowing external and community bodies to use school sporting facilities can turn sports into family and group ventures that might be more appealing than a compulsory weekly slot in an academic timetable.

Rather than physical education being a purely physical event, there should be additional instruction on the physiology of sporting activities. Young people should be taught about the benefits of sport—that is one of the best ways to convince them of its value—rather than forced to join in with no explanation of why they should do so.

My shopping list might appear long and varied, but I genuinely believe that by educating people throughout the community on the benefits of sporting activities, and by making those activities affordable and accessible, we will see a notable reduction in some health problems known to result from the lack of a healthy lifestyle. I shall finish on that point, as I know that many hon. Members want to speak.

4.13 pm

Vernon Coaker (Gedling): I want to contribute to the debate, as I was a teacher of physical education a few years ago. I was a couple of stones lighter then as well, which is worrying. Leaving aside the debate on Picketts Lock and Wembley, I congratulate my right hon. Friend the Minister and the hon. Member for Ryedale (Mr. Greenway) on the many interesting points that they made. Other hon. Members made similarly important points, which reflects the importance of the debate.

The value of sport cannot and should not be underestimated. We must ensure that every member of society, of whatever age, gender or ability, has the opportunity and is encouraged to take part in sport. That is valuable not only for that individual but, as the title of the debate suggests, for the life of our communities; it will tackle some social exclusion problems and enable neighbourhood renewal to take place.

I want to make some specific comments. I am constrained by my role as a Parliamentary Private Secretary in the DFES from saying too much about school sports, but I am pleased to see some of the developments that have taken place and are to take place, especially with respect to sports colleges, the school sport co-ordinator programme and the proposed improvements of school sporting facilities. As my hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt) said, without those improvements, the extra improvement that we all want would be difficult to achieve. It is good that the National Council for School Sport, Sport England, the Youth Sport Trust and many other organisations are involved in the project.

How can we continue to encourage competitive sports in schools? They are essential but, whichever way one looks at it, they have taken a knock. We could discuss the reasons for that, but we must continue to develop those sports. We should also consider the issue of competitive sports and sports facilities available to girls at school. School playing fields are dominated by football and rugby posts, with sometimes the odd hockey pitch. We need to reflect the gender balance in our schools.

Moving beyond schools to the wider community, a number of programmes address social exclusion issues. I do not know whether hon. Members had time to read the preliminary report on the operation of the new youth justice system, which referred to new splash schemes run in school holiday time to keep young people off the street. The report says:

> "The summer 2000 Splash programmes kept 20,000 young people off the streets and had an impressive impact on crime. In areas where the schemes ran, the total crime rate fell by 6 per cent. compared with a national rise of 3.8 per cent. Criminal damage fell by 14.2 per cent., compared with a national rise of 8 per cent. and domestic burglary fell by 26.6 per cent. compared with a national fall of 8 per cent."

Those are astonishing figures. The report also mentions new youth inclusion programmes, such as the project in Sunderland that promotes midnight basketball. They are exciting initiatives. I have never legally played basketball at midnight.

The report refers to youth inclusion programmes that have resulted in a reduction in crime that

> "ranges from 32 per cent. in Doncaster to 14 per cent. in Gateshead and Wrexham."

[Vernon Coaker]

I quote those figures because they show the value of sport in tackling problems in our communities.

I have made the following point to the Minister before, but it is an important one. I have a suburban constituency in Nottingham. Many of the targeted initiatives seem to assume that social exclusion takes place only in the middle of the city. Will the Minister ensure that programmes aimed at tackling social exclusion of young people through sport are run in rural and suburban areas, where there are pockets of deprivation, although the figures are often swamped by the general affluence? Those pockets of deprivation need support and help as well.

I also refer to the fact that many Premiership football clubs and first division clubs use their status in the community to tackle problems of social exclusion. The "Playing for success" programme seems to be remarkably successful. In my own city, Nottingham Forest and Notts County do a lot to tackle social exclusion. The players go to schools, youth clubs and difficult areas. Nowadays, we knock our professional sportspeople, but we should use the debate to say that many do a lot of expert work and voluntary work to help young people and to turn them away from crime and a life of disaffection. Nottingham Forest and Notts County deserve support, but Nottinghamshire county cricket club, Nottingham rugby club and many other clubs also involve themselves in such activities.

It is important for us to consider the role of local clubs at the grassroots. Local clubs struggle on shoestring budgets, but many of us feel that they still do a remarkable amount of work with young people.

Mr. Love: Will my hon. Friend give way?

Vernon Coaker: If my hon. Friend will forgive me, I shall try to keep to our agreed allotment of time so that we can all speak.

Local clubs do a great deal, and many in my constituency have extended their youth club roles and the work that they do. They have also tried to ensure that young women are included. Many local football clubs now run girls football teams. Local netball and hockey teams have also been helped.

Many clubs struggle to get even small amounts of money. Often, they do not want a huge amount—they are not putting in lottery bids for £150,000, £500,000 or £2 million. Sometimes they struggle to get £200 or £250 or to hire a minibus to go somewhere. I do not have a magic wand, but I wonder whether there is some way that we can help.

I also want our public leisure facilities to be improved, because there is a real need for them. Some of our local authorities clearly struggle to provide facilities for public use or facilities for talented individuals to ensure that they progress as much as they can. Some public facilities, such as tennis courts and public pitches, need more done to them, as my hon. Friend the Member for Sittingbourne and Sheppey said. We also need to consider the issue of groundsmen.

We should ensure that youth clubs are available in our communities to provide table tennis and other recreational activities, which must be accessible to young people. As hon. Members have said, accessibility and the availability of public transport to such facilities are real issues.

I have gabbled through my notes to ensure that everyone has a chance to speak. I have tried to make some important points. Grass-roots sport is important, as is the help that professional clubs give to the development of our young people. Sport plays an important role in social inclusion in our communities.

4.23 pm

James Purnell (Stalybridge and Hyde): I, too, will keep my remarks short. First, I must declare an interest. I am a director of the Tameside Sports Trust, which provides sport for Tameside, often on behalf of the authority. It is fitting that I have taken over that position from Tom Pendry, who all hon. Members will agree did much to raise the profile of sport in Government policy. I pay tribute to him for that.

Tom's argument was always that sport was not only incredibly important—our national newspapers often give it more coverage than politics—but incredibly good as a tool of anti-crime, pro-education and health policy. Most of all it is a good policy against social exclusion, and I am delighted that we have a chance to debate that.

Sport is a great tool for attacking social exclusion, but the participation rates are unfair. The data show that people from classes D and E are three times less likely to participate than people from professional classes. The inequality is greater among ethnic minorities. People from Pakistani or Bangladeshi backgrounds are nearly 50 per cent. less likely to take part than people from white backgrounds.

We must ensure that we use sport as a tool to reduce social exclusion, but we must also reduce social exclusion in sport, and schools are important if we are to achieve that goal. I welcome the fact that the previous Government introduced the national lottery and ensured that sport was one of the good causes funded. Money was initially allocated through bids, but the previous Government were successful in ensuring that it was allocated more strategically. I welcome Sport England's commitment that 75 per cent. of their lottery money will go into grass-roots sports. It is better to invest in them to develop sports for the future and ensure that people can participate. That is better than chasing after major sports events, which are important at the time, but which often do not leave the legacy that some claim.

The allegation that the Government have raided the good cause of sports to fund their priorities through the new opportunities fund is a lot of nonsense. That fund has been extremely successful in funding sport. After-school clubs are a good example of that, as are healthy living centres. I am glad that the process culminated in the £750 million grant for school playing fields. I urge the Minister to ensure that local councils, Sport England and the new opportunities fund use the money for the benefit of the wider community and not just for schools. Copley high school in my constituency is a good example. It is on the same site as a sports centre, which creates excellent synergies. The school's Copley club allows students to use the facilities for free during the school day, and at a reduced rate at other times, which has greatly reduced the amount of truancy and is a good example for general policy development.

I pay tribute to schools in my constituency that run fantastic sports activities despite having atrocious facilities. West Hill and Mossley Hollins schools have sports halls that are barely big enough to play badminton in, and their changing rooms are falling apart. Long overdue money should be made available to those schools to match the effort put in by staff and students.

Sports facilities should be designed for use in the evening and at weekends. I find it frustrating to drive past schools—or defence facilities, as the Minister said—in which there is a facility available for the community, but it is locked up and unlit, with no ground staff present to make it available for the community as often as possible. In my constituency, the council is building a school that can be locked off from the facilities, so that those can be open in the evening without putting the school at risk of vandalism or intruders. If that example is not followed, future generations will not forgive us. The huge amount of money is a once-in-a-generation opportunity to make a massive difference to the infrastructure of our sports facilities.

However, facilities are not enough. We need coaches, ground staff, and properly exploited facilities. I welcome the school sports co-ordinators programme. It is a fantastic idea to release people from the timetable so that they can coach in their schools and work in primary schools too. That is a great way of using the lottery to ensure that we can pilot a programme, develop it and experiment with new ways of delivering policy. How will that be made a permanent feature of the system? I would encourage both the Department for Education and Skills and the Department for Culture, Media and Sport to look at ways of funding that from Government money so that all our schools can benefit and so that we can combine the resources of our coaches and youth service.

We all struggle in our constituencies with the problems caused by young people hanging out on street corners, not having enough to do in the evenings and getting into problems with alcohol, drugs and criminality. Encouraging the youth service to work as much as possible with our local sports clubs and local councils to attract people into sporting activity is a fantastic way of reducing the risk of young people slipping into criminality and drug abuse. It is something that they are interested in. It is not just putting a bit of sugar in the medicine; it offers them the resources of the youth service to advise them on drugs, career development and so on to ensure that they have a much better chance of achieving their full potential.

I should like to congratulate my local council on the work that it has done in that respect. Tameside decided to move from traditional youth centre work, as only a small number of people were using the facilities and they were not reaching the harder parts of the community. It is better to try to use sport to reduce social exclusion by getting into the harder parts of the community. Although we have fantastic initiatives such as the Youth Justice Board, Sport England and the Children's Fund, I am slightly worried that because they must bid for funds and receive a one-off investment, they do not support a long-term sustainable infrastructure for providing sport in the community and for dealing with the problems of young people.

I urge the Minister to work with his colleagues in the comprehensive spending review to see whether we can develop one source of sustainable long-term funding, probably distributed through local authorities, because it is they who have the most to gain by reducing the problems caused by some young people to make sure that we fully maximise the potential of sport to tackle social exclusion.

4.32 pm

Mr. Barry Gardiner (Brent, North): This afternoon my right hon. Friend the Minister repeated a phrase that he used yesterday at the annual conference on business in sport and leisure. He said that he believes that sport is a means to many ends, not an end in itself. That is very much a politician's view. For many people who live sport, breathe sport, but drink a popular brand of cola, the view from the terraces may be somewhat different. They engage in sport with a passion. It has the all-consuming quality that many in this place consider politics to have, much to the bewilderment of our constituents who think that we must be off our collective trolley to be preoccupied with programme motions, Adjournment debates and sunset clauses.

But my right hon. Friend is right to claim that sport, like politics, has the power to transform, not just individuals, but whole communities. He probably expects me to give a lengthy exegesis on the power of the national stadium to regenerate my own community of Wembley, which contains some of them of the most socially excluded wards in Britain, but he will be relieved to know that that is not my aim on this occasion. In the time available to me I wish to focus on the economic case for investing in sport in order to achieve the social inclusion that is the subject of our debate, and is certainly one of the most important ends to which sport can lead.

As the Chamber is aware, I am privileged to sit on the Public Accounts Committee. There are those who would say that the PAC is itself a somewhat barbaric sport, akin to bear baiting in which unsuspecting Whitehall mandarins are subjected to cruel and unnatural abuse and ritual humiliation. In fact it can be an enlightening process, as the Committee's recent investigation into the Government's efforts to tackle obesity showed.

The National Audit Office report revealed that obesity in the United Kingdom is increasing at a staggering rate. Some 25 per cent. of people aged 16 to 24 are obese. That increases with age, and about 70 per cent. of people aged 65 to 74 are classified as obese. If any Member wishes to check their body mass, I have a body mass index calculator, which will tell them whether they are morbidly obese, obese or just overweight. By obese, I do not mean a little overweight; I mean recognised as having a clinical problem that is damaging to one's health.

The problems that obesity brings for the health of the nation extend into the coffers of the Exchequer. The NAO report concluded that the total direct cost to the Exchequer in 1999 of the treatment of diseases related specifically to obesity was £469.9 million. The indirect costs to the country include 80 million working days lost to the economy and £2.6 billion, which is 0.3 per cent. of our gross domestic product. That equates to £43.33 for every one of the 60 million inhabitants of the United

[Mr. Barry Gardiner]

Kingdom and, given that the national health service spends an average of only £750 per head of population in any one year, it does not take challenging arithmetic to work out that investing in sport to reduce obesity would produce huge long-term savings. I trust that my right hon. Friend will take every opportunity in the pre-Budget review next week to make those points to the Chancellor.

There is an old song with the refrain "It's the rich what gets the pleasure, and the poor what gets the blame," so it will not surprise hon. Members to know that the National Audit Office found that people in lower socio-economic groups are twice as likely to be obese. Some 14 per cent. of women in the highest social class are obese, compared with 28 per cent. in the lowest. Participation in sport is the best way to combat obesity and one of the best ways to combat the social exclusion that results from it.

How can the Government make the necessary investment in sport in ways that will be cost-effective in promoting health and social inclusion? This year's Red Book was subtitled "Investing for the Long Term: Building Opportunity and Prosperity for All". In addressing those issues of social exclusion, it discussed the extension of tax relief to amateur sports clubs, which

> "play a valuable and important role in promoting the health and cohesion of their local communities but do not attract tax relief, because they are not recognised as charitable."

The Government undertook to consult on the best way to help those clubs qualify for that tax relief. In my capacity as joint chair of the all-party parliamentary sport and leisure industry group, I speak to many representatives of the sports industry from the private and public sectors. They welcome the Chancellor's initiative, but the Central Council of Physical Recreation pointed out that certain issues must be addressed. It is concerned about the lack of adequate statistics on the community sports sector and considers that the Charity Commission might be confronted with a deluge of applications that could prompt the Government to water down their proposals.

The centre for the study of voluntary sector policy at University College London estimates that, as well as the 135,000 registered charities in 1998, there were between 180,000 to 360,000 other unregistered community organisations, with sports clubs making up a large proportion. It is unsurprising that the Charity Commission is somewhat daunted by the prospect of widening the market. The obvious solution would be to create a new form of sports-based charity that is not ruled by the Charity Commission but enjoys similar benefits. It is crucial for those clubs to be offered a degree of protection, and for the Government it would be sound fiscal management. Will the Minister share with hon. Members the results of the consultation?

I am the honorary president of the Brent community sports club. It was set up this year on 29 July and has 1,500 members already. For £10 a year they can take part in any number of activities, including five and seven-a-side football, judo, yoga, basketball, netball and volleyball. The group is entirely self-sufficient, has no outstanding loans and has not received a penny in lottery funding. Its membership is drawn from every class, creed, colour and age, and many activities are dominated by women and girls. It holds a firm place in the community, using its hall as a venue for bar mitzvahs, christenings, funerals, Irish wakes and engagement parties. I am pleased to say that my constituency party will be holding our Christmas party there, and if any hon. Members would like tickets, they can see me after the debate.

Mr. Nick Hawkins (Surrey Heath): Will the hon. Gentleman give way?

Mr. Gardiner: No, I will not, as there is not much time left.

The Brent community sports association is an example not only of what such associations can achieve, which is considerable, but of the demand that they fulfil. The driving force must originate from the public sector. The Government have identified the benefits of an increased role for the voluntary sector and the Cabinet Office's performance and innovation unit is undertaking a large-scale review of the sector. In doing so, it is undertaking for the first time a census of the community sports clubs in this country. Until now, the number of such clubs has only been estimated, their role has been dismissed and their potential benefits as a tool of social policy have historically been ignored.

I am delighted that the Government recognise the importance of the clubs through the PIU. They are also working with the CCPR, which is an umbrella group of the governing bodies of all sports and recreational activities in the UK, from the Football Association to the Ramblers Association. The CCPR recognises that community sports clubs are unique in providing grass-roots access to sports provision that is open to all.

There is a need for local authorities to get back statutory responsibility for sports and leisure in this country. The fact that local authorities have been under financial pressure has meant that sports and recreation have always been the departments to be cut back. That is the one aspect of local government that has always suffered because it is not a statutory responsibility. The Minister should be working with colleagues throughout Government to ensure that that statutory responsibility is placed firmly back on local authorities, so that someone has the responsibility to assess deficits in sporting facilities, especially playing fields. No one has that responsibility at the moment. That should be a statutory responsibility, because until we know where the deficits are, we cannot know how to construct a sensible sports policy throughout the country.

With regard to the school day, the obesity report from the NAO was a wonderful report. It came before the PAC, on which there were some real heavyweights—no pun intended—including permanent under-secretaries from the Department of Health, the Department for Education and Skills, and the Department for Culture, Media and Sport, and all sorts of people from other Departments. However, we must ensure that the focus is on our schools.

We must get away from the idea of two hours of sports a week. It is great to have a target, but let us have a target that will make a difference. Two hours a week is absolute nonsense. It should be two hours a day. I am serious. We should be thinking radically on the subject, and the secondary school day should coincide with the working day. A child should get to school at 8.30 am and leave at 5.30 pm, and two hours should be allotted to sports in the middle of that school day. In schools where there is no sporting provision, there could be music, chess and other worthwhile activities. That is the way to put sport at the heart of our young people's education and the way to take sport seriously. Afterwards, children can go back to school for an hour or one and a half hours to complete lesson time. That would demand a huge input of resources, but we need only to look at the figure—£2.6 billion a year—that the obesity report claims is being wasted in our health service on obesity alone. The money is there, if we transfer it from where it is going down the drain into productive activity in sports in schools.

4.44 pm

Mr. Andrew Turner (Isle of Wight): I apologise for not being here for the opening speeches.

As someone who was brought up on the book "The Art of Coarse Rugby"—I mean reading it, not taking part in it—I am not convinced that the prescription of the hon. Member for Brent, North (Mr. Gardiner) would ensure that people took part in sport in the long term. We may take part in sport in school, sometimes enforcedly so, but that does not necessarily lead to long-term involvement. However, that is not the main thrust of my remarks this afternoon, which I shall keep brief.

It worries me that as Governments have become more involved in sports they have done so at the most socially exclusive levels. It is good to know that, since the introduction of the national lottery and the creation by John Major of the Department of National Heritage, there has been a change of direction. Government involvement now reaches down to the local level, but we must understand that the Government do not always make everything happen; more often than not—sometimes through unnecessary intervention or failing to recognise what is happening—they stop things happening.

Mr. Hawkins: I apologise, as vice chairman of the all-party sports group, for not being here earlier. I had to serve on the Front Bench of the Committee considering the Proceeds of Crime Bill.

Does my hon. Friend agree that the sagas and fiascos over Wembley, Picketts Lock and so forth reinforce the point about—

Mr. Win Griffiths (in the Chair): Order. The hon. Gentleman missed our earlier debate in which that subject was covered at length. I ruled then that we had said enough about it. We are now debating social inclusion. Please excuse me for asking the hon. Member for Isle of Wight (Mr. Turner) to continue.

Mr. Turner: I nevertheless thank my hon. Friend for his intervention. The less we hear about Picketts Lock, the better.

Since my election to Parliament, I was pleased to meet Trevor Brooking when he attended the Sandown and Shanklin rugby club and saw much of the activity of Sport England and other local sports organisations. I do not diminish what hon. Members on both sides of the House have said about Government involvement; I am just taking a slightly different angle. I also want to put on the record the Isle of Wight's appreciation of the great contribution to sport made by lottery funding—from Gurnard sailing club right across the island.

The Government must recognise that some sports—especially the less politically correct ones—may be more socially inclusive than people think. For example, shooting sports make a significant contribution to the rural economy. They involve a large number of people of a wide social range—men and women—and contribute to our national sporting success.

I was fortunate enough to open the Isle of Wight gun club's new clubhouse earlier this year. It is a small club, but the coach is an England international, and it is socially inclusive with men and women of all ages taking part. People under 18 are entitled to free membership and the free use of equipment. That is how to involve people in sports. To open the new clubhouse, I was required to hit a clay on a ribbon. It was not much further away from me than the hon. Member for Sittingbourne and Sheppey (Mr. Wyatt) is now, but I was at least able to hit it.

Mr. Greenway: Was it as big as him?

Mr. Turner: It was certainly of more modest size, but it was bouncing up and down as I took aim. Clay pigeon shooting, rough shooting and game shooting involve people across a wide social spectrum in rural areas, and I would be pleased if the Government recognised that. I also want to put on record that I deplore the attacks on pistol shooting by Governments of both political persuasions. Such attacks were a grave error, which has damaged young people's participation in shooting sports. [*Interruption.*] My hon. Friend the Member for Surrey Heath (Mr. Hawkins) mentions—not too sotto voce—the disabled.

Equestrian sports are also important. It may be unhelpful to mention hunting, but it is a sport that involves the whole rural community. Other equestrian sports demonstrate that riding is not an exclusive activity. It is said of the Isle of Wight—it may be said of other rural areas—that there are more ponies per square mile on the island than in any other part of the country. I am sure that that claim is not limited to the island.

Equestrian sports involve women and girls disproportionately. They are interested in them, and that benefits both them and our international performance. One of my constituents came to visit me the other day. She is a disabled young woman in her early 20s who can walk only with the aid of crutches, and she is the daughter of a care assistant and incapable of full-time work. She takes part in dressage, wholly funded by herself and by local donations, including sponsorship from Red Funnel Ferries. In time, she hopes to participate in the disabled Olympic dressage squad. Her sport is one in which people are able to participate, and I hope that the Minister will recognise it.

Finally, we are famous for yachting and sailing. Cowes week activities embrace a wide social range; it is not all champagne and gin palaces, although there is plenty of champagne. I confess that when I first went to the island and learned that money was given to sailing clubs, I thought that the sport was too socially exclusive for such support. However, it involves the whole community.

[Mr. Turner]

As the Duke of Edinburgh has said, there are dangers in taking too careful an approach to sporting and other outdoor activities. This year, for the first time, the Royal Yacht Squadron required people racing at Cowes to wear lifejackets. It was fearful of being sued because of the duty of care that has been laid upon it. Individual skippers in individual boats used to make their own decisions about the conditions in which they sailed. Such restrictions do not promote personal responsibility.

I wish to put on record those few examples of sport. I emphasise that we are not asking the Government for money, but for recognition of the role that such sports play in the continuum from recreation to international success. I thank the Minister for his recognition of GBR Challenge, which is being built in Cowes to take part in the next America's cup in New Zealand.

4.52 pm

Jon Trickett (Hemsworth): I shall try to keep my contribution as brief as possible. There has been some unanimity this afternoon on the proposal that sport can be an engine for social inclusion. With my background, I was someone who could have ended up in a great deal of trouble. Some people say I did, by coming to this place. However, I could have been in even more trouble, in an entirely different kind of institution, had it not been for the fact that I was good at sports.

Sport has been important throughout my life, and it kept me from behaving unpleasantly. It worked for me, and I know that it can work for thousands of others. However, sport is increasingly failing as an engine for social inclusion. Although I recognise the Minister's work to overcome the structural, financial and cultural problems that sport faces in trying to achieve social inclusion, an argument can be made that much more radical measures must be taken.

I am a politician who likes to look forwards rather than backwards—as progressive politicians, that is what we should do—but conditions for sport have become worse. There are two professional clubs in my constituency, both distinguished. Frickley Athletic football club is one of the oldest professional clubs in the league. It was linked to the Frickley pit and was funded by sixpence from each miner; that was how professional clubs began at the collieries. Every man put sixpence in, not only for football but for other things as well. The link between professional sport and working class communities was tight and organic.

At the other, north end of my constituency, we have Featherstone Rovers, which was similarly connected to the Featherstone colliery. It never had a large squad; whenever the number 3 or the number 7 was injured, players would go to the pithead and shout down, "Send us up a number 3" or, "Send us up a number 7." Plenty of lads in the pit would come up and do a fine job on the rugby field rather than work underground.

Those stories illustrate that the organic link that existed between working-class communities and sport has atrophied and fragmented. I listened carefully to my hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt) speaking about taking money from the BBC. He has a point, but there is a bigger point to be made: the Government should have the courage to take on Sky. Pay-per-view for sport has been one of the most significant mechanisms for separating community sport from professional sport. Hundreds of millions of pounds are going into football, and to a lesser extent rugby union and rugby league, to buy in sports professionals from all over the world. Huge amounts of money are going to pay players' very large wages. No one begrudges them that money and, like everyone else, I want to see the best possible athletes on TV; if we see athletes from Italy, Argentina or Brazil, it is all to the good. However, the money that is being spent in that way is not finding its way down to the grass roots of sport. The link that used to exist between community sports facilities and teams and the professional clubs has atrophied to the point where it is almost non-existent. That troubles me, as it troubles anyone who is interested in finance and sport.

Featherstone Rovers was the recipient of attention from Sky, as was the whole of rugby league. Hon. Members who know the geography of my area well will know that there are three bitter rivals in rugby league in Wakefield: Castleford, Wakefield Trinity and Featherstone Rovers. Someone in Sky—someone not too far away from my area—had the brilliant idea that the three clubs should be merged. That was an outrageous proposal and the people of Featherstone rightly rose up as one against it. The only thing left after the pits at Featherstone were closed was the rugby league club. There was a sit-in; the people of Featherstone refused to move and Sky eventually had to back down. That demonstrates the regrettable way in which TV has threatened the organic links that used to exist.

Mr. Hawkins: Will the hon. Gentleman give way?

Jon Trickett: No, because we have all agreed that we will each speak for eight minutes.

Working-class communities of the kind that I represent do not necessarily have the skills—what one might call white-collar skills—to fill in forms and make applications. They are not as articulate as middle-class people. The way in which funding is allocated is a cultural issue because some sports in some areas benefit more than others. The people who make decisions about sports funding tend to be interested in sports other than working-class ones. Again, that is to be regretted and needs to be tackled; I know that the Secretary of State and my right hon. Friend have it at the front of their minds.

The problem exists with nearly every sports governing body. Such bodies are made up of wonderful people who give their whole life to sport; most of them are failed athletes, and some never got to the stage of being an athlete. I call them people in blazers. They are wonderful people. This country relies on that dilettante ethic. However, such people have no relationship to the working-class people about whom we are talking in relation to social exclusion. My own sport is cycling; I have raced a bike in anger many times and hope to do so again next season. The gulf between the people on bikes and those who run the sport of cycling is as great as that between athletes and the governing body. That is another cultural problem that we need to address.

There are some good practices in my constituency, as in others. I want to mention Havercroft sports centre and the Featherstone Lions amateur rugby league football club. Working-class people who are genuinely committed to their communities lead excellent activities, but they struggle all the time to raise funds. That has to do with financial, cultural and organisational barriers in sports.

Organisational divisions among schools, local authority health and sports centres and local sports clubs should not exist. We should try to find ways at grass-roots, community and neighbourhood levels to bring together the various people who are interested in sport. It is bizarre that there are divisions among those facilities, each of which is led by people who are excellent in their own way. Sometimes they are men and women in blazers, but often they are not. There should be synthesis among those organisations.

I am running out of time, but, on an entirely different issue, I want to mention the exercise referral regime, with which the health service is experimenting. It is recognised that sport, exercise and health are intimately connected. Unskilled manual workers, for example, are three times more likely to die of heart disease than the rest of the population. GPs recognise that, and the Government have been piloting an exercise referral regime under which GPs refer people who are obese or have heart problems to local health and sports centres. That excellent regime has much to commend it and should be encouraged. I encourage my right hon. Friend the Minister to consider that.

Having given some anecdotal evidence and made some analytical comments, I think that I should shut up and hand over to the next person who wants to speak.

5.1 pm

John Mann (Bassetlaw): In the spirit of brevity, I shall cast my planned rhetorical finery into the fluctuating waters of Picketts Lock and be blunt. Diane Hopkinson is one of my constituents. She voted at a very important meeting at Manton miners welfare club last Sunday—a point to which I shall return. Diane is deaf, and a number of years ago, under a previous Government, she was selected to represent England at swimming. However, no one would provide the funding for her to attend the international competition. I can tell hon. Members and the Minister that, as long as I am the local Member of Parliament, any young person from my constituency who is selected to represent their country at any sport will be able to do so. I shall be looking to hold the Minister accountable to ensure that funding is in place so that they can reach their full potential.

I want to talk about disaffected youth—truants, joyriders and perpetrators of petty crime. I call it the Jack-the-lad syndrome in areas such as Manton. Jack the lad is the person who copies Nintendo games and Sky cards properly and gets 20 rather than 10 quid when he sells them to friends, family and others. As a result, his young peer group in the community holds him in great esteem. For Jack the lad, cash is the key currency. When dealing in cash, the key currency is drugs, particularly heroin, and there are an estimated 500 heroin abusers in the constituency.

A little bit of sport is involved. The hon. Member for Isle of Wight (Mr. Turner) mentioned shooting. In the context of Jack the lad, shooting is less well regarded by the farming community in my constituency, because we describe it as lamping.

Aspiration and expectation levels are key. Expectation levels have been far too low, not least in schools. People presume that if someone lives in a particular pit village or on a particular estate, they will not do well and should not be expected to do well. Aspiration levels mirror that: they are far too low. We are talking about a Jack-the-lad or car-boot economy aspiration level.

The only way in which we can get those young people to re-engage in the community is with a carrot and stick. We can probably rely on my right hon. Friend the Home Secretary to provide the stick and my right hon. Friend the Minister for Sport and his Department, the carrot. We must encourage young people to take responsibility for others and introduce them to the benefits that responsibility can bring them. They can learn the responsibility for team-mates or of being a coach. Sports clubs, or other clubs, are places where young people can feel a part of the community, instead of ostracised from it.

In sport, young people are not competing against the established norms that they encounter every day. They can work to and set their own standards and get a sense of achievement, which, for many of them, happens for the first time in their lives. The new money will have a real impact in my community in Bassetlaw. It is right that it is going into schools, because far too many initiatives have not had permanence in community structures. The beauty of the new money is that schools have that permanency. Indeed, if I have one criticism, it is that the money should have been directly funded to schools instead of filtered through local education authorities. I believe in the concept of community schools that are open for, accessible to and engaged with all the community round the clock, rather than being insular. As the money will go through LEAs, we must be able to hold them accountable through the Department, so that the money is spent in that way.

In my constituency, we are setting up a partnership in Manton that goes further still. It will be a partnership of industry, community and Government, for which sport is the glue. Manton, on any indicator, is one of the most deprived communities in the country. It has a fine historical sporting tradition, and we will use the £6 million of private sector money invested in the local football team, Worksop Town, as a catalyst to bring in the business community, including groups such as British Waterways and Severn Trent. We are committed to putting resources into expanding sports and community provision. The council will not be the provider through a structure of council committees, but the enabler, allowing the private and voluntary sector to thrive. That is a critical difference from normal concepts within a council such as Bassetlaw. The council has never been in an enabling rather than providing role.

We will have to work across the sectors, not in different categories. What is the point of having a health sector drugs action programme that does not link with a sports action programme or a programme such as the healthy living project for young women and girls that is so successful at the moment? The work must be

[John Mann]

integrated, and the community alliance that we are setting up, aside from the public sector, is crucial. Having the police involved is fundamental, and I am glad that the Government's east midlands regional office has announced this week that it will give us seedcorn money from the crime and disorder budget to help us get going.

The chief executive of the Prince's trust visited us last Friday to give us his blessing and—more important even than funding—share the trust's expertise in linking enterprise and its successful schemes with, for example, football in the community. Our partnership will involve the first example of a non-league football team doing what the Prince's Trust is doing successfully in 69 Football League and FA Premiership teams. I am pleased to say that both Leeds United and Mansfield Town football clubs have invited us, on the basis of their success, to look and learn from how they have used sport to re-engage disaffected young people in out-of-hours learning. I was amused to hear the hon. Member for Ryedale (Mr. Greenway) mention the success of the Wolves youth academy. To show the success of the Government's policy, Sport England recommended that we visit Wolverhampton Wanderers football club sports academy, which we did last week.

Our partnership goes beyond sport. Play forums and performing arts are being linked, as is the college, which has a sports science faculty. We should have an integrated and aspirational approach that builds community capacity, and addresses lifelong learning and social inclusion. At the core is the East Midlands Development Agency, because the link to economic regeneration is fundamental.

I ask the Minister for two things. First, there is a certain obscurantist tendency about the assets of the former Coal Board and the charity laws. We need assistance to get around the obstacles of some of the charity laws and allow miners welfare, which is at the forefront of the partnership, to be the deciding factor in the use of the Coal Board land assets. They should be used in the way that their members and the community want and they should be developed with the private sector in a way that enables us to have a myriad of sporting opportunities linked to community and economic regeneration. I do not have time to list those opportunities, but I will give the Minister a note.

Secondly, I gave the Minister an idea about sports coaching some time ago, and now I have a plan for it. Sports coaching should not be provided to 14 or 15 disaffected youths, but by them. We should offer to mount a pilot scheme. Bad attenders and truants, and those who use sawn-off shotguns for lamping—killing farmers' animals left, right and centre—should be the coaches of the younger generation, so that they can learn management and leadership skills. They should not be perceived as recipients of sports coaching, but as coaches themselves. We would welcome that. It would play a key part in unlocking the potential of sport in the community. In the final analysis, we can go with it. Give us the tools and we will do the job.

5.10 pm

Chris Grayling (Epsom and Ewell): I represent a very different kind of constituency from that of the hon. Member for Bassetlaw (John Mann). However, I echo his comments about the potential of sports coaching. My constituency is a prosperous part of north Surrey, but that does not mean that we do not have areas of deprivation. Nor does it mean that we do not have disaffected youth and problems of anti-social behaviour. I sincerely believe that sport can and must play an integral role in our community's strategy for tackling those problems.

I would particularly like to highlight the case of the Preston estate in Tadworth in my constituency. The area is in the bottom quartile of wards in terms of deprivation nationwide. The local community is putting in considerable effort to try to resolve many of the problems in the area. To me, that ward is a perfect example of the contradiction between ambition and delivery. By that I mean that we need much more emphasis in this country on informal as well as formal sport. Communities may say that they need to build leisure centres, sports clubs and youth centres, but Preston ward has all those things, and the disaffection and the alienation of youth remain. I strongly believe that we need to build a bridge to that disaffected youth, not in the form of fixed institutions but through people going out into the community and working with them.

Mr. Hawkins: I agree with everything that my hon. Friend has said, and as he knows, I have one or two similar estates in my constituency, such as Old Dean and St. Michael's in Camberley. I echo the interesting and powerful speech made by the hon. Member for Bassetlaw. In terms of social exclusion, is it not vital, particularly if we are to get disaffected youths away from drugs, that we show those youths the health benefits of both formal and informal sport and physical activity?

Chris Grayling: My hon. Friend makes his point appropriately and articulately. Finding ways to involve young people in sport, without necessarily expecting that they will come into the formal environment of club sport, is an important part of our strategy. That is why I found the comments of the hon. Member for Bassetlaw on coaching resonant. We should pay a little extra within the community to send a team of paid volunteers out as coaches to local playing fields and open spaces on a Thursday, Friday or Saturday night to organise informal sport. They could organise football games, or cricket matches in the summer. They could go where the young people are and organise sport on their doorstep, rather than always encouraging them away from their doorstep into fixed facilities.

That is the aspiration of many in the police force. I particularly commend the example of PC Paul Thomas, who operates in the Banstead area on the Preston estate. He strongly believes that if we took sporting organisation and informal coaching to those disaffected young people, we could make a real difference. Perhaps that would provide a bridge bringing them one step nearer a much more formalised sporting environment.

My message to the Minister is that the Department should develop its strategies. It should look at ways to provide funding for an army of part-time sports coaches, organisers and sporting people in the community, who could work with those disaffected youngsters on their doorsteps. They could take away the need for disruptive behaviour and prevent them from loitering around on Friday nights by getting them to play football. On some estates, that would make a real difference.

The Government's strategies are encapsulated in the consultation document on PPG17. My fears that the Government have not placed enough emphasis on informal sport are echoed in that document. For example, the National Playing Fields Association cited the absence of guidelines for developers and local authorities on the provision of sports fields and open spaces in new developments. That is a serious omission. Government guidelines should be in place to give local authorities parameters for the provision of open spaces. Local government officers and councillors work under tight planning guidelines. They are often under intense pressure from developers. They need guidelines when taking decisions, and I would encourage the Minister to talk to his colleagues in Government to ensure that when PPG17 is revised, it reflects those needs.

Many concerns have been raised about the policy document on planning, which is not entirely joined up with many other parts of the Government's strategy. A number of organisations cite the fact that it contains no clear references to the previous urban White Paper. That is an important omission, because the impact of sport, recreational facilities and open spaces on the community should be integral to the Government's urban and inner-city strategy. I ask the Minister to ensure that those omissions are rectified in the revised document.

Sport is hugely important. Informal sport is vital and necessary. I hope that the Minister will give it due attention.

5.17 pm

Mr. John Grogan (Selby): It is a great pleasure to be called to speak, Mr. Griffiths. I hesitate to do so, because I am one of the failed athletes mentioned by my hon. Friend the Member for Hemsworth (Jon Trickett).

I want to tell a success story about cricket. We have heard a lot today about class in British sport; it was mentioned by my hon. Friend the Member for Stalybridge and Hyde (James Purnell). The hon. Member for Isle of Wight (Mr. Turner) was right to say that regardless of one's background, one should be able to participate in any sport. For instance, he was dead right about horse riding in rural constituencies because many people from all sorts of backgrounds participate. Too often, schools offer only football or rugby, but such barriers should have no part in our society.

My hon Friend the Member for Hemsworth said that people used to whistle down the mines to find rugby league players, but when Yorkshire was short of cricket players the same strategy was adopted. Cricket is a cross-class, cross-cultural sport, not only in Yorkshire, but nationally. Over the past five to 10 years, the England and Wales Cricket Board and the Yorkshire county cricket club have made enormous strides to popularise cricket. Quick cricket is now the fastest growing sport among school children. Half a million primary schoolgirls play it.

I shall never forget being at Headingley this summer when we won a test match against the Australians. Everyone under the age of 16 was let in free by the England and Wales Cricket Board. Cricket is one of the first sports to achieve a charter mark from the Commission for Racial Equality and the English Sports Council for its racial equality development. Cricket is in many ways an integrated sport. Nasser Hussain is our national captain.

I end with a message. Yorkshire has made great strides in integrating sport. The cricket club is desperately trying to attract more Asian support, because the cricket clubs are often as divided in Bradford as the schools. We have Asian leagues and white leagues, but there is tremendous talent. I would urge all former players from Yorkshire not to be a drag on the process. They criticised the new development at Headingley stadium that got rid of the old western terrace, which had been a centre of yobism and racism on many occasions. Some players criticised the gates, which featured Len Hutton and, in a frieze in the background, two Asian women who were photographed at the England-Pakistan game earlier in the summer. The gates were meant to reflect the present, past and future of Yorkshire cricket. Those players should shut up.

I may be a failed athlete; a definition of middle age is that you realise that you will never fulfil your childhood dreams. I will never walk out to open the batting or bowling for Yorkshire, but one day a British Asian, born in Bradford or Leeds, will do that. That day should be soon, and Yorkshire players who oppose that should shut up. The Minister should do everything he can with local authorities to use the power of cricket in Yorkshire to promote integration.

5.20 pm

Mr. Caborn: First, I thank everyone who contributed to the debate, which has been of a high standard. I will not have time to respond to all the points, but they will be taken on board. My officials are present, and I will inform the various agencies about the comments that have been made.

In response to the hon. Member for Ryedale (Mr. Greenway), the Opposition spokesman, I would like to address two areas. Several hon. Members raised the question of planning and PPG17. The DTLR and my Department, along with Sport England, are working closely together on that matter. Trevor Brooking and I met the Ministers and officials, along with David Payne from Sport England, and discussed our response to points that had been made about the weaknesses in the draft of PPG17. As a result, I hope that it will become a more proactive document that will address some of the genuine concerns raised here today, and that it will be accompanied by a good practice guidance note. I hope, too, that Sport England will be employed to advise in a more systematic way local authorities and other authorities that apply for planning permission; I hope that we can use that good resource.

PPG17 should come out next spring, although we must wait for the Select Committee and the open spaces task force to report. If those reports come out early in the new year, we should be able to publish the report. It is important that PPG17 comes out soon, as it will influence the massive investment in sports facilities.

[Mr. Caborn]

We have been asking for a needs assessment of local authorities in terms of open spaces, sports facilities and play areas. The dialogue that is going on with the Local Government Association and my Department should put sport high on the agenda of local government politics, and the needs assessment should be completed. I will encourage that process and give some inducements for its completion. Sports England is fully involved in that process and has joined the open spaces taskforce as well, creating a clear working relationship that should give positive results.

I turn to the question of the new opportunities fund. The formula devised for the spending of the money was approved by Sport England, which continues to be involved in advising local authorities—and the local education authorities in particular—on the schemes proposed by the various authorities. That formula does not depend simply on competition. Money has been allocated, some of which will be fast tracked. We want to devise a more strategic approach, along with local authorities and education authorities, to the planning of facilities.

I accept that there is a weakness; we have not yet done the audit of all sports facilities, but we are putting the scheme into place bit by bit and we will be able to form more informed and meaningful conclusions when the information is available. That should not prevent programmes from going ahead now. It would be wrong simply to wait for that information to arrive, as we need to make that investment, as was clearly demonstrated by the contributions this afternoon. I suggest to hon. Members that they set up a dialogue with their local education authorities to discuss where the investment should go. The new opportunities fund will be handled by people in the regional government offices, and major schemes will be cleared at national level. There is complete transparency, and no element of competition in the fund; it exists in response to a strategic overview by the local authorities.

My hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt) put his case in his usual modest language. I was disappointed with the hon. Member for Colchester (Bob Russell). He did the usual things; he wished a plague on both our houses, had a jolly good whinge and then asked some questions. I shall answer the questions. Yes, we are trying to deal with transport. My Department and the Department for Education and Skills are developing a policy to try to address the transport difficulties posed by after-school activity. It is a real problem, but I can give some very good examples of how it has been successfully handled in a number of areas, where the fund's out-of-school-hours learning budget has been used. The problems of after-school activities and transport were raised with the Prime Minister on Monday when he met other Ministers and the delegates from Manchester, Birmingham and Cornwall whom I have mentioned.

We must address this, together with the other problem area—it is also a revenue issue—which is the supply of people to make sure that facilities, whether cricket pitches or anything else, are well maintained and that the caretakers or others responsible ensure that they are open to the general public after school hours. We shall be looking at that to ensure that we fully integrate all the assets in a locality so that they are available not only during school hours, but after hours.

Floodlighting is another matter that has created problems for planners. An increasing number of objections are being made about the floodlighting of pitches. However, the only way to exploit such assets is to floodlight them. Astroturf is not enough on its own, especially on days like this when it is dark by late afternoon; we must have floodlighting. We recognise that there are problems and hope that planning authorities will take a balanced view. We should be able to address that in PPG17.

The point made by my hon. Friend the Member for Gedling (Vernon Coaker)—who is two stones heavier than he was—about the need to use facilities and how they can be opened up is very important. We are trying to encourage local authorities to become involved through public-private partnership and public finance initiative schemes. Having addressed a conference on business in sport and leisure, I know that there is a tremendous appetite to become involved with local authorities. We need about £10 billion of investment over the medium term to bring our facilities up to a recognised international standard. We must embrace all those who can make a contribution to that. The private sector could be used more effectively, in terms of developing management to run facilities as well as in building those facilities. We positively want to encourage PPPs and PFIs to that end, and I am hopeful that the business community will respond.

My hon. Friend the Member for Gedling referred to splash schemes. They are among a number of schemes that we should like to develop during the holiday period and beyond. We must make them much more sustainable, because they were highly successful during the summer. There is no doubt that where they were taken up fully, crime rates came down. I think that it was Nelson Mandela who said that sport laughs in the face of racism. That is very true and we saw it over the summer when we brought people together across the ethnic divide to participate in sport. Both that and the issue of leadership-which also comes out in sport—are very important.

My hon. Friend the Member for Stalybridge and Hyde (James Purnell) mentioned new opportunities fund schemes. I have spoken about those. I only have a few seconds left now, so I shall try to reply in writing to people whose points I have not covered. I have no doubt that this will not be the last such debate and I hope that everyone will have a full chance to contribute in future.

Question put and agreed to.

Sitting adjourned at twenty-nine minutes past Five o'clock.

Westminster Hall

Tuesday 27 November 2001

[SYLVIA HEAL *in the Chair*]

Scotland Act

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Ainger.*]

John Robertson (Glasgow, Anniesland): Whenever I partake in debate in Westminster Hall, Madam Deputy Speaker, you seem to be in the Chair, and I am deeply honoured to see you again.

I wish to advance and enhance the debate commenced on 6 November 2001, when I asked the Secretary of State for Scotland:

> "If she will make a statement on proposed changes to the Scotland Act 1998 to alter the number of Members of the Scottish Parliament."

She answered:

> "The Government have made it clear that we would take into account the experience of the first years of the Scottish Parliament's operation and be pragmatic in our response to that. I can therefore announce today that I shortly intend to launch a consultation exercise on the size of the Scottish Parliament. It will not involve any postponement in the boundary commission's on-going review."

I asked the following supplementary question:

> "Does she also agree that the Act and the Scottish Parliament should be left alone, so that they have a chance to bed in before any review takes place?",

whereon she answered:

> "I understand my hon. Friend's point, but the consultation is open ended. One reason why the devolution settlement has proved so successful to date is that it was built on a spirit of consensus and co-operation, and I shall seek to broker such consensus through the consultation exercise.—[*Official Report*, 6 November 2001; Vol. 374, c. 91.]

I said then that I was looking forward to the consultation period, and I view this morning's debate as another step on the road of that consultation.

My hon. Friend the Minister of State, Scotland Office has informed me that the consultation document will be released in a few weeks' time, so our debate may be a few weeks too early, but we should try to take the discussion a step forward. I want to appear conciliatory and helpful to the Minister and my right hon. Friend the Secretary of State. I hope that the Minister will respond to my and other hon. Members' questions today. That will be a further contribution to the consultation exercise.

I see that members of the Scottish National party are present. As a party, they did nothing to contribute to realising the Scottish Parliament. These were the people who said, "Labour couldn't deliver a pizza, never mind a Scottish Parliament," so I will be interested to hear what they have to say today. The fact that the new Parliament has worked so well is not because of but in spite of them. Those who truly helped to create the Scottish Parliament can congratulate themselves on doing such a good job on an untried system.

The Law Society sent me a letter today, which states:

> "The Scotland Act 1998 is working very well. The legislative framework has produced no substantial problems of interpretation and although the effect of importing the ECHR into the domestic law has been far reaching it is viewed as being beneficial."

That body has no political affiliations, so if it is happy, we should all be happy.

The first question is whether we should open up the Act. If we do, the entire measure must be examined and amended as necessary.

One of the most contentious points, which I raised in my question to my right hon. Friend the Secretary of State, is the right number of Members of the Scottish Parliament in relation to regional list MSPs. For the record, I shall quote the Act:

> "So far as reasonably practicable, the ratio which the number of regional member seats bears to the number of constituency member seats shall be 56 to 73...The number of regional member seats for a region shall be...one eighth of the total number of regional member seats, or...(if that total number is not exactly divisible by eight) either one eighth of the highest number which is less than that total number and exactly divisible by eight or the number produced by adding one to one eighth of that highest number".

Let me put that into English. The ratio of constituency MSPs to list MSPs is 73:56, but if the boundary changes are pursued, the number of constituency MPs for Westminster will decrease to about 57.

The Minister of State, Scotland Office (Mr. George Foulkes): The number is not necessarily set at 57. Taking account of sparsity of population and geographical factors, it could be somewhere between 57 and 60.

John Robertson: I am aware of my hon. Friend's point. I used the number 57 only as an example; I was not saying that that would be the number. Far be it from me to pre-empt what the Boundary Commission will say. If the number of constituency MPs went down to 57, the number of list MSPs would go down to 45, which would result in 102 MSPs under the Act as it stands. That will be determined by the Boundary Commission, whose report is due between December 2002 and December 2006.

The matter raises a number of questions, which I am sure other hon. Members will also ask. Should the boundaries for MPs and MSPs be coterminous? Do we retain 129 MSPs? Do we keep regional lists? Should there be regional lists? Should someone be able to stand as a candidate and for a list seat? Are the people of Scotland getting value for money? [*Interruption.*] I would argue yes, but there is always room for improvement.

I should like to address some of these questions with my own observations. Coterminosity—if that is a word; if not, I have just invented it—is vital. The need for MPs and MSPs to work together is paramount for the people of Scotland. Things are hard enough at present, with regional list MSPs cherry-picking casework that does not relate to their remit. Let us imagine what things would be like if there were three or more first-past-the-post MSPs and seven or more regional list MSPs per MP constituency. What sort of partnership would that foster?

[John Robertson]

Council wards would have to change, but how would we do that? That is an important question for the Scottish Executive. To whom would the public go for advice and help? They may know their MP but not their MSP, who could be one of many. How do we regulate for who should do what? There are too many grey areas.

I return to the current list system. I appreciate that we cannot turn the clock back, but we must consider the interference from list MSPs in MP and constituency MSP casework. Taking on high-visibility work and sending a constituent to an MP or constituency MSP because their case involves work without any glorification is not on. Hon. Members know what I am talking about. It has been suggested that some minority parties are deliberately using that approach to undermine the important work that a colleague is trying to do for his or her constituents. That must stop. Playing politics with someone's life is not on, and this could be a good time to put a stop to that practice.

To that end, I have two suggestions that could be considered: changing the voting system or changing the regional lists to a national list. The voting system that has been widely mentioned is that involving two first-past-the-post candidates—one man, one woman—in all the current seats, giving 144 MSPs or, with the boundary changes that would reduce the number to 57, 114 MSPs. The gender balance would be fairer and would match that of the population of Scotland. For those who like proportional representation, each constituency could have an alternative vote system and elect the first man and first woman to secure more than 50 per cent. of the electorate's vote. I add that as a thought-provoking comment, and not as my own view on how the system should be.

Mr. Ian Davidson (Glasgow, Pollok): Does my hon. Friend accept that the existing system needs to be changed in circumstances where 5,455 people can vote Liberal in Orkney and Shetland and elect one MSP, but in Glasgow 112,588 people can vote Labour and get no one elected at all?

John Robertson: My hon. Friend makes a good point. Those who have indulged in PR might think it somewhat imbalanced and not the right direction in which to go. However, we must take into consideration the size of some constituencies. Although Orkney and Shetland has been treated differently from other constituencies, there is probably a fair case for PR because Orkney and Shetland are so far apart. If we open the Act, we must consider every case on its merit. There may also be a case for Western Isles to have a separate seat, but where do we stop?

Mr. Alex Salmond (Banff and Buchan): Western Isles has a separate seat, as far as I know.

John Robertson: The hon. Gentleman is right. At the moment, it does, but under the Act it would not with changes to the boundaries.

Annabelle Ewing (Perth): With whom would the hon. Gentleman plan to twin Western Isles in that case?

John Robertson: Why twin Western Isles with anything? The system seems to work quite well at the moment, so why change it? If it's not broken, don't fix it. I am glad that hon. Members intervened, because I want to put the facts straight. An article appeared in *The Herald* on 15 November that was written by the hon. Member for Banff and Buchan (Mr. Salmond), whom I am pleased to see here today. The article was followed up by a letter to my right hon. Friend the Secretary of State for Scotland. The hon. Gentleman said:

> "Donald..."—

—Donald Dewar, the First Minister, who died this time last year—

> "made it abundantly clear that this matter would be left open-ended—regardless of the provisions of the forthcoming Bill—and that the Government would deliver the necessary legislative changes to secure the number of MSPs at 129 at the appropriate time...The referendum took place on the basis that Scotland would achieve a parliament of 129 members, enabling it to have a strong and effective committee system, and represent all parts of the nation."

I know how I felt, but I must say that my right hon. Friend the Secretary of State—who is not here—answered that perfectly. She said:

> "It is laughable to suggest that the SNP was 'part of a consensus that led to the creation of the Scottish Parliament'. Your party boycotted the Constitutional Convention which planned it and consistently denigrated its work...To suggest that a man who devoted his life to the creation of a devolved Scotland would have done secret deals with a party whose aim is to destroy it beggars belief. Donald can no longer defend himself, but I can and will."

I would like to reiterate that.

Mr. Salmond: Why should it be an attack on Donald Dewar to detail the fact that in 1997 there were a number of meetings and arrangements to construct a common platform to fight a successful referendum campaign? That was one of Donald Dewar's greatest achievements. The hon. Gentleman knows that some of the meetings were detailed in the press while Donald was alive, and he did not challenge the fact that they took place.

John Robertson: Once again, the hon. Gentleman's case is not based on what was said in public. There was never a statement that he or Donald had a secret deal that guaranteed 129 MSPs. On what part of the road to Damascus did the hon. Gentleman experience his conversion? From not taking part in the establishment of a Scottish Parliament, he is now suddenly its saviour. That beggars belief. Apart from the hon. Member for Perth (Annabelle Ewing), who seems a bit upset, hon. Members know that.

I will describe the background to the Scotland Act 1998, and put the record straight concerning my predecessor, the late Donald Dewar—the architect of the Act—what he said, how he felt about the Scottish Parliament and how it should develop. Donald was the first First Minister. He was Secretary of State for Scotland from 1997 until the commencement of the new Parliament. I was his election agent and constituency chairman, and we had regular meetings and telephone conversations, at least once a week. Sadly, we had more telephone calls than meetings during the latter days. We had many discussions while he was preparing the Scotland Bill, and even longer ones when it was complete. I am not the sharpest tool in the box, so he had to explain it to me—sometimes in quite vociferous detail—and we had many arguments about it. We continued in that manner up to the election and beyond.

Some people have taken political advantage of Donald's death, and the hon. Member for Banff and Buchan is one of them. The hon. Gentleman's deal was imaginary, a misunderstanding, or perhaps he was a victim of Donald's legendary sense of humour. If it took place, it seems to have taken on a life of its own. The hon. Gentleman would claim that he invented the wheel, if he thought that he could get away with it. It is unlikely that any meeting occurred. Donald was arguably the most respected politician of his generation, and perhaps of other generations, in Scotland.

Mr. Alistair Carmichael (Orkney and Shetland): Regardless of who may have said what to whom in meetings that may or may not have taken place, has the hon. Gentleman considered the proceedings in Committee and on Report of the then Scotland Bill? Does he accept that it was made clear at that stage, at least in spirit, that the size of the Scottish Parliament would be maintained at the current level?

John Robertson: The short answer is that I have looked at various bits and pieces. I was involved, and I do not necessarily agree with the hon. Gentleman's interpretation of what was said. Donald intended that the Scottish Parliament would eventually consist of about 105 MSPs. However, we always agreed—I know that this is contentious with some of my colleagues—that the number of Westminster Members would decrease due to the existence of a Scottish Parliament. If we are going to reopen the Scotland Act, we must consider that.

Mr. Salmond: Can the hon. Gentleman explain why Donald Dewar, against my advice on the chosen site, went ahead with the construction of a new Parliament building for 129 MSPs?

John Robertson: A new building does not necessarily have to have 129 seats. You wanted a Scottish Parliament; you got one. I do not mean you, Madam Deputy Speaker. I am talking about the Scottish people.

Mr. Davidson: On behalf of those who were there at the time, I remind the hon. Member for Banff and Buchan that far from it being the case that Donald and others agreed that the number should remain at 129, it was written into the Act that the number should go down. It is inconceivable that there was an agreement that the number should stay the same yet legislation was drafted differently. I remember, having believed that the number should remain at 129, being defeated in that argument at the time as, regrettably for the cause of Scotland, I was in so many other things.

John Robertson: Scotland's loss was Westminster's gain. My hon. Friend makes a valid point. To put to bed the point about the hon. Member for Banff and Buchan, I want to finish with a bit of humour; well, I found it very funny. It is something that the Minister said about the hon. Gentleman on the BBC programme "Newsnight Scotland". He accused him of indulging in a complete fantasy in trying to rewrite history. That sums it up perfectly.

Mr. Foulkes: Does my hon. Friend remember that on that programme I challenged the hon. Member for Banff and Buchan to come up with just one piece of evidence to corroborate his fantastic claims? He did not do so. The debate on the matter has been going on for many weeks, and the hon. Gentleman has not explained why he waited until a few days ago to engage in it. Does not that indicate that it is complete fantasy?

John Robertson: My hon. Friend makes a good point; he has obviously read part of my script and knocked three minutes off my speech, which everyone will be glad to hear. I ask hon. Members whether Donald Dewar would confide in a political opponent rather than a friend or colleague. Least of all would he confide in the person in politics—I do not mean to be disparaging—whom he detested the most. The hon. Gentleman has at best been set up or is being economical with the truth. I should be interested to hear and see the proof of his argument.

Many matters need to be addressed, not least the size of the Scottish Parliament. It is clear that I have spoken for too long, but I hope that I have achieved what I set out to do—to advance the debate, leaving plenty of answers for the Minister to give and others to think about that. We have a long way to go in the debate, but whether we are Members of Parliament, Members of the Scottish Parliament or political activists, it must be our goal to ensure that the people of Scotland and the United Kingdom, not the politicians, are the winners.

9.59 am

Mr. Alan Reid (Argyll and Bute): I congratulate the hon. Member for Glasgow, Anniesland (John Robertson) on securing the debate on this important subject. He did not refer to alternative systems of proportional representation. He referred to the alternative vote system, but that is not a proportional system. Electing a man and a woman in the same constituency using an alternative vote would mean that the same party would win both seats.

John Robertson: It is proportional where I come from.

Mr. Reid: Even in Glasgow, the Labour party does not get 100 per cent. of the votes. At the last council election, the Labour party secured fewer than half the votes, but because of the unproportional electoral system, it was elected with a large majority—[*Interruption.*] I do not carry the figures around in my head.

If we had a PR system and the single transferable vote, every Member of the Scottish Parliament would have equal status. If that vote were used in constituencies with four or five Members, we would achieve genuine proportionality and genuinely equal status for every Member. I agree with the hon. Gentleman that the list system creates many anomalies. An STV system would be the perfect solution to the problem, although it is a solution that may not receive unanimous support from the House of Commons.

The hon. Gentleman said that when the number of Members representing Scotland is reduced to between 57 and 60 following the Boundary Commission report, boundary anomalies between MPs and MSPs would be created if the number of MSPs were not reduced to the same number. However, that is not a problem. The Scottish Parliament needs its 129 Members and its many Committees. Its Committee system is much better than

[Mr. Reid]

that of the House, allowing its Back Benchers to get involved in legislation at the pre-legislative stage without oppressive Whips telling them what to do. Even if the Scotland Act 1998 were not amended and the number of MPs and MSPs reduced, there would be an intervening period of two or three years—although it could in theory be as long as four and a half years—before the first Parliament were to be elected under the new boundaries. During that long period, MPs and MSPs would represent constituencies with different boundaries. That situation would arise even under the Act.

I turn to another section of the Scotland Act, of which both the Minister and I have been aware in recent months. It is part II, E3 of schedule 5, which sets out financial assistance for shipping services that start or finish, or both, outside Scotland as a reserve power. I wish to relate that power to the efforts to reopen the ferry service between Campbeltown and Ballycastle. The hon. Gentleman will recall that that service was started during the previous Conservative Administration, but the then Secretary of State, now Lord Forsyth of Drumlean, adopted an ideological position and insisted that it be run by a private operator without a subsidy. That Government gave that operator a hidden subsidy by handing it a CalMac boat for nothing. The service failed because it cannot be run without a subsidy and because the operator was not under a duty to market the service adequately. It failed also because all the operator wanted was the boat; it sailed away with it, leaving the people of Campbeltown and Ballycastle without a ferry service.

Efforts have recently been made to get that service started again. A meeting on the issue took place last night, and I believe that the Minister intends to introduce an order to transfer power to the Scottish and Northern Ireland Executives. I am sure that the Minister realises how important the service is, particularly to Kintyre, with its high unemployment rate. The people of Kintyre are becoming impatient because the service did not run last summer or the summer before. Given continuing delays, they are concerned that it will not run next summer. I hope that the Minister will inform us of his plans and that he will do all that he can to get the service up and running for next summer.

9.59 am

Mr. James Wray (Glasgow, Baillieston): I am grateful to be called in this important debate. My hon. Friend the Member for Glasgow, Anniesland (John Robertson) certainly did an excellent job in making his case, but I would like to be a wee bit more forthright. He is a bit of a gentleman, but I am not; I am a red-blooded socialist. If ever anything made me angry, it was when the Home Secretary appointed Lord Jenkins to take over the commission and issues to do with proportional representation. It was like a farmer appointing a fox to look after the chickens while he was away.

I well remember a Liberal Democrat meeting that I had the opportunity to attend, at which the main speaker was Lord Jenkins. He pleaded every angle. We know how democratic and consensual he is: he wanted to govern the country with a gang of four. Obviously, he got the message. However, he is now in a higher place and using his position to every advantage.

In my lifetime, I have never seen as undemocratic a process as what is happening in Scotland now. When we were debating the Bill in 1997 and being urged to vote for a Scottish Parliament, it was assumed that just under a total of 2 million votes would be cast for the parties in the Scottish Parliament, with the Scottish National party getting about 690,000 votes and the Tories 394,000. Under proportional representation, the SNP went from six to 28 seats and, in the latest election, to 35. The Tories went from no seats to 22, and Labour got 53. The Liberal Democrats went from 22 to 28 seats and are still at 28. No one can tell me that that is a democratic system.

The first thing that we should do—I am dying to do it, and I hope that it is why we are here—[illegible] open the Scotland Act and push for 129 seats to be retained in the Scottish Parliament. Is this democracy? The use of the list system resulted in people running around half a dozen constituencies up and down the country, accountable to no one. They were paid to visit constituencies in which they had no electors and ran up bills at taxpayers' expense. That was not the system that I was looking for. Let us consider the numbers in Scotland on a proportional basis. I could make a case for retaining the number of Scottish MPs; we are looking after 55 million people, as opposed to 5 million.

I never was one to believe in consensus or coalition politics nor ever identified myself in any way with the Tories. In fact, all my life, I wanted to keep them out. That was my job, during my 30 years in office as a Labour Member of Parliament and as a Labour council member. I saw the state that the city was left in—the slums and the poverty—after it had been under the control of the Tories for decades.

We know exactly what Liberal Democrat councils did when they had their first taste of power. How could I, or any socialist, support a coalition with Liberal Democrats and Tories—especially with Liberal Democrats? What did they do for the poor during the days of the poll tax? They posted the names of people who did not pay their poll tax in the local Safeway.

Mr. Davidson: I agree with my hon. Friend that the Liberal Democrats are a thoroughly bad lot. [*Interruption.*] I am glad to hear that that has universal acceptance. Does my hon. Friend agree that one possible coalition is between the Labour party and the Co-operative party? Indeed, on the general election result, if the Co-operative party stood in the second ballot in the areas where Labour chose not to stand, the Co-op would win 28 seats, and the Labour party 55. It would be a far more reliable and trustworthy coalition partner than that bad lot, the Liberals.

Mr. Wray: I agree with those percentages, but I would go even further. The people who best represent the working classes and know most about them, wage restraint and poverty are the trade unions. Why do we not allow every trade union in Scotland and the rest of Britain to throw a candidate into the ring? I know where that would leave the Tories and Liberals. This is a mathematical fraud which was brought out by the man who chaired the commission. It is unfair and undemocratic.

I understand that many hon. Members want to speak, so I will finish quickly. The only Tory who got the whole thing right was Shirley Bassey—the winner takes it all.

10.5 am

Mr. Alex Salmond (Banff and Buchan): I did not know that Shirley Bassey was a Tory; that is news to me. I was more disappointed to discover that Lulu was a Tory, although she has perhaps changed her mind. [*Interruption.*] We could go through a range of potential supporters.

I congratulate the hon. Member for Glasgow, Anniesland (John Robertson) on securing the debate, although I cannot bring myself to congratulate him on the content. I was asked why I had waited until now to write to the Secretary of State. The answer is simple: I was lying in bed, ill, watching Scottish questions, during which I saw a procession of people, led by the hon. Gentleman, who can be described only as having the most malign and hostile attitudes towards the Scottish Parliament. I commend the video of Scottish questions to hon. Members. It was not until I saw that Question Time that I realised that Labour Members were so resentful of the institution that they helped create.

Mr. Foulkes: No; come on.

Mr. Salmond: The Minister says no, but I believe that even he was taken aback by the procession of people, led by the hon. Member for Glasgow, Anniesland, who wanted to knock down the Scottish Parliament.

John Robertson: The hon. Gentleman must have missed the opening gambit of my speech. Not only did I say that the Scottish Parliament had worked well, I quoted what the Law Society had said about it. He may have missed one other point, which was that the Parliament has done well not because of his party, but despite it.

Mr. Salmond: The hon. Gentleman resented the voting system and the list MSPs. He said that the Parliament was interfering in business, that the system was not working and that he wanted a reduction in numbers. There is a seam of hostility towards the Scottish Parliament on the Labour Benches here in Westminster. It is based not on any democratic theory but on the fact that so many Labour Members feel that they cannot get in the newspapers because some upstart MSP is taking away their publicity and most of their functions. If hon. Members looked in the mirror, they would see the basis of the hostility, which is unfortunate and unlike the atmosphere of 1997.

The hon. Gentleman said that the SNP did nothing to secure the Scottish Parliament, and he found it strange and inconceivable—

Mr. Foulkes: Will the hon. Gentleman give way?

Mr. Salmond: I will in a few seconds, if the Minister allows me. I know that he will want to intervene after my next comments.

The hon. Gentleman found it inconceivable that the late Donald Dewar would want to build a common platform with the SNP for the referendum. That shows how out of touch he was, even working as Donald Dewar's election agent. As Secretary of State in 1997, Donald Dewar—to his great credit—was intensely interested in building that common platform. I do not know about meetings with other party leaders at the time, but there were seven meetings with me—two in Scotland, four in Westminster, either in the House or Dover house, and one in a restaurant not too many hundred yards from here. They took place in May, June, July and August 1997—[*Interruption.*] I can furnish the Minister with the dates if he wants proof that the meetings took place. I take great exception to the Secretary of State's attack and argument that that somehow demeans the memory of Donald Dewar. It was to Donald's eternal credit that he helped to build that common platform which was so successful in 1997.

Mr. Foulkes: Will the hon. Gentleman give way?

Mr. Salmond: I will give way to the Minister in a few seconds.

I did not wait until Donald was dead before I revealed that the meetings took place. The contents of those meetings were revealed in a series of articles that I had in *Scotland on Sunday* in September last year, when Donald was still alive. The key issue for us was not the number of MSPs, but Donald's acceptance and acknowledgement that the Scottish Parliament and the Scottish people would have the right to move to independence if they so chose through a single question referendum. That was the key assurance. [*Interruption.*] The Minister shakes his head. I do not know whether he disagrees that that was the key assurance. Donald Dewar stated that in the House on 24 May and 4 June, subsequent to those meetings. To challenge that, as the Secretary of State seemed to do when she said that it was inconceivable that Donald would have those meetings and make arrangements with me or anyone else, flies in the face of all history and what happened in 1997. I shall give way to the Minister now. I hope that he makes it clear that he does not doubt that these meetings and arrangements took place.

Mr. Foulkes: The hon. Gentleman entirely misses the point. No one on the Government Benches questions that the meetings took place. We question his word about what Donald Dewar said and the pledge that he gave at those meetings. It is inconceivable that he would pledge automatically to change what he had agreed, as the hon. Gentleman claims. Donald Dewar said publicly that once the Scottish Parliament was up and running we would review the numbers, and that is precisely what we are doing. We are fulfilling his promise, and I hope that the hon. Gentleman will stop misquoting Donald Dewar and dishonouring his memory.

Mr. Salmond: The Minister is struggling, because that is not what the hon. Member for Glasgow, Anniesland said. He seemed to argue that it was inconceivable that he, Donald Dewar's election agent, would not know that such meetings took place. I take it that the Minister does not doubt that the meetings took place or that arrangements were made to construct a common platform for the referendum campaign. What is wrong with that?

John Robertson: I am sorry to interrupt the hon. Gentleman again, but I did not say that. I said that it was inconceivable that Donald Dewar would say one thing to the hon. Gentleman and something else to his friends

[John Robertson]

and colleagues. I do not have the exact words in front of me, but that is what I stated. I never mentioned myself personally; I simply said that his friends and colleagues were involved too. Is it conceivable that he would tell the hon. Gentleman one thing and all those people something else?

Mr. Salmond: As I remember it, the hon. Gentleman seemed to doubt that Donald Dewar would have meetings with someone he detested. Well, if that was his attitude towards me, I would have had to join a queue. Many of those he detested were in his own party and some serve in the present Cabinet. The hon. Gentleman seemed to suggest that because Donald had those personal feelings about me he would not have such meetings, or make arrangements with me. That is not the case. In 1997, both Donald and I found co-operation through the referendum campaign one of the most fruitful periods in Scottish politics.

As I said, the number of MSPs was not the most important target for the SNP. It may have been a much stronger issue for the Liberal Democrats. They can have the opportunity to speak and put forward that point of view. The matter was raised and it was discussed—on the basis first that Donald wanted to know whether there would be any dissent from the argument that a reduction in the number of Westminster MPs from Scotland was a quid pro quo of devolution. I do not think that anyone seriously argued at that stage that that should be challenged.

Secondly, Donald Dewar told me and others too—I think that I can provide evidence—that the argument for contiguous boundaries came from elsewhere in the Cabinet. I assumed that he meant the Prime Minister, although he did not say so. That argument was put forward by Donald and was certainly suggested to Jim Wallace by Henry McLeish and others at other stages. Certainly, it was said to me.

Thirdly, as the Minister rightly said, Donald said that the argument could be revisited. I doubt whether there is serious argument about that as Donald said so the following year on the record. Henry McLeish, as Minister of State, argued that, as did Lord Sewel in the House of Lords. There is no serious argument about that. Fourthly and crucially, Donald told me explicitly that he thought it inconceivable for the numbers in the Scottish Parliament to be changed over the heads of MSPs. There was no question of that.

The hon. Member for Glasgow, Anniesland suggested that I may have been misled. I do not think that I was misled, but if I was, it would not be to my discredit: whatever was in the White Paper or the Bill, the matter could, and would, be revisited. I am not the only person to get that impression, or the only person to believe that the onus on reducing the number of MSPs did not come from the Scottish Office at the time. It did not come from Donald Dewar, and certainly not from Henry McLeish or Lord Sewel, but from forces elsewhere in the Cabinet outwith the Scotland Office.

The hon. Member for Glasgow, Anniesland suggested that the SNP contributed nothing to the referendum campaign. I have also heard that refrain from the Minister of State. I was wondering whether there was an independent way to judge and verify who contributed what to the referendum campaign of 1997, and decided to use a search engine in the *Scottish News* archive that searches all the Scottish press. I inputted the words "Liddell referendum Scotland 1997", "Foulkes referendum 1997", "Salmond referendum 1997" and "Dewar referendum 1997".

There were 120 references to speeches that I made during the referendum campaign. Donald did rather better with 183 references. The Secretary of State was mentioned four times, two of which referred to the 1979 referendum and one to the Monklands, East by-election. The other referred to a Treasury leak that doubted the credibility of the financial powers allocated to the Scottish Parliament. The Minister of State had one hit, on the day after the referendum, which welcomed the result.

Mr. Brian H. Donohoe (Cunninghame, South): What were the responsibilities of my hon. Friend the Minister? What were the duties of the current Secretary of State? They certainly were not in Scotland, and in those circumstances one would presume that they would not be able to make any contribution to that debate.

Mr. Salmond: The hon. Gentleman takes me to my next point, which was that the Secretary of State was in the Treasury deploying her expertise on pensions. The Minister of State was in the Department for International Development, and was in Montserrat for most of the referendum campaign sorting out the mess about the "golden elephants", and going into the lions' den, as he put it in the *Sunday Mail*.

I am not arguing that the Secretary of State and the Minister of State should have been hyperactive during the referendum campaign in Scotland. I am merely pointing out that the facts show that they were not involved because they were doing other jobs. Therefore, they are not familiar with what was actually going on in 1997 in Scottish politics and are in no position to judge, or to say who was doing what with whom at what meetings, because they had no knowledge of that.

Mr. Carmichael: I can understand why the hon. Gentleman feels it necessary to defend himself and, to an extent, to revisit history. However, I invite him to move the debate forward and to address the points on which we probably agree: the retention of a more substantial number of MSPs than 105 is essential for the effective operation of the Scottish Parliament and, as he says, the views of the MSPs must be, if not of prime, of substantial importance.

Mr. Salmond: I welcome that intervention.

Mr. Foulkes: The hon. Gentleman is right. While he was talking, I was listening, and I would recommend that to him.

Mr. Salmond: The Minister confirms that he was not in the front line of Scottish politics in that period, but I willingly concede that he was in the front line in Montserrat. That was his job, and no one would doubt that for a second. Some people think that he should have stayed in that Department because he was doing such an excellent job—[*Interruption.*] I thought that that was a compliment.

Mr. Frank Cook (in the Chair): Order. I should register my concern at this point. Adjournment debates are essentially for Back Benchers and for those who want to engage them. It is customary in such 90-minute debates to commence the winding-up speeches 30 minutes before termination, which is in 11 minutes' time. Several hon. Members have indicated in writing that they want to speak. Apart from the hon. Member for Glasgow, Anniesland (John Robertson), who opened the debate, hon. Members have so far spoken for only six minutes each. I counsel hon. Members to make their remarks concise, clear, to the point and not self-indulgent.

Mr. Salmond: I accept your advice, Mr. Cook, but I was under considerable personal attack and felt entitled to respond. I am sure that you accept that.

To be concise and to the point on the substance of the issue, there are two arguments for retaining 129 MSPs. First, the Committee system is built into the Scotland Act, and there is no discretion over it. Secondly, reducing the numbers would put at risk the proportionality between the parties. The opposition of some hon. Members to proportional representation is long-standing; indeed, the Minister led the campaign against it in a former existence. Most of us think, however, that it is right to have a proportional Parliament in Scotland.

The fundamental question is not whether there should be 129 MSPs, or even whether the Scottish Parliament should be proportional, but about where it is right to decide on its construction. It was extraordinary, in our debates on the matter, that even the hon. Member for Linlithgow (Mr. Dalyell) did not support the idea that Westminster should interfere with the numbers. He saw that as a source of tension. Even the arch anti-devolutionist sees that such matters should be decided from the Scottish Parliament perspective. MSPs are best able to judge the issue. The White Paper that we debated and voted on in the 1997 referendum also made the point about consultation with the Scottish Parliament.

Consultation with the Parliament that operates the system is what should matter. Members of this Parliament may or may not have a vested interest, and it is nonsense to believe that they should dictate the numbers to the Scottish Parliament. There should be consultation, and the view of the Scottish Parliament is what should matter. I would welcome it if the Minister could find it within himself to say that it would be inconceivable to change the numbers in the Scottish Parliament over the heads of parliamentarians in Edinburgh.

10.22 am

Rosemary McKenna (Cumbernauld and Kilsyth): I congratulate my hon. Friend the Member for Glasgow, Anniesland (John Robertson) on securing this debate. However, he will not be surprised to hear that I shall speak against the principle that he supported. He knows that I disagree with him on how we should tackle the issue of numbers in the Scottish Parliament.

We cannot discuss the Scotland Act 1998 without considering what went before. The great consensus on Scottish constitutional convention involved all of civic society in Scotland—the trade unions, the churches and the voluntary sector. Indeed, only the Tories and the Scottish National party did not join it. That consensus led to the writing of the Act, and there was little deviation from the consensus as the measure went through Parliament and on to the statute book. I am happy to say that, because I and other Members present were involved from the beginning. That is the principal reason why it is too soon to consider making fundamental changes to the voting system or the numbers. We must give the Scottish Parliament an opportunity to settle in.

I worry about the media reaction in Scotland to the Scottish Parliament. The Parliament is doing a great job, delivering for the people and operating to their advantage. It is appalling that the same journalists and media people who told us, in the run-up to the 1997 election, that we would never deliver the Parliament have turned against it in the past few years. The Scottish National party told us that and has turned against the Parliament as well, which is appalling. It did not give the Parliament any time to settle down and criticised the calibre of the Members. We must remember that we come to this place as Back Benchers and learn our trade, but MSPs all went as brand-new Members into a goldfish bowl. They had no opportunity to learn their trade on the Back Benches, and their job has been difficult under such scrutiny. I think that the Parliament is settling down and delivering. One has only to consider how well its Committee system operates to understand why we need to keep the number of Members at 129.

In 28 months, 24 Acts have gone through the Scottish Parliament. We would have been lucky to have had two or three Scottish Bills in Westminster during that time.

Annabelle Ewing: Will the hon. Lady give way?

Rosemary McKenna: No. I am sorry, but I do not have time to give way.

In the next year, another 18 Bills are expected to go through the Scottish Parliament. These measures will affect the health, education and lives in general of the Scottish people. The Parliament was set up to have such an impact, so I disagree with hon. Members who say that the most important issue is coterminous boundaries. No one cares about that issue. Despite the fact that we think we are all important, the average person does not know his Member of Parliament or Member of the Scottish Parliament until he needs them, when he can quickly find them.

I hope that I have shown that there is such broad disagreement that, until we have consensus, we should leave things as they are.

10.26 am

Mr. Brian H. Donohoe (Cunninghame, South): I also congratulate my hon. Friend the Member for Glasgow, Anniesland (John Robertson) on securing this overdue debate. It comes at a time when we require answers to many questions, so I welcome the opportunity to contribute to it.

[Mr. Brian H. Donohoe]

My hon. Friend asked whether we should open up the Scotland Act 1998, which is an important question. If we do, on what time scale will that be? I understand that the commissioners' report is on its way, if my right hon. Friend the Secretary of State has not already received it. After she has considered it, we should know her proposals on the new Scottish boundaries, so far as Westminster is concerned. We have not heard anything about that from my hon. Friend the Minister, so I would welcome some suggestion of the time scales that are involved.

The numbers have been mentioned. From reading the 1998 Act, I understood that only one seat in Scotland—Orkney and Shetland—was protected, and that all others would be considered on the basis of population alone. I have discussed the subject with the commissioners' secretary, who has the same understanding, so the proposals have been made to the Secretary of State on that basis. That is the English average, which is about 73,000. Given that the 1998 Act suggests that the number of constituencies would then be reduced to 58, and given my understanding that contiguous boundaries are at the centre of the calculation, there would be 58 constituency Members if that figure was followed absolutely.

My proposal for some months has been that, if the 1998 Act were opened up, as is possible, the new constituencies should have two Members of the Scottish Parliament, with an added list of 13 that applies centrally to take the numbers up to the 129 Members that there are now. If that system were in place, all the problems that Opposition Members spoke about would be taken care of and the 129 Members would be retained. It would mean that all the pretty new offices in the Holyrood building would be occupied, which would deal with the remarks of the hon. Member for Banff and Buchan (Mr. Salmond).

10.30 am

John Thurso (Caithness, Sutherland and Easter Ross): I congratulate the hon. Member for Glasgow, Anniesland (John Robertson) on securing the debate. We shall, to judge from the number of contributions and the strength of feeling that has been evident throughout the debate, return to the subject many times. It is good to have the present opportunity.

I congratulate the hon. Gentleman also on beginning his remarks by highlighting the success of the Scottish Parliament. It has undoubtedly been a great success, although not an unqualified one. There is no such thing as a perfect Act of Parliament, and there were bound to be some problems. However, broadly speaking, the Scottish Parliament has delivered on the objectives that were set for it. They were, first, to achieve the Scottish people's long-held ambition for self-determination in home affairs; secondly, to provide an open, accountable, democratic system involving consultation; and, through those things, to start the process that probably everyone in this Chamber would want to happen—reconnecting the voters with those for whom they vote and giving more validity to the political process.

The Scottish Parliament has, in the main, fulfilled those aims. The hon. Gentleman quoted a letter from the Law Society. I was clearly up too late last night, because I received that letter and was going to bring it with me, but managed to leave it in my office. However, I remember the sentence that I underlined, about the Scottish Parliament being an undoubted success. I did manage to remember to bring a copy of the "Scottish Parliament Annual Report 2001", which I took from the internet. The Presiding Officer, in his foreword, states:

> "We have now reached an important landmark—halfway through the first session of Scotland's first Parliament for over 300 years. The Parliament has found a personality and I believe it is now central in Scots life."

I think that we would all concur. George Reid MSP, the convener of the convener's liaison group, has stated in another foreword:

> "During their second year, the committees have been widely acknowledged as a success story."

The Committee system has been one of the most successful elements of the Parliament. I have been involved in helping constituents in consultation on two Bills and undoubtedly the pre-legislative scrutiny, followed by the detailed Committee work, has been a great success. We should bear in mind the hours and work that that has entailed.

In participating in this debate, I have an incredible sense of déjà vu. That is because I spent much of a very happy Session, in 1997-98, on the Front Bench in another place dealing with what became the Scotland Act 1998. However, having listened to the debate my sense of déjà vu has given way slightly to an understanding of what it must have been like to make "Walking With Dinosaurs".

I should like to contribute a little of my personal knowledge, concerning two conversations that I had with the much-missed Donald Dewar. During the consideration of my amendment to decouple the Boundary Commission for Scotland, so that the Scottish Parliament would effectively be given an independent assessment by the commission and Parliament would have the power over numbers, Lord Sewel advanced much the same argument that we have heard today about, among other things, the need for coterminosity.

The proposal came before the House where, not surprisingly, it was rejected. When it returned to the other place, I was unable to persuade my former allies in the Conservative party to join me in the Lobby, so the amendment fell. When the Bill was enacted, I had a conversation with Donald Dewar, who left me with the clear impression—I put it no stronger than this—that he felt that the case that I had argued was right. He said that he had been unable to persuade his Cabinet colleagues, and that as a dutiful Cabinet Minister he was merely pushing through the agreed line.

I turn to what I feel is the key point. The hon. Member for Banff and Buchan (Mr. Salmond) began by saying what he thought the key point was, and I thought that he would steal my thunder, but he did not. In my judgment, the key point is that the Parliament should be effective, deliberative, consultative and work for the people of Scotland.

My second point is allied with that. The Parliament should be demonstrably democratic and should reflect the wide diversity of culture in Scotland. It should not be based on any one part of that culture. There are 129 MSPs and the structure of the Parliament deliberately gives a bias in the list to the more rural areas, just as in the United States Senate, as opposed to the House of Representatives. The intention is to seek to provide a geographic as well as a population balance. The construction of the Scottish Parliament broadly delivers that balance, and we would be ill advised to interfere with that settlement.

I am not hooked on any particular number of MSPs, but the number of 129—give or take a few—has worked remarkably well. I hope that hon. Members have time to consider the report, as the hon. Member for Cumbernauld and Kilsyth (Rosemary McKenna) has clearly done, from which they will see how many hours are spent in debate on the issues facing Scotland. After the past couple of days in this House, we cannot hold up our heads and claim to have debated national issues at any great length. The new system enables Scotland fully to ventilate the points that matter to Scots, in a Committee system that may introduce Bills, as it has done for the first time in the past year. It takes time, work and people to man the Committees and to run the Government—if there are any people left after that, it is nice to have a few of them in opposition. That effort requires a certain number of people.

The key point is whether the Scotland Act should be opened up at all. I accept the first point made by the hon. Member for Glasgow, Anniesland, which is a stark point in the debate. Should we accept the Act as it is without opening Pandora's box, or should we open it? We should reflect on that point, but when we have done so, I believe that we should open the Act in this case. My hon. Friend the Member for Orkney and Shetland (Mr. Carmichael) made the valid point that coterminosity will be lost for four years while the two Parliaments are out of sync. I remember the noble Lord Sewel, in another place, telling me that the basic building block of all constituencies was local council wards. To my great surprise, I find that I represent a constituency whose boundary drives straight through the middle of a council ward, which I share with my right hon. Friend the Member for Ross, Skye and Inverness, West (Mr. Kennedy).

We should not consider what we, personally, would like. We must return to the fact that all those involved in the constitutional convention have delivered, historically, for Scotland. The constitutional process is iterative, and evolutionary, not revolutionary. I hope that the House of Commons will continue with that process, not for personal gain, but with the good of the people of Scotland in mind.

10.40 am

Mrs. Jacqui Lait (Beckenham): It is a great pleasure to be present. This is the first debate on Scottish business in which I have been able to take part. I, too, congratulate the hon. Member for Glasgow, Anniesland (John Robertson) on securing the debate, to which I come with a fresh eye. Having considered its title, I thought that it would be an opportunity to discuss things other than just the number of MSPs. I was surprised that the hon. Member for Caithness, Sutherland and Easter Ross (John Thurso) did not mention that the Presiding Officer of the Scottish Parliament has recently given evidence to the Parliament on the changes that he believes are required under the Scotland Act 1998. Some of them sounded very sensible. For example, all of us would find it difficult in this place, except under programme motions, to ensure that our contributions lasted only four minutes. Sir David Steel—I am sure that we all join in wishing him good health and a speedy recovery—made that point very ably. He also pointed out that that his health problem means that the Parliament will have problems, because it cannot appoint another Deputy Presiding Officer.

The other point—I am sorry to give the Liberal Democrats such credibility but the points were sensible and we should be debating them—was that the Parliament is unable to change the Presiding Officer's title. I do not wish to become involved in the question of whether the title is right or wrong, but the issue is indicative of one of the problems of the Scotland Act, which is that the Scottish Parliament remains in the control of Westminster or the Government, even on such minor matters such as how long a Member of the Scottish Parliament can speak. I thought that the debate would be a good opportunity to open up such issues.

Rosemary McKenna: That is not an issue. The length of speeches is set by the Scottish Parliament and is entirely an internal matter for it. The matter was not part of the Scotland Act.

Mrs. Lait: I am happy to stand corrected, but I did not understand that to be the case from the Presiding Officer's report. I took the word of a Liberal Democrat—I must be mad.

Hon. Members have cited the Law Society of Scotland, and I met its representatives on Friday. They said that in general the society was very happy—and it has written to everybody to say so—with the operation of the Scottish Parliament. However, they were concerned that the Sewel convention did not allow sufficient time for the Parliament to discuss Westminster legislation, and that that needed to be examined.

Interestingly, we also discussed how the society finds itself obliged to pick up on many Westminster Bills drafted in Whitehall, in which, although they mention the obvious Scottish implications, the Scottish dimension has not been properly thought through. If we were to open up the Scotland Act, that is another area that would be part of the ensuing discussions. I can see a solution in the way in which any Secretary of State has to guarantee the compliance of legislation with the European convention on human rights. I suggest to the Minister that we could use the same mechanism. He may care to comment on that.

We have spent the bulk of the debate talking about the number of MSPs. Although the hon. Member for Caithness, Sutherland and Easter Ross mentioned Lord Sewel, it should not be forgotten that Lord MacKay of Ardbrecknish, who is sadly missed, proposed an amendment that would have got the Government out of the problem by allowing the Scottish Parliament to make its own decision about the number of MSPs. However, the control-freakery that this Labour Government display time and time again applied to that issue as well.

In order to get themselves out of a mess of their own making, the Secretary of State for Scotland, in answer to the hon. Member for Glasgow, Anniesland, announced

[Mrs. Lait]

the consultation exercise, to which we all look forward. I was fascinated to learn that the document is due out in the next few weeks. By my calculation, rough as it is, the Christmas recess starts in three weeks and a day or two. That leads me ask whether the Minister expects the consultation document to be published before we rise for Christmas, or whether—if such a thing could be thought—it will be published between Christmas and the new year and quietly lost. I am sure that Labour Back Benchers will ensure that it is not lost, but it could be lost to the attention of the Scottish public. I hope that the Minister will say what is meant by a few weeks.

I seek an assurance also about the contradiction that emerged today between the original press release that I received from the Scotland Office, which states that the consultation period will be three months, and what was said by the hon. Member for Glasgow, Anniesland, who is under the impression that the Secretary of State said that it is open-ended. An open-ended consultation that lasts for three months is a slight contradiction in terms. If the Scottish Parliament can choose the number of MSPs to ensure its effective working—that seems a most sensible way to proceed, because the Scottish Parliament should be answerable to the Scottish people—that should lead automatically to the opening up of the Scotland Act, unless there is some sleight of hand in amending previous legislation.

Given what the hon. Member for Argyll and Bute (Mr. Reid) said about coterminosity and given the times at which the Boundary Commission reports, I would expect the argument to fall because coterminosity will happen every 10 years. Giving the Scottish Parliament control of the number of MSPs seems the most sensible way forward, and I would entirely support the amendment that Lord MacKay put to the House of Lords.

John Thurso: For the record, let me say that Lord MacKay did not put the amendment to the House of Lords. I did—it was my amendment that was carried; and Lord MacKay came into the Lobby with me.

Mrs. Lait: I am happy to accept that, but Lord MacKay was advancing that argument on behalf of the Conservative party in the House of Lords.

We need to ensure that the consultation document is not slipped out quietly. We should ensure also that, unlike the Scotland Office press release, consulting the general public is not at the end of the list of requirements but at the beginning. We should consult not Scottish politicians but the Scottish people on the number of MSPs.

10.48 am

The Minister of State, Scotland Office (Mr. George Foulkes): My hon. Friend the Member for Glasgow, Anniesland (John Robertson) has chosen an interesting and somewhat provocative topic, and we have had a useful debate.

As my hon. Friend said, my right hon. Friend the Secretary of State, at Scottish questions on 6 November, referred to the forthcoming consultation on the size of the Scottish Parliament. To avoid raising over-optimistic expectations, I should say that my remarks cannot go beyond the terms of that answer; however, I shall elaborate on it.

My right hon. Friend the Secretary of State made clear the Government's position. We are honouring commitments given during the passage of the Scotland Act 1998, as described by the hon. Member for Caithness, Sutherland and Easter Ross (John Thurso) and others, to keep under review the linkage between the Westminster and the Holyrood parliamentary boundaries that was established under the Act. Ministers advanced important arguments on the rationale for that linkage. However, there was also full acknowledgement that the matter could be re-examined once we had experience of the operation of the Scottish Parliament. We have now had two years of that experience.

I say to hon. Members, particularly the hon. Member for Banff and Buchan (Mr. Salmond), in response to his last provocative—but I am sure well intentioned—question, that in line with our earlier commitments, we seek genuinely to ascertain everyone's views. I emphasise to the hon. Member for Beckenham (Mrs. Lait), who may be interested in the size of the Scottish Parliament, that the Government will not propose the retention or rejection of the current statutory provisions. We will set out, objectively and factually, the legislative, practical and other operational factors surrounding the general issues of the size of the Scottish Parliament and the linkage with Westminster constituency boundaries. I say to my hon. Friend the Member for Cumbernauld and Kilsyth (Rosemary McKenna), whom I like and respect, that the question of coterminosity exercises individual hon. Members. I do not accept that good, active constituency Members are unknown. That is not my experience.

Mr. Russell Brown (Dumfries): The issue is one of coterminosity. All that we have heard this morning highlights the fact that the important people are the public in Scotland. Does my hon. Friend share my experience that when people have a problem, irrespective of what it is, they seek as much support as possible? If we do not have coterminous boundaries, people may almost chase to the ends of the earth to try to resolve their problems.

Mr. Foulkes: I understand that point. It is one that can be made during the consultation. Several MPs and MSPs share offices, and that might be difficult if there were not coterminosity. The consultation will be open-ended. I say to the hon. Member for Beckenham that it is open-ended in terms not of purpose, but time. Her contribution was rather muddled; she has a little to learn about Scottish politics. We will elicit comment from a wide range of sources. The working of the Scottish Parliament, including the issue of its overall composition, will, as my hon. Friend the Member for Dumfries (Mr. Brown) said, touch on the lives of every individual in Scotland. I say to the hon. Member for Banff and Buchan that it is not a matter solely for constitutional experts or parliamentarians, at Holyrood or Westminster.

I hope that every hon. Member who has spoken today—and those who have not—will submit their views in the consultation. I expect my right hon. Friend the Secretary of State to make a statement before the recess on its publication. There is no intention to hide the consultation. Quite the reverse; we want it to be as wide as possible.

Mr. Salmond: The Minister has accepted that there was a commitment to revisit the issue if necessary. I hope that now that he has had independent verification, he will accept what the late Donald Dewar said to several people: that the arguments for linkage came from not the Scottish Office, him or Henry McLeish, but other forces in the Cabinet. What is the Minister's opinion, not of who should respond to the consultation, but of whether it is conceivable that the numbers in the Scottish Parliament could be changed over the heads of the parliamentarians in that Parliament? Is that right or conceivable?

Mr. Foulkes: On the hon. Gentleman's first point, the arguments advanced by Lord Sewel in the House of Lords and by the then Secretary of State Donald Dewar in the House, and indeed by Henry McLeish, were clearly made on behalf of the Government.

I shall respond to the hon. Gentleman's second point later. I want first to reiterate two clear conditions that were established by my right hon. Friend the Secretary of State in her announcement on 6 November. First, we are not consulting on a case for review of the position affecting Members representing Scottish constituencies at Westminster. The Boundary Commission for Scotland is in the throes of its independent—I stress its independence—examination of that matter. I cannot comment on that in detail as the report has not yet been submitted. The first proposals will be published early in the new year, and after consultation and, if necessary, inquiries, the final report will at some time, which we cannot yet determine, be submitted to the Secretary of State.

As my right hon. Friend established, we have no plans to change the existing electoral system for the Holyrood Parliament, by which I mean the general configuration of constituency and regional list arrangements established by the Act.

Several hon. Members made less than complimentary—

Mrs. Lait: Will the Minister give way?

Mr. Foulkes: No.

Several hon. Members made less than complimentary references to the workings of the Scottish Parliament. My right hon. Friend and I do not share that view. I agree with my hon. Friend the Member for Cumbernauld and Kilsyth; I have visited the Parliament and seen it in action on several occasions and met every Minister of the Scottish Executive either formally or informally. The Member of the Scottish Parliament for Midlothian, Rhona Brankin, gave evidence to a UK Select Committee and my right hon. Friend the Minister for Europe gave evidence to the Scottish Select Committee. There is effective co-operation and the Parliament is working extremely well. As my hon. Friend said, it has now passed 27 Acts dealing with matters of great importance to Scotland. It is notable that they become law after scrutiny in only one Chamber, which is possible partly because of the system of pre-legislative scrutiny and the strong Committee structure, as the hon. Member for Caithness, Sutherland and Easter Ross said.

Annabelle Ewing: Will the Minister give way?

Mr. Foulkes: I do not have much time to deal with all the matters raised during the debate, especially those raised by the hon. Member for Argyll and Bute (Mr. Reid). We both take a great interest in the Campbeltown to Ballycastle ferry and are keen to see it reintroduced. I put proposals for the reinstatement of that ferry service at a meeting yesterday; they will go to the Scottish and the Northern Ireland Cabinets for consideration and, I hope, approval. We agreed to reconvene yesterday's meeting in two or three weeks' time to take a final decision. I hope that the hon. Gentleman will be pleased with that progress.

Unfortunately, I do not have time today to go into detail about the great co-operation between the two Parliaments and the two Executives. As well as lauding the work of the Scottish Parliament, I reiterate strongly, through the House to the media, that there is still an important role for Scottish Members in the United Kingdom Parliament in areas such as the pre-Budget report, unemployment, social security, foreign affairs, defence and international development, to which the hon. Member for Banff and Buchan so kindly referred earlier. Those are important matters.

I want to refer to the comments made by the hon. Gentleman, which I shall try to do with my usual courtesy. As my right hon. Friend said, the hon. Gentleman seems to be at pains to reinvent history in a way that defies belief. He claimed that during the exchanges, which no one doubts took place, there was an absolute, unqualified assurance that the linkage would be set aside. I am absolutely sure, knowing Donald, that that is not what he said. What he said, and what he pledged at the time in public, was that in the light of the experience of the Scottish Parliament we would revisit the matter, and that is what the consultation is all about.

The hon. Gentleman has allowed the passage of time to play tricks with his memory; he told us that when he was listening to Scottish questions he was ill. I do not know what made him ill, but I can guess.

Mr. Salmond: Will the Minister give way?

Mr. Foulkes: No, we do not have time. I challenged the hon. Gentleman on "Newsnight Scotland" to give one piece of evidence to substantiate his claim, but none was forthcoming, so I repeat that challenge. He said that I was not active in the referendum campaign because I was in Montserrat. He was not active in the consensus that built up the proposal for the Scottish Parliament; he derided the Scottish constitutional convention, which devised the Scottish Parliament and built a coalition of Scottish civic society to support it. It kept the campaign for devolution alive during the dark Tory days, those 18 awful years of Conservative Government. Where was he? He was carping from the outside, attacking and undermining all the work that was being done. He and his party may have been in the referendum campaign, but they saw the way that the bandwagon was going and, like Johnny-come-lately, they jumped on to it.

[Mr. Foulkes]

This has been a useful debate; it has allowed an airing of views and an exchange of comment on an important democratic and constitutional issue. We are committed to examining the case for retention or rejection of the current legislative provisions in the Scotland Act affecting the size of the Scottish Parliament. We shall approach that consultation with an open mind. We shall not introduce proposals, but we want to have the views of every person in and, indeed, outwith Scotland, because devolution is experienced and appreciated beyond these shores.

I thank all hon. Members who have taken part in the debate. Some feared that the creation of the Scottish Parliament would be the first step on a slippery slope to separation, but I still believe that in stemming the growth of narrow nationalism—

Mr. Frank Cook (in the Chair): Order. We come now to the next topic for our consideration. I ask those right hon. and hon. Members who are leaving the Chamber to do so quietly.

Zimbabwe

11 am

Mr. Andrew Rosindell (Romford): I thank you, Mr. Cook, for giving me the opportunity to introduce the debate. I also thank the Minister for kindly giving up the time to respond to it only two weeks after another debate on the subject.

In the United Kingdom, we are proud upholders of the principle of democracy. Not to elect our representatives to this place would be an alien concept to us. We elect those representatives and, ultimately, the Prime Minister and the Government in the most free, fair and open way possible. Nor would anyone in the UK see as even vaguely acceptable any attempt to control the press through coercion or to deal with Opposition parties by deadly force.

If the people of this country are unhappy with the Government, they can go to the ballot box, which is presented every five years by statutory guarantee. It can and will be used without the election's result being managed by the incumbents. However, as we constantly see on our televisions and in the newspapers, that is not the case in Zimbabwe. That is why I requested the debate. We simply cannot stand back and allow such a brutal regime to flout democracy so horrifically.

We all know about the racially motivated persecution of the white farmers, with measures in place to nationalise up to 90 per cent. of all white-owned land. There is also a massive food shortage as a result of the fact that many farmers have already been evicted from their businesses and land. Indeed, the very people whom we wish to help more than most—the black people of Zimbabwe—suffer most from that horrific way of attacking established farms and communities, which employ many local people.

It is worth considering how many people are affected by the policy. In April this year, it was reported that there had been a 20 per cent. reduction in agricultural production as a whole, with a 40 per cent. reduction in maize crops, which form the main part of the nation's diet. It is estimated that if the land grabs continue, 250,000 commercial farm workers will lose their jobs, displacing 1.2 million dependants.

Land grabs have continued, but the problems go much deeper, challenging every remnant of freedom left in the country. The international community simply cannot ignore those problems on the grounds of not wishing to interfere in another country's affairs or to shape the world in our image. It must act on the grounds of stopping a humanitarian crisis and preventing the creation of yet another unstable and dangerous rogue state.

In the summer of 2001, the International Crisis Group published a detailed report that found Zimbabwe to be in severe political and economic crisis. It characterised that through the state-directed violence aimed at crushing any political opposition and through the growing potential for internal conflict and regional instability. The group concluded that the international community needed to make a serious effort to persuade President Mugabe to conduct the upcoming presidential elections, scheduled for April 2002, freely and fairly, on a level playing field, to mark the return of Zimbabwe to the rule of law.

Fears that the elections will be conducted less than fairly are constantly reported by the press and articulated by the opposition parties. For example, a recent report in the state-run *Herald* newspaper stated that the Zimbabwe Government—on the recommendation of the justice Minister, Patrick Chinamasa, who wishes to amend Zimbabwe's electoral Act to allow only civil servants to monitor the polls—planned to ban foreign and independent local monitors from observing the 2002 presidential elections. The opposition Movement for Democratic Change unsurprisingly condemned that move by the ruling Zimbabwe African National Union Patriotic Front, which it believes

"shows clearly that they want to cheat."

What other purpose could any Government taking such measures intend? Surely other hon. Members will agree that a regime too frightened to allow its actions to be observed by independent witnesses is up to no good.

Past experience strengthens that argument. Last year, non-governmental organisations trained 24,000 monitors to observe the parliamentary elections, but at least 34 people were killed before the polls were opened among widespread violence and intimidation. This time round, the presidential election will be dirtier and nastier than we could imagine.

The South African *Mail & Guardian* reported on 13 November that Zimbabwe's central intelligence organisation has been given a 142.6 per cent. increase in its budget. Human rights groups have identified that organisation as working closely with ZANU-PF in a campaign of terror against its opponents.

A recent MDC press release reports that the Government have already started intimidation tactics, including the setting up of a hit squad to assassinate David Coltart, the MDC Member of Parliament for Bulawayo, South. It mentions plans to plant arms in MDC member's homes to "discover" them, and the fear that ZANU-PF supporters and war veterans intend to visit Victoria Falls, ahead of the party congress, to

"beat up, abduct and harass"

MDC members.

On 14 November, *The Star* drew attention to links between Mugabe and the Libyan President, Colonel Gaddafi, with a reported $900,000 donation to Mugabe's re-election bid. That presumably relates to the statement in Zimbabwe's *The Financial Gazette* that Libyan entrepreneurs are to receive a dozen large farms—the equivalent of 10,000 hectares—from Zimbabwe.

Furthermore, the Zimbabwean Government have suspended the teaching of human rights and democracy in secondary schools. They have ordered—thankfully unsuccessfully—the country's only independent newspaper to close and they are contemplating the unthinkable action of assassinating the opposition leader. Recent opinion polls show the MDC leader nearly six points ahead of Mugabe. Unchecked, Mugabe is likely to do all that he can to secure another six years in power. On 20 November, *Business Day (South Africa)* reported that Mugabe could ban the opposition or jail its leadership if he feels vulnerable in the run-up to the election. Take, for example, the somewhat bizarre attempts by other countries, organisations and newspapers to link support for the MDC to the support of terrorism. I congratulate the Foreign Secretary on condemning the Zimbabwean Government as reported in *The Independent on Sunday*. According to the report, that Government accused six Harare-based journalists who criticised Mugabe of assisting terrorism. Mugabe's definition of terrorists is his opponents. That is a shameless attempt to link the atrocities of 11 September and the international war against terrorism with Mugabe's domestic situation. Will the Minister assure me that the Foreign Secretary's response is not simply a reaction to domestic media pressure?

According to a United Nations report, Mugabe believes that those so-called terrorists are sponsored by the British Government. He cites the death of his loyal supporter Cain Nkala as

"the brutal outcome of a much wider terrorist plot by internal, and external terrorist forces with plenty of funding from commercial farmers and organisations like the Westminster Foundation, which we have established without doubt gets its dirty money for dirty tricks, from the British Labour Party, the Conservative Party, the Liberal Party and also of course from the Government of Tony Blair."

That is quite a claim. I dare say that he could not substantiate it. It serves only to highlight a desperate man's attempts to shape the minds of people through propaganda.

I have worked closely on projects funded by the Westminster Foundation for Democracy and I can assure hon. Members that it does a great deal of wonderful work to spread the message and values of democracy—values that we all hold dear—to those states such as Zimbabwe that neglect the views of their own people.

I was angered by the attacks on the Movement for Democratic Change, which I welcomed last year into the International Young Democrat Union, of which I am chairman. I know that the MDC is a strident believer in democracy and the rule of law. Earlier this year, I had the privilege of meeting four farmers who represent communities in Zimbabwe and they later spoke at a dinner in the other place.

It is clear what the international community must do. As long as Mugabe maintains the pretence of supporting democracy, we must ensure that elections are free and fair. That will not be an easy task and no one must pretend otherwise. A careful line must be navigated. Mugabe, scared of election observers revealing the truth about his methods, will not even allow aid agencies into the country to relieve the starvation of the estimated 1 million Zimbabweans in desperate need of food, for fear of election observers being smuggled in with them. However, the right lead, and enough pressure through threats of sanctions and loss of international recognition, could force the issue and allow election observers, if they report the elections to be anything other than free and fair, to give the rest of the civilised world a mandate to take action against Mugabe.

I could go on listing more reported atrocities, unacceptable acts and examples of actions that those of us who live in freedom find so abhorrent. I will refer only to one example, which was handed to me yesterday by my hon. Friend the Member for Meriden (Mrs. Spelman), who is the Opposition spokeswoman

[Mr. Andrew Rosindell]

on overseas development. This is an e-mail that was received recently from a lady called Tertia Geldenhuys, from Two Treehill Farm, Chinhoyi, Zimbabwe. She wrote:

> "On Tuesday, the 7th August, black men beat up dozens of white women and elderly white men in Chinhoyi. It was as if a racial war had started in Chinhoyi town. Each time they asked the same question: 'Are you a farmer's wife?' Without waiting for an answer, they tripped and beat up the women. White people were warned on the Community Radio Network not to come to or proceed through Chinhoyi"

About 10 war veterans shouted at the lady's husband to come out. She continues:

> "He went out to the gate, which was locked, and I heard them shouting: 'We want you out. We want you out here! We want to see your blood flow! Come out! Come out here!' I started praying because I knew it was only God who could save us now."

This morning's debate has not been to rehearse the problems that we already know exist, but to prompt recognition of the task ahead. We must not allow an election to take place if the result is already decided and people will be murdered or put in jail to reach it. We must not allow the continued starvation of the people of Zimbabwe because its Government refuse to allow white farmers to own and work their land. They are the families of people whom we as a country encouraged to settle in Rhodesia at the end of the first world war, and whose industry raised the average standard of living for the people of Rhodesia way above the African average.

To retain anything of an ethical foreign policy, the Government must not ignore Zimbabwe. They should take whatever steps are necessary to ensure that the Zimbabwean presidential elections are impartially observed. They should make it clear that any move by Mugabe to control forcibly the result will be met with the alienation of the international community. If we fail, we will have let down millions of people—the starving, silenced and oppressed—and we will have ignored the potential creation of a threatening rogue state.

11.18 am

Mr. Hugo Swire (East Devon): The recent history of Zimbabwe has been one of violence, intimidation and human rights abuses, to say nothing of embezzlement. To my way of thinking, that all adds up to a terrorism perpetrated by Mugabe on his own people. What a far cry that is from those days of Lancaster house, now seemingly far off, when Zimbabwe faced a new dawn. I apologise for not attending last week's debate, at which I know that the Minister spoke.

Many hon. Members have received letters from concerned relations in our constituencies, because the links of people in this country with that part of the world are deep. We have an obligation to those who are still trying to live a life there. I was contacted on behalf of my constituent, Dennis Wade of Lympstone. Like many farmers, he was recruited, as my hon. Friend the Member for Romford (Mr. Rosindell) said, to start farming in post-war Rhodesia to help build up the country. He developed two farms, hacked out of rocky scrub, one in the high veldt and the other in the low. By the end he had a labour force of 90 people living on his farms and a further 450 who were casually employed. He knew that they needed an education, perhaps the best gift that anyone can be given, particularly in those circumstances. Like so many others, he built a school. He was not in any way unique.

Another constituent, Mr. Peter Bibby of Axminster, has written about his cousin who is also a farmer. He was arrested on his farm on 15 September. He was accused of murder because two different groups of war veterans who had occupied his farm fought one another and two men were killed. As the landowner, he was held responsible. This is a 70-year-old man, who also happens to be a British citizen. He was carted off to the police cells. His head was shaved and he was not charged for three days and four nights. He was kept in a high security cell along with murderers and armed robbers for nine nights. This is human rights Mugabe style.

What comfort can the Minister give these people? What comfort can he give another constituent, Mrs Wellington of Chardstock, who is concerned for her first cousin and her husband, an Anglican priest? She is concerned for them as they are concerned for themselves at having to renounce their British citizenship and produce a citizenship or renunciation as required by Mugabe. A desire to retain their British citizenship is more than just sentimentality. For them and many others it is like being asked to renounce an insurance policy. They have my sympathy and I hope that of the Minister.

Sympathy and empathy are not enough. Mugabe is terrorising his own people. He is no better than those terrorists whom we have been discussing in the House since 11 September. Indeed, in many ways he is worse. How many deaths is he responsible for in the Matabeleland massacres between 1982 and 1987? Some 20,000 were killed by the notorious fifth brigade, to say nothing of 3,000 extrajudicial executions, hundreds of disappearances, more than 7,000 cases of beatings and torture and more than 10,000 arbitrary detentions.

Many people cannot understand why this Government talk tough on terrorism but seem too afraid to mete out the justice that Mugabe deserves. That view is shared by his people, who wonder whether they are to have any chance of surviving in that once great country, which was the jewel in the crown of that troubled continent. It is not just the white farmers who are suffering. They are part of the problem but by no means the whole problem. The Foreign and Commonwealth Office website states that Zimbabwe's economy is now in crisis. Inflation is around 80 per cent. Interest rates are unsustainably low. Unemployment is around 60 per cent. and rising. A chronic shortage of foreign exchange has led to fuel shortages and power cuts.

What is Mugabe's response? It is to increase funding for his central intelligence organisation by a massive 143 per cent. in the run-up to the presidential elections. It is not surprising that he wants to sit in power, supported by the likes of Libya's Colonel Gaddafi who, some sources suggest, has given Mugabe $900,000 for his re-election bid. That might explain why there is a marked increase in the number of Libyans in Zimbabwe, many of whom have been given land outside Harare.

The Government should stop handling Mugabe with kid gloves. They behave as if in some way the British are guilty. That is part of the Labour party's continuing embarrassment about Britain's colonial past—at least it seems as such to many of us. However, Britain has a role to play, not least on account of the massive investment that we have put into Zimbabwe: £500 million in bilateral aid, according to the Minister, and £40 million for land reform. How much of that money has been used to help the ordinary working man and woman in that country and how much has gone to Mugabe and his cronies? Has some been spent, perhaps, on Mugabe's new mansion, said to cost $6 million? I salute his ability to make his annual salary of £15,454 stretch so far; either that, or he has a very benevolent mortgage arrangement. I have seen Mugabe and his wife in London on shopping trips. They were based at Claridge's, of course. I am sad and angry when I see what he gets away with.

Mr. Louis Michel, the Belgian Minister for Foreign Affairs, recently led a European Union delegation to Harare. *The Times* of 24 November reports that he received a brutal reaction from Mugabe when concerns were expressed about the recent surge of violence and repression as the country moves towards the coming elections and that EU senior officials left Harare on 23 November, shocked after a confrontation with President Mugabe. They were dealing with a man who is an embezzler and a terrorist.

Mugabe has forfeited the right to be treated as an honest and democratic politician. The Government and the Commonwealth must treat him like the terrorist and criminal that he is and must ensure, as far as we are able, that the forthcoming elections are fair. If nothing else, we owe that to the people of that benighted country.

11.27 am

Mr. Nicholas Winterton (Macclesfield): I warmly congratulate my hon. Friend the Member for Romford (Mr. Rosindell) on initiating the debate. I hope that the Minister will admit that it comes at an appropriate time and will indicate in his reply the action that the Government intend to take against the excesses of Mr. Mugabe and his Administration.

I have visited Rhodesia, Zimbabwe-Rhodesia and Zimbabwe several times during the 30 years that I have been a Member of the House. It is a country that I love—I do not utter the word easily or lavishly—and its people, the Matabele and the Mashona, are wonderful friendly people. Until recent times, the country has been the larder of central southern Africa and has been a net exporter of food and products to all parts of that area. Yet today, for the first time in its history, Zimbabwe is importing food. I wish to concentrate my remarks on that issue.

As the Minister knows, the World Food Programme has warned that more than 500,000 Zimbabweans face severe food shortages. That is an underestimate, if the information that I get from my many friends in Zimbabwe is accurate. One of the most chilling things is that black farmers themselves have said that, if they do not plant now, they will starve. Arable land in that wonderful, productive country is being destroyed. Wild animals, which are one of the reasons why people want to go there as tourists, are being shot. The beef herd is renowned, but many domestic animals are starving.

The Agriculture Minister said in a statement—one of many from his mouth—that all farmland not so far listed for seizure would be governed by regulations on maximum hectares. Owners would be required to subdivide their land if it exceeded the specified limit of 500 acres for farmers and 4,000 acres for ranchers. That decision was not made on the basis that the farms would become more efficient or that more food and cattle would be produced to feed the people of Zimbabwe. At least 3,000 industries that depend directly on agriculture will collapse if something is not done, and done soon—7.2 billion Zimbabwe dollars-worth of revenue a month will be lost to Zimbabwe. Thousands of other companies are threatened—reports in *The Financial Gazette* refer not just to commercial organisations but to banks, insurance companies and, of course, the more typical clothing manufacturing companies of Zimbabwe.

The exchange rate is approximately 73 Zimbabwe dollars to the pound, but the black market exchange rate is 400-plus Zimbabwe dollars to the pound. There is a huge black market in Zimbabwe dollars because of what the Zimbabwe Government are doing. They are desperate to clamp down on dissenting voices and to prevent such information from getting out. My hon. Friend the Member for East Devon (Mr. Swire) highlighted some personal cases and I congratulate him on his contribution to the debate.

This week, the Zimbabwe Government announced a public order and security Bill, which will ban public gatherings and make it an offence punishable by life imprisonment or death to publish or communicate

> "statements prejudicial to the state . . . that incite violence, that affect the defence and economic interest . . . undermine the authority of the President by making public statements or publishing statements that provoke hostility."

Some hon. Members are worried about the legislation that is going through this Parliament, but it is nothing like the dreadful measure that Mr. Mugabe wants to enact. The Justice Minister, Chinamasa, said on television that it was being done to combat criminal and terrorist activities.

My hon. Friend the Member for Romford mentioned the mock terrorist activities that the Zimbabwe Government are trying to use to undermine the opposition party in Zimbabwe. The Government went on to name newspapers that they say are distorting the facts and assisting terrorists. They named *The Times* of London, *The Independent* of the UK, *The Star* of South Africa and the *Zimbabwe Independent*.

President Mugabe's Government have announced that they will not allow aid agencies to distribute emergency food supplies to Zimbabweans affected by famine. The ban will wreck a relief operation that was being mobilised, as many of us know, by the United Nations, several international aid agencies and charities including Oxfam.

Western diplomats have said that nearly 1 million people are now in dire need of food according to a survey last month by the World Food Programme. Food stocks in Zimbabwe are expected to start running out in December of this year, that is, next month. Even the Government say that at least four times as many people will be affected as the famine worsens. Yet Jonathan Moyo, the Information Minister, said that

[Mr. Nicholas Winterton]

charities would use food relief to campaign for the opposition Movement for Democratic Change. Is that not absolute nonsense? Do they care for their own people? That is what I have to ask.

According to *The Sunday Mail (Zimbabwe)*, which is state controlled, the Information Minister said that aid agencies were planning to smuggle election monitors into Zimbabwe using the guise of food aid to continue with their plans to destabilise the present Zimbabwe Government ahead of next year's presidential elections. Suggestions by those groups that food should be distributed through non-governmental organisations were totally unacceptable, the same Information Minister said. They say that the Government alone will distribute food.

Surely the biggest concern among international donors is the strategy of ZANU-PF, the ruling party, of issuing emergency relief only to their own party supporters and cutting off areas of the country that are in famine, but have a record of support for opposition parties. Is that the way that a responsible Government operate? I do not think so.

Diplomatic sources confirm that international donors have decided to exclude the Government from the distribution of their food supplies. A source said,

> "no one must be allowed to go without food because they support this or that party".

Is it not an absolute tragedy that a Government who came into power just over 20 years ago with such good will and started so well, because reconciliation was part of their policy and programme, should have deteriorated so that the people of their country are suffering desperately badly?

Zimbabwe has asked the United Nations for millions of pounds in food aid after President Mugabe's campaign of harassment against white farmers, which has halved food production in that country, as we know. Victor Angelo, the United Nations development fund's Zimbabwe representative, confirmed that there has been a formal request from the Zimbabwe Government for relief assistance from Simba Makoni, the Finance Minister, which he was, of course, considering. He did not disclose the amounts requested, but the independent weekly, *The Financial Gazette*, said that Mr Makoni had asked for help in raising about 11 billion Zimbabwe dollars, which is equivalent to about £140 million.

I would say to the Minister, and to my hon. Friend the Member for West Suffolk (Mr. Spring) on the Opposition Front Bench, that we are looking for action from the United Kingdom, as head of the Commonwealth, to bring some sense to that wonderful country in central southern Africa. I make a plea to the Minister. Let us take whatever action is necessary to bring stable government to a country that once again can be a leader in central southern Africa and can contribute to food production.

The British Government are in a unique position. Mr Mugabe has let down the Commonwealth. He has breached the assurances that he gave to Commonwealth leaders. The Commonwealth as a whole, led by the United Kingdom, should take action to bring democracy, peace, and stability back to that wonderful country.

11.39 am

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): As other hon. Members have done, I congratulate the hon. Member for Romford (Mr. Rosindell) on securing a debate on this important issue. He and others painted a depressing picture of the situation in Zimbabwe, but it is none the less the reality.

Zimbabwe is a country where the law no longer seems to rule, free speech is harder to enjoy, violence is a daily reality and hunger is a growing fear for many. The Zimbabwean Government are an international disgrace and show little interest in or capacity for sorting themselves out. The problems of the country came to international attention with the seizure of farmland on behalf of war veterans. Violence related to farmland continues, and it is colour blind. It is not directed simply at whites, but affects the black population as well. Out of it, a series of issues has come to the fore that must cause growing international concern.

We have seen many Government attacks on alternative sources of influence. Judges have been intimidated. The outcomes of Supreme Court decisions have been ignored. Journalists have been expelled and others who still seek to trade there have been threatened. There have been murders and attempted assassinations of opponents. In the ultimate twist to the sick situation, the Zimbabwean Government have used the tragedy of 11 September as an excuse to clamp down with further ferocity on their opponents. The hon. Member for Macclesfield (Mr. Winterton) mentioned the public order and security Bill, which would ban, among other things, bail for anyone accused of treason. It is a draconian measure that we in this country must surely reject. There have also been attempts to avoid municipal elections, for fear that the opposition forces will show well in preparation for next spring's presidential elections. In recent days, we have seen calls from the war veterans' leader to cancel those elections.

Added to that uncertainty is the worsening humanitarian situation. Several hon. Members have mentioned food shortages and rationing, which are increasingly widespread in the country. Aid agencies are not allowed to do the basics of food distribution. According to the World Food Programme, more than 1 million people are in desperate need of food there. How can any Government in the world with a conscience allow that to happen?

All those aspects of the problem focus us on next year's elections. They are a key issue for those of us outside Zimbabwe, on which the Government must take a strong position. We have recently seen how European Union representatives have been abused for having the temerity to suggest that observers ought to be present at those elections. Louis Michel, a Belgian Foreign Minister, described the meeting with the president of Zimbabwe as "brutal". In our response, I hope that we will be robust. Surely the requirements for a proper election are fairly straightforward. There should be core minimum standards, an independent electoral commission, equal access to the media for all parties and, perhaps most crucially, an accurate and up-to-date voters roll.

The international community has not been silent on the issue. It has given the Zimbabwean Government time to sort themselves out. We might think that, on occasion, too much time has been allowed. The Abuja agreement of recent weeks set out clear requirements, agreed by the Zimbabwean Government, for a way of going forward properly and peacefully. Among other things, the Government in Zimbabwe gave assurances that there would be no further occupation of farmland. They made a commitment to restore the rule of law to the process of land reform and, most crucially, they made a commitment to freedom of expression and firm action against violence and intimidation. How hollow those words sound, and how worrying it will be if nothing develops to change the current state of affairs before the run-up to the elections.

The postponement of the Commonwealth Heads of Government meeting, planned for several weeks ago, was understandable in the aftermath of the tragedy of 11 September, but it was particularly unfortunate with respect to the Zimbabwean situation. We must ensure that the diplomatic momentum that could have been continued at that meeting will not be lost. My right hon. and learned Friend the Member for North-East Fife (Mr. Campbell) called for smart sanctions to tackle the Zimbabwean regime. That might include an arms embargo, the freezing of overseas bank accounts and restrictions on overseas travel—for shopping trips or otherwise—for key individuals in the regime. Perhaps even suspension from the Commonwealth should be considered.

If the elections are not prepared properly or are unable to meet international standards, the question will increasingly arise whether we should recognise their outcome. Javier Solana, the Secretary-General of the Council of the European Union, said recently that without minimum standards

> "it will be very difficult for the presidential election to be recognised by the EU".

It would be helpful if the Minister could explain what the UK stance will be.

Zimbabwe is in a fragile state. Neighbouring states rightly fear the consequences of further decline towards anarchy. The international community has been ignored so far and must now respond.

11.47 am

Mr. Richard Spring (West Suffolk): I warmly congratulate my hon. Friend the Member for Romford (Mr. Rosindell) on initiating the debate. He is a new Member of Parliament showing a lively interest in foreign affairs and he painted a most effective picture of the current crisis.

I pay tribute also to my hon. Friends the Members for East Devon (Mr. Swire) and for Macclesfield (Mr. Winterton), who both spoke movingly and passionately, highlighting some of the key issues that give rise to concern and basing their remarks on considerable knowledge. My hon. Friend the Member for East Devon reminded us that the human stories in the tragedy of Zimbabwe show us how fortunate we are to live in a peaceful and democratic society.

The hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) made several points about the so-called anti-terrorist legislation—also remarked on by my hon. Friend the Member for Macclesfield—and about the attempts to delay or cancel elections and the failure of the Abuja agreement. We have heard some excellent contributions, but I regret that no Labour Back Bencher has felt able to attend the debate.

For decades, Zimbabwe was the bread basket of southern Africa. After independence, its future was bright. It was at the forefront of international hopes for southern African democracy and for a prosperous and stable future for its people and the region. Alas, today it is a sorry sight—a veritable tragedy. Since the 1980s, successive British Governments have given around £40 million to the Government of Zimbabwe to effect fair land reforms. Recently, at Abuja, the Foreign Secretary once more focused efforts on that issue.

The problem is that the money has not been used for land reform. It has been wasted, salted away and stolen by Mr. Mugabe and his corrupt cronies. Worse than that, however, not content with simply misusing much of the money, Mugabe's Government have taken to oppressing the citizens of that country. They have interfered in the independence of the judiciary, culminating in the forced resignation of Anthony Gubbay, the chief justice, at the start of this year. They have undermined and clamped down on free media organisations. It is a brave man who dares to venture a critical opinion in public and such oppression is unacceptable.

Let me be blunt with the Minister. We have been dismayed at the pusillanimous and unfocused approach of our Government. We have repeatedly called for travel bans the freezing of overseas assets and suspension from the Commonwealth, which is the tough action that is required to combat Mugabe's thuggery. It is sad that our European partners in France and Belgium welcomed him in March, and it is disappointing that our own Government did not feel moved to speak out at the hospitality of those Governments. The publicity and international acceptance was a huge propaganda coup for Mugabe. Indeed, following the recent meeting in Harare between Mr. Mugabe, Louis Michel, the Belgian Foreign Minister, Lord Patten, the European Union Commissioner, and Javier Solana, the European Union High Representative, Mr. Michel referred to Mugabe's brutal reaction to them. That is the richest of ironies.

The land issue remains a flashpoint and the consequence is agricultural collapse. We are witnessing economic refugees fleeing in their hundreds of thousands to South Africa, food shortages, requests for international aid to avert starvation and rampant inflation. The problem is that while the images of land theft by Mugabe's thugs are horrific, the land issue is something of a red herring. It suits Mugabe that it is something of a distraction, despite its terrible consequences. The real issue is how this previously affluent, hopeful and successful country—this regional lynchpin—is being destroyed by a megalomaniac thug who recently responded to his people's hunger by purchasing a new fleet of luxury Mercedes-Benz escort cars for his motorcade.

Zimbabwe stands at an historically important crossroads. It is make or break. The future of the people of Zimbabwe and the whole region is at stake. If Mugabe wins next year's elections through violence and corrupt electoral practices and thereby denies the Zimbabweans the chance freely to decide their own futures, we risk the final implosion of the economy. For a clear example of the economic turmoil that another

[Mr. Richard Spring]

term of office for Mr. Mugabe could cause, we need look no further than South Africa this year. In the past few months, the value of the South African rand has dropped by approximately 20 per cent. Investors will inevitably shy away from the whole region. There are no internal economic factors that could justify such a dramatic fall in the currency in such a short time. South Africa, which is the powerhouse of sub-Saharan Africa, is being adversely affected by the instability engendered in the region by Zimbabwe. South Africa needs foreign businesses to invest their money to provide the economic growth to absorb high levels of unemployment and Zimbabwe, under Mr. Mugabe, is an important factor in stalling that essential growth.

If Mugabe wins next spring, it is equally likely that Libyan influence will increase to the extent that the peace and cohesion of the surrounding countries may be affected. If, on the other hand, free and fair elections take place that are properly monitored, Zimbabwe may return to stability with the hope of prosperity for her people and be able to resume her role as an important regional power and valued member of the Commonwealth.

Mr. Peter Duncan (Galloway and Upper Nithsdale): Does my hon. Friend agree that next year's elections are the crux of the issue? Should the Government not tell Mugabe and his cohorts that unless the elections can be independently and freely observed, expulsion from the Commonwealth will follow forthwith?

Mr. Spring: I have great sympathy with my hon. Friend's remarks, and I shall deal with the importance of the election monitoring procedures. My hon. Friend is right—

Mr. Frank Cook (in the Chair): Order. It is important that the Chairman can hear what is said.

Mr. Spring: I am sorry, Mr. Cook. I said that I agreed with my hon. Friend the Member for Galloway and Upper Nithsdale (Mr. Duncan). I shall deal in a few minutes with how the election should proceed and how it should be monitored. If it is a failure, we shall have to revisit the question of Commonwealth membership, to which my hon. Friend rightly alluded.

A recent opinion poll suggested that the MDC, whose leaders and activists are so mercilessly harassed and attacked, has a good chance of winning the elections if the Government do not gerrymander them. Free and fair elections are crucial to Zimbabwe's future. The key to free and fair elections is the electoral recommendations of the 14 members of the Southern African Development Community. Hon. Members may be aware of them, but they deserve to be described in detail as they are vital.

SADC's recommendations include the acceptance of impartial international and regional observers from the earliest possible stage, which is now. They call for an independent electoral commission that is totally free from Government intervention and for all parties to enjoy equality of access to the media and to funding. SADC also encourages the use of private media, although we should note that what free or private media there are in Zimbabwe are under constant threat of Government and ZANU-PF violence. The freedom to campaign unhindered by the Government during elections features highly in the recommendations, which then turn to the registration process for voters and to the administration of voting. If Zimbabwe is to have the slightest chance of fair elections, those recommendations must be acted on now because voter registration is already under way and we are getting reports of abuse and intimidation. The recommendations also call for an electronic electoral roll to be freely available to all parties and for non-discriminatory nomination and voter registration procedures to be enshrined in the national constitution. There should also be free and impartial policing.

Mugabe cannot deride those recommendations as colonial or as having been imposed by Europeans. They come from African countries and represent regional concerns. Most importantly, Zimbabwe itself signed up to them earlier this year. It is vital that international support and pressure hold Mugabe to those recommendations.

Whatever the temptation to focus on other aspects of the Zimbabwe issue, we must not be distracted from pressing for free and fair elections. We must not engage in a debate about what constitutes observers and monitors; that is merely semantics. We must be clear that what we want and what Zimbabweans deserve is independent monitors or observers—we can call them what we will—who have open access to every aspect of the election procedure, including early registration, and who can state with authority whether the elections are indeed fair and free.

We must work with SADC to solve that problem. I was, therefore, somewhat disappointed by written answers to questions that I tabled on the issue. The Minister's replies made no reference to SADC and offered no appreciation of its role. Instead, they focused entirely on the role of the European Union.

The United States of America takes an active interest in the matter. It is hoped that the Senate and the House of Representatives will soon implement restrictions and sanctions against Zimbabwe. The international community has a duty to play its part. We should—indeed, we must—give our total support to the SADC proposals, to ensure that the elections are free and fair. Zimbabwe's proper participation in the region is crucial to ensure long-term regional stability and prosperity for people in neighbouring countries. We must work tirelessly to ensure that its people are given the opportunity, free from intimidation, to choose the path that they wish their country to take in the years ahead. We owe it to southern Africa and the people of Zimbabwe to push for the restoration of justice and democracy that the elections represent. We must act now—there is simply no time to lose.

12 noon

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Ben Bradshaw): I congratulate the hon. Member for Romford (Mr. Rosindell) on securing the debate, and a number of other hon. Members on their excellent and heartfelt contributions. If there were no crisis in Afghanistan, the

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seriousness of the situation in Zimbabwe would put it on the front page of our newspapers virtually every day and give it a far higher profile.

As several hon. Members have said, a human tragedy is unfolding in Zimbabwe as a direct result of Zimbabwe Government policy. Several hon. Members, including the hon. Member for East Devon (Mr. Swire), read out moving e-mails. We have all received such e-mails containing testimony of the oppression and injustice being meted out to the Zimbabwean people. Hon. Members will know that this is our second Adjournment debate on Zimbabwe within a matter of weeks. It is a measure of the deep concern in all parts of the House at the situation in that country. In the last debate on 7 November, proposed by the hon. Member for North-West Norfolk (Mr. Bellingham), I set out the five principles that underpin the Government's policy on Zimbabwe. It might help hon. Members if I restate those principles.

The first is our wish to see a stable, prosperous and democratic Zimbabwe for all Zimbabweans. For the sake of the whole region, Zimbabwe's slide into political and economic chaos must be reversed. The second principle is that Zimbabweans deserve and should get the help of the international community. The European Union signalled its concerns on 29 October by opening formal consultations with Zimbabwe on human rights, democratic principles and the rule of law, under article 96 of the Cotonou agreement. If those consultations do not lead to remedy after 75 days, the EU may take "appropriate measures". As several hon. Members have mentioned, a senior EU ministerial team visited Zimbabwe last week to explain Europe's concerns openly to President Mugabe. The way in which that team was treated can only rebound badly on the Government of Zimbabwe.

The Commonwealth, in an initiative of President Obasanjo of Nigeria, brokered an agreement at Abuja on 6 September. Among other things, the Zimbabwe Government committed themselves to respecting the democratic and human rights principles contained in the Harare Commonwealth declaration and the Millbrook action programme. They committed themselves to refraining from further occupation of farmland; the movement of occupiers to legally acquired land; a process of land reform; the restoration of the rule of law; and respect for freedom of expression. They also gave an undertaking to take firm action against violence and intimidation.

However, three months on, I am afraid that there is little evidence that the Zimbabwe Government are honouring any of those commitments. That inaction is seriously undermining the Abuja agreement. The Commonwealth must now press the Government of Zimbabwe to take the action that they agreed and to protect the integrity of the Commonwealth Harare declaration. Zimbabwe will no doubt feature prominently in this context at the Commonwealth Heads of Government meeting next March. Hon. Members will know that the United States has repeatedly condemned the violence and intimidation in Zimbabwe. Mindful of the economic damage that Zimbabwe is inflicting on the region, the countries of the Southern African Development Community have set clear benchmarks against which they will measure the Zimbabwe Government's conduct.

We welcome SADC's efforts to encourage stability and dialogue in Zimbabwe. I apologise to the hon. Member for West Suffolk (Mr. Spring) if he feels that we do not. We do. Indeed, we give it a great deal of support for the measures that it is taking. The hon. Gentleman put his finger on something important. The reason that SADC can be so effective is that, because it is made up of neighbouring southern African countries, it removes President Mugabe's ability to try to portray it as some sort of neo-colonial problem.

Mr. Moore: The Minister said that it was important for the Commonwealth to press the Zimbabwe Government to go along with the Abuja agreement, but he immediately conceded that the Commonwealth Heads of Government would not meet until March to discuss the matter. That is a long time, during which intimidation will continue. What precise steps is the Commonwealth taking now?

Mr. Bradshaw: I would not want to prejudge what steps the Commonwealth might take before the March meeting, but the fact that the meeting does not take place until then does not mean that discussions about the serious situation in Zimbabwe are not continuing almost every day among Commonwealth members.

SADC has framed impressive electoral norms and standards for the region, which we believe should guide the international community in assessing Zimbabwe's forthcoming presidential election. The growing international consensus will be the most effective means of holding the Zimbabwe Government to account. It will bring concerted international pressure and the prospect of concerted international action. It will also allow a number of respected international envoys to become active in Zimbabwe, as most recently Chief Shonekan has on behalf of Nigeria's President.

Our third principle is that Zimbabwe's future prosperity depends on respect for the rule of law and an end to political violence. We will not be deflected from pressing the Zimbabwe Government on their disregard of fundamental rights, or from drawing international attention to those abuses. I reassure the hon. Member for Romford that the strong language used by the Foreign Secretary over the weekend is not simply a response to pressure from the press; the Government feel strongly about the matter, and we used similar language when the Zimbabwean Government last behaved unacceptably.

We have already taken a number of measures. We have imposed a complete embargo on arms sales to Zimbabwe, we have cut non-humanitarian aid, we have withdrawn our military training team and we shall continue to encourage international consensus for a change of direction in Zimbabwe. In the light of more worrying recent developments, the Foreign Secretary said at the weekend that he would be speaking to European Union and Commonwealth colleagues to consider how else we might respond.

Mr. Nicholas Winterton: I am listening carefully to the Minister's constructive response to this important debate. Following the intervention of the hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore), does he believe that it would be appropriate for the Commonwealth to meet exceptionally, so that it can

[Mr. Nicholas Winterton]

take a decision on what should be done in Zimbabwe if there is no change in the policy of harassment and the total lack of law and order in that country? Otherwise, the so-called re-election of Mr. Mugabe will take place and the problem will continue. Is it not important to have an exceptional meeting of the Commonwealth to take action in the very near future?

Mr. Bradshaw: It certainly would not be sensible to rule anything out. As the hon. Gentleman pointed out, the Commonwealth meeting is four or five months away. That is a long time, and if the situation does not improve other exceptional measures may have to be taken. There has been much talk of targeted sanctions, a subject raised by the hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore). They could include a ban on travel, the freezing of assets and, ultimately, suspension from the Commonwealth.

It might help if I explain why the Government have not yet taken those steps. There are three practical reasons. The first is timing. As I have already said, we are working hard with the EU, the Commonwealth and others to persuade the Zimbabwe Government to change course. Those processes, including Abuja, must be given a chance—Abuja goes back only to the beginning of September. However, the processes are not open ended. The credibility of the efforts depends on immediate action by the Government of Zimbabwe to honour their commitments.

The second reason is effectiveness. Further unilateral UK measures would not be effective. We must not play into President Mugabe's hands by engaging in a bilateral spat. The hon. Member for West Suffolk lauded the efficacy of SADC and acknowledged that it was effective and should be supported because President Mugabe could not portray it as a colonial body. My difficulty with the tactical approach advocated by some Opposition Members is that it would play directly into President Mugabe's hands. We do not want to do that. I shall quote briefly from an interview given by the leader of the Zimbabwean opposition on the "Today" programme last Wednesday. When asked by Sue MacGregor whether the international community or Britain could be doing more, he replied:

> "Well, we've seen a lot of initiatives on Zimbabwe but all of them, unfortunately, have failed to produce the requisite result. So I think that it is really up to Zimbabweans to ensure that changes obtain."

From the conversations that we have had with him, I think that he was trying to get across his belief that if Britain were seen to be doing something unilaterally, stepping out of line from the rest of the international community, that would play directly into President Mugabe's hands.

The hon. Member for East Devon said that we should treat the Government of Zimbabwe in the same way as we have been treating international terrorists since 11 September. One should not underestimate the seriousness of the situation in Zimbabwe, but I do not accept the accuracy of his parallel if he means that we should take military action against the Zimbabwean Government, as we have against al-Qaeda and bin Laden. That would be a foolish mistake.

The third reason that we have not yet taken the practical measures that several hon. Members have advocated is the reality of the modern Commonwealth. The hon. Member for Macclesfield (Mr. Winterton) asked why, as head of the Commonwealth, we could not do something. It is the Queen who is the head of the Commonwealth. We are just one of its 50 members and it works on consensus. However, there is a growing concern within the Commonwealth at the Zimbabwean Government's blatant disregard for the principles of the Harare declaration. The Commonwealth may well need to take some tough decisions in the run-up to CHOGM in March.

We are also determined to pursue our fourth principle, that Britain will help a democratic Zimbabwe achieve prosperity through successful land reform. That is central to fair and equitable economic development in Zimbabwe. The hon. Member for West Suffolk said that land reform was a red herring used by President Mugabe. While it is true that he blames all his problems on it, that does not mean that land reform is not important. It is very important, not least to the people of Zimbabwe.

Mr. Spring: Successive British Governments have been extremely generous to the Government of Zimbabwe, in an attempt to effect land reform. It simply has not happened. We have to remember that, despite the money that has been given, we have not had the land reform that is held to be desirable. The money has been abused. That was my point.

Mr. Bradshaw: Yes, I agree. Land reform in Zimbabwe cannot simply be an exercise in compensating commercial farmers. Donor funding will depend on a land reform that empowers the country's rural poor and creates greater equity in the ownership of the country's resources. However, we will not write blank cheques. The Abuja agreement made it clear that land reform would need to be based on the proposals of the United Nations development programme of December 2000.

The hon. Member for Macclesfield raised the serious problem of the terrible state of the Zimbabwean economy and made the good point that in the past Zimbabwe was the bread basket of the region, a net exporter and full of natural resources. There is no reason why it should not be an extremely successful country that sets an example to all its neighbours.

Hon. Members might like to have some figures that illustrate the dire state of the Zimbabwean economy. At the latest count, unemployment was 60 per cent. and rising. Inflation is 86 per cent and is expected to rise to 100 per cent. There was negative growth in the past 12 months of 8 per cent.

Our fifth and final principle is that the future must be left in the hands of the people of Zimbabwe. As a number of hon. Members have said, there will be presidential elections by mid-March. We want the people of Zimbabwe to be given a genuine opportunity to make their voice heard. That means avoiding the violence and intimidation witnessed during the last parliamentary elections. As hon. Members have said, that violence continues today, often against those who merely express a different point of view from the

Government's. It is becoming clear that the Government of Zimbabwe are taking steps that will make a free and fair presidential election next spring more difficult to achieve. Campaigns of harassment against non-governmental organisations, judges and independent journalists remain commonplace.

The hon. Member for Macclesfield drew attention to the newly proposed public order and security Bill, which could place further restrictions on freedom of expression. A large number of Zimbabweans could be disfranchised. The management of the election rests with the supervisory commission appointed by the Zimbabwe Government. They have also decreed, as the hon. Member for Romford reminded us, that only civil servants can monitor the conduct of next year's poll. The Zimbabwe Government should know that there are bound to be searching questions in due course about the legitimacy of the poll if those efforts to manipulate the process continue.

The people of Zimbabwe showed courage and dignity last year when they voted in large numbers, despite the levels of intimidation. They showed that they expect and deserve genuine democracy. Britain and the international community will respect the will of the people of Zimbabwe at the presidential election, whatever their decision, so long as the campaign and poll are demonstrably free and fair.

Mr. Nicholas Winterton: As the Minister is obviously coming towards the end of his speech, would he deal with the policy of the Zimbabwe Government under Mr. Mugabe in respect of humanitarian aid to that country? They will not allow the independent charitable agencies to distribute it and insist on distributing it themselves, perhaps to ensure that it goes only to their supporters. The Minister also touched on the importance of land redistribution. If land is being taken off the commercial white farmers, those black Zimbabweans who take over must be taught to farm it so that it does not go back to the bush.

Mr. Bradshaw: Yes, the humanitarian aid is still going through via NGOs. The British Government have been extremely careful in recent years to ensure that, with two small exceptions, our humanitarian aid programme goes through NGOs rather than through the Government of Zimbabwe. As the hon. Gentleman says, we do not trust the Government of Zimbabwe to administer it effectively. He is also right about the future role of agricultural workers from Zimbabwe. One of the great tragedies is that although most of the violence that one reads about in the papers here is against white farmers, violence against ordinary black farm workers is more regular and frequent. There is a huge refugee problem spilling out from the borders of Zimbabwe into neighbouring countries.

I was talking about what would happen if we did not feel that next year's elections were being planned in a fair and democratic way. If, as President Mugabe has said repeatedly, he truly believes that he enjoys the backing of his people, he need not fear the outcome of a genuine democratic process, but the Zimbabwe Government's approach gives little cause for optimism. That is why the European Union, the United States and others are insisting on international election observers being in place well before the election.

As I said on 7 November, anyone who ever doubted that good governance is essential to sustainable development need look no further than the crisis that has befallen Zimbabwe in the past few years. Worse still, as hon. Members have mentioned today, Zimbabwe's tragedy threatens to infect the whole region by weakening business investment and sentiment. Investor confidence in Botswana and South Africa, two of the region's modern-day success stories, has already been unfairly tainted by Zimbabwe's bad example. Mozambique, Zambia and Malawi are suffering from the dislocation of thousands of Zimbabwean farm workers and the downturn in regional trade.

The Government of Zimbabwe know what they need to do to return to the international fold, but they are not listening. Let us hope that future Governments get back on the side of their own people and the law. If they do, Britain and Zimbabwe's many friends in the international community stand ready to help. If they do not, the prospects for that wonderful country look grim.

12.21 pm

Sitting suspended.

Telephone Licensing (Aberdeen)

12.27 pm

Mr. Frank Doran (Aberdeen, Central): I am pleased to initiate this debate, because my constituents and people throughout Scotland who subscribe to the services of Atlantic Telecom are facing serious problems. The company appeared to be successful, but it went into administration in October, leaving its many thousands of cable customers in the lurch. On 9 November, telephone services were completely withdrawn. I propose to focus less on the short-term issues, however important, than on the longer-term consequences of the collapse.

I am grateful to the Minister for E-Commerce and Competitiveness and to the Minister for Enterprise and Lifelong Learning in the Scottish Executive—by happy chance his sister, making it a family affair—for working together to find the funds for an emergency system that will allow telephone calls to continue in affected cities. It is only a short-term solution, and by the end of January 2002 the problems faced particularly by businesses will not have gone away.

Mr. Malcolm Savidge (Aberdeen, North): Does my hon. Friend agree that this problem shows the weakness of existing legislation? If it were not for the helpful actions of the Minister and his sister and of British Telecom, the crisis would indeed have been grave.

Mr. Doran: My hon. Friend is absolutely right. Although I am grateful to the Minister for spending £500,000 of public money on the rescue effort, it shows that the structural problems are deep.

I have heard various figures for the number of Atlantic Telecom customers. BT told me that the number was 16,000. However, the Atlantic Telecom figure is nearer 12,000 customers, 2,000 of which are businesses that are concentrated mainly in Aberdeen, but are also in Dundee, Glasgow, Edinburgh and Manchester.

Domestic consumers have been seriously hit. Telephone services were withdrawn with minimum notice. Most people found out from the local newspaper on the morning that the services were withdrawn that they would not be able to make telephone calls. However, most domestic consumers have been able to have lines installed or get on to a programme to have lines installed.

The most serious consequences have fallen on the business consumers. This is the second collapse of a telephone supplier since competition was introduced in the telephone industry. It is the largest and the most significant collapse, and there are serious lessons to be learned from it, the most important of which is that there is almost no protection for the consumer in the regulatory system.

All consumers were given notice of the intention to withdraw what the Office of Telecommunications calls "the complete service". The minimum legal obligation on a telephone provider when it decides to withdraw a service is to give 14 days' written notice to its subscribers of its intention. It has to provide access to emergency numbers only, so consumers cannot make outgoing calls, but they can receive incoming calls. In the case of Atlantic Telecom, the 14 days' notice expired on 25 November. I mentioned earlier the rescue plan that has been put in place, and I have tested the system. People are receiving calls, which is important.

By far the most serious consequence for businesses has been the fact that, if they had an Atlantic Telecom line, they have lost that number.

Miss Anne Begg (Aberdeen, South): A taxi company in Aberdeen has suffered as a result of the collapse of Atlantic Telecom. If someone is drunk in Union street in Aberdeen and is looking for a taxi, especially on a Saturday night, that company's number might be the only one that they remember or that is pre-programmed into their mobile phone. The loss of a well-known number is very serious, especially for a taxi company.

Mr. Doran: I agree with my hon. Friend, although I do not accept that anyone is drunk in Union street in the heart of my constituency on a Saturday night. That apart, I agree entirely.

I will give some examples of businesses that have been affected. My hon. Friend mentioned Abcabs, which is a small business in my constituency that started up three years ago. It was extremely successful and is now the third most used taxi company in Aberdeen. It had a very memorable number—45 45 45—and got a lot of business from that. On 9 November, it learned that its telephone service was to be withdrawn. It was in an awkward position, because it had foreseen the problems with Atlantic Telecom and had asked BT to install a new system.

That system was in place and was due to be implemented on the Wednesday after Atlantic Telecom went bust. In the meantime, the company was using its Atlantic Telecom number to forward calls to its new system. No calls were forwarded, because the Atlantic Telecom system could not make outgoing calls. For a company that expects 2,000 calls a day at the weekend, the sudden disconnection of the telephone line has had a devastating effect on its business. It advertised for three years, invested in literature, and put the number on its cabs—a huge investment—but what it considered its most valuable business asset was suddenly pulled away.

Another small company, Aberdeen North-East Heating Ltd., supplies and fits boilers. It is five years old and began work in a rural area but set up in the city three years ago. The company, which is important in my constituency, supplies about 120 to 130 boilers a year and is an approved contractor for the Government's energy efficiency scheme. It tracks its advertising, which appears only in Yellow Pages and on yell.com, and knows exactly where its business comes from. Ninety per cent. of its business comes from the Yellow Pages advertisement.

The company's telephone number has been taken away. Yes, it can still receive incoming calls and, because of the Minister's intervention, will be able to do so until the end of January, when it will have to reconsider its position. The problem is that people do not use a heating company every day of the week. They go to Yellow Pages and run through the list to pick someone who suits their needs, based on an advertisement that attracts them. Yellow Pages in Aberdeen will not be republished until June, which is six months later.

The company is looking at other means of advertising—it will do everything that it can to let the citizens of Aberdeen know about the business—and there will be a small amount of business from word of mouth, but it feels that 90 per cent. of its business will collapse from the end of January. That successful small business, which employs four people, is afraid for its future.

Those examples show that serious consequences stem from the loss of a telephone number. The Office of Telecommunications, which is the industry regulator, has spent a great deal of time and used much advertising space to tell us about portability. Telephone numbers are supposed to be portable. I looked on its website and picked out a couple of random statements. One is from a review of portability that was published in 1998:

> "Changing number can be a major inconvenience for customers and a barrier which prevents them from exercising choice and taking advantage of growing competition in the telecommunication market. Number portability means that customers can change to a new operator without the hassle of having to change their number."

We all welcomed that important statement as a sign of progress in the newly liberalised telephone market, but what happens when an operator goes into administration or withdraws from the market? Atlantic Telecom customers discovered that portability was meaningless because, when the company collapsed, Oftel automatically reclaimed all the numbers. I asked Oftel why the numbers could not be reallocated to BT, which had put in the emergency services and was to be the new provider. I was told that the numbers could be redistributed only in tranches of 10,000 numbers, and that there were various technical reasons why the numbers could not be transferred. I understand those reasons, but it seems that the system militates against the consumer. There is a drive for portability, which is sold as a benefit of the system, but in practice there is no portability if the supplier does not continue in business.

A problem with competition is that there will be failures, even if they are not as spectacular as Atlantic Telecom's. From my experience of the gas market, which I know a little better than the telecoms market, I know that companies come and go. They may not go bust, but if they do not achieve their aspirations, they will move on to other areas in which they prefer to invest their money. In this age of communication, customers are put at a distinct disadvantage in such a situation.

I am uncertain about one matter, which I would like the Minister to address. I asked for a short brief on the consequences of reclaiming the numbers and what it would mean for existing consumers who had already transferred their number to another organisation, such as BT, and were no longer Atlantic Telecom customers at the time of the collapse. The response stated that

> "if a number was allocated by Atlantic this cannot be ported to a new supplier. Number portability obligations on telecoms operators work on the basis of reasonableness and although it would be possible for all Atlantic's numbers to be transferred to other operators, this would be technically difficult and expensive as it would require operators to reconfigure the databases in their exchanges to recognise the new numbers."

I would appreciate it if the Minister would tell me whether I am interpreting this correctly. The response seems to say that, as well as existing customers, any customers during the lifetime of Atlantic Telecom who took their numbers to a new supplier such as BT will lose their number, despite not being a customer at the time of the collapse. That seems to me the logical interpretation of that response.

What protection is there for consumers in that situation? If I have read the response correctly, it implies that portability depends on the liquidity of the supply company and on historical factors. It is a serious situation, and I have tried to understand why it has occurred. I understand the technical reasons and financial consequences—I have been told that it may cost as much as £1 million for BT to take all the Atlantic Telecom numbers and reconfigure its own system to deal with them. However, I cannot understand why the relatively small number of consumers who decide to take advantage of portability should be punished and put at risk. I still do not know whether that is happening because it is more convenient for or a requirement of the regulator. I do not accept that we cannot devise a regulatory system that protects consumers, or that the problems of technical difficulty and cost in transferring telephone numbers between companies to sustain the portability principle are insurmountable. The system seems to operate for the convenience of the industry, not the consumers.

Miss Begg: There has been a failure of regulation in television, which is another aspect of Atlantic Telecom's business. It took over Aberdeen Cable, but the business went bust before the telephone system went down. People in Aberdeen arrived home to discover a message on their television to say that they had lost their service. There is a problem with regulation, or more particularly consumer protection. We must ensure that people continue to have a service when companies go bust.

Mr. Doran: That is right. We are shortly to have a telecommunications Bill, and I hope that that topic will be addressed.

Mr. Savidge: My point follows that made by my hon. Friend the Member for Aberdeen, South (Miss Begg). My hon. Friend has rightly concentrated on the business implications, but it is important to emphasise that domestic customers who lost both their television and telephone service at the same time have been caused considerable stress.

Mr. Doran: Again, I accept that point, and I hope that it will be addressed in the telecommunications Bill.

There are serious implications for competition in the telecoms industry. The collapse of Atlantic Telecom has shown that there is no protection for the consumer in this new era of competition in the telephone industry. In any competitive situation, some companies will succeed while others fail. If a company fails or decides to pull out of the market, services are liable to be withdrawn overnight and telephone numbers, which may be a small business's single biggest asset, could be taken away without compensation. That would have a devastating effect on the businesses concerned.

The issue is not local to Aberdeen and the other centres that I have mentioned; it affects the whole industry. We encourage individuals and businesses to enjoy the new marketplace in telephone services,

[Mr. Doran]

but there is no health warning and nothing to tell consumers of the risks that they are running. If consumers knew the risks that they were taking, would there be any competition in the telephone market? Would consumers take the risk of leaving large but apparently stable companies such as BT to sign up to companies like Atlantic Telecom? If they knew the whole picture, I doubt that they would. What incentive would they have under the current regulatory framework?

The Minister and the Scottish Minister for Enterprise and Lifelong Learning have done everything possible to mitigate the immediate effects. I take their intervention as an admission of the seriousness of the problem. They have dealt with the short term, but the long term must involve a complete overhaul of the regulations governing the telecoms industry in order to give consumers more protection and tilt the balance away from the industry. I welcome the Minister's public statement at the weekend that he will consider the regulatory framework. All the evidence from Atlantic Telecom's collapse is that such a review is needed extremely urgently.

12.46 pm

The Minister for E-Commerce and Competitiveness (Mr. Douglas Alexander): I congratulate my hon. Friend the Member for Aberdeen, Central (Mr. Doran) on securing the debate. I acknowledge his diligence in representing his constituents' interests at this difficult time, following the failure of Atlantic Telecom. I welcome the debate as an opportunity to place in context the announcement that the Scottish Minister for Enterprise and Lifelong Learning and I made on Saturday afternoon. I hope that I can assure my hon. Friend and others affected by the closure of Atlantic Telecom that, working together, the Minister and I are doing everything possible to ensure a smooth transfer of telecoms services.

I shall address the circumstances of the weekend's events, before discussing how I intend to take forward the policy issues raised by my hon. Friend. Atlantic Telecom was a company of about 260 employees, with a total of 128,000 customers—7,000 of whom were business customers—covering the cities of Glasgow, Edinburgh, Dundee, Aberdeen and Manchester. As my hon. Friend said, the challenge was not confined to the Aberdeen area.

Some of those customers were served by a fixed wireless access telephone system. The company was established in 1991. Atlantic Telecom went into administration on 5 October 2001. At the time, there was a fair degree of confidence that the company would be sold. However, five weeks later, on 8 November, the administrators concluded that they could not sell the company as a going concern and duly informed Oftel that the fixed-wireless network was likely to be switched off shortly, without notice to customers.

Administrators are appointed by a court to try to rescue a failing company or to achieve a better return for its creditors. To help them to do that, the company is protected from any legal action while the administrators are in place. That includes enforcement action by Oftel, which is the independent regulator established under the Telecommunications Act 1984. It is specifically charged with responsibility for promoting the interests of consumers and ensuring that telecoms services are provided in the UK to meet all reasonable demands. Oftel cannot require an administrator to act in breach of its duty, but after intensive discussions on 8 and 9 November, it agreed that the administrators would maintain the network with a minimum service until 25 November. It also agreed that the administrator would give all customers immediate written notice to that effect.

The Government hold the view that competition brings choice of services to customers, encourages innovation and drives down prices. That is why we believe in promoting competition widely. It is a fact of life that, in a competitive environment, not all companies are guaranteed to succeed, as my hon. Friend said. When a telecoms company fails, the customers can usually be easily transferred to alternative suppliers. Indeed, that has happened for most of Atlantic's customers. Those using Atlantic's indirect access service have a wide choice of alternative suppliers. Those using Atlantic's fixed-line network have been able to transfer to BT or another cable operator.

BT and other telecommunications companies that have received orders for new lines have been working as fast as possible to process the orders. However, it was proving impossible for BT or any other company to provide services to everyone by Sunday 25 November, when the administrator planned to switch off the Atlantic network. Some of Atlantic's customers would have realised only late in the day that they had to make alternative arrangements for their telephone services. That is why the Government, the Department of Trade and Industry and the Scottish Executive resolved to act to ensure that Atlantic's customers—particularly its business customers—were given a reasonable time to make the switch to an alternative network provider before the Atlantic network was completely switched off.

Mr. Savidge: My hon. Friend mentioned that Atlantic Telecom used fixed radio access. Did that technical issue make the problem worse?

Mr. Alexander: I thank my hon. Friend for that contribution. We struggled with several technical issues during the hours immediately before the switch-off. One of those was the nature of the access provided by Atlantic Telecom. As I understand it, following the provision of a wireless service, lines into some properties had been removed. That obviously made the problem more complicated and increased the delays for those seeking alternative line access. Despite the technical constraints, BT and other telecom companies that received orders for the new lines worked as fast as possible to process them.

I met my hon. Friend the Member for Aberdeen, Central on 19 November and he spelled out the concerns of his constituents at that DTI meeting. The following day I met the director general of Oftel and expressed my resolve that everything possible should be done to smooth the transfer of customers from Atlantic to other operators. On 21 November, I met my hon. Friends the Members for Edinburgh, North and Leith

(Mr. Lazarowicz) and for Aberdeen, South (Miss Begg), who explained the problems that their constituents were having in transferring telephone numbers and obtaining alternative operators. I pay tribute to all those hon. Members for their effective and constructive representation of their constituents.

The next day I arranged to meet the chief executive of BT, Sir Peter Bonfield, and the group commercial director, Colin Green, to seek their assistance in expediting the connection of Atlantic customers. At that meeting, Sir Peter assured me that BT would do all it could to help facilitate a quick transfer of customers. He confirmed that the company had already diverted resources from elsewhere to help speed up the process, and that it would work closely with Oftel and the DTI to minimise the disruption to Atlantic's customers.

The Scottish Minister for Enterprise and Lifelong Learning—my sister, Wendy Alexander—met the Stop Atlantic Closure campaign on 21 November and again on 23 November. She also met the administrators on 22 November and the Scottish Chambers of Commerce and Scottish Enterprise on 23 November. From those meetings we were clear about the importance to Atlantic's business customers of not losing telecom services for any period, and about the difficulties surrounding the transfer of numbers.

We required a complex deal. We needed to persuade the administrators to keep the Atlantic network running long enough for Atlantic's customers to obtain telecom services from BT or other operators, but all customers with a number from Atlantic's allocation would lose its use as soon as the network was switched off. We therefore decided that the Atlantic network must be kept running until customers had had a reasonable time to organise alternative arrangements. For an interim period, a messaging service was also needed to provide the new telephone numbers when calls were made to the old Atlantic ones.

The administrators would not fund that arrangement, so we quickly secured the Treasury's approval and considered whether providing public money to support businesses in that way would constitute state aid, which the European Commission permits only in limited circumstances. We believe that the money meets well-established criteria for rescue aid. This week, we are notifying the Commission of that aid, and we believe that it will be approved.

I pay tribute not only to the Minister for Enterprise and Lifelong Learning, but to my officials in the DTI, the Scottish Executive and the staff of Oftel who, under considerable pressure, worked flat out on this package on Thursday, past midnight on Friday and again on Saturday morning. Everything was in place and the deal was concluded with the administrators by Saturday afternoon, when we notified the campaigners and announced the deal publicly.

As part of the deal, we are working with Oftel and telecom companies to ensure that a message to every caller on the old Atlantic numbers provides the appropriate new numbers. That service will remain in place during Christmas and new year. By 2 January 2002, not only will all Atlantic's fixed wireless customers have working fixed lines, but businesses will have had several weeks to advertise new numbers. Some of those who benefit from the messaging service will want it to remain for longer, so at least one switch in the Atlantic network will have to continue operating. Those customers must arrange the financing.

Assuming that people act on the notice of network closure from the administrator, the rescue package announced on Saturday will ensure that 12,000 residential users and 2,000 businesses have time to get a new telephone line and to advertise the new number. This time of year is traditionally busy, and the £500,000 grant provided by the DTI and the Scottish Executive is essential to maintaining vital telephone services. We have financed the administrators to keep the Atlantic network operating with a messaging service up to 2 January 2002.

I want to consider the regulatory regime under which the events took place. In future, the regulatory regime should provide adequate consumer protection in a fully competitive telecommunications market. The regime presently provides several safeguards, the terms of which merit consideration.

Mr. Doran: I see that the Minister is on the last page of his speech, and I do not want him to sit down without addressing the concerns of business consumers, who are losing a major business asset. What does he have to say to them?

Mr. Alexander: My hon. Friend asked whether customers who moved from Atlantic before it went into administration, and who transferred their old numbers to an alternative supplier, would lose those numbers when the network closes. That is the case, because of the technical difficulties, but the possibility remains of further discussion about a messaging service based on a single Atlantic Telecom switch.

Under current terms, BT is subject to a universal service obligation. It will provide a service to all Atlantic's customers who make a reasonable request. Other operators, such as Telewest Broadband and Thus, are also taking ex-Atlantic customers. It should be possible for all Atlantic's fixed wireless customers—business and residential—who had placed an order with another operator for a replacement service by last Sunday to receive that service in two weeks—or four at most.

As for portability, telephone customers have the right under present arrangements to require the transfer of a telephone number from the existing operator to a new operator if that is reasonable. However, I draw my hon. Friend's attention to the terms of that definition, especially the word "reasonable". It is for the operator to judge what is reasonable, although ultimately it may be a matter for the director general of Oftel, who would consider whether the operator had complied with its obligation on number portability.

It is technically possible for all Atlantic's numbers to be transferred to BT, but it would have to rebuild the databases at each of its exchanges. BT has intimated in discussions with the regulator that that would cost about £1 million—an amount that the company does not consider reasonable—and would take several weeks to complete. Given the technical and operational characteristics of Atlantic's telecommunications system, similar difficulties would arise if numbers were transferred to other operators. Ultimately, the director general of Oftel may have to consider the reasonableness of a request for a number.

[Mr. Alexander]

The Atlantic case has shown the clear limitations of present customer protection measures. Now that the rescue package is in place, I assure my hon. Friend that I shall review whether steps should be taken in the light of those limitations. I welcome the views of all hon. Members, as we seek to establish appropriate further action. My hon. Friend accepted that providing such assistance is not something that the Government do lightly. Atlantic did not ask for assistance. We took action because the administrator, acting in the interests of the creditors, announced that the network would be switched off faster than Atlantic's customers could transfer to alternative operators. For reasons beyond their control, that placed those customers—especially businesses—at unacceptable risk. Jobs were clearly at stake at a peak period of the year for many of the companies, and at an especially sensitive time for their employees.

We have listened to Atlantic's customers. The DTI, in close partnership with the Scottish Executive and Oftel, worked hard and fast under real time restrictions to find what we believed was a workable solution. The other operators have also played their part—

Miss Ann Widdecombe (in the Chair): Order. We now move on to the next debate.

GoVia (South London)

1 pm

Tom Brake (Carshalton and Wallington): I welcome the opportunity for a short debate about GoVia services in south London. I hope that the Minister can respond today to the issues, about which he has received advance notice.

The Minister may be tempted to stray from the subject of today's debate to that of Liberal Democrat spending plans, so I want to put one thing on the record. In a recent debate, the hon. Member for Maidenhead (Mrs. May) asked me how much of the Liberal Democrats' tax increase of 1p in the pound, which we proposed at the general election, was for transport. My response, correctly, was none, because that increase was earmarked for education. However, our spending plans for transport at the general election included the same level of funding as the Government's 10-year transport plan. If the Minister intends to criticise our transport spending plans, he will also be criticising the Government's plans.

The Minister will not have missed the reports in Sunday's and yesterday's papers about the state of transport infrastructure in the United Kingdom. According to a report commissioned by the Government, Britain has the worst transport system in Europe. The most congested roads, the longest commuting times and some of the highest rail fares can be found in the UK, according to the Government's Commission for Integrated Transport. The franchise process was an opportunity under the Labour Government to start to tackle such problems. I want to focus on the transfer of the Connex South Central franchise to GoVia, and whether it is tackling the problems outlined in that report.

The experience has not been entirely happy so far. I want to refer to a letter and two e-mails that I have received in the past couple of days from constituents who were aware that this debate would take place. Mr. Brown said:

> "Since GoVia took over the franchise from Connex South Central, the services to Victoria from Carshalton and Carshalton Beeches have been appalling."

Another constituent told me that she used to catch the 7.30 train from Hackbridge to Victoria, which was always crowded, but it has now been cancelled. She said that she dreaded to think what the overcrowding on earlier and later trains would be like. A third constituent who travelled on the 7.33 train from Hackbridge to London Bridge alleged that since GoVia took over the train had not run on time once and some services had been cut out indefinitely.

I am realistic, as my constituents probably are. There was no way in which the service would improve miraculously, or even perceptibly, as soon as GoVia took over. However, people did not expect it to deteriorate to the extent that it apparently has. Many of the services that GoVia was to provide have been removed in a revised timetable that it had to issue, as it hoped to be able to guarantee a particular level of service. That is not a good omen.

It seems as though the handover process has failed in some respects. I hope that the Minister can say what lessons the Government have learned from this franchise experience, and what changes, if any, they intend to make to the process to ensure that future franchise renewals give passengers what they want.

There are a number of problems with the franchise bidding and renewal processes. First, there is the too-many-cooks syndrome. GoVia was selected in the final stages of the franchise bidding process from a shortlist of two companies—Connex and GoVia. One must question whether a real choice was possible with only those two companies bidding. However, at the end of that process, the Strategic Rail Authority and the Department of the Environment, Transport and the Regions were happy that the contract should be awarded to GoVia, and that GoVia should take over the franchise. The Office of Fair Trading then became involved, and that significantly delayed the process, but it raised no queries. Clearly, during that period, a great deal of confusion was created for GoVia, its staff and commuters, as they expected the handover to take place, but it did not happen. That led to a loss of morale among staff, and probably caused significant problems in retaining the staff within Connex who were going to be taken on by GoVia. Perhaps the Minister, as a result of that delay, has reflected on what can be done to shorten the process and to ensure that all Government Departments are on board with the company shortlisted by the Government, rather than allowing such a delay to occur.

The second problem is the lack of information about the service and the staff that were employed. Clearly, much of that information is commercially confidential, but driver shortages and the need to recruit more maintenance engineers are the two most significant problems that GoVia has reported to me that affect its ability to deliver the new service. What action are the Strategic Rail Authority and the Government taking to ensure that, within the bounds of commercial confidentiality, all parties bidding to take over the franchise are aware of the staffing levels in the organisation that they will succeed, and what maintenance regime applies? Connex assured me that, if GoVia had wanted the information about the maintenance regime, it could have obtained it. That may be true, but it would appear that GoVia did not do so. In future, will the Government ensure that that information is available at the beginning of the process, so that companies bidding for the franchise know where they stand, without having to delve into areas that they did not realise they had to delve into?

That matter is pertinent not only to the franchises but to the public-private partnership for London Underground, which is another transport plan close to the Government's heart. Clearly, if the consortiums involved in that partnership do not know the staffing levels in London Underground, I can guarantee that when they take over the service they will say, "We did not know how many staff there were, so we will not be able to deliver because we are understaffed."

The third problem is that of driver shortages. The Minister may be aware of correspondence from Connex and comment in the press from GoVia about where responsibility for the driver shortage problem lies. In a letter to GoVia, Connex said that when it handed over the franchise, South Central was 14 drivers short of establishment. If that was the case, GoVia did not need to implement cuts on the scale that it has. Connex claimed that the service was only 14 drivers short, but GoVia said that it had to rejig the timetable completely.

Jim Dowd (Lewisham, West): Even if the issue of train drivers were clear—and it is not—that does not explain why so many GoVia services, which affect my constituency as much as the hon. Gentleman's, are running short trains and why trains are being reduced from eight to six or four carriages. That is a matter of service, not drivers. Many of my constituents used to write to me saying that the franchise should be taken away from Connex because the service could not get any worse, but I am now inundated with letters from people who say that they were wrong and that the service has got far worse.

Tom Brake: I thank the hon. Gentleman for those helpful comments. The issue was highlighted in an e-mail that I received from a constituent who could not understand why a short service was running during the peak period—it was cancelled, in any case—whereas long trains were running during off-peak periods later in the day. That seemed to her to be a rather illogical approach to providing the right capacity. I shall be interested to hear whether the Minister has had discussions with Connex or GoVia about driver shortages, and when he expects the problem to be resolved and the normal service—I say that hesitantly—to resume.

The new franchise is the fourth problem area. Commercial confidentiality may prevent the Minister from telling us what is happening with the new franchise, although GoVia is the sole company involved in the negotiations, so there cannot be too many such issues. None the less, I should like to know whether GoVia is on track to sign a new franchise deal in 2002, and what guarantees the SRA is seeking from GoVia on levels of investment. It would be useful to have key, tangible indicators that commuters will be able to understand at the end of the new 20-year franchise, if that is what it is to be. For example, how much new rolling stock will have been rolled out?

I must again refer the Minister to an issue that is of great concern to commuters in my area. Which stations will train services from my constituency go to? We have been told that they might go to London Bridge, but not Victoria. Clearly, the majority of commuters would prefer them to go to both. When the SRA gets involved in the negotiations about franchises, will it consider that level of detail, which commuters understand and can use to judge improvements to the service?

The sudden switch from the new extended 20-year franchises that GoVia is negotiating to short extensions to existing franchises has introduced some confusion into the new franchising arrangements. Connex must be spitting, because it sought a three or four-year extension to its franchise a few years ago in the belief that that was the best way to guarantee significant improvements in investment and new rolling stock. It was told that that was not an option, and that the Government were going for the long, 20-year franchises. However, shortly after negotiations started with GoVia on the new extended

[Tom Brake]

franchise, that approach was no longer taken, and the Government were considering two or three-year extensions to existing franchises.

I want to give the Minister a decent length of time in which to respond, so I shall come to my final point, which is about the impact of Railtrack going into administration on the investment plans of GoVia and other train operating companies. The Minister ran out of time when I raised the subject at column 219WH in a debate on 30 October. Fortunately, he will have longer to respond today.

What assessment was made before Railtrack was put into administration of the impact on the investment plans of GoVia and the other train operating companies? What assessment has been made since? In response to my parliamentary question 9894, the Minister said:

> "The recent Railtrack developments will not impact on the existing or new franchise"—[*Official Report*, 29 October 2001; Vol. 373, c. 479W.]

Why did he say that when *Metro* had reported on 26 October that GoVia had already suspended a £330 million upgrade of track and signalling on lines into Victoria because of uncertainty about the Railtrack plans, and when it had been reported in the *Evening Standard's* News and City section on 25 October that Connex South East had put

> "a question mark over £900 million plans to alleviate overcrowding"?

Does he still maintain that there has been no impact, despite what Go Ahead stated in a letter to me on 12 November? It said:

> "We require clarification from Government on infrastructure projects which impact on South Central to allow us to proceed".

As recently as yesterday, GoVia stated that uncertainty surrounding Railtrack and its future structure was not helping it to progress its work, especially on infrastructure improvements.

Handing over the franchise to GoVia was supposed to launch a renaissance of the railways. Instead, we appear to be slipping back into the dark ages. I hope that the Minister will confirm that lessons have been learned from the GoVia franchise, and that future franchise renewals will be a guarantee of improvements in service.

1.16 pm

The Parliamentary Under-Secretary of State for Transport, Local Government and the Regions (Mr. David Jamieson): I congratulate the hon. Member for Carshalton and Wallington (Tom Brake), resplendent in his new hairstyle—it seems to be catching, Miss Widdecombe—on securing the debate. I also thank him for giving me prior notice of some of the questions. It is a pleasure, Miss Widdecombe, to serve under your watchful eye. It is the first time that I have had that pleasure. I recall that you were once a candidate in the constituency that I now represent. Sadly, I was not a candidate there then, but had I been, we could have both lost together.

Jim Dowd: On a point of order, Madam Deputy Speaker. In the days when I used to sit in this Chamber and say nothing, the tradition was that you would be addressed as Madam Deputy Speaker, rather than as Miss Widdecombe. If that has been changed, I should be grateful to know.

Miss Ann Widdecombe (in the Chair): I am not a Deputy Speaker. I am afraid that I am plain Miss Widdecombe.

Mr. Jamieson: Thank you, Miss Widdecombe. Having also served as a Whip in this Chamber, I keep up to date on matters of House procedure. I know that my hon. Friend the Member for Lewisham, West (Jim Dowd) is a stickler in such matters, but on this occasion I seem to have the edge on him.

The hon. Member for Carshalton and Wallington raised some important points and I shall endeavour to cover as many as I can, as always. He rather spoiled the beginning of the debate, sullying it with a bit of party politics. There is obviously some sensitivity about matters that have been raised in previous debates. We are delighted to hear that the Liberal Democrats' spending plans for transport are equal to the Government's. Perhaps at some future date, when there is more time, he will tell us how they could afford them.

The hon. Gentleman shows a keen interest in rail issues, and we have had an opportunity to debate some of them previously. I shall try today to cover some of those that we have perhaps not dealt with in as much detail as we should have done. The hon. Gentleman's constituency is served by South Central and Thameslink, and as he said, both those franchises are owned by GoVia.

Before I respond on the main issues, it will be helpful to provide an update on the operators' current service provision. As the South Central franchise was transferred from Connex to GoVia only on 26 August, it is still too early to make overall judgments on GoVia's performance. However, there is a driver shortage across the whole network. When the franchise was transferred there was a driver shortage as well as a shortage in depot fitters. Those staffing shortages have led South Central to make a number of cancellations to its services in recent weeks. It takes several months to provide full training for new drivers, and that should not be speeded up at the risk of compromising safety. However, I am informed that there is already an accelerated programme of driver recruitment and training, which I hope will secure drivers in excess of the current establishment by next spring.

The problem of staffing shortages was added to by a deal that was concluded by the previous incumbent, Connex Transport UK, for a 35-hour four-day week for drivers plus an additional four days leave per annum, which came into effect in September. I understand that South Central is seeking to buy back drivers' annual leave by agreement to help alleviate short-term difficulties. I hope that that is helpful in dealing with driver shortages.

As it was clear that a full service timetable could not be met, the Strategic Rail Authority, in discussion with South Central, the London Transport Users Committee and the rail passengers committee for southern England, agreed a revised timetable. That timetable mitigates the effects of unplanned cancellations on passengers by providing a timetable that can be delivered reliably to passengers so that they can plan their journeys accordingly. I would be the first to accept that that is hardly satisfactory, but at least there is now a degree of predictability in the services that was previously lacking. The revised timetable took effect from 12 November: it will apply beyond Christmas and may last until Easter next year. The Strategic Rail Authority will closely monitor South Central's progress towards the reintroduction of a full timetable. I am sure that that is good news for the hon. Gentleman's constituents. I expect every effort to be made to restore a full service as soon as possible.

The latest performance statistics published by the Strategic Rail Authority in July show that improvement also needs to be made in the performance of Thameslink services. The figures show that from 27 May to 23 June, 74 per cent. of Thameslink's trains throughout the day arrived on time, with 71.2 per cent. arriving on time during peak periods. Services are deemed punctual if they arrive at their destination within five minutes of the timetable.

The Connex South Central agreement was due to be transferred to GoVia in June. That was not possible as compliance with competition legislation had to be shown before the takeover could happen. The change of control was dependent on the decision of the Secretary of State for Trade and Industry on the competition issues involved. As I said earlier, the handover eventually took place on 26 August. South Central Ltd will continue to run the franchise under the terms of the existing agreement until a new franchise agreement is concluded.

The new South Central franchise is a particular interest of the hon. Member for Carshalton and Wallington. Some issues surrounding it are also important to my hon. Friend the Member for Lewisham, West, who takes a great interest in these matters on behalf of his constituents and has written to me copiously on them recently, which I appreciate.

Negotiations between the Strategic Rail Authority and GoVia are continuing towards a new 20-year franchise agreement. There is no fixed timetable for completing those negotiations, but we have made it clear that we want to see more benefits for passengers secured in the near future, so there is every incentive for early resolution.

As I said during the debate secured by the hon. Member for Lewes (Norman Baker) on 31 October, a series of major enhancements are planned over the term of the new franchise to boost capacity and improve service frequency and comfort. It is also worth reminding the House that total investment of £1.5 billion is planned by GoVia to improve South Central services. It is too early to say when those new agreements will be made.

I note from the debate secured by the hon. Member for Epsom and Ewell (Chris Grayling) that the hon. Member for Carshalton and Wallington referred to a delay to his journey caused by a slam-door stopping train. There was not time to cover that issue on that occasion. The South Central franchise agreement included a commitment by Connex to replace mark 1 rolling stock by 1 January 2005 as required by Health and Safety Executive regulations. On 26 August, that commitment was passed to GoVia. I am sure the hon. Gentleman will be delighted to know that GoVia has subsequently ordered the first 240 new vehicles to replace slam-door mark 1 stock. The new vehicles are due to start entering into service on its South Central franchise next year.

The current Thameslink franchise is not due to run out until April 2004. On 14 September last year, the Strategic Rail Authority announced the eight companies that had successfully met their pre-qualification criteria to allow them to compete for the new Thameslink franchise. Since then, the Secretary of State has announced his new policy statement on franchising, which the hon. Gentleman touched on.

The hon. Gentleman asked what lessons the Government had learned from the franchising process. He may be aware that the Secretary of State has asked the Strategic Rail Authority to concentrate on negotiating improvements for passengers under existing franchises, or to negotiate short two-year extensions, and to make the early replacement of franchises the exception rather than the rule.

That new approach focuses on the key 10-year plan targets, which both parties can afford, and aims to deliver earlier passenger benefits such as improved performance and better rolling stock and passenger facilities. We do not rule out the early replacement of the shorter seven-year franchises, but our approach will be adopted only if benefits cannot be obtained in other ways.

The Strategic Rail Authority has reviewed its franchise replacement programme, and is seeking the Secretary of State's approval for a revised programme that will follow the draft directions and guidance and his policy statement on franchising.

The Strategic Rail Authority has been given the priority of reducing overcrowding and achieving better reliability on commuter services. That can be achieved by providing reliable, extra, new rolling stock, tougher performance targets, extra drivers, spare trains for emergency use and enhanced maintenance cover.

The hon. Gentleman mentioned Railtrack administration. We have touched on those issues in debates in the other Chamber, but I am happy to reinforce them. The placing of Railtrack into railway administration by the High Court should not affect the Strategic Rail Authority's ability to conduct a franchise replacement programme. For some time now, we have envisaged that special purpose vehicles and other such innovative mechanisms could complement the more traditional approach to financing railway enhancement investment projects. In particular, we acknowledge that some projects cannot be undertaken by Railtrack alone because of the risks involved.

A financially robust successor to Railtrack plc will be important to ensure the delivery of replacement franchises. However, while the company is in administration, passenger safety and services will not be affected. We will ensure that the administrator has the funds necessary to maintain the full operation of the rail network.

Benefits such as improvements to rolling stock and to the resilience of train operating companies, which, in turn, will enable better performance, are independent of infrastructure network ownership. When major infrastructure improvements are necessary, the Strategic

[Mr. Jamieson]

Rail Authority considers that long-term franchise replacement is not the only key delivery mechanism. The programme of long-term franchise replacement has made slower progress than hoped, largely because of Railtrack's inability to deal with infrastructure enhancements on the contractor model, by which it would provide initial capital and be remunerated through access charges after completion of the new asset.

That problem was recognised in the project endeavour agreement between the Government and Railtrack in April, under which Railtrack was to concentrate on operations, maintenance and renewals and co-operate with the Strategic Rail Authority and the Government in devising an alternative framework for the procurement of enhancements.

The method that the Strategic Rail Authority now envisages for enhancement projects is the special purpose vehicle—bespoke joint-venture companies. Those would have been largely separate from Railtrack plc, and we have confirmed that that separate approach will be pursued when the successor to Railtrack is established.

I hope that I have managed to cover the major concerns that were sensibly and rightly raised by the hon. Member for Carshalton and Wallington on behalf of his constituents, many of which are shared by the hon. Member for Lewisham, West. We accept that a lot more needs to be done to improve the railway service across the whole network, not only in south London. I hope that hon. Members will agree that we are taking bold steps to ensure that the framework is in place to ensure that improvements happen. Our 10-year plan provides the investment, and the Strategic Rail Authority will shortly publish its strategic plan that sets out its priorities for enhancement to the network. The newly appointed chairman of the SRA, Richard Bowker, will bring fresh ideas to the industry and will play a key role in delivering a better, safer railway.

I am grateful to the hon. Gentleman for raising those matters, and for giving me the opportunity to answer some of them in this debate.

Retired Miners (Compensation)

1.30 pm

Mr. Tom Clarke (Coatbridge and Chryston): I am grateful to have obtained a debate on the important subject of compensation for retired miners and, by implication, widows. The subject was raised in the House, and in Westminster Hall on 13 March when we last debated the matter at my request.

My hon. Friend the Minister for Industry and Energy will be aware that the matter is on-going, but important. I welcome him to his comparatively new responsibilities, but as he comes from Ayrshire with all its mining influences, I am sure that he understands all the issues and how those of us in Lanarkshire feel. We recognise that he also has responsibilities for such matters in the United Kingdom.

Compensation for miners is of great concern to my constituents. I am grateful to my local branch of the Retired Miners Association, which meets frequently, and especially to the branch secretary, Eddie Hendry, and the chairman, Peter Downie, who ensure that I am kept fully informed on the matter and who invite me to meetings. At the last meeting on 26 October, I undertook to seek the debate and am pleased to have been able to obtain it so quickly.

I am also grateful to the National Union of Mineworkers in Scotland. The Minister will understand that my thoughts are with the union today when it struggles with the problem of Longannet. We trust that it can save as many jobs as possible in that difficult situation.

I sought the debate because, despite the progress made since we last discussed the matter in Westminster Hall, there are still great problems with regard to compensation, prioritisation and ensuring that if tests are necessary they are carried out with the maximum sensitivity. When decisions are taken, they should be implemented as speedily as possible.

I am aware of the backdrop to the issue of compensation for retired miners. There was inactivity and indolence for 18 years, and the new Labour Government took on the responsibility and accepted that there were problems. The Minister is aware of the Government's sensitivity in recognising the suffering, pain and hardship of people with lung disease, such as chronic bronchitis and emphysema, the consequences of which we have both seen in our constituencies and elsewhere. The Minister is also aware of the suffering of those who have experienced the problems of vibration white finger.

We are debating again today the biggest industrial compensation scheme in history, perhaps in the world. Unfortunately, there are still many people who recognise the concept but feel that it simply has not yet applied to them in their homes and villages. In March this year, the estimated costs were £2.4 billion for the lung scheme and £2.1 billion for vibration white finger—£4.5 billion in total. The Minister will have the up-to-date figures, but I understand that the total has gone up to £5 billion. Of course, that money is welcome, but the concern is—as it has been since the scheme was announced—to ensure that compensation is delivered.

I am revisiting the debate that I was able to obtain on 13 March 2001 because there are outstanding issues in Scotland and in other important mining areas of the

United Kingdom. When the then Minister, my right hon. Friend the Member for Neath (Peter Hain), replied to the previous debate, he acknowledged those problems. Concerns remain about implementation and administration to ensure that the compensation reaches the miners and the widows, many of whom have waited for far too long.

A few days after the then Minister replied to that debate, he was kind enough to come to Scotland and visit my constituency. He visited the Miners Institute of Auchengeich, which was appropriate because in 1959 Auchengeich experienced the ultimate sacrifice when 47 men were killed in a dreadful disaster. To many people, that remains the price of coal. I pay tribute to him and to all my colleagues who have held that post, including my hon. Friend who will reply to the debate today.

On his visit to Scotland, the then Minister met Lawrence Lumsden, the solicitor who advises the National Union of Mineworkers in Scotland, as well as retired miners and their families. That visit was very welcome, and Mr. Lumsden acknowledges that much progress has been made. Given Mr. Lumsden's standing on these issues—he is mentioned a good deal in the Library notes—I would like to draw my hon. Friend's attention to some of the points that he made in a paper that he provided me with only yesterday. I make these points for the record, as I am sure my hon. Friend will understand that, with the greatest respect to him and to his predecessors in that post, it is only fair that Mr. Lumsden's views are noted in this debate.

Mr. Lumsden said:

> "In summary, the position is that despite undertakings made to the mining community that the speed of settlement of claims would increase, and payments made would increase significantly, progress has been disappointingly slow, with very few seriously disabled live men paid their full and final settlement amounts and no real progress made to date, in prioritising elderly widows' cases amongst the posthumous cohort of claims."

He went on to say that

> "the Government must be just as disappointed at the rate of progress."

I am sure that my hon. Friend can give us more up-to-date figures.

The previous Minister, on a visit to Scotland on 16 March 2001, forecast that the rate of payment would increase dramatically over the following six months to the end of September, rising across the United Kingdom to a total of £360 million. The actual amount paid out to miners by the end of September was £210 million, which is about £150 million short of the forecast.

In Scotland, the forecast was for £26.1 million to be paid out by the end of September. The actual amount paid was £16.7 million. My hon. Friend will understand that we are keen to distribute the other £10 million to those in Scotland who qualify for it and who very much need it.

I am sure that my hon. Friend is too experienced to take this personally, but Mr. Lumsden states:

> "The new minister announced recently that his target was for 3,000 of the most compelling cases to be the subject of full and final offers by the end of the year with a target of 50,000 full and final offers during 2002. It is to be hoped that these promises which echo similar commitments made by his predecessors, do come to fruition but it is regrettable that announcements of this kind have been made well in advance of tangible evidence that the elaborate machinery set up to compensate miners and their families for occupational respiratory disease, is capable of producing any significant number of settlement offers at this stage."

I accept that that is pessimistic and extremely worrying, but my hon. Friend will recognise that it is what many people think, not least in my own constituency. Although the situation has improved for many people since the spring, frustrations remain for those who are still looking forward to settlements, and have been for a long time.

At the meeting in Auchengeich on 26 October, I had a brief discussion with a man named Alex Anderson, who was 75 years old and had a 75 per cent. loss of lung function. He was a widower living with his son Brian. I have a poignant recollection of his comment to me: "Tom, by the time these payments are fully made, some of us won't be around." Sadly, he died the following week. Another constituent, Arthur Stewart, died last week in Muirhead. He was 69 and had a 40 per cent. loss of lung function. Again, the final settlement that people are desperate about had not been received.

I know that my hon. Friend agrees on the need to prioritise claims, and I welcome everything that he has said and done since taking up his post. However, it is because of our interest in prioritising claims that we are still calling for improved procedures, extra resources where necessary and more urgent payments to needy groups, including widows. Is the Minister satisfied that medical assessments are completed as quickly as they should be, and is he constantly reviewing Healthcall's performance?

My right hon. Friend, the then Minister, said in the debate on 13 March:

> "We are trying to recruit, partly by advertising more widely, a large number of additional respiratory consultants because there is a national shortage."

He went on:

> "I am bound by a court judgment, which has been both an opportunity and a frustration. We would not have started from this position. When the Labour Government of the 1970s granted compensation for pneumoconiosis, they were not constrained and straitjacketed, as they are now."—[*Official Report*, 13 March 2001; Vol. 365, c. 223.]

Has my hon. Friend the Minister obtained the views of the Scottish sub-group of the monitoring group on the progress of this and other matters? I am sure that he welcomes, as do I, the appointment to that monitoring group of our hon. Friend the Member for Dunfermline, West (Rachel Squire). She replaces Eric Clarke, who did an absolutely first-class job. Has my hon. Friend had discussions with them about the input of IRISC Claims Management's Edinburgh office? I am sure that it would argue that older, sicker miners need to be dealt with first.

There is evidence that, because of the way in which respiratory tests work and because the process moves on to the second stage, the vast majority of offers have been made not to men with the most severe disabilities but to men suffering from lesser complaints. I cannot believe that it is fair for compensation of hundreds of pounds to be given precedence over compensation that runs to thousands of pounds and is obviously vital in cases of chronic bronchitis or emphysema.

I should like to ask a few quick technical questions. Will my hon. Friend comment on the implementation of schedule 10 as a calculating model? There is much

[Mr. Tom Clarke]

concern in England and Wales about the many lawyers involved, but in Scotland there is only one. My hon. Friend the Member for Bolsover (Mr. Skinner) had an answer to that on the Floor of the House. It would be helpful if my hon. Friend could comment on that. Would he also ensure that up-to-date Compensation Recovery Unit certificates are on file when full and final offers are made? Will he afford appropriate authority to the Department's claim-handling contractors, IRISC Claims Management, to negotiate full and final settlement amounts with solicitors without referring back to the Department of Trade and Industry civil servants in London, sometimes on relatively minor matters?

I conclude by thanking my hon. Friend for what he is about to say, and by inviting him to visit my constituency where he will be made very welcome. He should tell it straight and let my constituents, the people of Scotland and the former miners of Britain know that he is on their side and is determined to ensure that this scheme works with the utmost urgency.

1.46 pm

The Minister for Industry and Energy (Mr. Brian Wilson): I am grateful to my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke) for giving me this opportunity to update hon. Members on our progress on the compensation schemes for vibration white finger and respiratory disease. I shall deal with as many points as I can, and I shall write to him about those that I do not reach.

I am in no doubt of the importance and the emotive nature of this issue and the strength of feeling to which it gives rise in the mining communities. My right hon. Friend made an important point that should be reinforced: whatever the problems with administering the scheme and putting a system in place that will deal with claims more effectively, the Government have accepted the legal and moral obligation to meet all the claims of miners, former miners, and their widows and families. It took so long to reach that point, and there is an ever increasing sense of urgency. A large number of claims are being pressed, many of them relating to events that took place many years ago. If that responsibility had been accepted long ago, we would not be faced with such a compressed timetable, which is the source of many of our difficulties.

Although I have done a great deal to solve these problems since I became the Energy Minister, this is the first time that I have replied to a debate on the coal health issue. I welcome the opportunity, and should also like to reinforce the point that, with over 300,000 claims registered, this is the biggest personal injury scheme in the UK, and indeed in the world. It is absolutely enormous. More than 1,200 new claims continue to be received each week, so it is impossible to say when the final claims will be settled. Therefore, even the figures that my right hon. Friend quoted are speculative. No one can say that the final figure will be £4.5 billion or £6 billion, as is being predicted, because we do not have all the claims yet. It is important to emphasise that there is no cap in the scheme; each case will be judged on its merits and payment will be made in full. There is not a certain size of cake that must be divided between a finite number of claimants.

In letters to my hon. Friends that they pass to me, the feeling is often expressed—it has been encouraged in some quarters—that there is a clandestine benefit to the Government in delaying payment, because the claims will go away. I stress that none of the claims will go away. There is no Government vested interest in delaying settlement, because ultimately the Government will pay more if the ex-miner has died than they will if a claim is settled while the miner is still alive. It is in our interest to deal with claims as promptly and fairly as possible.

It is important to stress that we are not acting unilaterally. It is fair for my right hon. Friend to quote the views of solicitors, and it is fair for me to say that we cannot do anything without agreeing with solicitors. Structures were in place long before I was around for agreeing how to proceed through consensus with solicitors. The solicitors have to answer for the positions that they take in reaching that consensus. The Government cannot, with a stroke of the pen, make everything work more efficiently. Solicitors, rightly, represent their clients' interests, and they are cautious about any changes to or refinements of the scheme. They have to judge the likely impact on their clients.

The structure is working well, but it is worth bearing in mind the fact that, when solicitors complain about delay, at least part of the problem is due to the structure, which I am sure they would not sacrifice.

Mr. Ronnie Campbell (Blyth Valley): Why cannot the letter saying that the claim has been finalised be written to the claimant rather than to the solicitor? There are delays in solicitors' offices; solicitors get the cheque, which goes into their account where it might stay for a couple of months before the client knows that he has his final settlement.

Mr. Wilson: My hon. Friend is right. At a recent meeting of the Welsh monitoring group, our hon. Friend the Under-Secretary of State for Wales, the hon. Member for Islwyn (Mr. Touhig) mentioned six cases in which there had been inordinate delays. In three of those cases, payment had been made, but it was lying in the solicitors' office. Such things happen, and I have discussed with solicitors ways in which they could deal more efficiently with large numbers of claims. Solicitors are paid; they do not act out of philanthropy, so there is no reason why they should not have people to answer the phones and to deal expeditiously with the business. I am willing to listen to criticisms of solicitors, but I must point out that we work with them in everything we do.

Another constraint on our ability to act unilaterally is the fact that we can act only within the terms of the judgment, which is complex. It insists that each case should be settled individually according to the particular circumstances of the individual ex-miner, which is in the interests of the claimant. Any talk about blanket payments is outwith the terms of the scheme, because it would disadvantage many claimants, as some would end up getting much more money than they would do if there were an across-the-board settlement.

My right hon. Friend referred to a constituent to whom he had spoken a week before he died. That is the ultimate tragedy, but it is in the nature of the scheme. The long delay between the men retiring from the pits and lodging claims means that many of them will be very old and very sick. Therefore, the challenge is to minimise the number of people who die before their claims are met. Given the chronology, that will sometimes happen, but our highest priority is to minimise the number of such cases.

I had a productive meeting recently with solicitors representing claimants. I also met mining union representatives, coalfield campaigners and the Department's contractors under the auspices of the ministerial monitoring groups. I went to coalfield areas, including Cumnock, where I met claimants and heard their views. Their overwhelming message, which I took on board, was that we need to do more to deliver the benefits of the scheme.

Jeff Ennis (Barnsley, East and Mexborough): I thank the Minister for giving way, and I congratulate my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke) on securing this important debate. The Minister met some former miners from Barnsley a fortnight ago to discuss the issue, and I thank him on their behalf. They really appreciated his attendance. MPs from the mining areas appreciate the enormous number of claims before the Minister and the problems that he faces. He is sincere in wanting to clear the claims as quickly as possible.

Will my hon. Friend say something about the bereavement awards, which are based entirely on paper evidence, such as the death certificate and the former miner's work record? Such claims should be dealt with in a much shorter time than they are at present; they should be on a fast track.

Mr. Wilson: I agree with my hon. Friend in principle. A bereavement is a bereavement; I do not know why there should be any delay in confirming it. Part of my approach, on which we have made progress with the solicitors, is to try to stop the paper chase—the exchange of correspondence about work records. Sometimes there are letters about what people were doing 30 or 40 years ago, which go into the finest points of detail, before an offer is made. Agreeing with the solicitors that their client will have the right to accept a full and final offer based on our information is one of the factors that will speed up the number of such offers.

I am aware that time is moving on and, as I said earlier, I shall write to my right hon. Friend and to hon. Members who raised matters that have not been dealt with in the debate. I want to correct the impression that nothing is happening, because a lot is happening and a lot of money is being paid out. In order to give hon. Members better information, as from today constituency breakdowns of payment figures will be available on the website.

I have today written to all hon. Members who are dealing with registered claims. For example, in the constituency of my hon. Friend the Member for Barnsley, East and Mexborough (Jeff Ennis), £16.28 million has been paid to claimants for vibration white finger and £5.5 million to claimants for respiratory disease. Roughly £22 million has gone into that mining community, as of absolute right. I believe that the figures will ultimately be eight or 10 times that. That gives me no satisfaction, but it is important that people know that progress is being made and money is being paid. For the most obvious and natural reasons, people who do not receive money sometimes talk about it more loudly than those who do, but it is important that my hon. Friends have that information. In the constituency of my right hon. Friend the Member for Coatbridge and Chryston, the problem is not of Barnsley proportions, but £500,000 has been paid out for vibration white finger and £358,000 for respiratory disease.

I never turn down an invitation to visit Coatbridge, although I have not received many.

It being Two o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Wednesday 28 November 2001

[SIR MICHAEL LORD *in the Chair*]

Poverty (Rural Scotland)

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. McNulty.]*

9.30 am

Mr. Peter Duncan (Galloway and Upper Nithsdale): I welcome the opportunity to place before the House the subject of the growing divide between urban and rural Scotland. I also welcome the time afforded to me to outline the issues that must be addressed before significant social problems overrun Scotland's rural communities.

The past four years, since 1997, have seen a welcome development towards attempting to address the causes and symptoms of poverty in all its forms, although I suspect that I shall differ with the Minister on the success or otherwise of the Government's strategy.

It is often said that society is only as good as the manner in which it treats its most impoverished, and I welcome the fact that poverty has been placed higher on the political agenda. However, in my constituency—and in many others, I suspect—the feeling is developing that although poverty in general may be increasing in importance in political debate, another form of disadvantage is routinely not given the priority that it deserves. It cannot be permitted that some who struggle to make their way in life are deemed deserving of multi-agency help, while others remain perceived as less deserving of attention, even though their suffering and isolation may be just as traumatic and difficult to overcome.

The kind of poverty that I routinely encounter in Galloway and Upper Nithsdale is no less deserving than that in city centres and other urban conurbations throughout the United Kingdom, which so often hits the headlines. The poverty that I encounter may be more difficult to tackle, but that is no reason to forgive a Government who ignore the problem just because its solution may require more imagination and result in less direct political advantage.

I draw the House's attention to three main aspects of poverty as it affects rural Scotland. First, financial poverty exists in remote communities in as serious a form as in any city centre. Secondly, we are routinely blighted by poverty of opportunity caused by declining local infrastructure, which places rural communities at a severe disadvantage. Thirdly, there is a worrying trend towards poverty of ambition for all that rural Scotland could be.

I need not brief the Minister of State on the social geography of my constituency, because he is a neighbouring Member, but some statistics may help to put my comments into perspective. Galloway and Upper Nithsdale is one of the most rural constituencies in the United Kingdom. It represents two thirds of the land area, but less than half the population, of the Dumfries and Galloway region, which has 147,000 residents and is spread over 2,500 sq miles, and is the third largest region in Scotland. The population density is only 60 people per square mile, compared with the Scottish average of 168, which the Minister will appreciate is already well below the UK average.

Apart from Stranraer, which has 10,800 residents, Galloway has no settlements of more than 5,000 people. That is not an extreme example. Many other Scottish constituencies that are similarly disparate are represented by hon. Members present today.

The Minister of State, Scotland Office (Mr. George Foulkes): And Ministers.

Mr. Duncan: Yes, and Ministers, too.

Those striking population figures directly affect people's ability to access services and agencies' ability to deliver them. Employment opportunities in parts of rural Scotland are few and far between and are, on average, very poorly paid. Employees in Dumfries and Galloway have the lowest average earnings of people in any local authority area in Scotland. The region is heavily dependent on agriculture and tourism, both of which are seasonal and low paid, and were in decline even before foot and mouth disease devastated the area. In Galloway and Upper Nithsdale, the unemployment rate is 4.7 per cent., which is above that of Dumfriesshire and the national average.

As a crucial part of my argument, I must scotch once and for all the myth that the rural regions of Scotland are populated by well-off farmers and contented pensioners. The devastating decline in farming incomes of the past few years has greatly affected constituencies such as mine. Farm businesses remain very small and are often managed or run by more than one generation of the same family. As one attends the auction marts that have, blissfully, restarted following the devastation of foot and mouth, the most notable aspect is the average age of the participants. Generally, they are not slick, executive agribusiness men, as the most vociferous pressure groups would have one believe. In the main, the participants are of advanced years and attend markets every year because, principally, they cannot afford to retire. Even the meagre incomes to which they aspired three or four years ago have evaporated with the collapse of many of their markets. The average hill sheep farm derived an income of less than £350 for the entire year 2000-01. That figure belies the image of farming prosperity. The national minimum wage is irrelevant to the self-employed farmer on such average incomes.

Jim Sheridan (West Renfrewshire): The hon. Gentleman says that the Government do not give rural poverty the priority that it deserves. In a past life, I campaigned to save the agricultural wages boards, which the Conservative Government considered abolishing. Does the hon. Gentleman accept that that campaign to save workers' wages in rural areas was correct? I am offended by his comment that the national minimum wage is irrelevant to farmers.

Mr. Duncan: With respect, the hon. Gentleman misunderstood my comments. I said that the national minimum wage is irrelevant to self-employed farmers who were on an average income of £350 during 2000-01. That occurred before the foot and mouth outbreak.

[Mr. Duncan]

The Government could have done more to avert the decline of Scotland's agriculture businesses. In recent years, many businesses' problems have derived from exchange rate movements that have made United Kingdom exports less competitive, which led to a massive drop in prices achieved at auction. However, on too many occasions, the Government systematically refused to claim the agrimonetary compensation to which farmers were entitled. Ever-heightening bureaucracy and red tape have led to escalating costs, reduced incomes and increased poverty.

Sir Robert Smith (West Aberdeenshire and Kincardine): I agree with the hon. Gentleman about the problems of the high pound and the Government's failure to obtain more agrimonetary compensation. Does he recognise that the Government are failing to look to the future? The adoption of a single currency in the rest of the European Union means that the replacement of agrimonetary compensation with a different scheme has not been thought out or negotiated. It is crucial that the poorly paid farmers in both of our constituencies receive a fair price for their exported products and a proper exchange rate for support payments from the European Union.

Mr. Duncan: Yes, I absolutely agree. I simply observe that that is why agrimonetary compensation was introduced, and the lack of claims is of no credit to the Government.

Agencies that are geared towards central belt disadvantage find it difficult to tackle such financial poverty. However, employment opportunities are few and far between in an area where high fuel costs have made profitable business creation a declining art form. As a result, many local residents have never been employed. Even on the dole, however, the substantial disadvantages of rural life become all too clear. To give one example of many, benefit claimants in Upper Nithsdale where, as the Minister knows, the mining industry closed substantially in the 1950s and 1960s and where many families have been without work since, face a round trip of more than 60 miles to the benefits office in Dumfries. As a result, the take-up of some benefits is horrendously low.

Those attending mandatory jobseeker's allowance interviews may spend a full day travelling to attend a half-hour interview. Nationally, the number of 16 to 19-year-olds who are not in work, training or education—currently 14 per cent.—is worse than when the Labour Government came to power. In some parts of rural Scotland, that proportion is even greater.

Hon. Members must remember that the rate of local unemployment to which I referred earlier is in an area where mothers face the impracticality of returning to work, as child care provision is sparse. Many of those who in urban Scotland would be registered unemployed are unable actively to seek work because of their child-care commitments and are therefore hidden within the unemployment statistics of 4.7 per cent. in my constituency.

The Government have good intentions towards the reduction of poverty, but they must undergo a change in attitude away from their perpetual bias towards the resolution of urban social problems. Only yesterday, in his autumn statement, the Chancellor of the Exchequer announced a new initiative aimed at kick-starting investments in "deprived areas" and the abolition of stamp duty on business and property transactions of up to £150,000 in such areas. That is a fine initiative, capable of delivering real economic improvement.

On further investigation, however, I found that, of the 135 council wards in Scotland that are classified by the Government as deprived, only two are in Dumfries and Galloway. Hon. Members will not be surprised to learn that 58 are in Glasgow alone. The allocation of financial relief is based on the Government's deprivation indices. They militate deliberately against rural deprivation in favour of classic and appalling—I do not doubt that it is appalling—urban poverty. Until that bias is dealt with, social problems in the countryside will continue.

By anyone's standards, the problems to which I have referred are symptoms of severe financial poverty. What is even more worrying than that financial struggle is the poverty of opportunity that is a feature of rural Scotland. Opportunity has fallen away as small communities have suffered. As average incomes have collapsed so, too, have the communities who depended on them. The key institutions in each small village used to be the corner shop, the post office, the local garage and the primary school. On those entities were built the bones of a sustainable community.

Given the extent to which such sustainable communities are vital to the avoidance of poverty, one would have thought that this and the previous Government would have done all in their power to avert the cycle of decline that has set in. Regrettably, to a significant degree, the Government have been part of the problem, not part of the solution. With whatever little income was left, farming communities have endeavoured to support local service industries. Low-paid local employees have endeavoured, wherever possible, to support their local businesses, yet the same local businesses have had to face escalating costs combined with declining turnover.

For many communities, the other source of significant income was tourism, whereby at least for four or five months of the year, additional income was derived from visitors. Yet, once again, such micro businesses have seen trade collapse, first through the increasing drift towards Scottish tourism, such as Edinburgh and Glasgow city breaks, which I am convinced remains the main marketing objective of our tourist industry north of the border. They then faced the devastating outbreak of foot and mouth disease, which has blighted Scotland's rural economy this year—we must not pretend otherwise.

The major causalities of foot and mouth disease have been the thousands of hotels, bed-and-breakfast accommodations, corner shops and local garages. They have faced the collapse of their turnover with no direct compensation from the Government, who so mishandled the crisis. The Chancellor of the Exchequer announced yesterday that the cost to the UK taxpayer of foot and mouth disease was £2.7 billion. The most enduring legacy of this period has been the loss of many businesses in Dumfries and Galloway, to say nothing of the spin-off effect throughout Scotland.

The plight of our sub-post office network—another type of micro business—deserves attention. The Minister will recall that we have crossed swords on that issue before. For the foreseeable future, the post office will, remain the key access gateway—the Government like the word "gateway"—to the many other opportunities and benefits that our society seeks to provide. Yet, as has been so widely documented and empirically shown by an increasing rate of closure, the Government's proposal for change is stimulating what can be described only as an implosion in rural communities. The proposed changes to the benefits system scheduled for 2003 are resulting in unprecedented numbers of sub-post offices either closing, or contemplating closure, leaving isolated communities further removed from the mainstream of our society.

The community garage, too, has suffered ever-increasing regulation. Its competitive disadvantage has been heightened by the Government's perpetuation of the fuel price escalator, which has ceased to be a tax on pollution and become a significant disincentive to living in rural Scotland. Not only do rural fuel stations have to contend with prices at an historic high, with tourist traffic declining; they also have to face the continuing burden placed on them by European legislation on fuel vapour emissions.

The picture is one of the fabric of existing rural communities being systematically dismantled by a combination of events within and outwith the Government's control. Were it not for the poverty of ambition in building countryside communities for the future, that would not be so worrying. We face a continuing decline and an ageing of the population in rural Scotland. That demographic time bomb will continue to tick for as long as the problem is ignored.

Government at all levels shows a worrying acceptance—somewhat fatalistically—that decline is inevitable. A classic example can be found in the proposal, currently before Dumfries and Galloway council, to close 42 primary schools. That proposal is perpetrated partly on the basis of cost, but also on the basis that population is declining and school rolls are falling. Nothing guarantees falling school rolls more than the closing of schools.

Central Government need to initiate a debate that focuses on the potential of our countryside, rather than simply on managing its decline. For example, the Government have a long way to go to make teleworking a real possibility, wherever in Scotland a person lives. We must appreciate that the young families of the future will not return to rural Scotland if the small village schools that they crave have been closed for some years.

The Government's policy has more than a passing resemblance to the mistakes made under Mr. Beeching. If we are to avert long-term increases in poverty, our rural areas must seize the opportunity provided by the telecommunications explosion. I have high hopes for the future of regions such as mine, which could offer a combination of high-quality telecom networks combined with the basic attractive requirements of rural life. Unfortunately, yet again, rural Scotland seems to be in the main excluded from the telecommunications revolution that could be the key to its revival.

The picture of rural poverty is, I hope, becoming clear. I should like the Minister to respond to the debate with imagination and a constructive understanding of the problem that is developing. My contention is not that rural Scotland is experiencing only financial poverty—as I have said, rural incomes have declined hugely in recent years, in many cases to a level that makes the national minimum wage seem attractive—but that there is a new, emerging poverty: poverty of opportunity. Residents of Newton Stewart, Sanquhar, Blairgowrie or Wick are to a large and increasing extent significantly excluded from the opportunities that are developing for the vast majority of their fellow UK citizens. The Government's initiatives to encourage people to take public transport to work are laudable and to be encouraged, but they are of little comfort to people whose community is 10 miles from the nearest bus service or 40 miles from the nearest railway station. The Government's proposals to provide child care to encourage mothers to return to work are to be applauded, but they are of little consequence when local child care is non-existent.

I fear for the poverty of ambition for our countryside that is proving such an unhelpful contribution to my and other attempts to reverse our declining population. Rural Scotland has much to contribute to the UK. It is more than a playground for the discerning few who seek it out year after year; it is still a living, working area with huge social problems that the Government must tackle. I trust that they will do so over the remainder of their term, and I hope that the Minister will signal that change of heart in his reply.

9.52 am

Mr. David Stewart (Inverness, East, Nairn and Lochaber): I congratulate the hon. Member for Galloway and Upper Nithsdale (Mr. Duncan) on initiating this important debate. He has a keen interest in rural areas. I know his constituency well, having worked and served there for five years. In my youth, I was a councillor in the old Nithsdale district, and I have fond memories of working there.

I am delighted to make a brief contribution, as I have been interested in poverty in rural areas for a couple of decades, having spent more than 20 years in social work in rural areas with the poor, the unemployed and the dispossessed. As hon. Members will know, my constituency is the largest Labour seat in the UK. It covers more than 3,000 sq miles and includes the islands of Rhum, Muck, Eigg and Canna, as well as the isolated splendour of Knoydart, of which many hon. Members will be aware, the grandeur of Ben Nevis and the breathtaking beauty of Loch Ness. If that is not a good tourist advertisement, I do not know what is.

As someone who was born and brought up in the highlands, I know first hand some of the problems of rural areas, such as sparsity of population, distance from markets, cost of and access to services, isolation, poor transport and low pay, to mention a few well-understood factors that contribute to rural disadvantage. It would, however, be slightly over-simplistic to portray rural and urban dwellers as two separate, distinct tribes, like something from central casting for "The Lord of the Rings". We need a strong, successful economy geared to Scotland's long-term interests. That would be good news for Scots, no matter where they live.

[Mr. David Stewart]

It is ironic that Scottish Conservatives talk about rural poverty and cry crocodile tears. I am reminded of the last Tory Government's economic record: 3 million people unemployed; interest rates at 15 per cent.; a national debt that doubled; record evictions, and record repossessions in rural areas as well. Some 3,500 post offices were also closed under the Tory Administration. If Conservatives Members care so much about the poor, the low-paid and the unemployed in rural areas, why did they fight tooth and nail to stop the national minimum wage being passed? That was one of this Government's finest achievements.

I remember being up all night, along with other hon. Members, just to go through the Lobbies and make sure that we had a national minimum wage, which is a tremendous life jacket for the poorly paid and the exploited. The national minimum wage has what British economists would call a virtuous circle. What does that mean? The extra spend created by the national minimum wage is spent in small towns and villages, in local shops and post offices and on local goods. The multiplier effect therefore helps the local economy.

Why did the Tories fight to the last ditch to oppose the new deal—a hand up rather than a hand out for the unemployed? The Tories would have denied that help to the 1,200 young and long-term unemployed people in my constituency who have joined the new deal since the 1997 general election.

What will the Government do about fighting poverty in rural Scotland? First, it is important to stress the importance of getting the big picture right before focusing on anything else. What is the big picture? High and stable growth and employment are needed, along with low and stable inflation and interest rates. What is the next step? It is not a question of one size fits all; we need a basket of solutions to deal with rural poverty. For example, in relation to the minimum wage, we must ensure that work pays. We must develop the new deal, focusing on the young, the long-term unemployed and the over-50s. Let us not forget those who are disabled. Statistics in the UK show that more than 1 million people with some form of disability would want to work, and that, with enough support, some 400,000 could be in the job market.

Mr. Dominic Grieve (Beaconsfield): I want to pick up on something that the hon. Gentleman said about the minimum wage. I understand his view that the minimum wage was designed to stimulate the economy in local areas. However, he will agree that, even with the minimum wage, the situation in rural areas is worsening. The minimum wage has not therefore had an impact on that. I dare say that the reason for that is the crisis in agriculture. Does the hon. Gentleman agree with that? Does he therefore also agree that the minimum wage on its own will not be the panacea that he seemed to suggest that it was?

Mr. Stewart: I thank the hon. Gentleman for that intervention. It is important to stress that we need a basket of solutions. The minimum wage on its own is not a solution to all our problems. Evidence from the United States and from other industrial countries with a minimum wage suggests that, when it is set at the right rate, it is an important anti-poverty structure because it makes work attractive for many people who would not otherwise be in employment. I know people who work in the hotel trade in my constituency, whose wages were doubled when the minimum wage was introduced. Clearly, we must get the balance right, because employers also create wealth in rural areas. I therefore do not agree with the hon. Gentleman, as it is important to have a national minimum wage.

Let us not forget some of the other measures that have been introduced. The working families tax credit is vital because it makes the jump from no work and benefits, to work and no benefits. It is important to tackle the poverty trap, which is evident in rural Scotland.

The Government have made new proposals. The employment tax credit will help half a million people in the UK who have no children, and is worth up to £35 a week. That is an important anti-poverty strategy. As the Chancellor made clear, we want to ensure that a further 1 million children are taken out of poverty, and our longer-term aim is to eradicate child poverty within a generation.

The British social attitudes survey reported that 71 per cent. of those surveyed were in favour of topping up the incomes of the low-paid through tax credits, so we need to continue looking at that. The minimum income guarantee has been a great help to pensioners in rural areas and is now linked with earnings, which is important.

Annabelle Ewing (Perth): I was interested to hear the hon. Gentleman's list of Government proposals, which he says will make a difference to the plight of people suffering in rural Scotland. Do the Government propose to reduce fuel duty? Scotland has the highest fuel duty in the industrialised world, and that has a devastating impact on the whole of Scotland.

Mr. Stewart: I had intended to discuss transport later, but I shall make a couple of points now. The Government reduced the escalator—*[Interruption.]* The hon. Lady asked a question, and I am happy to answer it.

The Government are promoting environmentally friendly fuels, such as liquid petroleum gas, which, as a result of my personal experience, I have been very keen on in rural areas. Its cost has been preserved, so that rises in its price are lower than the inflation rate. The Government have developed a rural transport policy, the funding of which will lead to the opening up of transport links throughout rural Scotland. It is important to address the long term, and I shall develop that point later.

Sir Robert Smith: I have been running take-up campaigns in my constituency to help people to access the minimum income guarantee. Is not one of the challenges in rural areas to ensure that people claim such benefits—complex forms often have to be completed—by providing them with information and support?

Mr. Stewart: The hon. Gentleman makes a valid point. During my previous life in social work, I was very keen on maximising the take up of benefits. The Government are introducing low-cost helplines that provide a one-stop shop for retired people: they can call a central number to find out what benefits they are entitled to. It is important that we maximise take up; one of the advantages of the £200 winter payment is that, because it is a universal benefit, the take up has been high. A crucial challenge for the Government is to ensure not only that we offer good benefits, but that the take up of them is maximised. New technology provides the answer to many of the problems that face us, especially in rural Scotland.

Sir Robert Smith: Many people who apply for such benefits are refused at the first hurdle, so that they have to appeal. Does the hon. Gentleman recognise, from the evidence of his own casework, that the process of appeal is much enhanced if someone is present to assist? The collapse of funding for independent advice centres has major implications for the availability of access to such advice in rural areas. Therefore, it is crucial to link up with the Department for Work and Pensions, as a reserve power, so that some of its resources are used to ensure that people make the best use of the system that is designed to help them.

Mr. Stewart: With regard to appeals, all of the evidence suggests that representation increases the chances of winning. We must take account of the excellent work that is done in Scotland by independent advice agencies and citizens advice bureaux—I declare an interest, as I used to be a CAB volunteer—which, although they struggle for funding, do a fine job and can help maximise take up. I am enthusiastic about the work that they carry out in rural Scotland.

Let me return to my basket of solutions. I mentioned the minimum income guarantee, but we should not forget middle-income pensioners—people who have some savings and occupational pensions. The pensioner credit will help many such pensioners in rural Scotland. Finally, I wish to flag up the importance of the integrated tax credits that the Government will introduce, as joined-up thinking is important in the fight against rural poverty.

The hon. Member for Galloway and Upper Nithsdale said that economists sometimes talk about the poverty of opportunity, and the hon. Member for Perth (Annabelle Ewing) asked about that with regard to transport in rural areas. I welcome the work that the Scottish Executive have done. The rural transport fund is now worth £18 million over three years, and 350 new or enhanced services have been introduced, particularly bus routes, and—as I am aware from my constituency—ferry links, which are crucial.

Let me offer an example from my constituency. Money from the rural transport fund has enabled the Grantown community car scheme to be set up. It works simply: elderly, unemployed and low-paid people are provided with links to shops, and to hospitals to visit relatives. It is a good example of what can be achieved in areas without a bus service; crucial links are established so that normal community life can continue.

Rural poverty in Scotland is being tackled by social inclusion partnerships. I offer another example from my area. The Highlands and Islands social inclusion partnership aims to equip vulnerable youths with the skills that they need to make the transition to adulthood. It targets young people in fragile rural communities, such as the Highlands, Orkney and the Western Isles.

The Scottish Executive's report on poverty suggests:

> "Many of the root causes of poverty and social exclusion are the same wherever people live, urban and rural settings alike."

There is strong evidence, however, that development of information and communication technology can overcome social exclusion and poverty in rural areas. It is clear that barriers to work, such as lack of child-care facilities, remain a big issue throughout rural Scotland. Access to services such as rural post offices is vital, which is why I welcome the Government's formal requirement that the Post Office maintain the rural network and prevent avoidable closures until 2006.

By far the most important factor, however, is rigorous economic management during global slow-down, combined with strong Government redistribution to those in poverty. As Bharti Patel, director of the Low Pay Unit, said:

> "There has been a welcome focus on raising the incomes of the poorest people. The benefit system has become far more generous than under the Tories."

In their first term, Labour were the most redistributive Government since the 1960s. As a result of changes to the tax and benefit system, the incomes of the poorest 10 per cent. of the population rose by 13 per cent., and the incomes of the next poorest groups rose by 10 per cent.

There can be few higher goals for this Government than fighting poverty across Scotland. Scots in rural and urban areas need a Labour Government not just for economic competence but for social justice.

10.6 am

Pete Wishart (North Tayside): I, too, congratulate the hon. Member for Galloway and Upper Nithsdale (Mr. Duncan) on securing this important debate. My constituency is similar in size and geography to his, although I would of course contend that mine is much more scenically attractive.

I know at first-hand the suffering caused by what can only be described as a rural recession, or even a depression. The outlook for the rural economy in Scotland has never been so bleak. There is real pain out there, and there seems little prospect of any significant improvement. Every sector of the rural economy and every countryside activity is experiencing real difficulty. Farming, tourism, food production and even rural manufacturing are struggling in an environment that is clearly deteriorating.

My constituency is dominated by the large rural industries of farming, food production and tourism, but unfortunately we have a Government who seem almost blind to the suffering in rural communities. So far, they have been unable to respond to rural communities' clear appeals for help. Perhaps uniquely in the economic cycle, the first port of call for the impending economic slow-down or recession will be our rural communities. When the chill wind of recession blows, it is usually heavy industry and urban concerns that catch the first cold. This time, it is our rural economies and countryside that will catch that cold—if they are not already suffering from pneumonia.

[Pete Wishart]

Rural activities such as farming, food production and tourism are already suffering because they have been weakened by high fuel costs, foot and mouth disease, the BSE disaster and an unfavourable exchange rate. Those industries are now highly susceptible to changing economic circumstances that cannot be offset by the hard work, endeavour and forward planning of employees. Those who work in such industries have to confront pressures that are completely outwith their control. Our rural communities have faced blow after blow, and many are on their knees.

In her evidence to the Scottish Affairs Committee, the Scottish Executive's then Communities Minister admitted that one in four people in poverty lived in rural areas. According to a report published by the Scottish Executive in May 2000, earnings in rural areas tend to be below the Scottish average. The Government also concede that farming incomes have reduced by some 90 per cent. since the mid-1990s. A 200 hectare farm that earned £80,000 a year five years ago must now survive on an income of £8,000. That is a spectacular loss of income. One would think that, on being presented with figures such as those, the Government would develop many strategies and approaches to offset the problem, but all that we get is complete inactivity.

We must not talk about the crisis in rural Scotland solely in terms of farming and agriculture, because there is much else that goes on in those communities. Highland Perthshire and the Angus glens are in my constituency and they almost entirely depend on tourism for economic viability.

Tourism has had an awful year—more than that, it has had an awful five years. It is worth some £0.25 billion to the Scottish economy and, at its height, it employs about 8 per cent. of the Scottish workforce. This year, however, the Scottish Tourism Forum estimated that in March £10 million was being lost every week in tourism. While that may be a problem for the whole of Scotland—I have no doubt that urban settings suffered because of foot and mouth—its impact on rural communities is disproportionate. In my constituency, hoteliers are considering moving out and people who run bed-and-breakfast accommodation have had only a handful of bookings this year. The potential offered by tourism in Scotland is enormous—especially in North Tayside, where there are so many scenic attractions—if only the Scottish Executive could see that. We must get people there and start to treat tourism as an important industry that is crucial to the well-being of the Scottish economy.

We must not overlook the contribution of manufacturing to our rural economy. It is doubly important because there is evidence of a prevalence of low-skilled, low-paid employment in rural areas as well as a large number of seasonal and part-time jobs. Manufacturing provides a career for young people and is a means of keeping them in our rural communities, but it is hurting. During the past few weeks, some 30 manufacturing jobs have been lost in my constituency. If that happened in an inner-city area, it would concern few apart from those families involved and would impact little on the local economy. However, to lose 30 jobs in a rural setting—a town of between 5,000 and 8,000—is an almost unsustainable crisis.

I have spoken to managing directors who have had to announce job losses, and I have discovered the increased costs of manufacturing in rural areas. Distances from markets create high fuel and logistical costs. Small manufacturers are under boardroom pressure to relocate to the central belt in out-of-town modern facilities, close to the motorway network. There is also a lack of support from the enterprise network, which seems to be more interested in assisting inner-city initiatives. People talk about social exclusion and deprivation in cities; what about the evidence of real poverty, social exclusion and deprivation in the countryside?

The closure of factories, with the loss of associated jobs, means that young people are becoming unemployed. Their prospects of finding work in another industry in a rural setting are practically nil, given the situation that confronts them. I maintain that unemployment in rural Scotland is a worse prospect than unemployment in an inner city. Benefit take-up is also a problem due to the lack of provision and information on how to claim benefits. Rural people are proud, especially farmers of a particular generation, for whom claiming benefits has a stigma attached. A self-reliant culture in our rural communities and the countryside inhibits people from coming forward to claim the benefits to which they are entitled. Thus in addition to visible poverty, a strata of people live in hidden poverty. Unemployment is the most crucial element of that, which is why job creation is so vital.

Small businesses and other rural industries must be created and supported, and barriers to employment, such as the red tape involved in creating a business, must be addressed and overcome. We must hold on to our young people because they are the life blood to rural communities. Educated and skilled workers must be retained.

I agree with much of what the hon. Member for Galloway and Upper Nithsdale said about failed Labour policies in the countryside, but we must go back further to pinpoint when the crisis began. I suggest to the hon. Gentleman that the BSE crisis, and the appalling way in which the Conservative Government handled it, was the first blow. The countryside never fully recovered, and it made subsequent blows all the more difficult to sustain. I remind the hon. Gentleman that it was the Conservatives who introduced the fuel price escalator, which has had a great impact on rural communities. Perhaps, it is the biggest burden that the countryside has had to endure.

Car dependency is, perhaps, the best example of how rural poverty is substantially different from urban poverty. When assessing poverty in urban areas, car ownership is considered indicative of a better standard of living, but in rural areas, a car is more likely to be seen as a necessary financial burden that gets a person from A to B. That burden is further exacerbated by high fuel costs in Scotland and the fact that fuel is even more expensive in rural areas.

Our rural areas are going through a period of profound change. For the first time in a generation, we have the opportunity to map out a new type of future for the countryside. Unfortunately, that opportunity has been presented to a Government with little interest in rural affairs. If we do not get it right, there will be a second wave of clearances in rural Scotland. Many talented young people are already leaving owing to the lack of opportunities. For many people, Scotland is our hills and glens. Let us ensure that the strategies are put in place to retain our talented young people and effectively to tackle poverty in rural communities.

10.15 am

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I am happy to take part in this important debate and I congratulate the hon. Member for Galloway and Upper Nithsdale (Mr. Duncan) on securing it.

I listened with interest to the contributions of the hon. Members for Inverness, East, Nairn and Lochaber (Mr. Stewart) and for North Tayside (Pete Wishart). We all have a common interest in trying to look forward when dealing with the issues that face our constituents and our country. It is not instructive to look back or to try to allocate blame for what went wrong and for which Government were responsible. It is better to focus on the problems that face us in the future.

Depopulation is a problem that is unique to rural areas—it does not affect urban and city populations. The hon. Member for North Tayside mentioned the highland clearances. That is rather extreme language. However, depopulation is a spectre that will continue to haunt our communities unless the right long-term planning policies are put in place through central Government working with other agencies. I have reservations about the extent to which central Government can solve such problems in a top-down way, and they are always, understandably, tempted to put their name on initiatives and new policies. Many issues are better dealt with if they are devolved and decentralised to local government, the voluntary sector and corporate entities—some companies are now shouldering their social responsibilities, which is welcome.

The massive changes simultaneously experienced by the agriculture, forestry and fishing industries have created difficulties, and it is hard to be optimistic about what will happen in any of those three sectors. I suspect that we will end up with much larger farm units—agribusinesses instead of family farms—that the fishing communities around our coasts will face increasing resource conflict in terms of stocks and the catching capacity of the fleet, and that the forestry industry will remain in a state of flux owing to the high level of the pound and competition from other parts of the world where production costs are lower.

The future of our rural communities must be considered against that background. Unless policies are put in place to deal with it, employment will continue to suffer attrition. In my constituency, particular problems are faced by men who have worked on farm units for generations as tenants dealing in livestock. The combination of BSE, foot and mouth disease and a series of other problems is putting them under a degree of pressure that I have not seen in the past 20 years. Central Government must deal with that, but I am not sure that the Scotland Office is in the front line of policy making. If I were the Minister, I would spend a lot more time trying to get the Department for Environment, Food and Rural Affairs to understand that the agriculture industry in Scotland cannot be left to market forces in the way that parts of it can in some areas of the United Kingdom. Scotland Office Ministers have much work to do with the Minister for Environment and Rural Development in Edinburgh to try to give some hope and security to the farming, forestry and fishing sectors.

Depopulation and the future of the farming industry are integral issues when planning to deal with poverty in rural areas. I was interested to hear, and agree with, the remarks of the hon. Member for North Tayside on manufacturing industry. We might not have large-scale manufacturing sectors in our rural constituencies, but pockets of small-scale manufacturing industry need to be nurtured and supported. Most operate in niche markets. In my constituency, the textile industry has passed through a difficult phase in the past few years, exacerbated by such things as the banana war. That industry has a contribution to make, and needs help from central Government in securing trading conditions.

I agree with the hon. Member for Inverness, East, Nairn and Lochaber that we need to keep the big picture in mind. The big picture of economic stability is integrally important, but with skill, innovation and creativity, central Government can help industries such as the textile industry to flourish. I am pleased to see Ministers making good use of Dover house for trade promotions in a way that plays to the industry's strengths. I hope to see more useful initiatives of that kind.

On the wider issues of poverty and social security, I do not subscribe to the view that there are differences between urban and rural populations, and I would not encourage people to create such differences. The issues are generally the same. Looking at the incidence of incapacity benefit take-up on the west coast, and the epidemiology of heart and lung, and other, diseases prevalent in that area, it would be a dereliction of duty if central Government failed to concentrate on such problems. However, it is not an either/or situation. Getting a basic framework within which people can operate is the way forward, and whether one agrees with the policy or not, it is irrefutable that, since 1997, the Government have at last had a policy: welfare to work.

I support that welfare policy. Work for those who can and security for those who cannot is a catchphrase, but it encapsulates a changing culture that I warmly welcome. However, I am becoming concerned about implementation problems, which apply in rural areas as well as everywhere else and revolve around the means testing now being used and the complex interrelation of some benefits.

That leads on to the points made by hon. Members earlier about take-up and eligibility. People can test their eligibility and do a better-off calculation to find out whether they will do better in low-paid work. Although the Government's strategy is heading in the right direction, difficult problems will emerge if we do not take account of the fact that we have moved away from a social contributory system where people, through national insurance contributions, pooled risk, paying in during periods of employment when they had an income and drawing out when they did not. Call me old fashioned, but that concerns me. The classic Beveridge system set up after the second world war has been abandoned by default.

[Mr. Archy Kirkwood]

New plans coming from the Treasury, such as those for tax credits, are making matters more complicated. From 2003, we shall have the employment tax credit, the pensioner credit and the integrated child credit. By that time, the national insurance contributory principle will have been all but abandoned. That has happened by default, and we should have a discussion on the long-term consequences of that change for welfare and social security in rural and other parts of the country.

Another recent, significant change is the increase in the disparity of wealth, which is as much a feature of rural as of urban life. People face much wider scales of wealth disparity, and the Labour Government are encouraging it, which surprises me. Central Government, the Prime Minister and the Chancellor seem to have no concern at the increasing disparity. Those who are rich are becoming very much richer and those at the bottom of the pile are becoming disproportionately and relatively poorer. I am not saying that people are starving. The indicators of poverty are relative, not absolute, and we must be careful not to get matters out of proportion. However, I fear that if we are not careful we shall end up with great disparity of wealth, which is more obvious in a rural than an urban context. We should be careful about that because it will make matters significantly worse.

Since I was elected in 1983, I have become increasingly convinced that there is no evidence base on which to make informed policy decisions about the incidence of poverty in rural areas. I make no complaint about that—it is not a party political point. The statisticians are challenged because statistical samples are often difficult to obtain in a disparate population. I believe that the Secretary of State, with whom I have had one or two informal as well as official conversations, understands the problem. In my constituency, the unemployment claimant count is useless as a measure of anything. Unemployed people go away: they do not hang around in Hawick or Galashiels for six months; they go to Edinburgh or Newcastle. That is not necessarily so in inner cities because the population is more stable in urban areas, but in rural areas there is a predilection and an incentive for people to leave. The statistics and indicators used to calculate local government spend are not secure or robust. If I had one wish this morning it would be that we were all better provided with robust data on which we could plan for the future.

I was pleased that the Scottish Executive's rural poverty and inclusion working group, which has been working on some of these issues for the past year, produced a report in September 2001. One of the key messages in that report is that the evidence base is insufficient and that a particular problem in rural areas is that people tend to move away and remove evidence of the problem. The group identified that as a difficulty and I hope that the Government will put some resources into investigating the problem. We would all be better off if we had more robust data.

During the 18 years that I have represented Roxburgh and Berwickshire, the nature of the working economy has changed substantially. When I was elected in 1983, there was male domination in the proportion of those employed. Work was full time, highly paid and highly skilled in industries such as textiles and electronics. We have now moved to more casual employment with more women in the workplace, which is good, often in part-time and casual work. I was startled when I first came across two-earner households that are still living in poverty, but that is a regular occurrence now. In 1983, households with two people bringing in wages were relatively well provided for. It is true that average earnings in rural areas are much lower than in other parts of the country. I am not too bothered about that by itself, but I am bothered about the fact that, following the decimation in the manufacturing and agriculture sectors, the new type of jobs that people are finding is part-time, casual work in the service sector. Although they are bringing two wages into the household, they are still struggling and falling in and out of poverty.

I welcome the fact that the Government have recognised that problem by introducing the working families tax credit, which will be a significant help. The minimum wage has also been a significant help, because it has put a wage floor under some of those casual and part-time jobs.

The adage is, "Work for those who can", but just because people are in work, it does not mean that they are well off. Even in two-earner households, people are classified by any meaningful relative measure as falling in and out of poverty. Benefit levels are not designed or high enough to support families over periods of time, particularly those with children and loan families with children. It is possible to live a serious life with proper inclusion for weeks or months—perhaps it is not easy, but it is possible —but the benefit system does not adequately cope with big household items having to be replaced. Some families are in real distress as a result.

Families now drop in and out of poverty. It is not just the number of families that are in poverty that is worrying, but the way in which they fall in and out of poverty and the length of time that they are below the level that it is sensible to live on.

The issue of debt in my constituency is frightening. I do not know whether it is just a rural problem. I suspect that it may be even worse in our cities. The extent to which people are now using catalogues, money lenders and loan sharks to get by from week to week is frightening. It is now a culture. Again, there has been a substantial change since I was elected in 1983. People are being encouraged to go into debt. People are knocking on their doors and saying, "How about a loan to pay the loan, to pay the loan?"

Those people need proper access to advice. Central Government should look at how to encourage agencies such as the citizens advice bureaux to help in that regard. Excellent work is done by welfare rights officers in local government in my constituency, and I am sure in others too. Such help is essential to protect people from the clutches of loan sharks.

As a result of what I have said about debt, the social fund, which seeks to help people as a fund of last resort, needs to be substantially reformed. We need to put more money into it, because it can throw a lifeline to people who are in desperate circumstances. It does not work properly at the moment.

The Government need to sort out housing benefit in this term, which they have not done to date. I am worried about the increased charges for water, council tax and other housing costs in the coming weeks and months. The whole issue of child care needs to be properly addressed, so that people can take jobs in rural areas.

I do not want to prolong my speech, because I know that hon. Members want to get to the Scottish Grand Committee and the Minister wants time to respond to the important points that have been made in this debate. The rural economy needs specialist treatment, but central Government cannot produce all the solutions themselves. I hope that the Scotland Office will look carefully at what local government, the voluntary sector and some industries and companies can do to produce local variations of projects and initiatives that come from the bottom up, rather than the top down. If we do that, it will make a difference in all our constituencies. If we do not do it, the spectre of depopulation will not go away. If the Government are not careful, they will look back in five years and rue the day they left our hills and valleys with no one working in them. That would be in no one's interests.

10.35 am

Mr. Dominic Grieve (Beaconsfield): My hon. Friend the Member for Galloway and Upper Nithsdale (Mr. Duncan) is to be congratulated on having brought the subject up for debate this morning. It has been educational. I represent what the literature with which I am bombarded describes as a rural constituency. That seems to indicate that there are more green areas than built-up areas. However, it is a million miles removed in description and economic profile from the sort of constituency that my hon. Friend represents. When discussing rural areas, particularly rural areas in Scotland, it is easy to use generalisations that bear little relation to reality or to their diversity.

I was interested to hear the contributions this morning. The majority of hon. Members have described areas that by national standards are now something of a rarity. The indicators produced by various councils for environmental conservation describe them as quiet areas. They should be attractive to people to move into precisely because some of the environmental aspects are so desirable.

I know a little about the constituency of my hon. Friend the Member for Galloway and Upper Nithsdale because I have walked over parts of it, and I remember having crashed my car on the night of new year's day some years ago—[*Interruption.*] I was not the driver. I first-footed a family at a farm called Palgowan 18 hours after new year, which is a reflection of how isolated the farm is. It is noteworthy that it had diversified by trying to attract visitors in the summer. I shall return to that in a moment.

I was struck by the comments of the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood). My family used to farm in that area but was forced off the land in the 1930s by the agricultural depression. There is a cyclical pattern to some of the problems affecting rural areas. The hon. Gentleman made a point about rural depopulation, but in many rural areas the principal concern, if we listen to south-east Members, is the fear of rural over-population and the disappearance of the attractiveness of the areas that they represent.

From experience and observation, fundamentally, the areas described by hon. Members are underpinned by agriculture. Although there may be arguments about diversification, its contribution to the local economy in percentage terms will not be a major one. It has always seemed to me that the agricultural sector in those areas underpins not just the economy but the whole way of life. That is what makes those communities tick. The agricultural crisis that has hit this country, particularly areas that depend on stock raising, is the fundamental issue that must be dealt with.

The hon. Member for Inverness, East, Nairn and Lochaber (Mr. Stewart) gave a long list of initiatives that the Government are taking to alleviate poverty. I do not disagree with the initiatives, and they may have an impact. However, I hope that he will forgive me—I do not mean this pejoratively—for saying that they are, by necessity, palliatives that attempt to ease the problem. They do not deal with the underlying difficulties.

In the areas of which hon. Members have spoken, the economic base has been either seriously eroded or is in danger of collapse. The structure of society has collapsed without agriculture because of communication problems, which are considerable in Galloway, and high fuel costs that act as a disincentive and make it difficult for business to relocate to such areas.

I agree that there is no difference between rural and urban poverty. Poverty exists in parts of my constituency despite its wealth and proximity to urban areas. However, rural poverty is out of sight and out of mind. I have always been struck by the fact that it is easy to overlook the frequently dire conditions in which people live, their lack of access to services and isolation from each other because of the general attractiveness of their environment. There has been fragmentation of the social networks that used to underpin rural areas, which may not have enjoyed the wealth of an urban area but gave a greater quality of life and, therefore, made the area pleasant and attractive, which drew people to it.

My hon. Friend the Member for Galloway and Upper Nithsdale told me that despite the isolation of such areas, charges other than fuel duty may be very high. I gather that band D council tax in his constituency is £978 per annum. That compares unfavourably with some London boroughs. Therefore, these places have their social structure assaulted by economic problems and general difficulties of overburdening council tax, bureaucracy and general taxation.

The fuel escalator—and its past manifestations—tipped the balance in rural areas. I received enormous representation on the matter when I was a spokesman on Scottish matters. I accept that the fuel escalator was introduced by a Conservative Government and justified by environmental benefits. However, there is always a point when someone should have the common sense to observe that a scheme has gone wrong or too far. The Government failed to observe the extent to which the fuel escalator moved from being a disincentive for urban dwellers to use their motor car, to being a powerful factor that forced rural areas into considerable recession. I am glad that the policy has been reversed, but much damage has been done over the past four years.

[Mr. Dominic Grieve]

A point was made about sub-post offices. I am not clear where future strategy lies in view of the contribution that they make to maintain rural communities. If rural areas such as those of my hon. Friend the Member for Galloway and Upper Nithsdale are to recover, the key will be to solve the agricultural problems. Without agriculture, such areas are deserts with nothing but small pockets of population. We must provide a general economic climate and framework that makes it worth while for people to diversify into local businesses that are essential for the return of rural prosperity.

One has to compare only my hon. Friend's area with parts of rural Cambridgeshire to see the contrast. In Cambridgeshire, there is a mix of agriculture and dynamic local businesses that operate out of small, village trading estates. Communication, ease of transport and the desirability of the environment make it worth while for people to settle and invest there. Ultimately, only investment, not Government, will solve the problem. That is a real challenge.

I do not wish to be overcritical of the Government, in view of the problems that they face. We must consider those matters, rather than—or perhaps in tandem with—making palliative efforts to alleviate poverty immediately. I wait to hear the Minister's response. I thank my hon. Friend the Member for Galloway and Upper Nithsdale for introducing the debate. I am now far better informed than I was when it began.

10.45 am

The Minister of State, Scotland Office (Mr. George Foulkes): I have represented a rural constituency of 800 sq miles—not quite as big as Inverness, East, Nairn and Lochaber—for almost 23 years. That is a little longer than the period for which the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) has represented his constituency. My constituency has had significant problems with poverty.

I, too, congratulate the hon. Member for Galloway and Upper Nithsdale (Mr. Duncan) on securing the debate. After all, rural Scotland is important to all of us. Rural Scotland covers 89 per cent. of the Scottish land mass, and includes 29 per cent. of the population. The hon. Member for North Tayside (Pete Wishart) said that one in four people in Scotland is in poverty. Given that some 29 per cent. of the population live in rural areas, that is perhaps not much of a surprise. Rural Scotland provides 27 per cent. of total employment in Scotland.

We recognise that the area has distinctive needs. The hon. Members for Galloway and Upper Nithsdale and for North Tayside have painted a picture that distorts the reality, and what the Government are trying to do and have done to tackle the problems in the past five years. I sometimes think that Scottish National party Members are more concerned with the welfare of the SNP than with what is best for Scotland.

My hon. Friend the Member for Glasgow, Shettleston (Mr. Marshall)—a more urban constituency could not be found—was Chair of the Select Committee on Scottish Affairs when it produced its report on poverty, which acknowledged that there were problems with employment, farming, transport and benefit take-up. The report also said that Scotland had many natural assets, including the wonderful environment. Some hon. Members have claimed that theirs is the most beautiful constituency in Scotland. I beg to differ; hon. Members should come to see mine. We must maximise such assets, and not talk Scotland down or minimise the opportunities that we have.

The Scottish Executive, as the hon. Member for Roxburgh and Berwickshire mentioned, produced a report on rural poverty and inclusion, which was honest about the problems with access to services, transport and visibility in rural areas. People in rural areas notice those who are poor much more than those in urban areas do. There is a culture of self-reliance in rural areas. We recognise those problems. We are not complacent about them, and we are tackling them.

The hon. Member for Beaconsfield (Mr. Grieve), of all people, had a bare-faced cheek to raise the question of unemployment. He should think back to 1986, when unemployment in Scotland was at 331,000. I do not know whether that was when he crashed in Galloway, but if it was, I can understand why. Unemployment was at 12.9 per cent. It is now less than a third of that figure, and we are taking measures to bring it down further.

In the constituency of the hon. Member for Galloway and Upper Nithsdale, unemployment, at 4.9 per cent., is a little greater than the national average, but we have helped. Some 961 people have benefited from the new deal, and 512 of them—people who would not be in work if it had not been for Government measures—have received jobs. Unemployment among 25 to 49-year-olds in Dumfries and Galloway has fallen by 14 per cent. in the past year.

Mr. Peter Duncan: It is worth restating the excellent point made by the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood). He said that many of the unemployed never appear in unemployment statistics, because if a person does not have a job in Ballantrae, never mind Traigh Mhor, he or she moves. That is the problem.

Mr. Foulkes: The unemployment level is low throughout Scotland and throughout the United Kingdom, so such people have found jobs, even if they have gone to Edinburgh to get those jobs. It is not the end of the world to move to Edinburgh to find employment. In his balanced speech, the hon. Member for Roxburgh and Berwickshire acknowledged what the Scotland Office is doing for cashmere, and we could now add Harris tweed to that. We also provided much help during the banana wars, but I shall explain more about that on another occasion.

It is not only unemployment that is the problem. People who are in employment must be paid properly. The national minimum wage, which is so derided by Conservative Members, has made a huge difference to poverty in Scotland, as my hon. Friend the Member for Inverness, East, Nairn and Lochaber (Mr. Stewart) said. More than 135,000 people have benefited from it. It is particularly helpful in rural areas where there has been a tradition of low pay, and to women, as my hon. Friend the Member for Ayr (Sandra Osborne) knows.

My hon. Friend the Member for Inverness, East, Nairn and Lochaber outlined the actions of the rural transport fund. It has assisted 33 filling stations in the highlands, the importance of which has been recognised. During the next three years, the Executive are to spend an extra £60 million on transport in the highlands and islands. That includes £13 million for Caledonian MacBrayne, £21 million for Highlands and Islands Airport Ltd., almost £20 million for piers and harbours and £1.5 million for lifeline air services. That is evidence not of neglect, but of understanding the problems and tackling them. I am sorry that my friend, Sarah Boyack, is no longer the Scottish Minister with responsibility for transport. She did a great deal for rural areas in the highlands and islands. When I was with her in Orkney, she was one of the most popular Ministers I have ever known.

The hon. Member for Galloway and Upper Nithsdale and I have crossed swords on the Floor of the House about post offices. The hon. Member for Beaconsfield had the cheek to raise the matter of post offices but, as my hon. Friend the Member for Inverness, East, Nairn and Lochaber said, 3,500 closed when the Tories were in power. We have placed a formal requirement on the Post Office to maintain the rural network and to stop avoidable closures. That will apply until 2006 in the first instance. We have invested £480 million to modernise the network and the spending review for 2000 included further provision for ring-fenced funding of £270 million.

I have taken a particular interest in the constituency of the hon. Member for Galloway and Upper Nithsdale, as well as my own. I told him that no post offices had closed in my constituency. Two have closed recently at Kipford and Dunragged in his constituency: one person who was the manager became ill, while the other person gave it up. The job in Dunragged has been advertised and interest has been expressed in it. I hope that the post office will reopen.

The Government have a fund to help rural post offices to reopen. I take an interest in such matters as a Minister as well as a Member of Parliament. Others can take a personal interest in their constituencies and find people to take over post offices. Rural post offices provide good job opportunities. I advise the hon. Gentleman and others to take up the issue. It will help them to get re-elected, too, which is not unimportant.

It is worth tackling issues such as transport and the future of the post office network, but we must recognise the need to tackle poverty suffered by individuals. Supporting businesses and supporting individuals go hand in hand. The Scottish Executive have established 48 social inclusion partnerships, including those in Argyll and Bute, the east Ayrshire coalfields, the highlands and islands, Moray and the Scottish Borders. Lots of money is coming in to help rural areas. I was pleased to find out yesterday that nearly £8 million in health compensation has gone to ex-miners and widows in my constituency, although it is not as much as has gone to yours, Mr. Illsley.

Another significant issue for rural areas is the take-up of benefits and tax credits. My hon. Friend the Member for Inverness, East, Nairn and Lochaber referred to help lines and take-up lines. We are encouraging people to use them, so that they can access information and ask for forms to be sent to them. We are improving the position with new information and communications technology. Ukonline will make it possible to claim benefits through the computer as well to register births and to apply for passports. Such new technology will be especially important to rural areas. Thirty-three per cent. of rural households have access to the internet at home and the Government are committed to having all public services delivered electronically by 2005 where that is feasible. That will be of great value to rural areas. Even people my age can understand how to use modern technology. By modernising the Government's funds, a number of pilot schemes—including six in rural Scotland—have been supported. We recognise the problems. We are not ignoring them or being complacent. We are tackling them.

I went to Dumfries and saw the work being done by all the agencies to tackle foot and mouth disease. The co-operation was fantastic. I was really impressed and congratulated everyone involved. We have tackled foot and mouth and are providing many resources for the constituency of the hon. Member for Galloway and Upper Nithsdale and the neighbouring constituency of Dumfries. We gave £13.5 million in hardship relief and £7 million for interim support of the worst affected areas. On 2 August, we gave £10 million for long-term recovery, particularly of agriculture and tourism.

We did not start foot and mouth disease. Listening to some Conservative Members, one would think that we caused it. We tackled it a great deal better than the Conservative Government tackled bovine spongiform encephalopathy. I agree with the hon. Member for North Tayside that we are still suffering the legacy of BSE.

Mr. Grieve: The Minister is so satisfied with the way in which the Government have handled the foot and mouth outbreak, but why have they refused to have a public inquiry into its handling, resorting instead to a series of inquiries where the evidence will not be heard in public?

Mr. Foulkes: We have had not one inquiry, but three, because we are concerned about the matter. We are working to ensure that the farmers' products are exported. The hon. Member for Beaconsfield spoke of the importance of farming. It is vital for farmers to be in operation, but they need markets to sell their goods. I am pleased that, after much work, we have successfully negotiated our way back into the European market. The whole of Scotland can now export pig meat, sheep meat and beef, subject to the requirements, which I am aware are stringent, of the date-based export scheme. There is hope for the future.

I find this type of debate strange. Where were the hon. Members for Galloway and Upper Nithsdale and for Beaconsfield between 1979 and 1997? Were they asleep? Have they woken suddenly, to discover those problems? Do they not remember the huge increase in rural unemployment— the biggest cause of poverty—that we suffered under 18 years of the Tories? In my constituency and that of Galloway and Upper Nithsdale, 5,000 people were thrown on to the scrap heap because of pits closed by Thatcher and her cronies. Also 3,500 post offices were closed.

I say to the hon. Member for Beaconsfield, a home affairs spokesman who is allegedly interested in crime, that crime doubled under the Tories. Conviction rates fell. Now we are tackling the common agricultural

[Mr. Foulkes]

policy. The Conservatives made no effort to tackle that. When they were in office, this country spent less on rural development than any other European Union country, except for Spain and Greece. They managed the BSE crisis hopelessly. They created a decline in the number of affordable rural homes for local people. Public transport in Scotland was underfunded, and deregulation devastated bus services. That is still causing havoc in my constituency, and no doubt in Galloway and Upper Nithsdale, too. The Conservatives voted against us, rejecting a national minimum wage. People should be careful.

It seems unlikely, especially to me and you, Mr. Illsley, that there will ever be a Tory Government again. There is, however, an outside chance, and if that were to happen, rural Scotland would again suffer badly. I have not spoken about fuel, but the present Government are taking measures to provide cheaper fuel and cheaper motoring in rural areas. They support public transport.

If the Tories were to be re-elected, they would, instead of dealing with such issues, slash extra funding for rural schools, cut funding for rural police, and axe school transport for rural areas. There would be increased rural unemployment and poverty. Food safety would be put at risk and farmers would be affected. That is why the people of Scotland, including people in the rural areas of Scotland, will continue to return Labour Members of Parliament.

Construction Industry (Self-Employment)

11 am

Mr. Michael Clapham (Barnsley, West and Penistone): I shall first declare an interest, as I am a member of the Union of Construction, Allied Trades and Technicians. I want to make four points. First, I want to explain what false self-employment is, and look at its extent in the construction industry. Secondly, I want to look at the reasons why the system has become institutionalised in construction. Thirdly, I want to look briefly at the cost of self-employment to the industry and society. Finally, I want to suggest a way in which the problem could be remedied.

False self-employment describes work situations in which workers are classified as self-employed primarily in order to reduce their tax liabilities. That is the Organisation for Economic Co-operation and Development definition. False self-employment is endemic throughout the UK construction industry. It has cost UK taxpayers tens of billions of pounds during the past 30 years, and has been a major contributory factor in many of the construction industry's problems. The rise in atypical work patterns such as self-employment is often attributed to new patterns or new methods of work. However, the experience of the UK construction industry shows that false self-employment was encouraged by employers and then became institutionalised by changes introduced by various Governments.

The current situation is unique—a system is in operation in construction in which self-employed workers have their tax deducted at source. There has always been a great deal of legitimate self-employment on building sites. My argument is not against genuine self-employment. There will always be a place for genuine self-employed businesses in the construction industry. However, evidence clearly shows that the level of self-employment in the UK construction industry is out of step with that in comparable countries. That statistic comes from work over the past few years by an academic called Mark Harvey.

In Europe, self-employment in construction ranges between 6 and 10 per cent. In the USA, it ranges between 17 and 19 per cent. In Korea, a developing country with almost total deregulation of its labour markets, the self-employed constitute only 7 per cent. of those employed. In the UK, by comparison, self-employment in construction reached a peak of 45 per cent. around 1995. For manual workers alone, the figure rose to nearly two thirds of the total labour force in construction. Even today, self-employed manual workers make up half of the labour force. That is despite the tightening of the tax system by the Inland Revenue in 1997.

The boom in false self-employment started in the 1960s with the growth in tax evasion. To counteract the growing influence of trade unions following a series of disputes in London, employers encouraged a shift out of the standard form of employment. It is estimated that the total number of self-employed workers in the industry grew during that period from about 200,000 to 400,000.

In 1970, the Government introduced legislation to try to cut tax evasion in construction by creating two categories of self-employed. The first category was the independent self-employed business for those who could demonstrate a business case. The second was the dependent self-employed who had tax deducted at source by the contractor or subcontractor for whom they worked. Despite the tax legislation that was introduced from 1970, tax fraud and tax avoidance remained rife within the industry. However, under the Conservative Government in the 1980s, false self-employment became the dominant form of labour organisation on most sites. As part of the liberalisation of labour markets, that Government accepted that workers were self-employed for national insurance purposes if they could produce a self-employed tax-exemption certificate 714 or a subcontract certificate 60. That important change meant that self-employment became a matter of self-declaration. Over the next 15 years, the switch from direct employment to self-employment grew alarmingly.

The policy continued until it became unsustainable in the mid-1990s. The United Kingdom economy was in deep recession and a number of employers were nervous about potential liabilities for backdated tax and national insurance payments. Therefore, the Inland Revenue reinstated the self-employment test. Contractors were given until 1997 to classify their work force correctly. That resulted in between 180,000 and 250,000 construction workers switching from self-employment to direct or payroll employment.

In 1999, the tax system was further tightened with new tests for tax-exemption certificates and the introduction of a card system for businesses and the self-employed. Since the introduction of that system, around 1,063,700 cards have been issued.

Such changes unwittingly reinforced the existing system and did little to tackle the underlying problem of false self-employment. Consequently, the swing to direct labour has come to a halt. A recent survey by the Government-sponsored Construction Industry Training Board suggested that there has been a reversal back toward self-employment.

It is not easy to estimate the current level of false self-employment. Union regional officers, industry leaders, main agency organisations and several companies gave evidence to a union investigation of the widespread use of false self-employment. The managing contractor of the channel tunnel rail link, Bectel, accepted that at least 25 per cent. of the labour force on the project was employed on a self-employed card with tax deducted at source. A later survey by regional officers of UCATT at 88 sites that were managed by the largest contractors in Great Britain found that 55 sites had over 50 per cent. of workers self-employed, and that 33 sites had 80 per cent. self-employed. That provides evidence of the continuing dominance of self-employed labour on building sites.

In an effort to bottom the size of the problem, the union undertook a further survey of false employment, which resulted in a more detailed analysis. A 1999 survey of 10 major contractors by Mark Harvey showed that 85 per cent. of the total work force was self-employed. Following detailed interviews with subcontractors, operatives and an examination of documentary evidence, the survey concluded that at least 80 per cent. of the self-employed were falsely self-employed in accordance with the definition that I gave. From that survey, it can reasonably be assumed that the vast majority of the self-employed in construction are falsely self-employed. Based on the current average level of self-employment in the industry, the union estimates that there are between 300,000 and 400,000 falsely self-employed workers in construction, and that they are costing the UK taxpayer at least £2 billion per year.

The incentives that are built into the present tax system are a crucial factor in sustaining the current level of false self-employment. For example, the deductions for a self-employed worker are as follows: an 18 per cent. deduction at source for tax; a 7 per cent. national insurance contribution, based on profits; and a class 2 national insurance deduction of just £2 per week. That compares with an employee or payroll worker's deduction of 22 per cent. for income tax, and a 10 per cent. national insurance contribution. That illustrates the difference between the two classes of workers. The ability to use the tax system in that way allows workers who are self-employed for tax purposes to boost their average level of earnings, making self-employment an attractive option for building operatives, even during a recession.

Contractors have been the main beneficiaries of the scheme. They have used falsely self-employed workers, rather than payroll labour, to avoid paying an 11.9 per cent. employees' national insurance contribution, as well as other costs such as training, welfare and safety. Instead, those costs and responsibilities are dumped directly on to the falsely self-employed, and they fall indirectly on to the rest of society, as construction workers who leave the industry due to illness or injury become reliant on state benefits.

The long-term impact of false self-employment on the construction industry is clearly visible on every building site. Construction has one of the worst safety records of any industry. For example, in 2000, there were 105 fatalities, and it is estimated that, over the past 10 years, almost 1,000 workers have been killed on construction sites. Despite those shocking statistics, it is estimated that only one in 20 construction accidents involving the self-employed is recorded. Responsibility for the health and safety of workers has been shifted by the contractors and subcontractors on to those in the most vulnerable positions.

With regard to the training of construction workers, damage has been done because of the industry's reliance on falsely self-employed labour. The major contractors reduced apprenticeships and training opportunities during the 1980s. After the recession of the early-1990s, the industry lost a generation of building workers. Over the past five years, the industry has picked up, but there is currently a huge skills shortage in all of the main trades. That has made efforts by the industry to improve training and safety standards more difficult than they would otherwise have been.

I have tried to show that the problem of self-employment in the British construction industry is as deeply ingrained as ever—I have mentioned that there are between 300,000 and 400,000 falsely self-employed workers in the industry. The recent changes in the construction industry tax scheme have reinforced a flawed system.

The shortcomings in current arrangements have been graphically highlighted by the transposition of the working time directive into UK law. For the first time, hundreds of thousands of building workers became

[Mr. Michael Clapham]

entitled to paid holidays. Building operatives who were self-employed for tax purposes were classified as "workers" under the working time directive, which helped to show the false nature of the construction industry tax system. Many operatives have won their cases in tribunals following action by the union.

The current confusion in the UK's construction industry could be resolved by the abolition of the special self-employed category that allows tax to be deducted at source. When the Minister replies, I hope that she will indicate that she is prepared to review the situation. Abolition of that category would have to be accompanied by rigid enforcement of compliance rules to ensure that those who were classified as self-employed were involved with genuine businesses. That would tackle the immediate problem, but in the long term there would need to be further work across Departments to deal with the confusion that surrounds employment status in the UK.

Employment status classification has become confused because of its reliance on case law. Case law judgments are based not on broad principles, but the facts of each case. A discriminating factor established by one case does not erase discriminating factors established in previous cases. The result is that test cases used in case law conflict with each other, and no test or set of factors is decisive in establishing employment status. The confusion has been worsened by the addition of the concept of the worker, which has extended employment protection to people who could be described as dependent self-employed.

A further element of confusion in the UK legal system relates to the differences between legal and taxation status. Employment law is generally concerned with employment protection and the safeguards afforded by that, whereas taxation law is primarily concerned with the relationship between the taxpayer and the state. The same person can take several different status classifications depending on which legislation or regulation is being applied. That confusion has been compounded in the construction industry by the development of a unique tax system that allows self-employed operatives to have their tax deducted at source by a contractor or subcontractor. In my view, that institutionalises mass self-employment, a great deal of which is bogus or false.

The Government are planning a review to assess the impact of employment status on statutory employment rights, and perhaps the Minister can enlighten us on that. Presumably that has come about because of the introduction of the National Minimum Wage Act 1998 and the Employment Relations Act 1999, which defined the status of the worker.

The problem of false self-employment must be tackled by harmonising employment status classification across employment law, common law and taxation classification. That would separate genuine and false self-employed businesses. It would be an extensive exercise, and it would require work across the Department of Trade and Industry and the Treasury. If tackled in that way, the self-employment test would become a display of economic independence.

By clarifying the issue of self-employment, the way would be clear to define employment contracts that have a dependent relationship with an employer, contractor or subcontractor. Harmonisation of employment status classification should be accompanied by an extension of employment and social resources rights for workers whose current employment status falls into a grey area. Again, many in the construction industry are in that situation.

False self-employment has undermined the British construction industry for the past 30 years. Rather than tackling the problem, the Government have unwittingly institutionalised mass self-employment by creating a tax system that is unique to the construction industry. Major employers rely on that system to supply building site labour, and as is clear to anyone who studies the industry's history of the past 10 years, the consequences for the work force and the industry have been disastrous.

False self-employment has led to fragmentation of the industry, a skills shortage and an appalling level of accidents. The industry would support change, and I hope that the Minister will say that she is prepared to review the tax system as it applies to the construction industry.

11.21 am

Mr. Stephen Hepburn (Jarrow): I congratulate my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) on securing this debate on the construction industry in general, bogus self-employment in particular and related issues, such as health and safety and low pay. I should declare an interest, in that I, too, have been a member of the Union of Construction Allied Trades and Technicians for many years.

Past debates have concentrated on employers and how to improve, and engender greater wealth in, the industry. There has been little discussion of how the industry affects its workers and, in that sense, today's debate is unique. For that reason, I emphasise my congratulations to my hon. Friend.

Construction is an important industry, and it is only right that workers receive some of the benefits that they generate through the profits that they make for their companies. It is also a particularly wealthy industry, with a turnover of £65 billion a year. The industry employs some 7 per cent. of the national work force; almost 1.5 million people. It is also playing a vital role in delivering the Government's modernisation agenda by improving the quality of housing and other buildings such as schools, universities and colleges. The Government were elected on the promise to modernise society—a promise that included modernising the buildings and fabric of society—and I see no reason why we should neglect the workers in that regard. We should modernise the terms and conditions of those in the construction industry in particular.

As we know, despite its importance, the construction industry has one of the worst health and safety records of any industry, and in large part that can be attributed to bogus self-employment. Every year, there are many thousands of serious accidents and many deaths. In the past decade alone, there were almost 1,000 deaths in the construction industry. Last year, the death rate was the highest in more than a decade. Some 106 people were killed simply doing an honest day's work, leaving behind their families and loved ones. Surely we should be doing something about that.

Those figures, however, do not take into account industrial diseases. We could mention asbestos disease, which kills some 4,000 people a year, many of whom are building workers. One of my lingering memories as a branch official in Jarrow is of trying to get compensation for a man with asbestosis, who had worked for many years on his building site, before he died so that he could rest in peace knowing that his family were taken care of. He had worked all his life in a hard industry and contracted the disease, and nothing could be done except to make sure that his family did not suffer.

The construction industry has a tarnished reputation, in part due to cowboy builders, who are rife throughout an industry that also has many good builders. Unfortunately, the image that people get is the old one of "Auf Wiedersehen, Pet" from the television. If anyone in the street were asked for their image of the construction industry, they would describe long hours, dirty and dangerous conditions and outdoor, hard, physical work. I have some knowledge of that, because I was branch president of the Jarrow branch for more than 12 years. Changes need to be made, not least to the terms of self-employment, if we are to get improvements in working conditions and in efficiency for employers in the industry.

That is not to decry the Government. They can take a lead in bringing about such changes, and have delivered on that to a certain extent. They brought about the Egan report, under the Deputy Prime Minister. It was a good report on the construction industry, but we need to go further and give that report power. The Government are the powerhouse behind the construction industry. More than half the value of the industry and capital works in the country is generated by the Government. They pay the piper, so they can call the tune. I do not see why the Government cannot enact changes to the industry to benefit the workers.

One such change would be a law on corporate manslaughter, which is critical. That is not the subject of debate today, but it is very relevant to the construction industry because of deaths on building sites. Self-employment must also be looked at. Private builders encourage it, and bogus self-employment accounts for more than 300,000 workers in the industry at present. That practice not only deprives workers of the conditions and pay that they need, but deprives the Chancellor of the Exchequer of more than £1.5 billion in receipts. I believe, and many construction workers agree, that that would be better put to improving hospitals and schools.

By encouraging that self-employment, the industry encourages an environment of low skills, low wages, low productivity and poor health and safety. A typical example, in the north, has come to light following the transfer of Beazer Homes to Persimmon Homes, making the largest house-builder group in the country. Those homes are traditionally built by direct labour, and Persimmon Homes encourages self-employment. Since the takeover, UCATT has been involved in a protracted tribunal case to protect the rights of those directly employed, under the TUPE regulations.

UCATT believes that Persimmon Homes intends to move the labour force from pay-as-you-earn to self-employment and subcontract labour. Persimmon Homes' intentions are highlighted by a checklist sent out by the company in the north-west to comply with the current regulations governing self-employment. It has 16 points of advice, and I will mention the main ones: employees must not be given holiday pay or sick pay; they must rectify defective work at their own cost; no minimum amount of work is to be guaranteed. The list goes on. Many workers have no choice. They either sign away their rights and become self-employed or they do not work at all. In the current environment, obviously, people will choose work because they need to provide for their families.

The checklist has been drafted to ensure that the contract employs the cheapest, and not the most efficient, form of labour. That denies workers their employment rights. It is a scandal and a disgrace. Is it right that a private employer should deprive workers of their basic rights of employment and trade union representation? Such rights are discouraged by self-employment. Is it right that a private business that makes millions and millions pounds of profit should deprive the Exchequer of money that is robbed from the taxpayers?

Other issues surround bogus self-employment in the construction industry. We need to ensure that the industry offers young people careers that are worth taking up. They should be careers of dignity and not the bogus self-employment offered by cowboy builders. That ideal was espoused by the Egan report, but it has sadly been lost since. None the less, the report is valid to this day. We need to encourage younger people to enter the industry and we shall not do that by encouraging self-employment. Ten years ago, more than a third of the work force were under 30. Now we find that less than a quarter are under 30.

Although I appreciate and support the aims of Government legislation for trade union reform, I remain firmly of the view that certain industries need to have compulsory trade unions if we are to tackle the problems that we face today. The mining industry, in which my hon. Friend was involved for many years, is one such industry and, given its health and safety record, so is the construction industry. That is a radical approach—perhaps too radical for the Government—but it should be considered.

At the very least, the Economic Secretary should address the issue of contract compliance. Surely, as a minimum standard, we should expect contract compliance to be part of all Government procurements. Sadly, however, that does not happen at present. How on earth will the Government be able to give a lead to the argument that working conditions should be correct if we do not maintain minimum standards in our own contracts? We have that power through the strength of procurement—more than half the capital projects in this country are Government led—and through our ability to impose contract compliance. We should use that power because, if we do not, the private sector will not. What sort of example will that set the private sector? If the Government do not maintain such standards, why on earth should the private sector?

[Mr. Stephen Hepburn]

I congratulate my hon. Friend once again on instigating the debate at such a crucial time for the industry. As far as the Government are concerned, capital expenditure will double in the next few years and it is crucial that reforms are implemented so that we have a modern construction industry that is geared not only to improving the profits of employers—I have no problem with that—but to ensuring that the workers receive the rightful fruits of the industry in which they work. As well as receiving their rightful fruits, they should be able to work safely and to return home safe and sound to their families at the end of the day. Surely, that is the very minimum. We look to the Government to provide the lead and the direction.

11.33 am

Mr. Ian Davidson (Glasgow, Pollok): I congratulate my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) on securing this debate. It is an important issue that has been neglected for far too long. I also congratulate UCATT and the Institute of Employment Rights on producing the report, "Undermining Construction", which has provided many of the case studies that support the arguments that we are advancing. If the Economic Secretary does not have a copy of the report, I am perfectly prepared to ensure that she receives one that has been autographed by the author and everyone else who attended the press launch. The launch went down extremely well and everyone who was present now expects her to take account of the evidence and to do something about it.

I do not have a direct interest in the building industry or in UCATT, but I want the Government to be able to spend the capital moneys that they have allocated to construction project on schemes in my area. I recognise that skills shortages are likely to cripple part of that programme and to result in an escalation of costs. That means that the Government will not receive value for money on many of their projects.

One of the reasons for that problem is the scams and the fraud that make up the construction industry's taxation system. It has already been said that the estimated tax loss to the Government, resulting from fraudulent self-employment is £1.5 billion to £2 billion. I find it difficult to understand why the Government are prepared to turn a blind eye to that.

Like my hon. Friends, I am aware that there is a clear correlation between the high rate of self-employment and the rate of accidents and injuries in the construction industry. It is clear from the statistics that have already been outlined that one in two accidents in the employed category are reported, but that only one in 20 are reported by the self-employed. They face deadlines and are under pressure that reputable firms often do not place on their employed staff. Those deadlines and that pressure clearly result in an explosion of accidents and deaths in the industry. It has about the worst safety record in the United Kingdom.

I am sure that the Economic Secretary will explore that issue. However, when she does, she could ask her staff to examine why the rate of fatalities in the construction industry in Scotland is approximately twice that in England and Wales. The rate for major accidents in Scotland is one and a quarter times that in England and Wales, and that means that certain issues must be explored. The rate for minor accidents in Scotland is one and half times that in England and Wales. The different rates are partly the result of climate but another factor is the way in which employers behave under the self-employment structure.

The increasing lack of trained staff in the construction industry flows directly from the existing tax arrangements. Employers have no direct interest in training for the future when a high proportion of their staff are self-employed and are likely—indeed, encouraged—to move on. There is a regular pattern according to which good employers are forced to cut costs, to economise and to move towards the practice of the worst; otherwise they will carry overheads that cannot be sustained in a competitive environment. Allowing some firms to get away with malpractice, as the Government are doing, has knock-on effects on everyone else in the industry.

We are creating enormous difficulties for ourselves in the future not only in terms of the shortage of trained staff that is already evident throughout the industry, but in terms of the lack of pension provision made by many of the self-employed and employers. In years to come, a substantial proportion of the work force will have built up no occupational pension whatever and they will end up falling back on the state for support and succour. As I understand it, that is not the intention of the Government's general policy, but it is another reason why they should examine the issue closely.

As my colleagues have said, employers encourage as high a proportion as possible of their staff to become self-employed for reasons of profit. By cutting overheads, they are able to drive out direct labour organisations and many of the better and more socially responsible firms. They are also able to save on training costs and other elements of expenditure. I find it impossible to understand why the Government, by their inactivity, are prepared to condone that. I can only presume it is a hangover from the days when the major players in the construction industry had substantial political clout with previous Conservative Governments. However, I cannot understand why a Labour Government—even a new Labour Government—continue to allow employers to get away literally and not just figuratively with fraud and murder.

I want the Economic Secretary to clarify the Government's view of some of the allegations made in the "Undermining Construction" report about the Inland Revenue's lackadaisical approach to the problem. From what is alleged in the report, it appears that the Inland Revenue has been co-conspirator with the industry in tax and national insurance fraud. I want her to clarify why she is prepared to allow that to go on. It is clear from the report what has been happening and we are entitled to receive a response. It seems to me, as a simple outsider to the industry, that the Government appear almost to be in the industry's pocket. I cannot understand why that is the case.

As I said before, the Government's inactivity condones malpractice, which results in fraud, death and injury on building sites, and leads to a skills shortage. I recognise that the Economic Secretary is an impeccably new Labour Minister, but I understand that she is not the worst—*[Interruption.]* I am being contradicted:

perhaps she is among the worst. Although I am not as close to new Labour as some of my colleagues, I do not think that it condones tax fraud, insurance scams, a higher rate of construction accidents or the removal of pressures to train within the industry.

I am sure, as are my colleagues, that the Economic Secretary will have the answers and will send us away happy in the knowledge that for the first time she will take serious action to deal with the problems in the construction industry, which will be resolved quickly at her behest.

11.41 am

Dr. Vincent Cable (Twickenham): I, too, congratulate the hon. Member for Barnsley, West and Penistone (Mr. Clapham) on securing the debate and on receiving such able support from the hon. Members for Jarrow (Mr. Hepburn) and for Glasgow, Pollok (Mr. Davidson). I see the problem as being specialised, especially the tax arrangements, and do not claim to be an expert. My attendance has as much to do with being educated as with pontificating on the answers, and I learned much from listening to the hon. Member for Barnsley, West and Penistone.

I have tried to get a perspective on the dimensions of the problem. The construction industry employs about 2 million people. That is a mid-winter estimate, so the figure is probably larger in the summer. Official figures suggest that almost a third are self-employed, and the hon. Gentleman estimates that half of those are falsely self-employed. That gives us an idea of the magnitude of the industry.

My difficulty in talking in general about the construction industry is that it is not only very large—it makes up more than 5 per cent. of the British economy—but very complicated. It varies a great deal. On the one hand are the big multinational companies—the Balfour Beattys of this world—that are involved in dam and road projects all over the world and exposed to international standards; on the other are the majority of companies that are employed for house extensions or to do jobbing work for local council repairs and so on. Trying to encompass all those businesses within the circle of the construction industry is inherently difficult. The industry also covers specialised and proudly guarded craft traditions in, for example, plumbing and electrical work, which have different professional groups and different standards of training. They all form part of the big pot called the construction industry.

Although hon. Members focused on the tax issues, it was interesting to hear them put it in the context of the wider problem. A couple of years ago the Department of the Environment, Transport and the Regions set up a cowboy builders working party to address some of the problems that have been described, and it is recognised that the tax problem is part of a bigger picture. A substantial number of operators in the industry are not just evading taxes, neglecting their work force and ignoring training and safety, but giving consumers a bad deal. In our private lives we have all experienced the guys who knock on the front door and, for example, try to persuade us that our drives need asphalting, or the people who embark on a house extension and mysteriously disappear halfway through. The problem is rampant throughout the industry, so there is a consumer protection issue as well as a worker protection issue to consider, both of which are valid.

I am not entirely sure that the same companies are responsible for all the failings, but the industry clearly has poor standards at the bottom of it. We need to consider how to address those standards properly. The hon. Gentleman has suggested doing that through the tax regime. I am not enough of an expert on the details of taxation to know whether that is the right way to proceed, and I wonder whether it is feasible. The first problem is how easy it is in practice to separate self-employment and employment in tax terms. The Inland Revenue cannot operate on a discretionary basis; it needs rules. There has to be, therefore, a test of control. I think the hon. Gentleman used the word "dependency".

Mr. Clapham: There are two categories of self-employed: the independent and the dependent. The independent self-employed tend to be employed by a contractor or subcontractor. The unique feature about the industry is that tax is deducted at source from the so-called dependent self-employed. The tests that have recently been implemented—the SC4 for the dependents—also involve cards, of which 1,063,000 have been issued. The problem is rife throughout the industry and it comes back to the tax system and bogus self-employment.

Dr. Cable: I understand that we are discussing a unique situation and that tax tests have been devised to deal with the construction industry. I am trying to understand how in practice we determine the people who are falsely registered. To do that, we need to get at their motives and consider whether they are trying to evade the system or are genuinely self-employed.

The Treasury is still struggling with an analogous problem that arose a couple of years ago with IR35, which relates to other industries such as computer software. It appears that there is genuine doubt about whether people are engaged in self-employment to fiddle the tax system or because the nature of the employment is such that they have opted to be self-employed. I do not know whether the Treasury is confident that it can make a distinction with confidence.

On the tax side, we have to consider how easy it is to enforce tax arrangements even if we can make the distinction. The enforcement of value added tax was tightened in the construction industry a couple of years ago. Construction companies explained to me that they were having to chase around the country to collect pieces of paper in person to demonstrate that they were not falsifying VAT. It got to the stage at which the industry was not able to function properly. We have to work out how to disentangle companies' motives and how easy it is to enforce the arrangements without being too counterproductive. I have an open mind and I am sure that if the hon. Gentleman's concerns can be met, his suggestion to use the tax regime would be the best way to proceed.

The hon. Member for Jarrow suggested compulsory unionisation as part of the picture, but perhaps there is another solution. As I said, I am not an expert on the construction industry, but I know that Australia has a different approach, which operates rather like the old system of guilds. To operate legally within the construction industry a company or individual has to be the equivalent of an acknowledged member of the

[Dr. Cable]

Federation of Master Builders. In order to be legally registered, some tests have to be passed. Employers or self-employed people who do building work have to demonstrate that they have the right qualifications and right training commitment to their employees. They also have to demonstrate that they are observing basic safety standards and obligations to the consumers, to whom they give an indemnity that they will not simply walk off the site. Part of the package is to ensure that they are properly attributed for tax purposes.

The Australian system is tough. It is illegal to operate as a builder unless someone is part of the federation. That may be too extreme for the UK situation, but from what the hon. Gentleman said there may be a half-way house whereby a test such as that in Australia must be satisfied by anybody who is bidding for public sector contracts, which I believe account for about 40 per cent. of all new work and only slightly less of all repair work. Companies that bid for public sector work should satisfy that Australian test. I have discussed the matter with people in the industry. The good companies are as embarrassed by bad practice as is everyone else and would like to encourage such an approach.

There is an analogy with the medical profession. It has been recommended that the building industry should operate like the British Medical Association, which gets its own house in order and sets its own standards, but has legal backing. Perhaps the medical profession is not quite as reputable as it was, but it may be a model worth considering as an alternative way of dealing with the problem.

My final query is to the Treasury Minister, who I am delighted to see here. I had thought that this was an issue for the Department of Trade and Industry, and I had not appreciated the balance between the tax and the non-tax concerns. It would be useful to know whether the Treasury is working with Departments in examining this industry in a holistic way. This is not just an issue of tax evasion. There is a bigger picture in terms of standards of labour practice and consumer protection. How will those elements be integrated?

11.51 am

Mr. Christopher Chope (Christchurch): I join everyone in congratulating the hon. Member for Barnsley, West and Penistone (Mr. Clapham) on introducing the debate. He and his two Labour party colleagues have poured scorn on much of the Government's policy on the construction industry, and I am sure that the Minister will try her best to respond.

Mr. Clapham: Neither I nor my colleagues have poured scorn on the Government's policy. We have drawn attention to a problem that this Government began to tackle in 1997. The real problem was caused in the 18 years of the Conservative Government, who allowed a total liberalisation of the labour market in construction.

Mr. Chope: I have given the hon. Gentleman the opportunity to get back on track with his Whips and to turn his attack on the Conservative Government. But he must face the reality, which he and some of his colleagues mentioned, that the most important issue in construction is that of health and safety. The increase in the number of fatalities in the construction industry over the past year, to its highest level for 10 years, is appalling. It is remiss of him and his colleagues to blame that increase in fatalities on self-employment. During those 10 years, the number of self-employed people in construction has declined. One could argue—although I do not do so today—that the decline in self-employment in construction has led to the enormous increase in fatalities.

The construction industry is six times more dangerous than any other industry. To have 105 fatalities in one year—an average of two per week—is unacceptable. I had expected the hon. Gentleman, knowing that a Treasury Minister was to respond to the debate, to refer to the useful report provided to most hon. Members by Prospect, the professional engineering union. The report draws attention to the way in which the Health and Safety Executive has got its priorities wrong by reducing the number of inspectors dealing with construction and increasing the number dealing with railway safety. The real problem with deaths and injuries is in the construction industry, not the railway industry. I hope that when the Minister responds she will comment on that useful report from Prospect.

The debate is also coloured by the hon. Gentleman's membership of UCATT. The hon. Member for Jarrow (Mr. Hepburn) is not just a member of UCATT, but an active participant in its conferences, paid for and all the rest. UCATT is a major sponsor of the Labour party. I have been in politics for the best part of the 30 years to which the hon. Gentleman referred, and I did not recognise the picture that he painted of the blameless, responsible, enthusiastic worker in the construction industry, which was heavily unionised under UCATT and unable to deliver good-quality services to the purchasing public, whether in the public or private sector. I recall, as I am sure does the hon. Gentleman, the construction of the three towers in Marsham street. Was not the work on that site stopped for three or five years, blacked by UCATT? That trade union ruined our building industry by allowing restrictive practices and totally unacceptable labour practices to prevail.

When I was a member of Wandsworth council, there was a major housing development at Kambala carried out by the direct works organisation under a Labour council. That housing estate was delayed for a long time, the costs escalated, and it was all about UCATT defending its employees' jobs irrespective of the wider public interest. Today we have heard comments about the interests of UCATT, which wishes to retain high union membership, rather than the interests of the wider building industry, which is such an important part of our national economy.

Mr. Clapham: The hon. Gentleman has been generous in giving way. During the 1960s, when the towers were being built, UCATT was trying to ensure protection for the people who worked there.

The hon. Gentleman says that he does not believe that self-employment was the cause of so many accidents in the industry. On a building site with 500 workers, that can mean 500 separate contracts. Co-ordinating those contracts and bringing the people together in a harmonious setting that is conducive to the job being completed is nearly impossible. It leads to unaccountability, and that is what causes accidents.

Mr. Chope: I am interested that the hon. Gentleman has not taken the opportunity to endorse the comments in the Prospect report that, in its view, one reason why the construction industry fatality rate has increased so much is the misdirection of resources by the Health and Safety Executive—arguably because the Treasury has starved it of funds. The report makes no reference to the fact that self-employment may be the cause of the appalling safety record in the industry.

The hon. Gentleman wants the self-employed to be the scapegoats for everything that has gone wrong in the construction industry. Let us consider, however, the benefits that come from self-employed people and the flexibility that they bring. The rules were tightened so that all self-employed people who work in construction have their pay deducted at source. That is different from most self-employed businesses. When the Labour Government came to office, they identified a reasonable level for deduction at source as 23 per cent. That was obviously far too high, and we welcome the much more realistic deduction level of 18 per cent. The hon. Gentleman seems to think that even that is far too high. If all the resources of a person or firm have to be expended in tax rather than invested in training, tools and equipment, it is counter-productive.

I hope that the Minister will respond to a practical point that has come to my notice. A constituent of mine came to see me last weekend. He has been made redundant three times in successive years in the telecommunications industry and has decided to become a plumber. He is paying for his own training to be a plumber, and travelling to Eastleigh technical college. He has been told that he is not allowed to set the cost of that training against the income that he received in this tax year before he was made redundant as an employee of Marconi. He has been told that only after he has qualified as a plumber will he be able to set the cost of his training against income earned from that trade.

My constituent is doing things the responsible way—trying to train as a plumber before offering his services in the marketplace. There are far too many cowboy operators who train on the job, in so far as they ever train, and as a result cause mayhem for many people who employ small builders in the belief that they will get a good job done, only to find that they do not. There is something structurally wrong with our tax system if somebody such as my constituent, who wishes to retrain as a plumber, finds that he must bear the costs of doing so without any tax relief. I hope that the Minister will be able to respond to that point.

The Government have been engaged in an exercise of "initiative-itis". There have been many initiatives but not much delivery. After the Government took office, we had the Egan report, the combating cowboy builders report and the cowboy builders working group, which reported in 1999. There was then a gap of almost two years, during which people wondered what would happen about the problems of cowboy builders. On 5 July, the Government launched the quality mark scheme, which has been piloted. The idea is that it places the names of builders and tradesmen who reach the required standard on a register, which can be assessed free of charge via a low-cost telephone number. Of course, builders are charged a registration fee.

Interestingly, the *Financial Times*, commenting on the launch of the scheme, said:

> "The government's long-delayed scheme to put cowboy builders out of business will be launched in Birmingham today with only a fraction of the number of reputable builders originally envisaged signed up.
>
> About 60 builders are understood to have been approved for the quality mark scheme in Birmingham—with a further 40-plus in Somerset—which will be unveiled next week."

The Government put enormous emphasis on that scheme and—apparently—had originally intended that several hundred builders would be on the approved list by the launch. However, the *Financial Times* goes on to say:

> "The cost of joining, the red tape involved and the fact that most builders had enough work without bothering to take part have meant that the government has had to resort to a string of measures to make it more attractive."

That is another initiative that did not succeed.

There have been any number of initiatives on and conferences to discuss safety in the construction industry. Most recently, a programme was launched earlier this year that set a target of reducing injuries and deaths in the industry by 10 per cent. per annum over four years. I hope that the Minister will be able to tell us today what progress is being made on meeting that target, or whether it is just another target set by the Government and then abandoned as soon as it is obvious that the policies behind it will never enable it to be delivered and, indeed, may be counterproductive.

This is a useful debate. I pay tribute to all those who work in the construction industry, which is one of our most important industries. There are a heck of a lot of unsung heroes in the industry, and too rarely does it receive a proper airing in debates in the House. I congratulate the hon. Member for Barnsley, West and Penistone on enabling us to do so today. It is a big mistake to try to tar all those millions of people who work in the construction industry with the brush of the relatively few who may still be able to abuse the tax and benefits system to the detriment of wider society. That is a small minority compared with the large mass of construction workers who deserve a lot better from the Government than they have been getting.

12.5 pm

The Economic Secretary to the Treasury (Ruth Kelly): I am delighted to speak while you are in the Chair, Mr. Winterton, and I congratulate my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) on securing this important debate. He raises some significant and important issues, and I very much welcome the opportunity to discuss them.

Hon. Members of all parties have raised issues to do with health and safety, the importance of protecting construction workers, training standards in the industry, and matters that are clearly of great significance to many workers throughout the country. I shall come to some of those issues, but I shall concentrate mainly on those relating to self-employment status and Inland Revenue treatment of

[Ruth Kelly]

employees and employers in the tax system. I congratulate UCATT on raising such issues. It is important that we highlight them, consider them and take them seriously.

The construction sector is clearly a major contributor to the British economy. Nearly 1.5 million people work in it at any time. It encompasses work ranging from painting and decorating to underwater tunnelling and from simple kitchen refits to Government private finance initiatives. Construction work is carried out by one-man bands, family firms, partnerships, small to medium enterprises, household-name companies and multinational consortiums. Workers in the industry can be full time, part time, occasional, permanent, casual, single or multi-skilled, gang members or individual craftsmen.

Despite that massive diversity, all workers in the industry, along with those everywhere, need to pay the right tax and national insurance contributions and have access to rights and benefits appropriate to their personal circumstances. That last point is very important.

I was pleased to hear my hon. Friend say that it is important that a place be kept for genuine self-employment, and that he recognises that there can indeed be such self-employment in the construction industry. The point about access to rights and benefits and tax and national insurance contributions that are appropriate to someone's personal circumstances is important, and it goes to the heart of today's debate, which is essentially about employment status—whether someone is employed or self-employed, the consequences that flow from the decision on employment status and the role of the Government in determining and regulating such status.

Employment status is quite a simple concept, but it is important in several different contexts. It affects the tax and national insurance contributions that people must pay, the benefits that they are entitled to claim and, of course, their entitlement to rights such as statutory sick pay, statutory maternity pay, holiday pay and so on.

As things stand in the UK, the question of whether a person is employed or self-employed is normally entirely one of fact. It depends on the terms and conditions on which they are engaged and on the way in which they carry out their work. The facts then have to be compared with various factors identified by the courts in order to decide a person's employment status. No single factor is conclusive. The list of relevant factors is not exhaustive. Therefore, the courts have said that, to reach a decision about employment status, all relevant circumstances need to be taken into account. A qualitative decision must then be made based on the accumulation of detail.

Some issues considered when determining employment status include whether one works under the control of one's employer, the degree of risk associated with the employee and employer, whether one is part and parcel of the organisation, whether one must provide one's own equipment or whether the employer does so, and so forth. A huge range of factors is taken into account when determining status.

That so-called case law approach to deciding employment status is by no means unique to the United Kingdom. The United States, Canada, Australia, New Zealand, South Africa and Ireland, for example, follow similar approaches, and our approach is recognised as workable and effective by various authorities.

Mr. Clapham: My hon. Friend says that case law is used to establish employment status and that countries other than the UK also use that approach. Does she agree that, such is the confusion, the Treasury must work with the Department of Trade and Industry on ways to create greater harmony? The tests to which she has referred are often contradictory; they overlap each other. A worker can have a great deal of control over his situation if he is integrated, as a doctor is within the NHS, but there are many examples of contradictions in common law. Does she agree that there is a need to examine those matters?

Ruth Kelly: I agree that many complex factors have to be taken into account in each case, but that is one of the reasons why it is difficult to produce general guidelines, and there is a strong argument that doing so might create an additional layer of confusion.

A research paper published in the Netherlands in 1999 reviewed a range of international approaches to deciding employment status. One of its conclusions was that the UK was top of the table of countries considered in terms of the clarity and consistency surrounding the making of decisions. The UK was ahead of four countries—the Netherlands, Germany, France and Italy—which define employment status in legislation instead of using a case law approach. Although we are always ready to consider the examples of other countries, such as those raised by the hon. Member for Twickenham (Dr. Cable), we remain convinced that the case law approach is probably the best way in which to provide clarity.

Earlier this year, Judith Freedman, professor of taxation law at Oxford university, published a detailed review of employment status on behalf of the well-respected Institute for Fiscal Studies. She concluded that the case law approach that we currently use provides

"flexibility to meet changing conditions".

She acknowledged that

"a simple, objective test would be too rigid and arbitrary and open to manipulation".

In 1999, the DTI sponsored a report that found that most people know what their employment status is. The report surveyed 4,000 people, concentrating on those who work in non-standard ways, such as temps, casuals and agency workers. It found that even among such non-standard workers, most of those surveyed could tell without difficulty—and without taking professional advice—whether they were employees or self-employed. According to the report, less than 2 per cent. of those working in non-standard ways defined their employment status wrongly.

That is not much use to those individuals who are on the borderline between employment and self-employment and who are sold misleading advice by advisers with their eye on profit rather than on providing good-quality customer service, or who do not have the freedom to decide whether to be taken on as an employee or to act as a self-employed person, as sometimes happens in the construction industry. I recognise that the problems are real, and we are here today to discuss how such problems are reflected in the construction industry in particular.

The Government accept that there is an element of false self-employment in the construction industry. I shall examine those issues and the Government will keep them under close review. Dr. Mark Harvey's report has been mentioned extensively today. It gives a passionate account of issues in which there is clearly a strong interest, which has been expressed in this debate. It contains a lot of facts and figures as well as serious allegations about the approach taken by Inland Revenue and the Government. I will comment on the report today, albeit not in detail. We will take it seriously and examine it in detail. We will keep an open mind.

Mr. Davidson: I welcome the fact that the Minister is going to examine the report, keep an open mind, consider it and so on, but is she actually going to respond to the points it makes item by item, allegation by allegation, or will it simply be dismissed and swept aside?

Ruth Kelly: I certainly intend to respond to some of the allegations made in the report. The Government accept that it raises real issues that we have a responsibility to examine—although it should be said that the industry itself also has a responsibility to tackle those issues. When we debated similar issues in an Adjournment debate last year, we were assured that the industry would do more to help itself. Dr. Harvey's report makes a helpful contribution to those discussions, but at grassroots level contractors must recognise and act on their own responsibility, rather than pass the buck to the Government to take all the action needed.

A key issue is the roles and responsibilities of all those involved in making decisions on employment status. As I have explained, employment status is decided on the facts. It is for workers and those for whom they work to agree between themselves the terms and conditions under which the work is to be done. It is not for the Government to decide those matters or to interfere in essentially commercial decisions that are entirely the business of the parties involved.

If the agreed terms and conditions amount to employment, the employer will automatically have certain responsibilities to his employee. Those include operating a pay-as-you-earn system to collect the right amount of tax at the right time, deducting and accounting for class 1 NICs, and providing employment rights and benefits. If the agreed terms and conditions amount to self-employment, the worker assumes responsibility for his own tax and NICs through the self-assessment system. Generally, such workers have to provide their own financial cushion to cover holiday periods or periods of ill-health, and perhaps to pay into a stakeholder pension.

The role of Government is to ensure that all parties meet their respective legal responsibilities, so Government Departments have to provide help, support and advice on whatever aspects of those responsibilities are causing problems. In addition, Departments need to play a policing role to ensure that people do not avoid their various legal responsibilities. The Inland Revenue is one Department that has a particular role to play in employment status. I take this opportunity to put on record what the Inland Revenue has been doing in that respect in the construction industry for the past few years, and what it is doing now. However, as I said at the outset, it is not only for tax and national insurance purposes that employment status is important; other Departments have a role to play.

It has been claimed in Dr. Harvey's report that the Inland Revenue has not been doing enough to police so-called false self-employment in the construction industry. Worse, it has been alleged that the Inland Revenue has somehow

> "sanctioned large-scale false self-employment"

by

> "making an agreement with major construction firms to enable them to falsely register directly employed workers as self-employed".

I do not believe that that is correct. For many years, the Inland Revenue has provided extensive customer service support for the construction industry dealing specifically with issues of employment status, backed up by targeted compliance reviews to address evasion and avoidance.

Since the mid-1990s the Inland Revenue has, for example, published a range of articles and leaflets to explain how employment status is decided and how the case law tests apply to construction workers in particular. It has published an internal employment status manual that explains how its inspectors are expected to carry out employment status work. It has operated a dedicated construction industry employment status helpline. It has specified a date by which all contractors must have reviewed the employment status of their workers and put those who should properly be employees on to the payroll. It has targeted specialist status inspector resources to visit contractors and check that PAYE and class 1 NICs are being deducted and accounted for where necessary.

In addition, appropriate changes have been made to legislation. One of the first things that we did, by means of the Finance Act 1997, was amend the agency tax rules. Agencies that supply the construction industry with workers have to operate the PAYE system for workers who meet the conditions set down in legislation. The Inland Revenue's best estimates show that up to 250,000 construction workers have moved from self-employment to employment as a consequence of these various measures.

That is not the end of the story. More recently, the Contributions Agency merged with the Inland Revenue, so there are now more inspectors undertaking employment status work. The inspectors are fully supported by additional employer compliance staff. There are now 60 status teams throughout the country that advise on, monitor and enforce compliance with the employment status rules. These local teams are supported by the large business office employer compliance team, which reviews the very biggest employers according to a rolling programme. There are also the various special compliance offices that are responsible for prosecutions.

[Ruth Kelly]

The special compliance offices are likely to play a particularly significant role in pulling the rug from under any composite companies in the construction industry, or anywhere else, that might be used as a front for false self-employment. To do so, they will use the service company legislation—IR35—that we introduced specifically to ensure that those who should properly be employees pay tax and national insurance contributions on the right basis. That demonstrates that both the Government and the Inland Revenue have been putting a lot of time and resource into this important area over a number of years. It shows also that there has been no decision to ease off on employment status work. Targeting and proactive monitoring of employment status has not ceased, and there are no plans to change that.

So far, I have not mentioned the construction industry scheme—in some senses, for good reason. The scheme should not have anything to do with whether someone is appropriately defined as self-employed or employed. It is simply a scheme for collecting an amount of money on account of the tax and national insurance contributions that will ultimately be due from a construction industry worker who is already self-employed.

For the avoidance of doubt, I stress that the CIS does not confer any particular employment status. The CIS4 card, in particular, is not a certificate of self-employment. None of the literature, forms or documentation that the Inland Revenue produces says anything different. Contractors and others who are misusing the scheme lay themselves open to penalties for so doing. The Inland Revenue has dedicated teams with responsibility for ensuring compliance with the CIS, and they are separate from the dedicated employment status teams.

My hon. Friend the Member for Barnsley, West and Penistone said that perhaps the CIS adds to the confusion over status by putting workers into another category. Some people have suggested that if there were not a CIS, perhaps there would not be mass false self-employment in the construction industry. I reiterate the arguments that were advanced when the scheme was introduced. It was designed to avoid tax evasion and to ensure that construction workers do not slip into the black economy but instead pay their tax and national insurance contributions. In the past, there was mass evasion. Without the scheme, there might be a huge loss to the Exchequer. It is suggested that we are currently faced with such a loss.

The scheme does not create a separate category of so-called dependent self-employed, as Dr. Harvey suggests. Nor does it mean that self-employment is a matter of self-declaration. Employment status is purely a question of fact that is determined by case law. If a dispute arises over status, the matter can be taken to an industrial tribunal.

There is no evidence that scrapping the scheme would help overcome the real issues that have been raised during the debate. I accept that they are real issues for construction industry workers. I am not aware that anyone in the industry is calling for the abolition of the CIS. Of course, along with the industry we continue to keep the matter under review.

Mr. Chope: Before the Minister resumes her place, I hope that she will address the real issues of safety. She has described the large army of inspectors from the Inland Revenue that deals with the issue of self-employment. Does the hon. Lady think that the Government have the right order of priorities when there is only one construction inspector for three London boroughs, and there are only 19 such inspectors for London as a whole? Does not she think that it would be better to put more resources into inspecting construction safety?

Ruth Kelly: The hon. Gentleman, who speaks for the Opposition, raises the real issue of health and safety in the construction industry, and the Government are determined to deal with it.

Health and safety legislation does not apply only to employees; it has a much broader application. The Health and Safety at Work, etc. Act 1974 places a duty on employers to conduct their undertakings in a way that does not expose people to health and safety risks, as far as that is possible. Construction companies that are using both employees and self-employed workers have a duty to ensure the health and safety of all their workers.

I will raise with Ministers in other Departments issues about the number of compliance officers and ensuring compliance in the construction industry. We remain committed to ensuring that there are the highest standards of safety within the industry. Consideration of the definitions of self-employment and employment is not the best way to proceed on that front.

Where does that leave us? What are we doing? What has happened since the publication of the Egan report? It was a key piece of work and we do not want to lose sight of its important conclusions. Another report, "Rethinking Construction", came out in July 1998. It concluded that capital costs and construction time could be reduced by about 10 per cent. a year, that performance could be improved by 20 per cent. a year and that productivity and turnover could be increased by 10 per cent. a year. If those things are to be achieved, the Government will have to support and encourage good management in the industry, innovative approaches to projects and performance measures.

There have been various initiatives since publication of the report, but it would be unrealistic to expect to see substantive improvements in less than five years. The report is too substantial and the implications are too significant to allow that to happen. We will clearly keep matters under review. Some of the issues raised during the debate were also debated during consideration of the Employment Bill, which received its Second Reading last night. The Bill will extend individual employment rights to more workers.

We have undertaken a review of the CIS and are considering options. We are not expected to change our fundamental approach. We are considering ways of reducing administrative costs of compliance with the scheme. We are also considering ways in which it can be extendable to e-business, for example.

We have launched a review of employment status, and we expect a report in the early part of next year. The review will very much be focused on employment rights. It could have significant implications for many of the topics that we have been discussing.

The Inland Revenue has issued a leaflet, "Help your Business in the Construction Industry". It contains contributions from the Inland Revenue, Customs and Excise, the Benefits Agency, the Immigration Advisory Service, the Employment Service, the Health and Safety Executive and Companies House.

Mr. Davidson: Does my hon. Friend recognise that a new leaflet from the Inland Revenue, while no doubt a wonderful thing, will not necessarily go as far as we would wish in resolving matters? Her speech has not been all bad, but my pager, which doubles as a complacency meter, has recorded a fairly high reading. Are she and her advisers prepared to meet those concerned in the industry in the near future to discuss matters in perhaps a more informal atmosphere?

Ruth Kelly: I know that my hon. Friend has asked me to send everyone away happy, but I cannot pledge to do that today. I hope that I have shown the seriousness of the Government's commitment to tackling the issues. We keep these important topics under constant review. I will pass on my hon. Friend's representations to Ministers who deal directly with these issues. I am sure that they will be delighted to contact him.

Kent Ambulance Service

12.30 pm

Hugh Robertson (Faversham and Mid-Kent): I thank the Minister of State, Department of Health, the right hon. Member for Barrow and Furness (Mr. Hutton), for attending the debate. I am grateful for the fact that he will respond to my points, especially as the subject is not directly part of his brief. I also extend my thanks to his team of civil servants who, I know from contact with the Kent ambulance service at the weekend, have done a lot of preparatory work for the debate.

I have two reasons for wishing to secure this debate. The first, I confess, is entirely personal. I was born, educated and brought up in Kent; my parents, my fiancée and my in-laws all live in the county and, of course, I represent a constituency that is slap-bang in the middle of the county.

Secondly, and more important, there is genuine concern that the views of consultees, Members of Parliament, health service bodies, the ambulance service itself and my constituents—across the political spectrum, they all oppose the change—have not been properly represented by the regional office. I assure the Minister that I have had a continual involvement in the issue; it is not something that I just dreamed up this morning. I attended consultation meetings in August, made representations to the review, wrote to the Under-Secretary, the hon. Member for Salford (Ms Blears), and drafted an early-day motion on the subject a few weeks ago. I hope that this Adjournment debate marks the culmination of that effort.

Today I intend to talk briefly about the consultation process, discuss the aspects of the review that we welcome and support, highlight a few problems with it, and finish with some concluding remarks. The review process has taken more than three years, which is far too long. Critically, the reconfiguration was proposed by the south-east regional office in early 2000. "Modernising the NHS: Shifting the Balance of Power in the South East", the latest review, rendered that process obsolete.

Another problem is that the time the review has taken has had a serious effect on the Kent ambulance service, which is currently unable to recruit substantively to director positions, including that of chief executive; it has no human resources director in post at the moment. Despite the lengthy review process, there is no hard evidence that the proposed merger will have any financial or patient benefits. I am told that mergers audited elsewhere have not, in fact, secured those desirable benefits. As I have already said, there is no support anywhere in Kent from any of the key consultees for the merger. Finally, there is a worry that the disruption caused by the merger could put at risk many of the improvements in response time across Kent and Sussex. As a result, I am sure we all agree that patients and staff could suffer.

It is fair to say, however, that the review identified a number of benefits that we all support. The idea of a common ambulance vehicle procurement service is to be welcomed, as is the idea of a common communications system. The training and development of practitioners in emergency care—PEC—and the development of patient transport services are all welcome initiatives. I am pleased that there has been regional input in

[Hugh Robertson]

control and communications, clinical governance, human resources, procurement and fleet management. We whole-heartedly support all those things. Indeed, I should like to record my thanks for the Government's support for additional funding for the introduction of satellite navigation. Kent was one of the first ambulance services to install that navigation and it has already had considerable benefits.

However, there is a feeling that benefits could be achieved without the proposed merger. There are several reasons why we oppose the merger. First, and most important, ambulance services must operate to the same boundaries as strategic health authorities. "Modernising the NHS: Shifting the Balance of Power in the South East" said that there should be one strategic health authority for Kent. Everybody in Kent supports that sensible move. Strategic health authorities will have new responsibilities, including managing strategy and performance for NHS organisations within their boundaries. The review envisages that the NHS plan, the reform of emergency care and the review of ambulance services can be achieved only by co-operation between organisations. It follows that it is vital for patients, services and efficiency that the ambulance service operates to the same boundary as the new strategic health authority.

The Ambulance Service Association, responding to a request from the Minister for advice, said:

> "Ambulance services should be aligned to one, or more, strategic health authorities—usually 1, sometimes 2 or more but never part of a strategic health authority".

If the merger of the Kent and Sussex ambulance services goes ahead, the new service will end up servicing one and a half parts of the new strategic health authorities; that is the key objection to the merger. However, subsidiary factors also impact on the merger, including the fact that the structure of the NHS in Kent and throughout the country is changing rapidly. In my constituency, new strategic health authorities are in formation and a review of hospitals will undoubtedly result in the downgrading of the Kent and Canterbury hospital, whichever option is embraced; primary care trusts are being formed and there are changes to community health councils.

I feel strongly that few parts of the NHS are as vital as the ambulance service. It is much better to allow time for changes to bed in before [illegible] about altering the structure of that vital service. The county of Kent is large enough to support its own ambulance service. The Ambulance Service Association, responding to a request from the Minister for advice on the reconfiguration of services, said:

> "The minimum population served by Ambulance Services will be around 1.5 million."

Kent has a population of 1.6 million, so it is large enough to support its own service.

Kent has particular needs because of its geographical position. It has an infrastructure like no other, comprising channel ports, the channel tunnel rail link, roll on/roll off ferries, the power station at Dungeness, and myriad motorways, including the M2, the M25, the M20 and the M26. The high-speed rail link is being installed and the county bears the brunt of all the traffic that comes across from the continent. With all that going on, there is a huge capacity for disaster for Kent, and many people in the county do not wish their ambulance service to be taken away.

Kent is a popular retirement county for elderly people. As the Minister will know, there are Government guidelines to build more houses. Its population will become more than 1.6 million, not less, which highlights the need to retain the ambulance service inside the county. There is also a political point: if the ambulance service is taken away, as local people see it, and merged with the Sussex service, many people in my constituency will feel badly neglected. As a result of the private finance initiative, they are already faced with the closure of the accident and emergency department at the Kent and Canterbury hospital, and are considering a series of options that will necessarily downgrade it. If, on top of that, they have to bear the loss of their county ambulance service, there will be a highly undesirable political impact.

I also oppose the merger because of costs. In a presentation this summer, the Kent ambulance service identified two types of cost: the initial investment and the transitional costs. They involved £1.6 million in pay equalisation, which I accept will probably happen, whatever the outcome of the review; £2.6 million of non-recurrent costs to cover, for example, staff redundancies, additional travel and relocation, IT upgrades and new signs; and a further £200,000 of recurrent costs every year. Whereas I welcome the £1.6 million to be spent on pay equalisation—it is quite wrong to discriminate against people just because they work in an ambulance service in Kent—the £2.6 million and the recurrent £200,000 could be better spent on investing in the services, not on relocation and reorganisation.

The final argument is what I call the 11 September argument. Following the disaster on 11 September, I am sure we all agree that it is important to maintain coterminosity with other emergency services in the county. The police and the fire service are already Kent-based, and the new strategic health authority will ensure that the health authority is also based in the county. When I spent a week during the summer looking at NHS facilities in my constituency, I was alarmed to discover that there is no common communications system between the ambulances and the police and fire services.

That cannot be good for emergency planning. The emergency services must be able to communicate with each other, and it is particularly important that they all work to the same boundaries. For the good of future disaster and civil emergency planning, I urge the Minister to leave the ambulance service operating to the same boundaries as other emergency services.

In conclusion, there are parts of the review which all of us welcome. However, a merger with Sussex is not necessary to bring about those benefits. There are major concerns in Kent, particularly about the lack of common boundaries with the strategic health authority should the proposals be implemented. That is the killer point.

There are also concerns about the amount of change going on in the NHS and the impact on people who work in the service; the unusually large size of Kent as a county—I believe that it is large enough to support its own ambulance service; Kent's geographical position and requirements, and its infrastructure; the perceived loss of NHS facilities following the closure of the accident and emergency department at the Kent and Canterbury hospital; the cost arguments—the £2.6 million and £200,000 recurring, which could be better spent on investment in existing services; and finally the need, after 11 September, to ensure that all our emergency services—the new strategic health authority, fire, police, ambulance and, in due course, I hope, the Territorial Army—operate to the same boundaries.

The proposed merger with Sussex has no support whatever in Kent. I take the opportunity this morning to urge the Minister to allow Kent, regardless of what happens elsewhere, to keep its own county-based ambulance service.

12.43 pm

The Minister of State, Department of Health (Mr. John Hutton): I begin by expressing my gratitude to the hon. Member for Faversham and Mid-Kent (Hugh Robertson) for his kind words about my officials, who will have greatly appreciated his comments. It is not always transparently the case, but we are ready to help and I am grateful to the hon. Gentleman for acknowledging that.

I congratulate the hon. Gentleman on the way in which he raised the issues, and on the cogency and fluency of the arguments that he presented. He has done a signal job on behalf of his constituents. Outside this place and in the press—although that may not be the case today—Adjournment debates are often dismissed as unimportant and irrelevant; they are seen almost as a sideshow. I fundamentally disagree with that as they provide a forum for hon. Members to do what we are essentially here to do—to raise issues of concern and to confront Ministers when that is appropriate.

As the hon. Gentleman made clear, the provision of ambulance services in Kent is a critical issue which, as he rightly said, has been the subject of widespread debate across the county in recent months. I know that the hon. Gentleman himself has commented on the current proposals for change.

I am sure that the hon. Gentleman will understand that it is important that I do not prejudge or give the impression that I am prejudging the outcome of the consultation. Ministers will clearly need to approach the issues afresh and with an open mind, as they may need to make final decisions on the proposals. For that reason, I hope that the hon. Gentleman will forgive me if I do not engage in detailed debate with him about some of the specific points that he raised. I also hope that he will appreciate that I cannot make an announcement today on the way forward for ambulance service reconfiguration in the south-east.

I shall certainly reflect on the hon. Gentleman's concerns about the lack of common communications between the three emergency services. I do not have an immediate answer to that at my fingertips, but I shall write to him about his concerns, which I share and which need to be addressed.

I begin by referring to some of the arguments behind the proposals in the recent consultation, as it is important to put on record the background to the review. As the hon. Gentleman knows, in 1999 Sir William Wells, the then regional chairman in the south-east region, asked the ambulance trusts to review their structures to ascertain whether their number and size were appropriate to enable them to deliver best care for the 8.5 million people whom they serve.

The current seven ambulance services in the region worked together to create a joint vision of what they saw as their role in the future. The vision developed by the leaders of ambulance services in the south-east set out a number of important objectives that ambulance services in the region should achieve in the future. They should deliver the best care, according to individual patient's needs; give consistent, high-quality care based on evidence and best practice; make full use of new technologies to respond to patients' needs more quickly and effectively; ensure that staff are well trained and motivated, and have the skills that they need; and finally, collaborate across organisations to increase support for staff, improve the infrastructure and make best use of the resources available for patient care.

The public consultation on the proposals to reshape ambulance services in the region began, as the hon. Gentleman said, on 3 May 2001. Public meetings have been held within each of the existing ambulance trust boundaries. The hon. Gentleman will be aware that the consultation document put forward a preferred option of merging the seven existing ambulance trusts into three: Kent and Sussex, Hampshire and Surrey, and a new Four Counties trust covering Berkshire, Buckinghamshire, Northamptonshire and Oxfordshire. The consultation document set out how ambulance services must continue to develop if they are to make the maximum contribution to a modern NHS.

I am sure that the hon. Gentleman would agree that those proposals should be set against a background of strong local identities in the south-east, which he described. As the consultation document states:

> "People in the region require local, flexible and responsive ambulance services. These can only be provided by maintaining strong local identities and ensuring a close working relationship with other partners . . . including patients and carers".

As the hon. Gentleman knows, the statutory period for consultation was extended by one month to take account of the moratorium on consultation exercises during the recent general election, and ended on 7 September.

I acknowledge that many strong and varied views were expressed during the consultation process. I take this opportunity to express my thanks to all hon. Members, the public and community health councils who submitted their views to the regional office during the consultation period. I can reassure the hon. Gentleman that all the views received are being taken carefully into consideration. I shall return to that. However, we must all recognise there is no single national blueprint for the configuration of ambulance services that will suit all localities, not least in the south-east.

Hugh Robertson: I appreciate that the Minister cannot prejudge the outcome of the review, but is it at least possible that the ambulance services which want to merge can do so, while those that do not can remain outside the review and retain a county-based service?

Mr. Hutton: That is a decision that Ministers may have to make. Trust reconfigurations and mergers are subject to ministerial approval. The hon. Gentleman invites me to pull Kent out of the reconfiguration proposals. Clearly, I cannot do that today, but it was a good try, none the less.

As the hon. Gentleman knows, the regional office is currently considering the responses that have been received which, I understand, will shortly be presented to Ministers. I reassure him that Ministers' decisions will be fully informed by the views that have emerged in the consultation exercise and that no recommendation will be agreed by Ministers unless we are wholly satisfied that it will provide the effective, high-quality service that the people of the south-east deserve and that we aim to provide to them.

In future, as the hon. Gentleman knows, Ministers will be advised about such proposed service reconfigurations by the independent reconfiguration panel, which will be chaired by Dr. Peter Barrett. The panel will start its work early in the new year. Its remit will be to assess proposals against clear criteria such as quality of care, community health needs, accessibility, patient safety and clinical and service quality. I hope that that will ensure that the outcome of these major health service reorganisations will be transparent and accountable and that those who are directly affected by the changes are fully engaged in the consultation process. As I am sure he knows, until such time as final recommendations on the reconfiguration of ambulance services in the south-east have been provided by the regional office and Ministers are asked to make a decision, I need to remain impartial about any final outcome.

In setting out his arguments for retaining a local ambulance service for the people of Kent, the hon. Gentleman rightly referred to the work of the Kent ambulance service. I am grateful to him for doing so. As he will know, the Kent Ambulance NHS trust was established in 1994. As he said, it serves a population of more than 1.5 million in both urban and rural areas and has more than 800 staff. It has 154 vehicles and last year handled about 97,000 emergency calls and 30,000 urgent calls. Dealing with those levels of demand is no easy task. I am sure that the hon. Gentleman will join me in taking this opportunity to thank everyone working in the Kent ambulance service for the tremendous work that they do day in, day out.

The Government's priority is to save more lives by providing faster, more responsive emergency ambulance services. Clinical evidence has proved beyond any doubt whatever that early defibrillation and resuscitation services can save more lives. That is why the Government set challenging response targets for all ambulance services as soon as we came into office in 1997. Since then, we have seen a range of improvements, to which the hon. Gentleman graciously referred. They include more staff and vehicles, faster activation, better matching of resources to demand, dynamic cover, as opposed to station-based cover—an important element in helping us to meet access and response times—effective relief levels and rotas, and flexible 999 responses.

We also recognised that ambulance service response times had to improve significantly. That is why we are committed to the target of responding to 75 per cent. of immediately life-threatening calls within eight minutes. That target is also a milestone in the national service framework for coronary heart disease. We have estimated that, if all services were to achieve the target, the lives of 1,800 more people suffering from heart attacks would be saved every year. I would be the first to admit that the target that we have set is challenging. As I said, however, response times save lives, and we are already beginning to see the benefits of service improvement.

Nowhere do we see that more clearly than in Kent, where the performance of ambulance services has improved dramatically during the past year. From a starting point of being able to respond to only 38 per cent. of life-threatening calls within the critical eight-minute period, they are fast approaching the national target of 75 per cent. I hope that they will be able to meet that target when the figures are confirmed later next year. That is a huge achievement and I should like to pay tribute to the staff at Kent Ambulance NHS trust for their hard work, especially during the unexpectedly high demand in the summer months. They are doing a fantastic job in difficult circumstances for the people of Kent.

Kent ambulance service currently has 24 rapid response staff and has established community responder schemes on the Isle of Sheppey and at the Bluewater shopping complex. In the coming months, the trust will look for further opportunities to extend those important new services. As well as developing new schemes around the country and in Kent, we have provided significant investment in all ambulance services. In March last year, we invested £21 million nationally to help ambulance trusts make progress towards achieving the 75 per cent. target by investing in extra vehicles and extra front-line staff. Kent ambulance service received £841,000 on a recurrent basis, which has enabled them to recruit an additional 30 front-line staff.

The Under-Secretary, my hon. Friend the Member for Salford (Ms Blears), also announced further investment of almost £3.5 million earlier this year. That funding enabled state-of-the-art satellite tracking and navigation systems to be fitted to all 3,000 emergency ambulance vehicles throughout the country, giving them accurate information on the location of callers. As the hon. Gentleman said, Kent ambulance services were the first in line for that funding and received more than £140,000 to assist them in making that investment.

Ensuring that we have a modern ambulance service that is integrated with other NHS and social care services is a fundamental objective in what we are trying to achieve. The investments that we have made will, I hope, ensure that the service can respond to patients' needs more effectively and quickly, with well-trained and motivated staff providing consistently higher quality care. The supporting infrastructure will make maximum use of new technologies, delivering best value in order to help concentrate resources on patient care and to enable best practice to spread to all health communities more quickly. To support the integration of the ambulance service with other NHS and social care services, we announced additional investment of £50 million last month to implement the "Reforming Emergency Care" report.

As I have explained, I am, sadly, unable to respond now to some of the specific concerns the hon. Gentleman has raised and nor can I speculate on the outcome of the consultation exercise, although I hope that decisions can be made in the very near future. However, before I finish, I want to assure him once again that the arguments he has carefully set out will be given the most serious consideration, which they obviously deserve.

Mr. Nicholas Winterton (in the Chair): We are grateful to the Minister for his reply. All interested parties for the next debate are present, so we can begin early. The debate has been initiated by the hon. Member for North Warwickshire (Mr. O'Brien), but before I call him I should like to point out that he has had the courtesy to ask me and the Minister whether other colleagues who have interests in the subject of the debate can participate in it. My only comment is that I am very happy to call them, but I want the Minister to have adequate time to respond.

University Hospitals (Midlands)

12.56 pm

Mr. Mike O'Brien (North Warwickshire): Thank you, Mr. Deputy Speaker. Can I confirm the time when the debate will finish?

Mr. Nicholas Winterton (in the Chair): The hon. Gentleman has gained a little time. This debate will not finish until 1.30.

Mr. O'Brien: Thank you, Mr. Deputy Speaker. I am very pleased to have that time, as a number of hon. Members wish to speak in this debate, which is important for us. I would like my hon. Friends the Members for Coventry, North-West (Mr. Robinson), for Coventry, South (Mr. Cunningham), for Rugby and Kenilworth (Andy King), for Tamworth (Mr. Jenkins) and for Nuneaton (Mr. Olner) to be able to speak. I understand also that there may be an intervention at some point. I am grateful to the Speaker for granting this debate and to you, Mr. Winterton, for presiding over it. My hon. Friend the Member for Warwick and Leamington (Mr. Plaskitt) is currently attending a sitting of the Select Committee on the Treasury, but has indicated his support for the points that we want to make.

The Government are determined to improve the delivery of health services. As local Members of Parliament, my hon. Friends and I fear that NHS delivery in our area will not improve without substantial changes in the management of the main tertiary and district hospital, the Walsgrave. The running of the hospital has been condemned in a series of reports and statements in recent months. The Commission for Health Improvement—CHI—reported on the Walsgrave in September. It was the worst report ever published by the CHI on any hospital. In October, the NHS league tables designated the Walsgrave as a failing hospital with no stars. A majority of consultants have signed a petition calling for urgent changes in the way in which the hospital is run. Last week, it was reported as having the worst record in the country on heart operations. Members of Parliament have, therefore, taken the unprecedented step of seeking this debate so that we can express publicly our serious concern that the hospital management is a mess and to ask for the resignation of the chief executive, Mr. David Loughton.

I understand that Gary Reay, the chairman of the trust, resigned this morning. It might be said that no man hath greater love than that he should lay down his part-time job for his friend's full-time one. However, Mr. Reay has missed the point—he is not the problem. The problem at Walsgrave has not been caused by the chairman or the board so much as by the dominant influence of a particular individual in the hospital: the chief executive. Apparently, Mr. Reay has also claimed this morning that the only reason why MPs have sought to criticise the chief executive is the proposed site of the new private finance initiative hospital outside the town centre. The truth is that I supported Mr. David Loughton on the PFI hospital and on the new site, but there is a lack of confidence that he can deliver that hospital or improve health care sufficiently in our area.

[Mr. O'Brien]

The CHI report said of the management of the Walsgrave that

> "senior staff felt isolated, disempowered and undervalued."

The report goes on to state:

> "We were deeply concerned by the number of consultant medical staff who reported feeling bullied, intimidated, threatened and oppressed by senior managers when raising concerns about clinical care or conditions."

The CHI found an absence of any strategic leadership on patient care and service issues across the hospital. In particular, it found capacity planning for elective and emergency admissions, development of care pathways and accident and emergency services in disarray. On clinical governance, it found no evidence of any monitoring or review of the organisation as a whole.

There have been a number of other reports, but each time a bad one came out, Mr. David Loughton made reassuring noises, pleading that the report was wrong and that, anyway, he was putting it all right. One report might be in error; two might raise serious questions; but a series of reports says that it is time for a change and that Mr. David Loughton should now go.

There are a lot of excellent staff at the Walsgrave hospital who are doing a great job looking after patients, but they are handicapped by Mr. Loughton's increasingly desperate struggle to hold on to his own job. The hospital needs a new start. There is no confidence in Mr. Loughton; he has presided over the hospital for—what is it?—a decade and had the chance to turn it round but, by his own admission, took his eye off the ball. He now suggests that there is an action plan in place to turn round the hospital as a result of the NHS designating it a failed hospital, and that he should be given a chance to turn it round. It seems to me that if he could not turn it round in a decade, he is unlikely to be able to do so in the next few months.

I say all this not with anger but with sadness. I supported David Loughton on the private finance initiative, but I can no longer support him as manager of the hospital because the problems there seem to be fundamental. A new person is needed to restore confidence and lead the hospital out of its present problems. He has been a dominant personal influence at the hospital, and until that influence is changed we will not get the delivery of quality hospital services that we require.

A lot of good work is done at the hospital, and there are a lot of good staff, as I have said. Many patients will no doubt report that they have been very well treated there, and that will be true because the staff work hard. However, the way in which the hospital has been run has always caused problems and, in those circumstances, we need to restore confidence. We therefore need to have changes at the top.

1.2 pm

Mr. Geoffrey Robinson (Coventry, North-West): I congratulate my hon. Friend the Member for North Warwickshire (Mr. O'Brien) on securing this debate. It is an important debate for those who live in Coventry and in the other constituencies whose MPs strongly associate themselves with what has been said today, because the health of the area is at stake.

As my hon. Friend said, the debate is directly and inescapably about the chief executive, Mr. David Loughton. None of us takes it lightly on ourselves to criticise—let alone call for the resignation of—a chief executive by name, bearing in mind the privileges that we have. Those privileges must be respected all the more because they are unique in what they enable us to do and say in the House. For that reason, I would like to say that in no way does the siting of the new PFI hospital—much though we disagreed on it—have anything to do with the lack of confidence that we now have in the chief executive. It was already evident when we were debating that matter, when we disagreed with Mr. Loughton, that it was impossible to reason with the man, and that he was arrogant and dismissive.

That was a couple of years ago and, far from getting better, things have got worse. We saw that in the case where Mr. Loughton attempted to abuse correspondence between my hon. Friend the Member for Coventry, South (Mr. Cunningham) and one of his constituents, a distinguished consultant surgeon at the hospital. Mr. Loughton tried to use a letter as a reason for suspending, confirming the suspension of, and obtaining the dismissal of that fine, distinguished surgeon. Mr. Loughton would not listen to reason. He went to the high court, then to a higher court still. Each time his arguments were demolished, and each time he had to run away in shame, all at a cost to the long-suffering taxpayers of Coventry of £250,000.

Straight after that came the CHI report, casting disgrace on the management of the hospital. The very thought that one could leave the person who had been in charge for 10 years and brought the hospital to that state of affairs in charge for another three months to turn it round defies any logical analysis. After that, we had the report on coronary bypass surgery. There may be arguments on both sides there, but it is interesting that the hospital should have come bottom of the league in that field—a field that the chief executive had boasted was the jewel in the crown of Walsgrave hospital.

In the light of Mr. Loughton's behaviour in referring in open meetings at the hospital to some of his staff as the five on his hit list whom he is determined to get rid of, naming them, and referring to them using dismissive and abusive language, it is scarcely surprising that the very people that he needs—that any manager would need—to turn round the hospital after 10 years of his mismanagement have passed a vote of no confidence in him. Sixty-six per cent. have said that they have no confidence in him. How could anyone turn round a hospital with 66 per cent. of the staff against him? The hospital has no personnel director, and it cannot recruit a medical director—no one will take on the job—or new consultant surgeons. There is not a grade A consultant in the building, and it would need one to become a teaching hospital.

The whole of the management is dysfunctional. Therefore, any details of a change in the chairmanship of the hospital that the Minister might give us today will be an irrelevance, and cannot be used as a sop to deflect us from the primary objective of obtaining a new chief executive.

If we do not succeed with the Minister today, we shall take the matter to our right hon. Friend the Secretary of State and to the chief executive of the NHS. We shall not let up. If we have to, we shall—in the best of traditions—

call another public meeting in Coventry, at which it will be absolutely clear where the chief executive stands, not in terms of our estimation or our sense of confidence, but in the estimation of the people he is meant to serve. I hope that it will not come to that. I hope that the Minister, the Department and the executive of the NHS will see that this situation can be resolved only by taking the simple step of replacing the chief executive.

1.7 pm

Mr. Jim Cunningham (Coventry, South): My two hon. Friends have covered a lot of what I had to say, so I do not want to cover that ground again. One or two points, however, need emphasising. The staff at Walsgrave hospital do a wonderful job. I was there on Saturday and saw that for myself, and our remarks should in no way be misconstrued as an attack on any of the staff.

This is all about the style of management at the hospital and, in certain instances, the lack of public consultation. For example, the only information that we get on the PFI proposals is what we happen to read in the newspapers. There has been no attempt to bring elected Members in from time to time—we know that these people are busy—to explain to us exactly what is going on. One of the prerequisites for support is to involve not only elected Members but other organisations that might have an interest in the project. That involvement has been sadly absent.

In relation to the chairman's resignation, we never had a quarrel with him. In fact, at times, we had reasonable conversations with him. It became self-evident, however, that he and the trust were unable to control, and therefore to direct, the chief executive. Therein lay the problem. I am also aware that there have been press statements to the effect that we are against the chief executive because we lost the argument over the siting of the new hospital. When that decision was finally made, I accepted that the new hospital would be at Walsgrave, and I have never said anything publicly to suggest anything different. That particular red herring must be disposed of right away.

My hon. Friends and I were willing to assist where we could in developing the new hospital. We were prepared to meet Ministers and to go all the way down the road, because whatever we think about sites and the PFI, the most important thing is that the people of Coventry deserve a new hospital. They have been waiting far too long.

My hon. Friends, and my hon. Friend the Member for North Warwickshire (Mr. O'Brien) in particular, have said that the chief executive had 10 or 12 years in which to turn round the hospital. We appreciate that there were difficulties over the years with lack of resources, but that cannot excuse a lack of good management. As my hon. Friend the Member for Coventry, North-West (Mr. Robinson) said, there were problems between the chief executive, who had a job to do, and the surgeons.

I know that there is friction when talented people are being managed. In fact, everyone here knows that friction is inevitable, and we always recognised that the chief executive had a difficult management task and that he was attempting to secure a new hospital, but the fact that he spent most of the time drafting proposals for a PFI project and so neglected the hospital and the patients—we all know that waiting lists can result from that—speaks volumes. So, too, does the fact that he could not take a large number of people with him.

According to press reports, the chief executive has the support of most staff. He may well have it, but let me emphasise that what support he has is qualified, as it is being said that staff will give him three months to implement the Commission for Health Improvement report. Then, they may take a different attitude to whether it can be implemented. Like my hon. Friends, I have serious doubts about whether the CHI report can be implemented.

A number of colleagues want to speak, so I end by saying that, in the interests of the people of Coventry and the long-term interests of the staff and the new hospital, the chief executive should think about resigning as soon as possible.

Several hon. Members *rose—*

Mr. Nicholas Winterton (in the Chair): Order. Before I call the next speaker, I must point out that four hon. Members want to contribute. The Minister wants 10 minutes to reply, so there are eight minutes for those four hon. Members. If they are disciplined, they will all get in.

1.12 pm

Andy King (Rugby and Kenilworth): My hon. Friend the Member for Coventry, North-West (Mr. Robinson) said that, if the worst comes to the worst, we shall hold a public meeting on the issue. I can tell hon. Members and the Minister that there is no building in Rugby big enough to hold the people who would turn out to have Mr. David Loughton removed.

I do not like personalising such issues and I never have, but after almost five years of constant trouble for the residents of Rugby, I have a number of examples to refer to, some to do with basic care and cleanliness, and others of a serious nature which have cost the lives of Rugby people. There is no confidence whatever in Mr. Loughton's leadership of the trust.

The people of Rugby love their local hospital, but they have believed that it has no future ever since Mr. Loughton took over. We have had an uphill struggle. People had to come here with the chief executive and the chairman—who, I am glad to say, fell on his sword—to meet the Minister and secure a commitment on the long-term future of my hospital in Rugby.

We have no confidence whatever in Mr. Loughton's leadership. I shall give a few brief examples. A seriously ill patient who went into Walsgrave wrote to me to say:

> "Floor filthy, appeared mopped with a dirty mop and polish applied sealing in dirt, walls had splashes of what appeared to be vomit or excrement, curtains around the beds stained—corridors actually cleaner than the wards".

It is unacceptable that Mr. Loughton allowed the hospital to deteriorate into such a state.

I have other examples of people going into hospital only to end up in a very distressed state. A retired clergyman from my area had to pay for an MRI scan because he was so seriously ill. His biopsies were then lost and the process had to start all over again.

[Andy King]

I say to the Minister, please do not try to defend the indefensible. The people of Rugby have asked me to come here to demand that either Mr. Loughton takes the honourable way out and resigns immediately or the Minister removes him.

1.15 pm

Mr. Brian Jenkins (Tamworth): I congratulate my hon. Friend the Member for North Warwickshire (Mr. O'Brien) on securing this timely debate, although people may wonder why Tamworth should be involved with a Warwickshire hospital and why the debate is so timely.

I picked up today's edition of *The Mirror*, which carries a story about a Mr. Ron Cooksey of Tamworth. With regard to the death rate from bypass operations, a letter went out to explain to people, especially Mr. Cooksey, that they should not worry about the reports they have read because they are mere suggestions, but that is a denial of the truth. The letter says:

> "I would like to reassure you that the results in Coventry for non-emergency patients such as yourself are as good as they are anywhere in the country. In fact, over 98 per cent. of patients on our waiting list for coronary heart bypass surgery return home alive and well to enjoy a better quality of life."

That is a bit late for Mr. Cooksey. He died 11 months ago.

Mr. Cooksey was put on the priority list in September 2000, but taken off it in October. He died in November. Can Members imagine the distress caused to the family when that letter was received at home? Sending it shows a basic incompetence that I would not tolerate at any level, particularly in the health service. For Mr. Cooksey, the letter was too little, too late. Surely that is not the standard of service that we expect to be delivered in a modern health service.

1.17 pm

Mr. Bill Olner (Nuneaton): I, too, thank my hon. Friend the Member for North Warwickshire (Mr. O'Brien) for securing this debate and for giving us some of his time so that we can chip in.

In my constituency of Nuneaton, the Walsgrave hospital is of paramount importance. It is the big hospital to which most people in my area go when they have serious problems. Indeed, a great deal of work goes on between the George Eliot in Nuneaton and the Walsgrave. You, Mr. Winterton, represented north Warwickshire on the county council, so you know those hospitals very well.

I want the Minister to reflect on the letter sent to my right hon. Friend the Secretary of State for Health referring to the Commission for Health Improvement and the fact that the serious problems outlined today are not new. They have existed for seven years, but have not been addressed. Members of Parliament representing their constituents are not the only ones saying that this man should resign. The letter to my right hon. Friend carries three pages of signatures, and consultants and surgeons are saying that, following the CHI report, this man should go.

I hope that the Minister takes heed not only of the letter, but of the arguments we have made today.

Mr. Nicholas Winterton (in the Chair): We are grateful to the hon. Gentleman.

1.18 pm

Mrs. Caroline Spelman (Meriden): I thank the hon. Member for North Warwickshire (Mr. O'Brien) for sharing his time with us. I am here to show cross-party support, as this is not a party matter. The constituency of Meriden is also served by Walsgrave hospital, and I wonder how many more of our constituents will have to come to our surgeries with a litany of complaint.

I wrote to the Secretary of State, who replied that steps could not be taken because the current management should be given time to implement its action plan. I put it to the Minister that if the hospital were a school zero-rated by the Office for Standards in Education, it would be on emergency measures and an acting head would be brought in. If I were running a business and 99 of my 159 senior managers signed a letter stating a vote of no confidence in me, I would be left with no alternative. Why should a hospital, especially one where lives are at stake, be any different?

1.19 pm

The Minister of State, Department of Health (Mr. John Hutton): I echo the congratulations conveyed by many Members to my hon. Friend the Member for North Warwickshire (Mr. O'Brien) on securing what I think has been, on all counts, an exceptional debate. I have never before witnessed an Adjournment debate in which seven Members wished to participate. There is clearly a strong groundswell of opinion in Warwickshire and Coventry.

I am, of course, aware of the concerns about the standard of services provided by the trust to which my hon. Friends have drawn attention. I realise how strongly they—and the hon. Member for Meriden (Mrs. Spelman)—feel about the need to ensure that good health services are available to their constituents. Those concerns are fully shared by Ministers.

My hon. Friend the Member for North Warwickshire was right to begin by mentioning positive developments in the trust. There are such developments: the new renal dialysis unit at St Cross hospital, in the constituency of my hon. Friend the Member for Rugby and Kenilworth (Andy King); the new £1.2 million mobile MRI scanner to serve south Warwickshire general hospitals, the George Eliot hospital and University Hospitals Coventry and Warwickshire NHS trusts. We have been able to invest £6 million in the development of better facilities for linear accelerators.

Coventry and Warwickshire NHS trust has taken a lead as the English national pilot site for colorectal cancer screening, screening people aged 50 to 69 for colorectal cancer to confirm the effectiveness of early detection. It has also recently been accredited as a university teaching hospital. I am grateful to my hon. Friend the Member for North Warwickshire for doing what we should all do—express appreciation for the hard work and commitment of all the hospital's staff and also for their dedication to the well-being of the patients whom they serve.

I am also grateful to my hon. Friend for noting the progress of the new £290 million hospital in Coventry. I agree with my hon. Friend the Member for Coventry, South (Mr. Cunningham) that it is long overdue, but the investment is now being made. The hospital provides a huge opportunity for improvement in the standard of care and treatment available to the constituents of all who are present today. I know that my hon. Friend the Member for North Warwickshire has been a strong advocate of the reforms, and I am grateful to him for that as well.

I shall of course focus my remarks on the concerns raised by my hon. Friends and the hon. Member for Meriden about areas of poor performance. They are substantial concerns, which we take very seriously.

The Commission for Health Improvement's rolling programme of clinical governance reviews began in 2000. The University Hospitals Coventry and Warwickshire NHS trust review began in February this year. During that review, the commission examined the clinical governance structure in the trust, taking account of the views of patients, staff and local partner organisations in health and social care, and user representatives.

As my hon. Friend the Member for North Warwickshire will know, the commission published its findings in September. Its report stated that it had

> "found an absence of any strategic leadership on patient care and service issues across the three existing sites. In particular, capacity planning for both elective and emergency admissions and development of care pathways and A and E services are in disarray."

Those are exceptionally serious criticisms.

The trust board accepted all the report's findings and, as my hon. Friends will know, has produced a comprehensive two-year plan to address the issues. In the critical period of the first three months, the aim is to end the practice of placing five beds in four-bed bays, rebuild effective working relationships between clinicians and managers—which have been called into question by many who have spoken today—identify the reasons for higher than the national average mortality rates among non-emergency admissions, review the organisation of care between A and E departments to ensure the safe and effective care of patients, and refocus clinical and managerial leadership on the delivery of high-quality services to patients until the opening of the new hospital in 2005. Progress will be measured monthly by the regional office and there will be a joint formal assessment with the Commission for Health Improvement at the end of January 2002.

My hon. Friend mentioned the zero star rating given to the trust in the NHS performance ratings for acute NHS trusts, which were published on 25 September. As he will know, 11 other trusts in England were given the same rating. This is the first time we have assessed performance on issues that parents care about, such as waiting times, hospital cleanliness and the standard of clinical quality, as assessed by the Commission for Health Improvement.

All who spoke raised serious concerns about the trust management's ability to achieve the required improvements. My hon. Friend will appreciate that the positions of the chief executive and other senior managers are, in the first instance, for the trust board to address and resolve. I do not think that it would be appropriate for me to comment publicly in this debate on whether the chief executive should continue in his post. I hope that my hon. Friend agrees, however, that it would be neither fair nor responsible to local patients, other hospital staff or my hon. Friend's constituents to let poor performance continue without positive and firm action.

I assure my hon. Friends that when the management of a trust has been instructed to embark immediately on plans to improve performance within an agreed time scale and those plans fail to materialise, appropriate action will follow. That may involve a change in the senior management of the hospital concerned, including the chief executive. I have mentioned the trust's action plan to achieve the required improvements, which I think is the right way to deal with my hon. Friends' concerns.

Several Members expressed anxiety about the trust's performance with regard to heart mortality rates, identified as the highest nationally in the recent Dr. Foster publication. It is important to bear it in mind that the trust is a major acute and tertiary referral centre. I understand that, once adjusted to take account of issues such as age and clinical urgency, its figures are not significantly different from those in the rest of the United Kingdom.

Mrs. Spelman: Will the Minister give way?

Mr. Hutton: With the greatest respect, I will not. I have only a few minutes left, and I want to try to deal with all the points that have been raised.

I am told that the hospital has dealt with a higher proportion of surgical cases relating to patients over 75 than hospitals anywhere else in the country, has performed a higher proportion of emergency operations than the average, and has handled more complex cases than a number of other centres. I understand that the trust responded proactively to the publication, trying to reassure patients by, for instance, establishing a patients helpline and sending letters to individual cardiac surgery patients and health care professionals.

The case raised by my hon. Friend the Member for Rugby and Kenilworth is obviously deplorable, as is that raised by my hon. Friend the Member for Tamworth (Mr. Jenkins). I understand that the trust has apologised unreservedly to the family involved, but clearly this should never have happened.

I appreciate the concerns raised by my hon. Friends, especially that expressed by my hon. Friend the Member for Coventry, North-West (Mr. Robinson) about the difficulty of recruiting extra staff to the hospital. He said that it was proving impossible to recruit a medical director. I understand that one has now been appointed, and will start on Monday.

Mr. Geoffrey Robinson: The problem is that we are unable to recruit precisely because the chief executive remains in his place. As long as he is there, we shall not regain the confidence that is so vital to the three-month plan. We are now halfway through the plan. Following a vote by consultants, it has emerged that an

[Mr. Geoffrey Robinson]

unprecedented 66 per cent. are opposed to the chief executive. There is only one way in which to resolve the difficulty.

Mr. Hutton: I accept my hon. Friend's point but, although his concerns are obviously serious, it has been possible to appoint a medical director.

Mrs. Spelman *rose—*

Mr. Hutton: As I gave way to my hon. Friend the Member for Coventry, North-West, I shall be fair to the hon. Lady and allow her to intervene briefly.

Mrs. Spelman: That is kind of the Minister.

The figures in the Dr. Foster study have been adjusted. Having checked, I found that they had been adjusted in respect of both age and inter-hospital transfers.

Mr. Hutton: I am sure that the hon. Lady is right. I simply gave the information I have received. I shall make further and better inquiries when I return to my office.

I recognise that the concerns expressed today are very important. Patient safety must be paramount in the national health service at all times and in all places: that is why we have raised the profile of clinical governance in the modern NHS. The concerns need to be addressed quickly by the trust—but there are positive developments as well, and I am grateful to my hon. Friend the Member for North Warwickshire for mentioning them. The task of senior management and the trust board is now to ensure that sustained performance improvements are made as quickly as possible. We will not hesitate to take whatever action is necessary to ensure that that happens.

Mr. Nicholas Winterton (in the Chair): I congratulate all who spoke in the debate on their co-operation. It must be unique for eight Members, including the Minister, to deal with such an important issue in half an hour.

Affordable Housing (South Gloucestershire)

1.29 pm

Mr. Steve Webb (Northavon): I am very grateful for the opportunity to raise an issue that is brought home to me every week in my constituency surgery. In 1997, when I was first elected to Parliament, people very rarely came to see me or wrote to me about housing—the issue did not appear on the radar screen. The contrast between 1997 and this year could not be more acute. Almost every week, one or more families come to see me because their housing is inadequate; it may be too small, unsuitable for raising children or in the wrong area. One of the advantages of Adjournment debates is the opportunity they provide to express to the Government various concerns about the way in which policies, many of which were introduced by previous Governments, are being manifested and to seek a Minister's assurance on those concerns, so that I have more to tell my constituents than, "I'll write to the council for you, but the chances are that nothing much is going to happen."

The human stories of those who come to see me include that of a woman whom I shall not name who will spend this Christmas in bed-and-breakfast accommodation with her child. She came to see me some months ago, and I have done what I can to try to find housing for her, but the last letter that I received from the council said that there was little chance of getting her out of that accommodation before Christmas. I would not want my children and myself to spend Christmas in a bed-and-breakfast hostel, and I am sure that the Minister would not want anyone to have to do so unless it were absolutely necessary. None the less, that is the situation that we have reached in south Gloucestershire.

Another lady who came to see me is the mother of young children and a victim of domestic violence. She is very much the victim in the situation and has not herself created her own housing need. She left her husband, and is living with her children in a first-floor maisonette. If she needs to put out the washing on the ground floor, she has to take all her children with her because they cannot be left alone upstairs as the balcony is not secure. Although she is seven months pregnant, she has to carry a pram and other items upstairs.

Those are very human tales illustrating the unsuitability of social rent housing and, in the case of those folk, of council housing. I seek assurances in this debate that the Government's planned responses—I know that they are taking action—will match the scale of the problem. The number of social rent units in the United Kingdom has decreased in each of the past 10 years. Under Governments of both larger parties, the number of units has decreased from 4.5 million in 1991, to fewer than 4.3 million last year. There have been different policies and initiatives each year, but the number of units has continued to decline.

A couple of weeks ago, in an Adjournment debate on housing in this very hall, the Minister mentioned a target of 100,000 more units of affordable housing by 2004. That is a welcome target, but it compares with an estimate from the Environment, Food and Rural Affairs Committee that 60,000 to 100,000 units are needed not in the next three years but in every year. The estimate shows the scale of the problem facing us.

Although, this year, the Government have put more money into the Housing Corporation in an effort to ensure that more affordable housing units are built, fewer units have been built this year than in the last one. The reason for the continued decline is partly that units need to be built in areas where there are shortages of affordable housing, such as in the south, which is more expensive; and partly that, quite rightly, Government policy is that houses should increasingly be built on brownfield rather than greenfield sites, which again makes them more expensive. Therefore, although the money for housing construction has increased, the number of houses built has continued to decrease. I am not saying that it is an easy problem to solve, or that nothing is being done, but simply that the action being taken does not match the problem.

Although I am concerned in this debate primarily with affordable social rent housing, I recognise the issue of affordable owner-occupied housing. I am also aware of Government initiatives to make it easier for key workers to buy a starter home. My main concern today, however, is not the shortage of teachers and nurses in south Gloucestershire. I am talking about families who are in many respects just like mine; I could be in the same situation. There are just not enough houses to meet the needs of those families.

For South Gloucestershire council, there is a problem of both housing supply and housing demand. On the supply side, the council is obliged to honour council tenants' right to buy, and each year it sells on average about 180 council houses. In a typical year, however, south Gloucestershire's housing associations build not 180 units but only 80. Year after year, therefore, the number of social rent units in the area decreases by 100.

In 1998, the council commissioned an independent study that stated that simply to maintain current numbers on the priority housing waiting list, half of all new houses would have to be affordable. It is an extraordinary figure. The same study said that it is not feasible to believe that more than 30 per cent. of new houses will be affordable. Those figures alone show that the problem is likely to grow worse, but as I shall explain in a moment, only a tiny fraction of the new houses are affordable.

A big problem therefore exists on the supply side with right-to-buy sales not being matched by housing association new build. However, there is also a big problem on the demand side. Three years ago, in 1998-99, 400 households were accepted as homeless in south Gloucestershire. Last year, that figure had increased by almost one half, to 575 households. The figure covers only households who have been accepted as homeless; it does not include the long list of people whose houses are unsuitable or too small.

The pressure is growing because new legislation that my colleagues and I supported has given new groups entitlement to housing. It is quite right and proper that that should have happened, but it will add to the pressures on the local authority. The cost of owner-occupation in an area like south Gloucestershire also creates pressure on the demand for affordable rented housing. As they grow up, many young people cannot afford a first home, and so they end up living with their parents. As they grow older, they form relationships and partnerships and have children. Eventually, not merely the grown-up children but their partners and their own children are living in the family home. Eventually the strain begins to show, something gives and they cannot continue living there. As there are so few affordable owner-occupied homes, people in those households end up on the housing needs list. Therefore, although I am focusing primarily on rented housing, the problems of owner-occupied housing clearly have a knock-on effect on rented housing.

The average house price in south Gloucestershire is £101,000, which is four times the average salary. Those of us who have ever applied for a mortgage will know what that means. Moreover, the people who I am talking about are not earning the average salary; they are starting out in the job market and simply cannot get on the housing ladder. Consequently, we have decreasing housing supply but increasing demand for it.

How can we meet that demand? There are two principal elements to any Government response, the first of which is to use the planning process to ensure that a decent proportion of new build houses are affordable. That response would be fine in principle if it worked, but there are real practical problems. Paragraph 5.11 of the Government's December 2000 housing policy statement—on the rules allowing local authorities to use the planning process to offer affordable housing—states:

> "Although some respondents expressed concerns about the effectiveness of this process, we believe that the current policy already gives local authorities sufficient powers to deliver affordable housing through the planning system."

Although the policy contains a promise of good practice guidance and other relevant provisions, it maintains the principle that the necessary powers already exist. The problem is that if a local authority faced with a big new housing development told the developers that they had to provide lots of affordable homes, the authority cannot also say, "We would also like a primary school, a community centre, a library and highway improvements." The authority has to choose which requirement to impose. One of the problems for South Gloucestershire is that there is so much new housing and so little new infrastructure that the authority, for the sake of the new residents, sometimes has to say that the section 106 condition imposed on the development should relate to community facilities such as schools, thereby watering down the affordable housing requirement or requiring the affordable housing to be built somewhere else.

I have new figures from the authority which, I must admit, shocked me. Each year, between 1,100 and 1,600 new houses are built in the South Gloucestershire council area. The number of those that are affordable because of planning process requirements is not 1,500—which is the average figure—but 70. The planning process is therefore securing only 70 of 1,500 homes as affordable. That is barely 5 per cent, whereas, as I said, the housing needs survey said that 50 per cent. of new homes would have to be affordable simply to keep the waiting list at current levels and that 30 per cent. is the feasible figure. The Minister may say that the council has to choose its priorities between affordable housing or schools and community facilities, but she will understand the pressure on a rapidly growing area with lots of new housing. We need infrastructure as well as affordable housing, and I hope that she will respond on the specific point.

[Mr. Steve Webb]

My first inquiry is whether the planning system can be made more effective in securing affordable homes and I would be grateful for the Minister's reflections on that point. My second inquiry is whether the local government finance system could be used more effectively to support affordable housing. When I was a candidate in 1997, we had a book of standard answers, and I suspect that my answer on this issue was similar to the Minister's. If the question was what we would do about housing and homelessness, the answer was always to say that we would free up the council house receipts.

The Government did introduce a capital receipts initiative, which I naively assumed meant that houses would be built. However, when I tabled a question a few years later to ask how many new council—or socially rented—houses had been built because of the capital receipts initiative, the answer was only a handful. The initiative was not about building new council houses, but an authority that is selling 200 council houses a year should be able to do more with the millions of pounds in receipts to house the people who have not been able to buy a home and who are in real housing need.

Local government finance is a complex subject, but it is difficult to explain to people that they have no housing because the council is selling off all its council houses and the housing associations are not building new ones. Their reasonable response is to ask what happens to the money. I have to tell them that nothing can be done with some of it and some of it allows the council to borrow to renovate, but that it is not used to provide the quantity of new houses that are needed. I ask the Minister to consider whether the local government finance arrangements could be made to help the situation.

Given that I have a Minister from the Department for Transport, Local Government and the Regions in front of me, I cannot resist mentioning that as South Gloucestershire has the worst funding settlement for education and one of the worst for social services, and therefore has to spend above its standard spending assessment to keep those services going, the money for housing is even more restricted. That is a tangential point, but prioritising education and social services means that there is even less money to provide decent housing. Local government finance is part of the jigsaw.

The Housing Corporation, and the funding it receives, are also part of the story. The Minister will probably tell me that extra money has been put in. I do not doubt that, and I am grateful for it, but even if the Government's goal is reached, it is only 100,000 new homes. My concern is that my surgeries a week, a month, a year and three years hence will show that the imbalance between supply and demand has not been rectified. It is possible that the same people will come back and tell me that they came to see me a year ago but still have not got a proper home for their children to live in.

My constituency is not one of the most deprived in the country, but that does not mean that it does not have families in real need, especially those in bed and breakfast but also those living in places that are just not right to bring up children. After my constituency surgeries, I go home and say to my wife that if I could achieve one thing it would be to raise £1 million and spend it on building new, affordable houses, so that some of the good people I meet could have somewhere decent to bring up their children. That is what I expect for my children and it is something that my constituents should also be able to expect. I am grateful for what the Government have done so far, but my concern is that it will not tackle the problem on the scale that it exists.

1.44 pm

The Parliamentary Under-Secretary of State for Transport, Local Government and the Regions (Ms Sally Keeble): I congratulate the hon. Member for Northavon (Mr. Webb) on securing this debate and on his speech. I know that the provision of affordable housing is an issue close to his heart and I have answered several written questions from him on the subject. We have all had similar cases in our advice surgeries, and we all share his experience of the problems.

I agree that it is not acceptable for families to be in bed-and-breakfast accommodation at any time, but I can appreciate that it would be even worse at Christmas. As he probably knows, the Government have set up a bed and breakfast unit, which will try to reduce dependence on bed and breakfast, especially for families with children, for whom the use of such accommodation is inappropriate.

The hon. Gentleman also mentioned the victims of domestic violence. The homelessness legislation and associated priority needs order that is being considered should make them a higher priority and ensure that they are not returned to the place from which they have fled. I hope that legislation will ensure that greater attention is paid to the needs of the victims of domestic violence. That agenda will also be addressed by the supporting people programme.

The hon. Gentleman mentioned a constituent who is seven months pregnant and living in an upstairs property. That raises several issues, including overcrowding, which can often force people into inappropriate accommodation, and it goes to the heart of the issue—the supply of good-quality, affordable family housing.

Ensuring the provision of more decent, affordable homes lies at the heart of the Government's policy and we have taken action to achieve it. We have set ourselves a target of providing 100,000 new affordable homes by the end of 2004. To help us to meet that target we have significantly increased funding for new affordable housing. Over the past five years, the Housing Corporation has directed some £5.3 million of funding to South Gloucestershire, resulting—as the hon. Gentleman said—in the provision of 270 affordable homes, but we intend to do better. Investment through the Housing Corporation will rise to more than £1.2 billion by 2003-4, almost double current levels.

We have increased the resources available to local authorities, primarily to maintain and improve their own stock, but they will also be able to work with housing associations to increase supply. Total capital allocations for local authority housing are being increased from £1.2 billion last year to £2.5 billion by 2003-4. This year, our capital allocation to South Gloucestershire was some £5.85 million and an announcement about next year's allocation will be made next month.

Much of the hon. Gentleman's constituency is rural and we have put policies in place to ensure that the particular needs of rural areas are addressed. We have doubled the size of the Housing Corporation's programme to deliver affordable housing in rural communities from 800 in 2000-01 to 1,600 homes a year by 2003-04. The corporation has put in place a new rural policy that shows how it will build a rural dimension into all its policies and their delivery. One example of that is the fact that the corporation takes account of the higher costs of development in rural areas when drawing up its scheme cost criteria.

The hon. Gentleman is aware of the starter homes initiative, so I shall not dwell on the issue. However, I should point out that Knightstone and Sovereign housing associations, which operate in his area, have been allocated £1.7 million under that initiative to provide starter homes for about 80 key workers in south Gloucestershire and Bristol. I am sure that he will accept that the infrastructure of schools is no use without the teachers to work in them.

The hon. Gentleman mentioned his concern about allocations policies, especially in relation to domestic violence victims. The provisions of the current homelessness legislation will make it possible for local housing authorities to allocate housing to persons of a particular description. That will give explicit authorisation to the operation of local lettings policies, subject to the scheme as a whole giving reasonable preference to the named categories—those in priority need. I hope that that reassures the hon. Gentleman, who was concerned about making sure that the needs of local people were properly respected in the allocations policies, and about ensuring that the real pressure of need among homeless people was met.

The hon. Member for Northavon spoke at some length about the role of the planning system. I shall deal with that matter in detail, as some connected issues have been quite contentious. If there is to be an increase in the supply of affordable housing in the hon. Gentleman's area, some of those tensions must be resolved.

To increase the supply of affordable housing and to develop more mixed and sustainable communities, we are encouraging local authorities to make best use of provisions in the planning system to secure more affordable homes as part of mixed developments. Some authorities use the existing national planning policy framework extremely effectively to secure the provision of affordable housing. Over the past two years, permissions for as many as 30,000 affordable homes were negotiated, but many local authorities could do better.

I turn now specifically to south Gloucestershire. The authority's local plan aims to ensure provision of an average of 107 affordable homes per year between 1996 and 2011. The council has a target of negotiating for 30 per cent. of all dwellings built to be affordable.

The hon. Member for Northavon mentioned an overall figure that was, to put it politely, not very good, but a more detailed analysis makes it look quite a bit worse. Since 1996, the authority has achieved an average of only 57 affordable homes per year through the planning system. In each consecutive year, the proportion of affordable homes provided has ranged from zero per cent. to 6.3 per cent. of all homes built. Clearly, those percentages are well below the local authority's own target figure.

The Government published PPG3 in March 2001. It strengthened the hand of local authorities in seeking to secure affordable housing through the planning system. Regional planning guidance for the south-west, published this September, encourages local authorities, social housing providers and other agencies to work together to assess the need for affordable housing, and to deliver it.

Government have provided the tools, and it is now for the local authority and its partners to ensure that they use them as effectively as possible to secure the affordable housing that the community needs.

Mr. Webb: Is not there a local angle to this matter? If an authority has 500 new houses built, for example, it will not also need a new school or a whole new infrastructure, so it can demand affordable houses as the quid pro quo for the development. However, 5,000 new houses are being built in several areas, where entire new infrastructures will be needed. Those local authorities cannot simply demand that affordable houses should make up 30 per cent. of the development because no new infrastructure is needed. Does not the Minister agree that the number of new houses involved—whether a small number are being built, or whole estates—makes a difference?

Ms Keeble: Perhaps I can help by giving the hon. Gentleman examples of local authorities that have done interesting things and where the trade-off between schools and houses, for instance, has not taken place.

My right hon. Friend the Secretary of State announced recently that he intended to look at a range of options for providing more affordable housing through the planning system. That will include considering whether planning obligations on new commercial developments should require some affordable housing in the vicinity of the development.

I said earlier that some local authorities had made extremely good use of the planning system and had negotiated good arrangements with local developers, housing associations and other bodies to secure a good supply of affordable housing. To prove that I am not politically partial in any way, I direct the attention of the hon. Member for Northavon to Taunton Deane council, which is near his area, and to Hackney. Those councils have been exciting and innovative and have succeeded remarkably well in producing good-quality, affordable and sustainable housing.

Local planning authorities must also look at whether existing provision for housing will help to deliver affordable homes and more sustainable communities. The PPG3 document points to the need to review unimplemented planning permissions which, for example, do not take sufficient account of the need for higher-quality development that makes more efficient use of land. Our comments on the south Gloucestershire local plan pointed to a lack of evidence that the council had done that. More could be done by the council to encourage development of a type and density that will produce homes that are more affordable.

The hon. Member for Northavon also asked about financial arrangements, and referred to the answers that he was able to give constituents in his advice surgeries.

[Ms Keeble]

He is braver than I if he is willing to explain the intricacies of local government finance to constituents coming to his surgeries, but I assure him that the issue will be raised in the local government White Paper to be published shortly. In addition, the Government have recognised the need to get extra investment into housing in particular. That is why some of the options now open to local authorities, such as stock transfer, arm's-length management and the provisions in the forthcoming White Paper, will make it possible for them to lever in more financing. I hope that the hon. Gentleman will explain to his constituents that more money will be made available—although he might not trouble them with all the intricacies of the mechanisms involved.

I turn now to the matter of providing enough homes for the whole community. A key aspect of meeting the need for affordable housing is to make sure that the planning system will deliver sufficient homes for the whole community, in the right places and at the right time.

In the former county of Avon, which includes south Gloucestershire, more than 70 per cent. of household growth arises from the existing population. Local people will therefore be hit hardest if the planning system fails to provide sufficient homes for them. They will be unable to obtain housing that meets their needs and, as the hon. Member for Northavon has suggested has already happened, the price of existing houses will increase.

Moreover, there will be more instances of enforced sharing and of people living in inadequate accommodation. People in such circumstances might be covered by the term "the hidden homeless". There are therefore real incentives for local authorities to ensure that they achieve their targets for the provision of affordable housing for people in their areas.

The hon. Member for Northavon will no doubt recall that my right hon. Friend the Deputy Prime Minister, when he was Secretary of State at my Department, directed South Gloucestershire and the other authorities in the former Avon area to increase the housing provision in their joint structure plan. One reason for that direction was that the plan's provision was insufficient to meet the housing requirements of the whole community, including those in need of affordable and special-needs housing.

I shall not develop the point further, but I am sure that the hon. Member for Northavon will understand that the planning system cannot play its full part in helping to deliver affordable housing if local planning authorities do not provide enough new homes for the whole community.

The hon. Member for Northavon mentioned the role of the private sector, and we should not ignore the role of the private rented sector in helping to take the strain of providing more housing. The Government are committed to continuing to pursue our strategy of encouraging investment in this sector and of improving standards of quality and management. I hope that legislation will be introduced to cover those matters soon.

I began by saying that this Government share the concerns of the hon. Member for Northavon about the need to ensure a sufficient supply of decent, affordable housing. I do not pretend that we have all the solutions, but I am confident that the measures that we have put in place will make a real difference in helping people to find homes, and in dealing with some of the real human problems that the hon. Gentleman identified—such as those faced by victims of domestic violence, by women who are trapped in unsuitable accommodation, and by people living in bed-and-breakfast accommodation with their children. The latter encounter special difficulties at Christmas.

However, the Government cannot deliver change alone. We need to work in effective and imaginative partnerships with local authorities. Where we have been able to do that, the process has worked extremely well.

The hon. Member for Northavon should go and see the high-quality housing being produced now, partly as a result of the guidance in publications such as "Better Places to Live". The Department is working to promote good standards and to ensure that the right numbers of housing units are developed. That housing is not confined to big council estates, as used to be the case, but is now taking the form of individual units that people want to live in. The Government aim to give people decent and affordable homes in sustainable communities.

Question put and agreed to.

Adjourned accordingly at one minute to Two o'clock.

Westminster Hall

Thursday 29 November 2001

[SIR ALAN HASELHURST *in the Chair*]

Public Participation

[Relevant document: Sixth Report from the Select Committee on Public Administration, Session 2000-01, HC 373.] Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Kemp.]*

2.30 pm

Tony Wright (Cannock Chase): It is a great pleasure to be able to introduce the sixth report of the Public Administration Committee in 2001 and to use it as the basis for a debate on public participation. The report was published in April of this year and was based on 10 sessions of oral evidence taken from 34 witnesses between November 1999 and April 2000. The Committee was greatly assisted in its work by our specialist advisers Professor Vivien Lowndes and Professor Patrick Dunleavy. An innovative feature of our inquiry was an online consultation sponsored by the Hansard Society. It was the first time that a Committee of the House had conducted such a consultation, and it has been followed by others. The Government replied to the report, and their reply was the subject of our first report of the current Session.

The background to our inquiry was our desire to know more about the innovations that were taking place in public participation in this country and to find out what lessons we could learn, what improvements we could make and how that participation contributed generally to our democratic system. I have been worrying and thinking about the question of public participation for 40 years, and I am not sure that I am getting much further in my thinking on it. As I was thinking about this debate I could not help but remember—I see some faces of the same generation here—the golden age of the 1960s, when we were students going to demonstrations and doing things to change the world. The student revolutionaries in France had a wonderful slogan, which we wrote all over the walls. It was a conjugation of the verb to participate, which some hon. Members will remember. It went: "I participate; you participate; he, she or it participates; we participate—they decide." That was the sting in the tail. Lots of wonderful participation was going on, but somehow it was not changing things much because "they" were still deciding.

We are still worrying about the same issues. The perfect text for this debate would come from the writings of the great 19th-century thinker on these matters, John Stuart Mill. Mill said, famously, that

> "any participation, even in the smallest public function, is useful".

He meant that participation is useful in the development of citizenship. If we are serious about having a society based on a notion of citizenship, with people contributing to the common good, thinking about the public interest and taking part, then participation is essential. That is the elusive classical goal that we have pursued year in, year out, often seeming not to get much closer to it.

I want to talk about the positive things that we discovered. I also want to say a few cautionary things and to finish with a warning or two. One positive thing is that we discovered a huge amount of participation. We say in our report:

> "Our broadest conclusion from the very wide range of evidence sessions that we have held is that the period since the middle 1990s has seen an explosion of interest in involving the public more frequently, more extensively, and in much more diverse ways in the conduct of decision-making within the public services."

There has been an explosion of participation, some of it extremely encouraging to those of us who have been pursuing this holy grail for so many years. For me, the most striking moment of our inquiry came during a visit to the north-east some months ago. We sat in the board meeting of a sure start project. Sure start is a great Government initiative that sought to involve community and user representatives in its organisation. At the board meeting, one single parent said that it was the first time that anyone had ever listened to her. That is what it is all about. It is important that such a person, who thinks that she is taken for granted and never listened to, has a voice and can contribute to the policy and decision-making process.

When public participation works, it works well, and we should celebrate this initiative. We should celebrate all the forms in which public participation is already possible. For many years, I was involved in training school governors. There are about 300,000—more than a quarter of a million—school governors at work in our schools. Those people must be celebrated because they do work in the public interest and they need far more support than we give them. We take them for granted and lay many obligations on them, but they are models of public involvement. I am glad that the Government are trying to spread the participatory model across the board.

There are now far more opportunities to participate. New technologies allow people new ways of participating, which we should explore. That is mentioned in the report. The report also welcomes the new initiatives and the Government's improvements to their methods of consultation. Consultation used to be a dirty word or a joke, and people thought that it was merely a statutory process. Now, through the efforts of the Cabinet Office, there has been some attempt to establish a system and to ensure that all public organisations follow a serious and co-ordinated process of consultation. We welcome the fact that, through the new deal for communities and in many other ways, the public are being brought into the decision-making process. We welcome the long-overdue initiative to develop citizenship education in schools. It is a scandal that, in terms of basic civic education, we have lost a generation.

Vernon Coaker (Gedling): Does my hon. Friend agree that many schools, including the school where I was a teacher, try to offer political and civic education? A deeper question for us is how to make that civic and political education effective. That presents a real challenge to which we must give a great deal of thought.

Tony Wright: I am grateful for that intervention. I feel as if I am revisiting my past, as, I suspect, do other hon. Members. When I used to work in adult education, I

[Tony Wright]

remember writing about political literacy and arguing how important it was. We have wasted a generation, both in schools and beyond schools. Some 20 years ago, we knew how to deliver civic education. Some good materials were produced for civic education in schools; unfortunately, there was resistance to the idea.

Over the years, I have taken part in exchanges on the subject in the Chamber. The previous Government told us that civic education would be ideological propaganda. We could not get the message across that equipping people with some basic civic tools when they left school would mean that they would know how society worked, who took the decisions, and what they could do about things. Such an ideological blockage seems extraordinary. Other countries do not suffer it, but we did. We are now having to catch up, and we are paying a huge price as a result. That is why I welcome the positive initiatives that are taking place, but we want to build on them.

I shall quickly mention a few matters in our report on which we sound a cautionary note. We say that many initiatives need to be better co-ordinated, so that they are all pointing in the same direction instead of going off at different angles. We believe that the Cabinet Office is best placed to do that. We sound a warning about the explosion of what might be called official participation; almost every public programme has participation built into it—for example, it is central to the best value revolution in local government. That is to be welcomed, and it is having a good effect. The danger is that regarding the activity as a statutory hoop that has to be jumped through will devalue it. If it is an obligatory ritual, it will not achieve what was intended.

Brian White (Milton Keynes, North-East): Does my hon. Friend accept that that is exactly what has happened to the planning process? People go through the routine of making objections, but it does not affect the planning process, hence the need for the Green Paper, which is to be published shortly. That is what can happen to a good form of consultation.

Tony Wright: I agree with my hon. Friend. It can produce cynicism if people believe that the process is merely something that has to happen; they almost become bit players in the process, arriving at decisions that are already made. It is crucial that we get it right. I emphasise the importance of people knowing that their participation is for real, and that it can affect the outcome. We should not allow public sector managers simply to tick a box to say that they have done the participation bit; participation should contribute to the decision-making process. If it does not, we will genuinely undercut all the good things that are happening.

We have sounded some cautionary notes. We also issue some warnings. I want to go beyond the Committee's report, but I am probably not entitled to do so. The rise in official participation cannot compensate or substitute for the wider civic disengagement that is taking place. We cannot say that the officially sponsored participation that is now going on all over the place will somehow offset the evidence of a larger civic disengagement. It is not true, and we need to resist the idea. Similarly, the Committee argues that the new methods of participation—they include some wonderful techniques, such as citizens' juries and deliberative polling—cannot substitute for the decline in traditional electoral participation, because it is in electoral participation that public interest eventually has to be defined, negotiated and thrashed out. Other forms of participation will enable sections of society to put their points of view and express their interests, but it is through the formal political process and elections that public interest must somehow be decided.

People do not like political parties or politicians, and who can blame them? That comes through as the consistent theme of the evidence. However, we have to define as a society what public interest is through political parties, politicians and elections. It is through those that we have to aggregate all the sectional interests and come up with some view of the common good. Although people say that our society is alive with protest—there are animal rights people, fuel protesters and endless others involved in varieties of modern protest—that has nothing to do with an engagement in defining a public interest. Such people are engaged in trying to express a specific interest. Both aims are legitimate, but they are not the same. The fact that we have trouble with one cannot be substituted for by saying that the other is taking place.

There is special interest at the moment in the decline in electoral participation. We warned about it in our report before the general election, saying that what was taking place was no mere cyclical trend but something more important. We said that some evidence suggested that turnout in the general election might be as low as 60 per cent., and indeed it came down to 59 per cent. That is the lowest turnout in any general election since 1918, when universal suffrage began in its modern form. Some would argue that it was probably the lowest turnout ever in our country, given the circumstances in 1918.

The situation is even worse in local government. The average turnout is about 29 per cent., which shows a massive disengagement in the local political process on the part of the population.

Mr. Gareth R. Thomas (Harrow, West): My hon. Friend will not be surprised to hear me say that I agree with much of what he has said. I encourage him to suggest to the Committee some further work on the narrow part of the subject that we are discussing. It is time now for the Committee or some other body in the House to study seriously the merits of compulsory voting.

Tony Wright: If my hon. Friend will bear with me, I will make some remarks on that subject in a moment.

Many explanations have been made for the collapse in local and national participation, and I shall not detain hon. Members by listing them all. They range from universal contentment to universal discontent, and we could take our pick. Some seem more useful than others. On the whole, people vote more when elections matter more. If people think that an election does not matter, they will not vote. Evidence shows that there was a 10 per cent. higher turnout in the 100 most marginal seats than the 100 least marginal seats.

One of the most telling explanations was given in a letter that a gentleman—he was not a constituent of mine—sent to me the other day. People write to us to sound off and tell us what they think on various issues. He made a litany of complaints about his life. The health service was not working for him, there was crime in his neighbourhood and his neighbourhood was changing in character. He could list all kinds of things that were wrong with his life and with society. He ended by saying, "And you expect us to vote?" That was quite profound, because he really meant, "You expect me to bestow legitimacy on you when you are not making my life better."

This is not a narrow partisan political point. I am talking in a rather general way. If people feel that politicians are not making their lives better, and that they can do nothing about their circumstances, the act of voting becomes a legitimising act that they are not prepared to bestow on the system. They were prepared to do that, perhaps, when they were motivated by civic duty and thought that they simply had to vote. However, such people are disappearing. We must put the argument to new kinds of people who will vote and legitimise the system only if they think that it is doing enough for them.

There are many explanations and, to come to the point made by my hon. Friend the Member for Harrow, West (Mr. Thomas), many suggested remedies. I shall not discuss those except to say that some are quack remedies. Some confuse symptoms with causes. One could respond, when people stop going to church, by making church attendance compulsory and locking people up if they did not go. That would be one way of dealing with the rise of secularism and the decline of organised religion, but it would be pretty stupid and would not work. Taking the view that people should be made to vote is a similar approach. It identifies not the problem but its consequence or symptom.

Other people advance other propositions. There are no panaceas, but a more plausible answer is to consider different voting systems. No doubt other hon. Members will want to comment on that issue. There is evidence that systems of voting other than first past the post lead to higher turnouts. That is true internationally and seems to be true here.

Mr. Gareth R. Thomas: Does my hon. Friend think that people have a responsibility to vote? One can be frustrated with the health service or with crime in one's neighbourhood, to use the two examples that he gave from the letter that he received. Someone wrote to me about animal experimentation and hunting and made the same point about compulsory voting. However, do citizens not have a responsibility to cast their judgment on those who seek to lead them and to make decisions here in Parliament?

Tony Wright: I have no problem with that principle. I am as firmly signed up to the idea of civic duty as anyone. However, I do not think that one can legislate for it. To do so is likely to be counterproductive. It is necessary to find another route to civic duty and virtue. It is not true that passing a law will somehow produce civic virtue.

Mr. Thomas: We legislate with respect to civic duty all the time. We require people to pay taxes even though they may not like the way in which they are spent. The duty to go to the polling station once every five years is, to be sure, much less of an imposition than many others.

Tony Wright: Let me try another argument on my hon. Friend. I have a sense that if one were to tell the disenchanted British public, who did not much want to go to the polling station, "Thou shalt go, on pain of penalty," it would make our relationship with the electorate worse, not better. That is my judgment and my hon. Friend may agree.

Other people come to the issue from a different angle, and, in a sense, I am more interested in their arguments. They say that we should reward civic virtue, not punish civic vice. They say that we should reward those who exhibit civic virtue and a sense of civic duty by, for example, knocking £20 off their council tax. They say that there should be inducements to be virtuous. I am not saying that I have signed up to that idea, but I am more attracted to it than to arguments from the other angle.

There is more interest in the voting system approach, and there is more evidence to support it. I cannot understand why the Government will not—at least at the local level, where the situation is far worse—encourage experiments with different ways of voting. I do not mean that people should vote in supermarkets or at different hours, but that local authorities should try different electoral systems. We would probably learn that we could increase turnout and encourage people to engage far more in local government. I want the Government to go down that route.

The last sentence in the report reads:

> "It is not enough to lament the decline in electoral participation; the challenge is to reverse it".

I do not have time to develop the point, but the British have a problem in that regard. There are problems with levels of interest, engagement and turnout everywhere, but the British have a particular problem with engaging in politics. We live in a top-down political culture. We do not expect much of people, other than that they should put a cross on a piece of paper every four or five years. There has never been much civic energy or civic engagement. The United States has lousy turnouts, but, my God, people have civic energy. Everyone is always organising around a variety of issues, but we do not do that. The argument has always been that we need a Government who can govern and that we want top-down, strong government. We do not involve people very much and we have destroyed local government. We have not nourished forums for civic activity; we have let them wither, and we have paid a huge price.

Our political culture is hostile to extensive political participation. That shapes the way in which we go about politics in this country and in Parliament. Parliament is our central institution, but, I am afraid, it is a great turn-off. People simply turn away from it; they see the pantomime here and want nothing to do with it. They think, "If that's politics, it's not for us." We must be grown up about the issue. I am sorry that I have made my points in shorthand. There are larger arguments behind them.

[Tony Wright]

The Government reply to our report was full of worthy and commendable comments. We felt, however, that they had not grasped the seriousness of what was going on. We therefore added some words of our own when we published the Government reply. We said:

> "the situation has changed dramatically in the last few months as the crisis in public participation has deepened. The problem can be summed up in one stark statistic: 59 per cent.—the figure for the turnout in the June 2001 General Election. Not since the extension of the suffrage in 1918 has there been such a low level of participation in the electoral process. The reasons for it may be debated, but not its seriousness for our democracy. ... We find it extraordinary that this collapse in electoral participation, put alongside other evidence on civic disengagement, has not been treated as a civic crisis demanding an appropriate response. Political life has simply continued as if nothing has happened. We believe that a Democracy Commission should be established as a matter of urgency to consider how this crisis can be responded to constructively and with imagination".

That is what I want to leave hon. Members with. It is not business as usual—this is a genuine civic crisis.

The Government should have responded officially to the collapse in electoral participation by immediately setting up a democracy commission to find out what was going on. That would have indicated that they thought that the matter was serious and wanted to find out what was wrong with our democracy and to do something about it. We do not have John Stuart Mill to put in charge of such a commission, so I suggest that Billy Bragg would be the man. If the Government are not going to act—if there is not to be an official enterprise—then something should be done unofficially.

The response that we have had as a result of raising the issue has been interesting. A number of organisations have said to me, "This is a very good idea; what can we do about it?" I hope that a non-governmental consortium of public interest groups will come together to set up a commission and take the matter forward. It might conclude, rather as Bertolt Brecht did, that the real job is to elect a new people. However, I suspect that it will conclude that the problem is closer to home.

3 pm

Richard Burden (Birmingham, Northfield): I congratulate my hon. Friend the Member for Cannock Chase (Tony Wright) on his speech and on bringing the matter before us. I very much related to his opening remarks, when he said that many of us felt as though we had been here before. I began to wince when he referred to the 1960s, "when we were students". I should like to put it on record that I was not a student in the 1960s, but if he had referred to the 1970s I would have owned up. I notice that during that exchange, the Minister was looking superior. In case he did not hear me, I was complimenting the Minister on his youth.

The report raises some of the most important issues that we have to deal with as parliamentarians, addressing not just our ability to do our jobs, but—as my hon. Friend rightly says—our legitimacy in doing those jobs. I welcome the way in which the Committee has tackled it, and many of its recommendations. Some people say that low turnout, whether in local, national or European elections, is either a sign that everybody is happy or a sign of apathy—that large numbers of people are just not interested in the issues that politics is meant to be about. Both of those analyses show a worrying complacency. Democracy works only if citizens feel engaged in the political process.

In my experience, particularly of speaking to young people, among whom low turnouts are a great problem, there is no evidence that people are not interested in the issues. They are exceptionally interested, and very willing to talk about jobs, the health service, the future of the environment and the opportunities for them and their children. They have a great wish to become involved. However, they are sceptical about the political process—or what they see as political arguments with a capital P; those made by politicians. They see them reported on television, or they read about them in the newspapers. They are sceptical about whether we reflect their concerns and are interested in the issues, at least in a way that affects their daily lives.

It is vital that we take a good, hard look at ourselves, at what we do, at the way in which we do it, and at how we can improve our connection with the people whom we represent. I should like to consider a couple of aspects of that.

First, I hope that we do not establish no-go areas before we start—areas for discussion that are out of bounds. My hon. Friend the Member for Harrow, West (Mr. Thomas), who is not in his place now, is an advocate of compulsory voting. I disagree; the arguments made by my hon. Friend the Member for Cannock Chase were persuasive. However, we should have the debate about it—why not?

In their response to our report, the Government sanction local government to experiment with new arrangements for how people vote, where they vote and the times that they vote. I welcome that; it is very important. However, I agree with my hon. Friend the Member for Cannock Chase on one matter. My heart sank when I read the following in the Government's response to the Committee's report:

> "Local authorities now have power to experiment with different voting arrangements at local government elections. These can cover when, where and how voting can take place and how votes are counted, though not the system of voting itself."

If we are serious about considering causes and solutions, why should we not consider the system of voting?

It is well known that I support electoral reform and more proportional voting arrangements at Westminster and in local government, which would allow greater openness of political debate and greater creativity between and within political parties. I know that others disagree with that, and they are entitled to do so, but why can we not have the debate? Why can we not try something different in a chosen local authority area and see what happens? I have said that a change could increase connection. Is that rubbish, or could it make for a healthier democracy? It is rather strange that, when we want to examine why there is disconnection, we insist on uniformity in local government voting systems. Will the Minister think about that issue and refer to it in his reply? The Government's response to the report seems somewhat illogical in saying that voting systems are out of bounds. However, whether it is logical or not, it is wrong. If we want to consider how to re-engage people, those areas should not be off limits.

When we consider local electoral arrangements, we should consider the House of Commons, too. Our manifesto promised a review of how Members of Parliament were elected. I think that we should get on with that review, which should be open and accountable, and receive evidence from people with as wide a range of interests in civil society as possible. We do not have to start from scratch, because the Scottish Parliament and Welsh Assembly are seizing that nettle and finding out what can happen by actually doing something. Why is that such a problem for the House of Commons?

Even though it is often not linked to public participation, the debate on which we are about to embark on the future of the second Chamber is relevant to how we may encourage participation. All too often, the future of the House of Lords is discussed as if it were a purely parliamentary issue. The sides are often drawn up between those who say that, if we have a second Chamber, it must have democratic legitimacy to scrutinise the actions of the Commons, and those who say that the second Chamber must not undermine the democratic legitimacy of the Commons and its ability to put through the legislative programme on which Members of Parliament are democratically elected. Those issues are important, but all too often the people left out of that discussion are the public. All too often, the debate consists of one set of parliamentarians arguing about their relationship with another set of parliamentarians. Perhaps we should start to look at those matters the other way round.

If we need a second Chamber to scrutinise the decisions of the lower House, should we not first consider how we can make scrutiny in our House more effective? Perhaps there are ways in which we can ensure better accountability to, and scrutiny by, the people who elect us, by making our proceedings more transparent and fashioning new local dialogue between MPs and constituents.

What we end up with will be light years better than the anachronistic hereditary principle. One remote institution scrutinising another is not the best way forward. We must be bolder in reforming the House of Commons. Recent modernisation measures have made more progress than ever, but we have only begun to scratch the surface. As I said about the voting system, we should not consider anything off limits.

I regret missing the speeches made yesterday in the Chamber by my hon. Friends the Members for Cannock Chase and for Nottingham, North (Mr. Allen). My hon. Friend the Member for Nottingham, North is to be congratulated on having the courage to ask whether we need a greater separation of powers between the Executive and the legislature. That is an important issue because executive and legislative functions are different. We would do democracy a service by accepting that and adopting reforms to help Parliament exercise its role as legislature, and the Government theirs as Executive.

If we are to strengthen the connection between the political process and people, we must consider the regions. The regional dimension has already taken off in some UK nations—Wales, Scotland and Northern Ireland—but it must do so in England too. That process is often perceived as a way of making local government functions more strategic, which is entirely wrong. If we want politics to be closer to people, we must make it clear that regional politics is about devolving power from Westminster and Whitehall, not clotting together the power of local authorities. If regions want assemblies, we should let them get on with it. We must avoid over-prescription and develop new ways of working. I hope that we do not develop a regional version of what we do nationally and what local authorities do in towns, cities or boroughs.

Earlier, I criticised part of the Government's response to the Public Administration Committee's report. However, one part of their response made a telling point:

> "A healthy civil society, needed to underpin effective public participation, also means a healthy and engaged voluntary and community sector. Voluntary and community organisations offer a unique opportunity for people to articulate and tackle common interests and needs, and so develop forums for debate . . . which give people the skills for negotiation, persuasions, open-mindedness and self-organisation which are crucial to a healthy democratic culture."

That is absolutely right. My wife works in the voluntary sector. One day we compared our roles because, as politicians, we like to polish our democratic badges. We often refer to what our constituents tell us almost as if we had visited every one of them and knew exactly what they were saying. We say that because we feel that we were elected to our jobs and we have a great democratic legitimacy, and to some extent, we do.

My wife and I compared, on a day-to-day level, who had more accountability and who had more connections with life in the community in which we live, which was an interesting exercise. I do not think that I am a bad Member of Parliament or that I am less diligent than other people, but if elected politicians make such comparisons and do the sums about numbers of people, we do not always come out too well.

If we are to tackle the public disconnection from political institutions, we elected politicians need to recognise that although we are an important part of political life, we do not have a monopoly on it. That is why I very much related to what my hon. Friend the Member for Cannock Chase said about his discussions in the north-east with a woman who was involved with sure start. That made the point well.

It is good to see that people in some areas of conventional political life are starting to address the issue. For instance, in the next week or so, there will be a constitutional convention in Birmingham. It will be set up, organised and promoted by the city council to consider the engagement between the conventional political process and the myriad community organisations, voluntary sector organisations and strategic partnerships that are taking off. My hon. Friend is right: there has been an explosion of such partnerships. We need to make sense of that and to work out how they can mesh together. Again, when we try to bring things together, let us not impose a straitjacket on such organisations that prevents them from making their contribution.

All too often, we go for neatness. When establishing partnerships, we too often make their boundaries the same as those of the ward, because we understand wards—they are the constituencies of councillors. However, wards do not necessarily reflect community identity. In Birmingham, that is absolutely the case.

[Richard Burden]

Wards are made up of between 17,000 and upwards of 20,000 people. When considering how to fashion local organisations, we need to be prepared to be flexible and to ensure that political structures relate to community structures, rather than try to shoehorn the community's feelings into things that we find convenient. That will not work.

If we can acknowledge those issues, we may stand a greater chance of helping people to fashion new political forums from neighbourhood level upwards—whether they be in the community or on-line—that will help us to achieve the important initiatives and to address the important issues that the Select Committee has brought to our attention today.

The idea of a democracy commission is imaginative. We need to hone aspects such as its functions and its establishment, but the matter is urgent and I hope that the Government will give it serious consideration.

3.18 pm

Vernon Coaker (Gedling): The speeches by my hon. Friends the Members for Cannock Chase (Tony Wright) and for Birmingham, Northfield (Richard Burden) have raised fundamental issues. The most important points are that nothing should be off limits and that the proportions of the crisis should not be underestimated. In introducing the report, my hon. Friend the Member for Cannock Chase, the Chairman of the Select Committee, was right to use the term "crisis". We often use that word inappropriately, but the level of disaffection and disconnection from the political process that is reflected in voter turnout and in other ways simply cannot be ignored, nor can its importance be underestimated.

The Committee and its Chairman are to be congratulated on producing the report and giving us the opportunity to have this debate. As has been said, the turnout in 2001 was low at 59 per cent., but when we consider that it was the lowest since 1918, and that it was down from 71 per cent. in 1997, we realise that it is a phenomenal and staggering figure.

3.19 pm

Sitting suspended for a Division in the House.

3.35 pm

On resuming—

Vernon Coaker: As I was saying, this debate is important. We must recognise and deal with the low turnout and the level of apathy that that signifies. The turnout at the 2001 general election was, at 59 per cent., the lowest since 1918. The document "Social Indicators" in the Library provides a more detailed breakdown of the figures. Men are shown to be marginally more likely to vote than women. Fewer than four in 10 of 18 to 24-year-olds voted—a troubling figure—compared with seven in 10 of over-65s.

More than two thirds of the relatively affluent social classes A and B voted, compared with not much more than half of classes D and E. Turnout was also relatively low among the unemployed, private sector workers and those renting private accommodation. Another worrying figure is that three in five white adults voted compared with only 46 per cent. of non-white British citizens. Those figures are interesting, but troubling. They show that something is wrong, particularly with respect to young people, marginalised groups and ethnic communities. We must try to explain why that is and what can be done about it.

My hon. Friends the Members for Cannock Chase and for Birmingham, Northfield have already pointed out the contradiction between the level of interest in politics and the level of interest in decisions that truly affect people. People feel passionately about controversies in their own communities, the building of schools, the shutting down of services and so forth. Animal rights, aid and development, the environment and other national and international issues engage people. Those of us who visit schools, places of work or who talk to community groups know how passionately people feel about such matters. People are interested, knowledgeable and able to argue their points of view. Yet when it comes to voting, many of the same people who are passionate about bringing about better government or a better world do not bother. That is most worrying.

We must be honest. The Government, local authorities and public bodies will say that they often propose initiatives to involve people. The education White Paper and various other Bills highlight the role of consultation. Councils and other public bodies consult on many issues, yet we are still unable to crack the nut.

Brian White: Is one of the reasons why people do not engage in consultation that they do not believe that the final policy will reflect their input? Is lack of transparency the cause of the problems?

Vernon Coaker: That is absolutely right. Consultation takes place, but people do not feel that they can affect the outcome. We must build confidence in consultation processes so that people feel that their opinion is listened to and taken into account, and not just included in a report. It must be seen that the opinion that they have expressed influences or changes the decision that is made.

If all public consultation means—as my hon. Friend for Cannock Chase has said—is that a box is ticked, and if it does not mean that local people influence decisions or the Government, it will make not one scrap of difference to how people feel about the political system. In fact, it will make their feelings worse because the cynicism that is engendered will increase.

Mr. Mark Oaten (Winchester): I agree entirely with the hon. Gentleman's point, but there is a contradiction. Occasionally, when referendums are held—something in which the public definitely have a binding influence on the outcome—there are still low turnouts.

Vernon Coaker: That challenges all of us, but my point is that there has been a breakdown in trust and in terms of people feeling engaged in the political process, even when such opportunities are offered, because they feel that we are going through a cosmetic or hollow exercise. Even though we may, now and again, give the public something that is not hollow or cosmetic, they feel disengaged from the process and cynical about it. The problem for us is how we reconnect people with the political process. The report talks about easier voting procedures with longer polling hours, and such matters are important. Indeed, the regulations for easier postal voting have made a significant difference, as I know from my own experience. The changes are not to be sniffed at, but they may not be sufficient on their own.

On the question of how we get more people to vote, it is important for us to re-enter the discussion about the importance of voting. At elections, people make a choice about the sort of Government or council they want. We need to start restating that fact, and the importance of civic duty, whether that is by compulsory voting—which I personally do not favour—or not. We have to persuade people of the importance of voting.

We need to empower people, yet too much is being done to them. We talk about the devolution of power, yet on regeneration boards, youth committees or youth councils, the partnership that is talked about means a token position for someone as member of the board, or there is token consultation. No real power is given to those individuals; no real power is given to the people.

If people do not have real power or a real say, why should they engage? Why should people go to a meeting if they feel that they are not influencing it and are just being tokenistic? There is an element of risk, and we have to trust our local communities. They may get it wrong, but that is a price worth paying if we re-energise the political process locally.

My hon. Friend the Member for Birmingham, Northfield spoke about voting systems. Nothing should be off the agenda, and I passionately feel that we should seriously consider reducing the voting age to 16. It is an anomaly that young people can work, have sexual relationships, pay their taxes, get married and be put in prison, but cannot vote. Newspaper photographs recently showed a 17-year-old on HMS Illustrious who was going out to the Gulf. That young person was in the process of putting her life at risk on board a ship, yet she cannot vote. I find that incredible and totally indefensible. In the great debate about voting and public participation, we should look at reducing the voting age to 16.

We also need to be more radical about councils. Why cannot councils set up youth councils? I am talking about parallel committees, made up of young people who are elected, have a budget for which they are accountable and deliver decisions and policies within their local communities. Why cannot we do that? Why is it that as soon as we get an element of risk in terms of public participation, we back off and point out all the problems? We had a youth parliament here, which met in February this year and will meet again. It has local youth councils. But why did it meet only once?

Why cannot we be radical? We are talking about public participation. Why not generate excitement? Why not generate enthusiasm? Why not generate a fresh way of looking at things? Why cannot we have a youth parliament that sits all the time, parallel to us, with real power to influence and advise us? If we want to re-engage people in the political process, as my hon. Friend the Member for Birmingham, Northfield said, nothing must be off limits. Some ideas may be silly and impractical, but let us engage in the debate and the argument so that we can regenerate and rejuvenate our democracy at both a local and national level in a way that will raise public participation.

We need to restate the case for our democracy. We need to restate the importance of democracy as something more than just going to the ballot box and turning up at elections, important though that is. Democracy means a range of other things, including having the power to influence decisions. People are disconnected from the political process and from us because they do not feel that they influence the decisions that affect their lives.

As a grown-up Parliament, we must understand why people feel powerless and disconnected from the process, and we must give them back that power so that they can take decisions that affect their communities, their jobs and their livelihoods. If we cannot do that, we can have good debates about public participation, but it will be very difficult for us to raise the levels of voter turnout and to reconnect people to Parliament. The fundamental reason why people are disconnected is that they feel they are powerless and that decisions are being taken for them, rather than with them.

3.48 pm

Brian White (Milton Keynes, North-East): As a member of the Select Committee, I found much of the evidence from witnesses informative and innovative. There are many useful things in the report, including a practical way forward for the Government—should they wish to take it—to build on many of the recommended innovations. We should not confuse voter turnout with public participation. One is an event; the other is a process. Both are important, but they are quite separate and should be treated as such.

I should like to touch on a few implications for the Government and then talk about Parliament. The lesson of the report is that we should look at how our institutions run. A cultural change is needed, not a policy change. For example, when the Government were first elected, my hon. Friend the Member for Leeds, West (Mr. Battle)—the then Minister for Science, Energy and Industry—wanted to set up a group of Back-Bench Members who had recent experience of technology and science. However, civil servants would not release papers to those Back-Bench Members and the initiative folded. Only advice from or filtered through civil servants was allowed to go to Ministers.

We need a cultural change if we are to have a plurality of views. That filtering process endangers our democracy and it should not continue. Another feature that emerged from the report was the fact that an awful lot of consultation consists of the same people talking to one another. There is a great danger of our not reaching out. We carry out the same consultations with the same voluntary and national groups and with the great and the good. We rarely get to the real people. We are in danger of deluding ourselves that we have real consultation when all we have is a sham that needs to be exposed.

My hon. Friend the Member for Gedling (Vernon Coaker) mentioned some of the points that I was going to make on people's feelings that they are not involved in decision-making, and on the need for the loop to be

[Brian White]

closed. There is a lack of evidential decision making in all parties at all levels. The Performance and Innovation Unit and the report have shown that we need much more focus on evidence and that consultation is not a one-off event. Consultation needs to be built into the process at the beginning, during the valuation of policy, during the implementation and during the review, and on to the next course of action.

The report clearly showed that, as a Parliament and a Government, we do not review well what we do. We are good at creating new legislation, at responding and at creating new forms of governance, but we are not particularly good at reviewing coherently our initiatives. We can learn in that regard from local government innovations. Birmingham city council was a classic example of a change in working methods, and its way of governing itself gave us good and useful lessons.

Much is happening in the Government and local government, but it is not always coherent. The report gave examples of good—sometimes very good—practice. Many people changed their way of working because it was the fashion; they thought, "Oh, everyone else is doing it and we had better do it," without fully understanding why the changes were necessary. A range of practices were not thought about at all. We must ask fundamental questions, such as the purpose of consultation and participation, rather than just assuming that it is a magical holy grail.

The way in which we report politics also creates problems of participation. Media reporting is destructive. It is easy to get on to the media; I just have to criticise the Government. However, that is not the best way of taking forward political debate. We do not recognise a plurality of views, and that is one reason for voter disengagement. One has to be either 100 per cent. with the Government or opposed to them. Shades of opinion or emphasis do not exist. We need plurality of participation.

As was said earlier, the report also, and rightly, highlights the implications for Parliament. Debates in the Chamber are available online the next day on BBC Parliament, but there is no facility for interaction. The Committee report is the basis of our debate. What is wrong with having a coherent summary of a forum that occurred two or three days earlier, so that our debates are informed by the input of people's views?

There are several ways of doing things. The report on Select Committees was published in March and recommended the reform of the Committee web pages. It is now almost December and nothing has happened. That is an indication that the pace of change in the House is a problem. Our Committee had moderated consultation. Every Select Committee should have an online forum when producing a report so that people can contribute to it. The Select Committee can set questions and assess the responses. I am not suggesting that Members do that themselves, but there should be a moderated way of consultation that does not just involve oral and written evidence. In Standing Committees, we are not allowed to use personal digital assistants, and cannot access information using laptop computers. Those innovations should be introduced into Parliament.

There is an assumption that the parties should not engage in the process and that, with the creation of primary care trusts, learning skills councils and other bodies, we must have a commissioner to make appointments. We are supposed to take the party-political element out of the process and assume that if we were all reasonable, sat around a table and were neutral, without any political ideology, there would be reasonable participation. The dissociation of party politics from the decision-making process is part of the problem. We should not have "You're right, you're wrong" politics; we should return to coherent political discussions in which we recognise that there is more than one way of achieving objectives.

The appointment process does not allow for the fact that people do not have the time that they once did to sit in a committee meeting all evening. There must be other ways of encouraging people to participate in organisations, apart from sitting in committees. Frankly, the same things are said in meeting after meeting, and not much is achieved. The assumption must be challenged that the way forward is to have committees.

The report said that there is often a lack of definition about consultation. We do not know why we are having that consultation, but we believe that it is a good idea. There are no clear boundaries to the consultation, which causes frustration. We should recognise that and the need to change the ownership of the process.

Consultation is not passive, as we have assumed, and should be part of engaging in politics, including campaigning. It should be part of the implementation of politics, and of solutions. We have not won the argument for public services. If we had, the privatisations of the 1980s would not have taken place. Participation is about taking the debate forward at all times; it is not an academic exercise in which evidence is received and judicially weighed up. It is a question of engaging in a political process, and that is the fundamental lesson of the innovations mentioned in the report.

One innovation was the Milton Keynes referendum, in which the participation rate was more than 40 per cent. People voted for a 10 per cent. increase in council tax. The referendum was not held simply to find out what the people of Milton Keynes thought, but to have their backing so that the Government could not cap the local authority if it introduced the increase that was needed to keep services going. That was a clear act of going to the people and asking them to endorse a strategy. As in other local authority areas, those people could easily have said that they did not endorse the strategy and that the increase should be 5 per cent. That was a clear way of engaging with the local population and ensuring that they were part of the process.

The statement made by my right hon. Friend the Chancellor on the national health service is a good start to the debate. However, I will make a suggestion to the Government that they may find interesting, or brave. Why not have a referendum on 7 May 2002 on whether people want the NHS to be funded by taxation, social insurance or privatisation? If we put that to the people, we would get massive backing for an NHS that was free at the point of delivery and was funded out of general taxation. That is the right way forward, and if the

Government were to hold that referendum, we would get a massive turnout in the local elections next May and an endorsement of the current health service strategy.

If the Government wanted to propose a 1p or 2p increase in taxation to fund the NHS, they should put that on the ballot paper and get an endorsement from the people. That would engage the public. There would be a fundamental argument about whether we wanted public services in this country, and we would see a reinvigoration of British politics. The Government would win such a referendum; we would see massive backing for the NHS and the extra funding to support it.

This is a process, not an event, and consultation and participation should be seen in that context. The system should be inclusive and not "one size fits all". The report highlighted the patchy landscape, but it is incumbent on the Government to tell the authorities and parts of Government that are not taking the subject seriously to do so, and to use the many examples of best practice to ensure greater participation. The language that we use in this place, by government and in our consultation documents does not relate to language in the real world. We must re-engage people on their terms, not ours.

4.1 pm

Mr. Anthony D. Wright (Great Yarmouth): As a Select Committee member, I will concentrate on the experience that I gained in my political life as a councillor, a political organiser and a Member of Parliament. I liken our recent experience of public participation to that of an alarm clock; people tend to keep pressing the snooze button until they finally get the wake-up call. We finally had the wake-up call in June, when we had, as has been mentioned, the lowest turnout since 1918. We must act on that.

I will concentrate first on my experiences in local government. I was first elected in 1980. During the ensuing years up to 1997, when I was elected to this place, I could see that power was gradually being taken away from the local authorities and transferred to unelected quangos. There was a lack of interest, and people were not getting involved in local politics. That transmitted itself to the general electorate, and many people were no longer aware of who provided services.

I can give some examples. Some 15 to 20 years ago, we had a department of the Highways Agency in my town, where people could visit when they had problems. Cuts meant that it was moved about 30 miles away, and inquiries are now made by a telephone call. That intervention has taken the personal contact away, and the same could be said about local police and fire stations, which were taken away throughout the same period. An element of democracy was taken away from the general public with them, and the Government seemed to be taking away some of powers and decision-making processes from local people and their communities.

Moving on to my experiences as an organiser, back in 1983, we worked on the basis of always concentrating on our support. We could put the electorate into different categories: those who never voted; those who only voted in general elections; those who always voted for an Opposition party; those who always voted for our party; and those who decided on the day. We never did anything with that information apart from try to concentrate on our own supporters. As a political organisation, we must take some of the blame for the lack of participation in elections. We never tried to find out why those people never participated in elections, specifically local elections. We could only surmise.

However, I am glad that, during the past few years, there has been more dissemination of information to the general public. My hon. Friend the Member for Cannock Chase (Tony Wright) mentioned sure start and our visit to Newcastle, and we have had similar experiences in Great Yarmouth. People feel valued when they take decisions. We pass the money down and they determine how it is spent, within certain parameters. That can only be a good experience.

My hon. Friend the Member for Gedling (Vernon Coaker) mentioned the younger generation. From my contacts with them during the last three or four years—either youngsters paying school visits to Parliament or during my visits to schools—I have found that they feel disfranchised. They do not feel a part of the system. I try to encourage them to participate wherever possible and to encourage them to communicate through me.

For too long, as elected representatives, we have believed that we represent only those people who have a right to vote. We represent everybody. I think education is partly to blame and I can use my own experiences at school as an example; the only politics that I was taught at school was civics, which was about the history of kings and queens. It was not about the parliamentary or local government systems and the effect that they have on our lives.

Youth councils were also mentioned. When I visit schools, I try to encourage people to start their own youth organisations within the school, and many are doing this. I also try to encourage them to have their own representatives from each school on a youth council, where they have their own elections and their own debates. They participate in mock elections, and elect a youth parliament. We should encourage many more youngsters to participate at that level.

We should reduce the voting age to 16. We expect people to go to fight for the country at the age of 16 or 17, pay taxes and do everything else that my hon. Friend the Member for Gedling has mentioned, but we do not accept that they have the experience to vote in elections. These anomalies have gone on for far too long.

My hon. Friend the Member for Milton Keynes, North-East (Brian White) talked about the responsibility of the press. The electorate looks to their views. I can understand the concerns of the general public over the past few years following the stories about sleaze and other issues. However, I get frustrated when it is widely reported in the press that Members of Parliament have voted themselves a two-and-a-half-day week and, later on, that we apparently have voted ourselves a four-day week. They cannot make up their mind.

I know from my work load that this is certainly a full-time job and I hope that my constituents recognise that as well. When one goes into politics, there is only time for that job if one wants to do it properly. I would find it difficult to do two or three jobs, whether a directorship or otherwise, and I want to concentrate completely on my constituents. I hope that they recognise that fact.

[Mr. Anthony D. Wright]

On different voting options, I would need to be persuaded to have anything other than the first-past-the-post system. We messed about with the European elections in the past two years and that was disastrous, as it took away local accountability from the European Members of Parliament; the electoral process left a lot to be desired. We must look at trying to encourage people to participate but we must examine all the avenues.

I do not accept that compulsory voting would work. If we have to resort to compulsory voting and threats of fines or imprisonment, we will have failed the country and ourselves. I hope that we will not take that approach.

My final point is about the consultation process. A recent consultation in my constituency was on the serious issue of dualling one of our dangerous roads. The problem has existed for 20 or 30 years; finally, in 1998, the Government agreed to a road study. The question went out for consultation, which was fine. The consultation document was issued, and I asked for people's views. People responded, albeit in small numbers. The consultant's decision, which came out a few weeks ago, was that the road would not be dualled, but widened. However, in the intervening period, 20,000 names were added to a petition. In four and a half years, only that issue produced a mailbag of more than 3,000 letters. Of those, perhaps only two supported the consultant's view.

We held a public meeting with the consultant, at which about 350 or 400 people turned up to question the decision. People from all walks of life attended; business people, environmental campaigners, tourism industry operators and the general public, including people who have lived in the town or area all their lives. However, their experiences did not count for anything. The consultant behaved as if it were a paper exercise; people put their views forward, the consultant had carried out his public duty and this was what was to happen. I hope that that will not happen in this case, but my experience is that it will.

If we want to respond to the public or to hold ourselves up as public servants who listen, we will in some instances have to admit that perhaps the public do know best, particularly if they feel as strongly about an issue as they do about the one to which I have referred. Perhaps they have answers to the problems. If we carry out consultations and encourage people to give their opinions, we must not simply treat the process as a paper exercise; we must take their views on board. It is not always the case that the experts or the politicians know best.

My final point is about the recommendation for the establishment of a democracy commission. I support that. There is a long overdue need to find out why people do not participate in local, parish or general elections. I support the Select Committee's report.

4.13 pm

Martin Linton (Battersea): I agree that my hon. Friend the Member for Cannock Chase (Tony Wright) should be congratulated on securing the debate. He is particularly well qualified to introduce it, as the Chairman of the Public Administration Committee. However, he has another qualification. I do not want to embarrass him, but I will. The table showing the largest falls in turnout in the last election is led by Regent's Park and Kensington, North, in London. No. 2 is Newport, East but Cannock Chase is in third place. I am sorry to say that my hon. Friend's turnout went down from 73 to 55 per cent.

Tony Wright: I am so glad that my new hon. Friend was able to join us today. What he says is true, but did he also spot that we were perhaps the only traditional Labour seat to increase the Labour share of the vote?

Martin Linton: I am happy to hear that. I made the point in jest because turnout in my constituency fell by a worrying amount. We all face that problem and are mystified by the low turnout in the last general election. My worst experience was that of talking to a voter at the bacon counter in Asda. She was secretary of a community action group on affordable housing—an issue on which I had achieved a result. I had succeeded in convincing the Minister to call in a planning application, which resulted in the construction of 156 affordable homes. One would have thought that she would feel that political action could provide a result. She warmly congratulated me on my re-election, but five minutes later she mentioned that she had been at her sister's and therefore unable to vote.

I return to the distinction between voter participation and turnout made by my hon. Friend the Member for Milton Keynes, North-East (Brian White). It reminds me of an interesting story about the 1997 election related by my hon. Friend the Member for Wythenshawe and Sale, East (Paul Goggins). In Wythenshawe, a ward called Benchill has two distinctions. Of 8,000 wards, it is No. 1 in the deprivation index for the entire country, and had a 12 per cent. turnout in the local elections of the same year. Some may have preconceptions about the people who live in that ward and their motivation. However, a few weeks after the elections a ballot was held on a housing transfer in the ward, and the turnout was 80 per cent. It is not the case that a certain type of person does not vote: we must look for a different explanation. People must be able to identify a connection between the process of voting and changes that affect them.

The report is valuable because it focuses on participation, and what motivates people to vote and to take part in the political process. If we can persuade people in wards like Benchill to take part in a housing transfer ballot, it challenges us—not them—to encourage them to participate in parliamentary and local government elections.

Not every part of this country had a low turnout at the last election. One constituency had an 81.3 per cent. turnout. It is worrying that the victor in the three constituencies with the highest turnout was Sinn Fein. They say that politics is a matter of life and death in Northern Ireland, and sometimes they say that even the dead vote, which may be a partial explanation for the high turnout. The top 14 turnouts at the last election were in Northern Ireland, which has only 17 constituencies. That is an astonishing figure, but what is the reason for it? People in Northern Ireland felt that they had a lot to win or lose. They felt that voting would make a difference; that is the missing feeling in elections and political participation in the rest of the UK.

I do not want to repeat figures endlessly, but it is not only in parliamentary elections where the turnout went down—from 71 per cent. to 59.4 per cent. at the last elections. It has also decreased in local elections from an average of 41 per cent. between 1976 and 1996, to 29.6 per cent. at the last election. In the last two sets of European elections, turnout decreased from 36.5 per cent. to 24 per cent. The trend towards low turnout exists at all three levels.

Brian White: Does my hon. Friend accept that the cause of the high turnout in 1990 was the fact that local electors were faced with the poll tax?

Martin Linton: I am happy to have that pointed out, because it corroborates the hypothesis that the inclination to vote depends on the extent to which a person believes that their vote will change things. The international figures referred to by my hon. Friend the Member for Cannock Chase show that voting systems affect turnout. They show that what is known as competitiveness has the biggest effect on voter turnout. Democracies are divided into those where the majority party gets more than 50 per cent. and it is a foregone conclusion which party will win, and those where the majority party receives less than 50 per cent. The United Kingdom would be in the latter category. The average turnout is 71 per cent. for competitive democracies and 61 per cent. for non-competitive ones—a 10 per cent. difference, according to how far ahead the largest party is. The biggest influence is whether the voter believes that his vote will make a difference.

In their response to the report, the Government said that they did not regard changes to the voting system as a panacea for the current weaknesses in local government. I would not want to present them as such, but it would be perverse if, when considering voter participation, one did not consider the issue of the voting system. I am sure that we still have a long way to go to persuade my hon. Friend the Member for Great Yarmouth (Mr. Wright) of the importance of changes in the voting system.

Beyond competitiveness, systems are the biggest factor. The average turnout in all first-past-the-post countries is 58 per cent., very close to the turnout at the last UK general election. In countries that use the alternative vote—the system that the independent commission is proposing—it is 66 per cent. and in countries with proportional representation it is 67 per cent. There is a difference of almost 10 per cent. in the voting turnout, according to the voting system.

We must come to terms with the fact that the United Kingdom is way down the list in the international league table of voting turnouts. We are at Nos. 39 and 40, exactly level with Ireland. Above us, the Maldives is at No. 36, the Comoros Islands is at No. 37 and the Cape Verde Islands is at No. 38. Those figures are based on the turnout in the 20 years before 1997. With our latest election turnout, we shall be even further down that list. In western Europe, we were already 19th out of 25. I am sure that, with the fall that we have had recently, we shall now be near the bottom.

Voting systems make a difference. That becomes even more obvious when one considers the question of marginality. Marginal constituencies produce high turnouts. The highest turnouts after the Northern Ireland seats are, interestingly, for seats such as that of the hon. Member for Winchester (Mr. Oaten). Other seats with high turnouts include some in which there have recently been by-elections, such as Eastwood, or Monmouth. It has been dinned into the electorates in those constituencies that every vote counts, because they have had close-fought by-elections, even if they have large majorities now.

Interestingly, Hexham is the Conservative seat with the highest turnout. It was not the most marginal in the recent election, but it was in 1997. People's perceptions and expectations were of a close fight in Hexham and that is why it appears at the top of the list for turnout, with more than 70 per cent. No one who examines a list of marginal seats can doubt for a moment that people vote mainly because they believe that the result is in doubt.

Mr. Oaten: It is important not only that each vote is seen to count, but that the political parties fight a long battle, engaging the voters for a prolonged period rather than just for the duration of the election campaign. That is another interesting factor.

Martin Linton: The expectations and perceptions of the voters and the behaviour of the parties are equally important. The high turnout in Winchester was not in the election that the hon. Gentleman won by two votes, but in the subsequent by-election and election in which people knew that they must vote, because they had realised that the previous result would have been different if their family had stayed at home and watched television.

If we turn the equation round and consider the constituencies that had the lowest turnout in the election, we find safe seats, which are at the opposite extreme. Liverpool, Riverside had a 34.1 per cent. turnout. Manchester, Central had little more, as did Glasgow, Shettleston and Glasgow, Maryhill. Lest anyone think that the phenomenon is limited to Labour-supporting constituencies, Kensington and Chelsea, which is one of the safest Conservative seats in the country, had the ninth lowest turnout at the election. The movement of people in those constituencies is significant, but the fact that they have in common is that they are all considered safe seats. That takes away the motivation to vote.

Another aspect of the problem is ease of voting. As a member of the Select Committee on Home Affairs, I did plenty of work in the previous Parliament to ensure that we did everything possible to make it easier for people to vote, in terms of early voting and postal voting. I was fortunate enough to move the amendment that changed the postal vote deadline to a week before polling day, which I am sure made a lot of difference to people during the election. We encouraged the Government, who eventually accepted our recommendations, to introduce many experiments in postal voting and flexibility of polling stations.

No one could say that turnout went up because of those improvements; on the contrary, it went down. However, among non-voters who were asked why they

[Martin Linton]

did not vote, the reason most often given—by 21 per cent. of respondents—was that the polling station was too far away and too inconvenient. The second most often cited reason—given by 16 per cent.—was that they were away on election day. That difficulty could obviously be dealt with by better provision for early voting. Eleven per cent. said that they did not receive a polling card—the third most often cited reason. Only the fourth most often cited reason—given by 10 per cent. of respondents—was that they were not interested in politics.

People might think, as I do, that those reasons conceal a lack of interest in politics. None the less, ease of voting is important, although it will never be more than marginal and will be overwhelmed by other factors. Half of what needs to be done to make voting easier for people has been done. Within the context of those reasons, we should not dwell too long on ease of voting.

I should like to talk about compulsory voting, which my hon. Friend the Member for Harrow, West (Mr. Thomas) mentioned in the House on Tuesday and in an intervention today. Bizarrely, countries that have compulsory voting have only a 69 per cent. turnout, and those that do not have a 63 per cent. turnout. Of course, those figures measure turnout by percentage of the entire eligible population. In some countries with compulsory voting, 95 to 97 per cent. of the people registered vote, but many of those who should register do not do so. The process is not mechanical. One cannot make everyone vote simply by making it compulsory, because those who are inclined not to vote will not register, even though it is illegal not to do so.

My suggestion—I made it in the Home Affairs Committee and the same point was made by my hon. Friend the Member for Cannock Chase—is that, bizarre as it may seem, the best way to increase turnout would be to offer people an incentive to vote, such as £5 off council tax. That would be easy for electoral registrars to manage, as they would have both the council tax list and the voting register. My response to those who consider that idea cheap or unworthy is that one should not think of voting simply as a civic duty. We all regard it as a civic duty but it is also important to give legitimacy to an elected authority, whether it is a local authority or Parliament. We need people to vote. It is important for the legitimacy and authority of a local council that a high proportion of people take part in council elections. Just as it is important not to have a high refusal rate in opinion polls because that distorts the results, it is important to have a high turnout in a council election if people want a council that represents their views. If councils and councillors have an interest in achieving a high turnout, it does not seem unreasonable to give voters an incentive. As opinion pollsters sometimes give participants some small consideration, such as a book token, for stopping to answer a few questions, it should not be beneath the dignity of democracy to find a way to overcome the inconvenience of voting and to persuade people to vote.

Mrs. Annette L. Brooke (Mid-Dorset and North Poole): Does the hon. Gentleman believe that there are turnout differentials between age groups? If so, the effectiveness of the incentives chosen could be affected by such differentials. My perception is that there is a higher turnout among older people, but I do not know.

Martin Linton: Yes; there is indeed. I believe that at the most recent general election the abstention rate among 16 to 24-year-olds or 18 to 24-year-olds was 25 per cent. Those in the youngest voting age group are the most likely to abstain. I am not suggesting that young people should be given free tickets to a disco as an incentive, but it is even more in the interests of politicians than of voters that the number of people who vote should be increased. It is not enough for us to preach morality or civic duty; we must give people a good reason to vote.

One could argue for a long time about whether people have a duty to vote or whether it is in their interests, but we must recognise that people's attitudes to voting have changed over the past 30 years for one simple reason: there has been a voyage of discovery for voters. For example, tactical voting has arisen because although people used to think that they should vote for the party that they believed in, they gradually realised that, in many constituencies, it was a waste of time to vote for that party. Therefore, rightly or wrongly, they adapted their voting behaviour to the system. The same thing has happened with voter turnout. In many constituencies, people have observed over the years that voting is unlikely to make a difference. We should not be surprised that, following that voyage of discovery, voter turnout has plummeted, especially in seats that are regarded as safe.

There has been a move away from thinking in collective terms about a duty to vote and a move towards thinking in individual terms about whether going to the polling station is worth while. The problem is that voter turnout or lack of participation, like all problems, has many different causes. We can isolate different causes and reach any number of different conclusions but, of all the possible causes, few are under our control. One possibility may be political education. Citizenship will be in the curriculum in the next academic year, which may help in the long term. However, the one element that is overwhelmingly under our control is the voting system—in other words, the way in which people's wishes are translated into action.

The Government are wrong to say that voting systems are irrelevant to the debate. Although the voting system is no panacea, it is the one element of the equation that is under people's control. For instance, in the constituency of my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) only 34.1 per cent. of people voted—barely one person in three. People knew that their vote was extremely unlikely to affect either the choice of a Member to represent the constituency or the re-election of a Labour Government.

When there is a double break in the causative link—the constituency is safe and the overall result of the election is hardly in doubt—it is not surprising that we have a problem with voter participation. Although it is important and worthy to consider the reasons for that, which must include alienation among the youth, why do we not grab hold of the most immediate and obvious reason and do something about it?

4.36 pm

Mr. Mark Oaten (Winchester): The debate has been enjoyable. Those who have listened to it might doubt whether there is a problem, because there seems to be an enormous amount of agreement. A number of progressive Members spoke my sort of language. I suspect that those hon. Members who are not present—one might describe them as more aggressive or less progressive—would take a different view. It was surprising and refreshing to hear arguments, not from the usual parties, in favour of proportional representation, and even an argument in favour of a penny on income tax. That was an unexpected bonus.

The hon. Member for Cannock Chase (Tony Wright) has done a great deal of work on the Committee. I had great fun, but my participation rate was not as good as it should have been. I hope that the hon. Gentleman will agree that his Committee has a major role in ensuring that that work is seen through in this Parliament. If the suggestion for a democracy commission does not run, perhaps the Committee can run with it and keep up the pressure, because important work needs to be done.

It is a crucial area, and there are no easy answers. However, one of the most important things that we have to do as politicians is to begin to restore trust—not only in ourselves as politicians but in the electoral process and the institutions that are meant to look after it. We have focused on elections as being the link between the public and decision makers. It is important to stress that public participation comes in a large number and range of forms. Yes, it includes elections, but the enormous amount of work carried out by voluntary groups has a great impact.

Last week on the Floor of the House, we debated the role of non-governmental organisations and how we could encourage individuals to take part in them. They, too, have an important role to play. Even attending a meeting of school governors or a school fund-raising fete is a form of public participation, as is making a formal objection on a planning issue. Participation comes in a range of guises. We should not be too downhearted because, although I have no figures to support it, the evidence is that many people take part in organisations that influence public decisions in one way or another. We may be failing as politicians because we assume that we are the only act in town, and that the only benchmark of public engagement is elections. But we would be fascinated by that thought, would we not?

Let me say a little about elections. The hon. Member for Battersea (Martin Linton) highlighted the turnout in elections. I was thrilled to bits that, except in Northern Ireland, Winchester had the highest turnout in England; it was 72 per cent. I have no illusions about why that was. I managed to create a campaign that put fear into some people that it would be another close result. People were terrified that if they did not go out on polling day, the same thing would happen again. The result was an extremely high turnout. That taught me a lesson, because there was no apathy at all, and people knew that their vote mattered and came out in large numbers. I accept that Winchester has had high turnouts in the past, but people were certainly engaged in the process in June.

However, the crucial point that I tried to make in an intervention on the hon. Member for Battersea was that we are not simply talking about something that happened in an election campaign of four or five weeks. All candidates like to suggest that they will do an excellent job as a Member of Parliament and that they have signed up to work hard for their constituents. From evidence that we have gathered by considering the 100 most marginal seats, we can see that sitting on a majority of two is the greatest motivation to make us do as we say that we will. Seats that are hotly contested do not produce the kind of hon. Members that exist in all parties, who simply sit back because they know that they will automatically get re-elected. If the election is fiercely contested, candidates will work extraordinarily hard for their constituents, which motivates individuals and restores their confidence in the electoral process.

Tony Wright: My hon. Friend the Member for Battersea began a train of argument that prompts me to ask, is the conclusion of that argument that we should all pray for the revival of the fortunes of the Conservative party?

Mr. Oaten: The conclusion that I draw is that we should all pray for the continued growth of the Liberal Democrats. The serious conclusion, however, is that several factors are at work in marginal seats: politicians who work hard and engage to gain the trust of their constituents and Opposition parties who do the same thing. That creates a healthy democratic process, which, I suspect, does not happen in a vast number of safe seats.

It is not simplistic to suggest that the low turnouts are simply the result of apathy. The electorate will be engaged if their vote counts, so as a Liberal Democrat the simplistic solution that I propose is that we should change the electoral system so that everyone's vote does count. I shall not bore hon. Members with the detail of how we could make that change, as the hon. Member for Birmingham, Northfield (Richard Burden) has already made a strong case for it.

I could argue against myself, however, and point out that a downside of some proportional representation systems is that they take away that unique relationship between politicians and their constituency, as happened in the European elections. That troubles me. It is also arguable that public confidence in politicians can be engaged and restored if people know who their politicians are—see them, engage with them and trust them. In some proportional representation systems that engagement is lost but, broadly speaking, such a system would help to make votes count more.

Some argue that the low turnout was due to satisfaction, and that the electorate were comfortable and satisfied with the result. That is not necessarily the case. On Monday, I attended a seminar organised by the BBC in which that organisation considered its role in re-engaging the public in politics. The meeting did not take place under the Chatham house rule, so it is fair to mention an aspect of the BBC's research that especially interested me. Many people told the researchers that they were proud that they had not voted. They were not suffering from apathy or too satisfied to bother; they had made a positive decision not to vote. The figures were interesting, and we should consider them because they may suggest a third reason why people did not get involved and vote.

What can we do about this? The Home Office is already considering some simplistic ideas for making it easier to vote. It is nonsense to make people vote only on

[Mr. Oaten]

a Thursday, in some cold village hall. We must move with the times and I am encouraged by the example of Watford, where voting took place over several days although, disturbingly, the evidence suggested that that made only a small difference to the turnout. That is disappointing, but postal voting could be extended in other ways, perhaps even by insisting that all voting should be done by that means. The Home Office is apparently considering that possibility.

We must look beyond ways to make it easier for people to vote. We need to pick up on the argument made this afternoon that people do not believe that it is worth voting. Globalisation and the growth of non-governmental organisations have had an effect, in that people—especially young people—seem to be much more interested in those organisations. That is where they think the action is. They see some issues as global issues. That makes it difficult for us to argue, at one level, that we are relevant.

I have in several contexts encountered people who tell me bluntly, "We are not voting, because Westminster cannot sort this out." Perhaps some of the Euro-sceptics will argue that things are shifting towards Brussels and that that explains why those people feel disengaged. However, at local council level quite informed individuals say, "What is the point in voting? I may have attended the protest meeting on the planning issue and registered my objection, but I have made discoveries about the councillors' ability to make a difference on that issue, even if they were listening." In some cases councillors are even gagged by national legislation whose effect is that if they have taken an opinion in advance, at a public meeting, they cannot vote on the decision in question. All those factors undermine and break down the democratic process. I would not vote if I thought that, as a result of current trends in legislation, my councillors could not make a difference on a planning committee.

Another factor is at work. The question is not just whether we have power but whether we are seen to be relevant. That is entirely a matter of the perception of this place. I have never felt comfortable with being an hon. Member who has to refer to other hon. Members by their constituencies. I would much rather say that Tony Wright made a really good speech than that the hon. Member for Cannock Chase did so. I occasionally still slip into saying "you". I do not like some of the stuff that we surround ourselves with here, and I know that when people come here and listen to our debates they do not relate to what happens here—particularly young people. They see us bobbing up and down trying to catch the Speaker's eye and talking in archaic language. We move around as if we are in a museum. We must grapple with reform. Those issues may appear insignificant, and perhaps many hon. Members would laugh and accuse me of just tweaking at the edges in wanting to deal with them, but they are important symbolically because they affect people's perceptions of this place.

The way in which we, as Members of Parliament, go about our day-to-day business is also a matter of concern. We need to be more professional, and are obtaining more resources to enable us to be. We need to be more accountable. I have asked time and again why Members of Parliament should not at least be required by law to produce an annual report to try to demonstrate some accountability to their constituents. I have done it. I was the first to do so, and it helped me to build a bond and relationship with my constituents. That builds trust, and in return for that comes participation.

There has been an assumption in the debate that the issue is all about elections and democracy and trying to persuade people to become involved in influencing us. We have missed another trick. I am quite keen to take some things away from the democratic process and politicians and return them to communities, bypassing democracy and allowing individuals at local level to take control and be empowered—to run schools, perhaps to run hospitals, to be part of mutual organisations, to engage in and manage the working of their communities. That could mean taking tough decisions; for example, we could decide that democracy as we understand it is not the best way to provide some of the services in question. Let us take some risks, as other hon. Members have said, and allow and empower people to move outside the democratic process which, perhaps, does not work.

I want to conclude by mentioning some of the recommendations and other points in the excellent document produced by the Public Administration Committee and focusing on the ways in which the Minister could respond on some of the issues that need to be tackled. It is disappointing that the Government's response does not show them to be as willing as I would wish them to be to take action on the recommendations. I suspect that the Minister will provide satisfaction with respect to the e-democracy work that the Government are doing. They deserve some praise for that, because there has been progress. However, we need to be even more creative and go further. I do not know whether hon. Members receive as much e-mail as I do in my office, but the time is not far off when the balance between snail mail and e-mail will drift towards the latter. We must be able to tap into that trend. Government Departments must be able to tap into it and use it more than they do.

I know that this fact is endlessly quoted, but it is generally thought that more people voted on who should be evicted from the "Big Brother" house than in the general election. There was a lot of multiple voting, but nevertheless people have been using technology to express an opinion in many ways. We should think about that.

What progress is being made with respect to young people? The Government's response said that the Minister for Children and Young People would shortly be publishing a set of common core principles with respect to participation by young people. I hope to hear when that is to be published and what progress is being made. Also, it would be useful to know who the Minister for Children and Young People is. I did not know that one existed. It would be interesting to see the work in question, which is relevant to some of the issues that we discussed in relation to young people.

I agree with the hon. Member for Gedling (Vernon Coaker), who talked about the need to give 16-year-olds the vote. Intellectually, the next logical step is to reduce the age at which people can stand for election. I was elected as a local councillor at 22, because I could not stand at 21. I do not know whether that age limit has changed, but I suspect that it has not.

Vernon Coaker: My understanding is that the relevant age at the moment is 21. I agree with the hon. Gentleman. The suggestion is that, at the very least, that should be reduced to 18—a suggestion with which I would also agree.

Mr. Oaten: I favour a move in that direction, because it seems illogical to suggest that someone who is entitled to vote cannot represent people. The Minister—a successful, young Minister—may have strong views on the subject.

I am disappointed that the Government have rejected consideration of more public participation in science issues, which was an important suggestion by the Committee. There is a need for an honest, open debate on the subject, especially at a time when the public have lost trust because they hear scientists say one thing and Ministers another. The problem started with Edwina Currie and eggs, and has gone through to foot and mouth and BSE. There is much confusion, and it is a classic problem on which more could be done. I did not understand why the Government were hostile on the subject, other than for cost reasons. They should do much more about it.

The people's panel has been set up, and the Government have used it. I have criticised it in the past, not because of the principle, but because it is unclear about its direction. I understand that the MORI contract with the people's panel is due for completion in January 2002. I have not given the Minister much notice before he replies, but it would be useful to have some early suggestions as to what he thinks that the panel will do in future. I should also like him to confirm whether it has been used in the past six months. If not, has MORI still been paid for that period?

The debate has been encouraging. There is no simple solution, but I am greatly encouraged that several colleagues feel the same way as me. I hope that the Minister will reinforce the impression that I have gained, after speaking to other hon. Members, that there is a desire at the heart of government to tackle the problem.

4.52 pm

Mr. Tim Collins (Westmorland and Lonsdale): I agree with the hon. Member for Winchester (Mr. Oaten) that the debate has been helpful. It was opened in a characteristically thoughtful and constructive manner by the hon. Member for Cannock Chase (Tony Wright), the Chairman of the Select Committee. He was clearly passionate on the subject, as well as extremely well informed. I welcome the fact that he tried to focus—all other hon. Members who spoke did the same—on solutions rather than problems.

I agreed with a great deal of what the hon. Gentleman said, even about the lack of wisdom involved in the Conservative Government's attitude towards civic education. The Minister and I might have become a little worried about his description of the wasted generation 20 years ago who missed out at school on the chance of understanding about public life and how politics operates. Neither the Minister nor I would be here if that were true of the entire generation.

Tony Wright: I should perhaps have said that it was only partially true.

Mr. Collins: I am grateful for that gracious remark.

I was also interested in the hon. Gentleman's comment that new forms of participation would not compensate for the wider problems of civic disengagement. He suggested that the new technologies, the development of voluntary groups, and the expansion of a range of other means by which citizens could influence the decisions of public authorities did not offset or even render irrelevant the reduction in turnout at general and other elections. There is a clear consensus that that problem affects all political parties, and we need to discuss that.

The hon. Member for Harrow, West (Mr. Thomas), who is not in the Chamber now, made the case for compulsory voting in an interesting intervention. I lean towards the consensus among the bulk of hon. Members who spoke, which was that that would treat the symptom rather than the cause. We must also recognise that the corollary of compulsory voting is almost always giving the voter the option of going to the polling station and marking a box "none of the above". We might find that an alarmingly large number of people would do so. I am not sure whether that would confer greater legitimacy on us.

One of the themes that has emerged in the debate, and which I want to develop, was first raised by the hon. Member for Birmingham, Northfield (Richard Burden). He talked of the scepticism among young people about whether the political process can make any difference. They are very interested in issues, but do not think that the political process will make any difference to them. Many other hon. Members touched on that point or aspects of it.

The hon. Member for Gedling (Vernon Coaker), after giving us some striking and interesting statistics, said that he had found, as I have, a great deal of passion about issues among all age groups, but real scepticism about whether the political process can make a difference. He spoke of a breakdown in trust, and I will speak about the factors that have contributed to that. However, he also said, and this goes to the heart of the matter, that at elections people should realise that they are making a choice about the sort of Government that they want.

All the parties represented here must realise that part of the problem is that people think that how they vote makes little difference to the sort of Government that they get. They would argue that, however they vote, they get the same sort of people taking the same sort of decisions in the same ways. Despite our different perspectives, we probably all profoundly disagree with that. They wonder why they should bother. We must tackle that problem, which is linked to what the hon. Gentleman said about people feeling that they do not influence the decisions that affect their daily lives. The hon. Member for Winchester touched on the fact that Parliament and other elected institutions do not affect people's daily lives to the extent that they once did either.

[Mr. Collins]

The hon. Member for Milton Keynes, South—

Brian White: North-East.

Mr. Collins: I am sorry. The hon. Member for Milton Keynes, North-East (Brian White) said that consultation often involved talking to the same sort of people all the time. He is right, and we must recognise that whether consultation takes place at local government, national or European level, there is a danger that a very small number of probably not very representative pressure groups will always respond. Fortunately, those pressure groups often come from different perspectives—they may include business groups, women's groups or environmental groups—and so one does not get a uniform response. Therefore the situation is not quite as dangerous as it would be if it involved a single block of people responding in the same way. Consultation is not simply an echo chamber. However, the hon. Gentleman is right to say that the proportion of the electorate who take part in it is very small.

Like the hon. Member for Winchester, I am something of an enthusiast for the internet. I have been an internet user since 1994 and like him I have been receiving lots of e-mails. The cross-over point between e-mail and snail mail is getting quite close, but we must also recognise that those who have access to and regularly use e-mail are probably not representative of the wider electorate. They are often more literate and articulate and they probably have more money, because they can afford access to the internet. Therefore, the internet is not necessarily the answer to the problem either. The hon. Member for Milton Keynes, North-East concluded by saying that there was a case for bringing party politics back into some decisions, so that people did not think that the party political process was irrelevant. He was right, and he touched on a point that I will try to develop later.

The hon. Member for Great Yarmouth (Mr. Wright) was close to defining one of the problems when he spoke about turnout in local elections beginning to decline when people saw powers being taken away from local authorities and given to unelected quangos. If that process did not start when my party was in office, it certainly got a lot worse during that period, but it has not got any better since.

The hon. Gentleman identified the problem. The electorate are not stupid or idle; they do not need to be educated or compelled to take a different view about the political process. In most respects and on most issues the electorate are more astute than we are. They stopped voting in local elections because they saw that local councils were losing power and relevance and the ability to make a difference. They have stopped voting in general elections because they can see that Parliament is losing its ability to influence their daily lives. That process certainly started before 1997, but it has continued since. We must recognise that it culminates in the failure of democracy.

An independent Member of Parliament was elected on 7 June 2001. He is not present, but I hope that he will not mind if I refer to him. As we know, he was elected on the simple but clear issue of saving a hospital in his constituency; there was a rebellion by the people against all the political parties. He was elected by the kind of huge majority that would warm the cockles of any hon. Member's heart. None the less, he and his constituents know that there is no prospect of his election saving that hospital. That constituency is a microcosm, but we see the wider phenomenon time and again.

The problem combines two phenomena. More voters conclude that they will make no difference to decisions that affect them, however they vote. Others think that voting will confer legitimacy on a political system of which they have a declining sense of ownership and do not wish to support. We saw that in the European parliamentary elections. By definition, I represent a constituency with an above-average number of Conservative voters and, therefore, of Eurosceptics. There is no doubt, however, that voters in European elections have increasingly said, "I don't approve of Europe so I'm not going to vote in the elections to the European Parliament." I tell them that they will have a European Parliament whether they want one or not. I say that they must decide whether to elect someone who wants to go down a route that they like or someone who wants to go down a route that they do not like.

None the less, people feel that voting does the institution and the people in it a favour, as several hon. Members said. People feel that voting in a parliamentary election is doing Members of Parliament and other parliamentary candidates—as believers in the parliamentary institution—a favour. They do not think that they are doing something for themselves. If people feel that an institution's legitimacy is declining—that is undoubtedly true of the European Parliament and, worryingly, increasingly true of this institution—we cannot be surprised if turnouts are lower.

Those two phenomena are clearly true of Parliament. This place is much less able to take decisions than it was 50 years ago. Many of the reasons for that are rather desirable and result from policies that my party introduced in its various times in office. When people vote in a general election, they are not taking decisions about who will control their electricity and water or run British Steel, British Airways and British Telecom. Members of Parliament no longer take such decisions. Nor do they make decisions about court cases. The Home Secretary no longer has the final right to decide how long a convicted murderer should stay in prison or whether a matter should be referred to the Court of Appeal. Powers have been devolved to the Scottish Parliament and the Welsh Assembly.

Courts have become much more powerful and have taken powers from Ministers and Parliament through the judicial review process, which has been going for more than 20 years, but has accelerated under the Human Rights Act 1998. We should also consider European institutions and the growing power of Downing street and the Executive. The electorate do not need political education and are not wrong to believe that Parliament is less important than it was—it is we who must recognise that it is less important. If we want to increase voter turnout, we must tackle fundamental questions about Parliament's power in ways that we have not done before.

My final point is not intended to suggest the route that we should take. It offers a stark contrast, however, between the understanding of the powers and role of elected politicians in this country and in other countries. A few years ago in the United States, I and some parliamentary colleagues of all parties were taken on an expedition. We were taken from the buildings of Washington DC into the state of West Virginia, not far away. It rapidly became clear which senator was the longest serving and most relevant to the state of West Virginia. The first clue came when we crossed the River Potomac on the Senator Robert C. Byrd bridge. We then drove along the Senator Robert C. Byrd highway past the Senator Robert C. Byrd industrial park and ended up at the Senator Robert C. Byrd library. I do not necessarily advocate that Members of Parliament should have quite so much control over the appropriations process, nor that sense of vaingloriousness, but I bet that voters in West Virginia had a clear idea of what their senator had done for them. If we want to improve voter turnout in this country, perhaps we should ensure that constituents know what their Member of Parliament is doing for them.

5.5 pm

The Parliamentary Secretary, Cabinet Office (Mr. Christopher Leslie): My hon. Friend the Member for Cannock Chase (Tony Wright) opened the debate by setting out an important series of principles. Talking about public participation is akin to examining the state of politics today, but he touched on the fact that public participation needs to be increased not only to enhance our legitimacy but because it is valuable in itself for its contribution to the process of civil society. The sense of empowerment experienced by the citizen who feels that his views are taken into account when public decisions are made is unquestionable. We must find ways of investing in the concept of social capital and supporting the networks and relationships between individuals in communities that enrich society and spark new opportunities for everyone. That is the challenge we have been discussing today.

The topic is extremely wide and I apologise in advance because it will be difficult to cover in any depth all the subjects that have been mentioned. For example, the question of the separation of the Executive and the legislature is too wide for me to deal with now.

The subject of the sixth report of the Public Adminstration Committee was entitled "Public participation: issues and innovation". The Committee recommended several improvements to the way in which consultation is carried out. It suggested ways in which local democracy could be improved and other tools could be used to better effect in finding out what our citizens want. It is a good report, which has been welcomed by the Government. I thank my hon. Friend the Member for Cannock Chase and members of the Committee for all their efforts. The Government have replied to the report and dealt with many of the specific points that it raised. The Government recognise that there is a problem with low voter turnout and general civil disengagement in our democracy. We are not complacent about the problem and it is clear that we need to find out why it is happening and establish what the solutions are. I want to set out today what action the Government are taking to improve public participation in our democracy.

I shall begin by talking about e-democracy, which the hon. Member for Winchester (Mr. Oaten) mentioned. The Government are looking closely at ways in which we can harness the power of new technology in our drive to strengthen our democratic processes. I am pleased to be able to report that my right hon. Friend the Prime Minister has announced the formation of a new Cabinet Committee, chaired by my right hon. Friend the Leader of the House of Commons, to look into the issue in more detail. That Committee will consider ways of strengthening the democratic process by engaging the public and their elected representatives through the use of the internet and other electronic means. The formation of the Committee is a clear indication that the Prime Minister and the Government recognise the importance of the issue.

The e-envoy unit at the Cabinet Office, in conjunction with the Department for Transport, Local Government and the Regions, is developing early proposals to put to the Committee about a possible policy on e-democracy. Those draft proposals will look at two separate, but interdependent, tracks. First, they will consider the issue of the electronic means by which the public can participate in decision making and the use of new technologies to give citizens enhanced opportunities to participate in the democratic process between elections. Secondly, the proposals will deal with the issue of electronic voting and the use of new technologies to ensure that people have better opportunities to take part in elections.

Those are possible ways in which we can facilitate greater interaction. My hon. Friend the Member for Milton Keynes, North-East (Brian White) touched on that in his contribution. None of these things is a panacea in respect of participation, but I hope that they will help to re-engage voters and reconnect them with the electoral system.

Brian White: On the issue of personal identity and how the Government relate to individuals, is the Minister comfortable with the myriad different personal identities that the Government have? When will the Office of the e-Envoy report on its personal identity consultations?

Mr. Leslie: When we examine the mechanistic issues of voting we can look in depth at the degree of trust that the public have in the systems that they use to cast their votes. The issue of e-voting will, I imagine, prompt a series of questions about authenticity, identity and security. It will take some time to address those questions. The Government have already demonstrated their willingness to be radical and to pilot new ideas. We should like to see such matters ironed out as soon as possible.

The hon. Member for Winchester and my hon. Friends the Members for Battersea (Martin Linton) and for Birmingham, Northfield (Richard Burden) had one view when it came to electoral reform and the voting system used in local government, in particular. My hon. Friend the Member for Great Yarmouth (Mr. Wright) was not quite convinced of that. The Government are concerned about the low turnout in local elections, but we do not believe that a change to the voting system is the solution. There is no solid evidence that the introduction of proportional representation is the

[Mr. Leslie]

answer. However, we remain open-minded and will continue to monitor developments elsewhere. For the time being, there is insufficient evidence to support changing a tried and tested system. However, we shall take other measures—

Mr. Neil Turner (Wigan): We have heard that the hon. Member for Wyre Forest (Dr. Taylor) was elected on this specific issue. In the previous Parliament we had the hon. Member for Tatton, who was also elected on a very specific issue. Will the Minister agree that neither of those hon. Members would have been able to present his particular point of view if we had had a system of proportional representation?

Mr. Leslie: I am glad that there are now two Members who are not convinced that there should be a change to the voting system.

Mr. Collins: There are certainly three.

Mr. Leslie: The number grows by the second. That is the kernel of the debate. The point about the constituency link is a good one. It could be debated for hours. I see that the hon. Member for Winchester is champing at the bit.

Mr. Oaten: I am grateful to the Minister for giving way. Are the Government still sticking by their manifesto commitment to consider the issue?

Mr. Leslie: Absolutely. We want to keep an open mind. However, we have also to consider whether—in the light of the evidence from the European parliamentary elections and the Scottish and Welsh elections, where different voting systems were used—a change in system was of great significance in the context of public participation.

Tony Wright: I am sorry to interrupt. I am puzzled about how we will accumulate the evidence about different electoral systems at a local level if we do not have any experiments.

Mr. Leslie: The problem is that experimenting with different electoral systems is different from piloting new voting mechanisms. If there were to be one council elected using one voting system and another elected via a completely different one, or perhaps the representatives of one ward elected in a different way from those of another, the legitimacy of some candidates might be called into question. I suspect that the Government would feel—certainly I do—that, for that reason, we need to be more careful in piloting on a geographical basis.

Martin Linton: Will my hon. Friend give way?

Mr. Leslie: Why not?

Martin Linton: Is my hon. Friend not aware that a lot of evidence collected by international organisations devoted to the study of elections already demonstrates that the electoral system that produces the lowest turnouts is the one that we use?

Mr. Leslie: Those are absolutely the pieces of rigorous evidence that I feel that the Government should consider in a lot more depth. We can pick up a lot from that international learning, and my hon. Friend has more knowledge and experience on such matters than most of us.

Talking of local government electoral pilots, however, I should mention that in May 2000 we organised 32 local authorities to run 38 pilot schemes to experiment and innovate—for instance, on early voting, electronic voting, all-postal ballots, mobile ballot boxes and weekend voting. All-postal ballots were the only experiments that increased turnout significantly. Turnout rose in some places when other means were used, but all-postal ballots resulted in turnouts that were up to a third higher than in comparable areas.

The hon. Member for Battersea spoke about the ease of voting. The Government have been concerned about that since the general election, and we are now inviting other local authorities to apply for a new round of pilots for the May 2002 local elections. The Department for Transport, Local Government and the Regions has allocated £3.5 million to help local authorities to apply for such experiments. They will be evaluated by the Electoral Commission. We also need to consider whether elected mayors may be another way to engage people, and encourage them to believe that local government is reconnecting.

On local advisory referendums, the Government are committed to legislating when parliamentary time allows. We need to put those powers on a statutory basis, and that will certainly be one area on which we will seek to develop policy in the near future.

My hon. Friend the Member for Birmingham, Northfield touched on regional governance. We remain committed to taking forward that agenda. We believe that, if people want them, elected regional assemblies can play a part in bringing democracy closer to the people, strengthening accountability and helping to reinvigorate the political process.

Ministers, led by my right hon. Friend the Deputy Prime Minister and in liaison with my right hon. Friend the Secretary of State for Transport, Local Government and the Regions and other Cabinet Ministers, are working on the forthcoming White Paper on regional governance. That will set out the Government's plans for taking forward our manifesto commitment on elected regional government. During the run-up to publication of that White Paper, we want to encourage a wider public debate; we want to encourage all to express a view.

Elected regional assemblies will not be imposed. Local people will be given the choice through regional referendums, although we are keen for progress to be made. It is critical that we get the proposals right and that people have the opportunity to contribute to the shape of regional governance.

Mr. Collins: As the Minister was somewhat eloquent in his earlier remarks on the need to be cautious on the introduction of proportional representation for local government, can we take it that that the White Paper will not automatically commit the Government to introducing proportional representation for regional assemblies? Would the Government even consider asking that question in a referendum?

Mr. Leslie: That is an interesting point. I have not drawn a conclusion on that. I certainly believe that the Government will be considering it, but when the White Paper is published all will be revealed.

Turning to the question of public consultation raised by the hon. Gentleman and others, the Cabinet Office has taken a number of important steps to improve the standards of public involvement. Some of them were mentioned in the Committee's report and the Government's response. The code of practice on written consultation, published in November 2000, was launched by my right hon. Friend the Prime Minister. Consultation is a central plank in the Government's commitment to encouraging greater openness.

The new code is binding on all Departments. It covers consultation with all sectors of public interest—business, trade unions and other pressure groups, as well the voluntary sector. The Government will evaluate the code in the latter half of next year. There is some cynicism about the extent to which views are genuinely listened to, which is why we included in the code a requirement for Departments to summarise views expressed in the Government response to consultation and to give clear reasons for rejecting options that were not adopted.

Early evidence suggests that the standard of consultation by central Government has improved since the code came into force in January. My hon. Friends the Members for Gedling (Vernon Coaker) and for Cannock Chase highlighted the critical fact that consultations need to be meaningful, rather than simply a statutory hoop and inconvenient barrier for Departments to overcome. In my experience as a constituency Member of Parliament, I feel extremely frustrated by consultation exercises that make one feel as though boxes are being ticked without anyone listening. If I feel that as an MP, surely we need to do more to engage the public.

From my experience, I feel that young people need to be engaged in the political process. My hon. Friend the Member for Gedling and the hon. Members for Winchester and for Westmorland and Lonsdale (Mr. Collins) touched on the issue. Although young people are the most likely people to be online, they are least likely to vote. I agree with the Committee that, if we are to tackle low public participation, we must start with young people.

Vernon Coaker: Will the Minister consider reducing the voting age to 16 and the age at which people can become Members of Parliament and councillors from 21 to 18? Will he try to ensure that that idea is included in any discussions on the subject? I do not expect him to say yes.

Mr. Leslie: The Government have an open mind on the age at which members of the public can stand for elected office. In terms of public participation, I am not sure that we will be especially successful at convincing 16 to 18-year-olds to vote if we cannot convince 18 to 24-year-olds to do so. The problem lies a little deeper, and Select Committees have been considering it in much more depth.

Only about 39 per cent. of 18 to 24-year-olds cast their votes at the last election. The Minister of State for the Home Department, my right hon. Friend the Member for Southampton, Itchen (Mr. Denham), who has responsibility for young people, has asked the Government's children and young people's unit to investigate the reasons for lower levels of political engagement among young people. That work was launched on 29 October, when 60 young people presented their views and opinions on what needed to happen to encourage them to engage in the democratic process. The unit is extending the consultation process, and is working with other organisations and stakeholders including political parties, the media and the Electoral Commission to explore the issues raised.

The plan is that by the spring, in the light of the consultation, recommendations will be made by the Government, the political parties and the media on what they can do to encourage young people to engage in the democratic process. The burden is not only on the Executive. Many people, especially those of us in Parliament, must share in tackling it. We must ensure that we find ways to engage young people in the political process, not least perhaps by considering citizenship education. The issue of civic literacy and social responsibility was alluded to by my hon. Friends the Members for Gedling, for Cannock Chase and for Great Yarmouth.

Following the Government's proposals in "Excellence in schools", an education White Paper, my right hon. Friend the Home Secretary—he was then the Secretary of State for Education and Employment—set up an advisory committee to provide advice on effective education for citizenship in schools. We believe that citizenship education is central to creating a modern and inclusive society. The subject will help to develop pupils' formal knowledge of how political processes work, how decisions are made and how individuals can play a part. It will also help them to develop greater understanding of the democratic process and the institutions that underpin democracy in our country. It will provide opportunities for pupils to take responsibility and action in their neighbourhoods and communities to change things for the better.

The hon. Member for Winchester and my hon. Friend the Member for Birmingham, Northfield talked about engaging the community and the voluntary sector, which is an important subject which cannot be ignored. The Government agree with the Public Administration Committee that effective public participation in central and local government decision making requires a healthy civil society, a hallmark of which is an effective and engaged voluntary and community sector. The work of voluntary and community organisations is fundamental to achieve our aim of a fairer, more socially inclusive society.

The Government are doing much to improve that area; for example, there is an active community unit at the Home Office which provides funding for voluntary organisations to increase their effectiveness, including those that promote volunteering. The Home Office sponsors the Community Development Foundation,

[Mr. Leslie]

which is a non-departmental public body whose mission is to promote community development by enabling people to work in partnership with public authorities, government, the corporate sector and voluntary organisations to regenerate and strengthen their communities. The aim of that work is to create a step change in voluntary and community involvement by promoting increased activity in both and by supporting the development of active communities. It is important to note that many regeneration schemes have capacity building—that is not a phrase on which I am especially keen, and no one knows exactly what it means, but it suggests that the schemes look for ways of channelling the voices of local communities. In that way, when resources are available for less well-off communities, those sums can be spent on things that the local population wants.

The Public Administration Committee, and the hon. Member for Cannock Chase, asked whether we should have a new democracy commission. The Select Committee may have to consider in more detail the work of the Electoral Commission, which was established only a year ago. That body does not simply have a remit for technical mechanistic functions of elections, but has an explicit aim to promote the awareness of democratic systems and develop programmes of voter education. A dialogue on that matter between that body and Parliament would be fruitful. To create a separate democracy commission would be premature and might cause confusion, given that the Electoral Commission has only recently been established.

Earlier in the debate, we heard a fascinating exchange between my hon. Friends the Members for Cannock Chase and for Harrow, West (Mr. Thomas), who is no longer in his place, on the question of compulsory voting. Although I can see the superficial attractions of any remedy that might raise civic engagement, the Government do not believe that compulsory voting would guarantee genuine and meaningful democratic involvement. Compelling grudging participation is surely less desirable than engaging and enthusing citizens. That is the true challenge that we all need to face.

Although I accept that enormous policy areas remain on which more work must be done, I believe that the Government have made substantive progress in a number of positive ways. We created the Electoral Commission, which is considering many issues realised by the Select Committee and will address as a high priority the problems of lower voter turnout. We are setting up the ministerial committee on e-democracy, and will conduct a wide-ranging public consultation on that area. That should lead to the implementation of new ideas, to increased public participation and improved voter turnout through new technology. Another component is the introduction of the Freedom of Information Act 2000, which will open access and change the culture proactively to put Government information into the public arena. We do not have to debate that in detail today, but it is an important factor.

The hon. Member for Winchester asked a series of questions about the people's panel, which we first created to seek public views on improving public services, not on specific policies but on how they use the services that we all enjoy. We shall, however, examine new ways of finding out consumers' views on those vital services and of ensuring that we continue to have feedback and dialogue on such practical issues of public policy.

Brian White: There have been a number of similar panels with quite a range of experience. Will the Minister allow a review of those when he considers winding up the people's panel?

Mr. Leslie: Our research into the public's opinion of the services that they use needs continually updating. Local councils have been innovating in a number of ways and have conducted deliberative research. Central Government can learn lessons from local government in that regard, just as we can send guidance notes down to local councils. The issue requires greater investigation.

Mr. Oaten: Will the people's panel be wound up or reviewed in January? That was not clear from the Minister's answer.

Mr. Leslie: The contract for the people's panel runs out in January 2002. MORI is carrying out several analyses. We have decided to consider ways of taking matters forward into a second phase, although I do not have an announcement to make on that. I shall certainly inform the hon. Gentleman if and when we reach a firm decision.

A number of the schemes that I mentioned promote best practice in public participation. We can only try our best at administrative and ministerial level to engage the public and improve our consultative practices. We published the code of practice to improve the standards of public consultation across central Government. We are expanding consultation through the network of consultation co-ordinators and by producing best practice material. We have even given the public access to national consultations via a central register of consultations on the website, for those who have the time and inclination to visit it.

I hope, therefore, that hon. Members will see that the Government have been actively tackling the issues. We are not complacent and we genuinely welcome the fresh thinking of the Committee and of hon. Members present today. I thank the House for finding time for a debate on this important subject. I hope that we shall continue to have a useful dialogue on this enormously wide-ranging subject.

5.33 pm

Tony Wright: I thought that there was a convention whereby I as Chairman thanked those hon. Members who had taken part, Mr. Cook. I am talking just in case that is true. Do I stand corrected?

Mr. Frank Cook (in the Chair): No. Carry on.

Tony Wright: I get the impression that I should be brief, and I shall be exceptionally brief.

I was going to take up some hon. Members' comments, but I shall not do so now. We heard some fascinating contributions, which were full of good ideas.

I was intrigued to hear about the politician in Virginia who had all those buildings named after him. I wonder whether something similar might be the solution to the collapse of electoral participation in Cannock Chase, which my hon. Friend the Member for Battersea (Martin Linton) mentioned.

My most depressing moment during the election was when I stood not on Attlee crescent or Bevan way, but on William Morris drive on an estate where no one was taking any interest in the campaign. That was civic death. The fact that it happened in a street named after William Morris, who was the epitome of civic engagement and energy seemed—well, hon. Members will get the point.

We have heard some good ideas. I was reminded of Oscar Wilde's remark about the trouble with socialism being that it took up too many evenings. Participation does, of course, take up people's evenings, and they are pretty jealous of them these days. However, people are also full of ideas about how we might move matters on.

Finally, there is a misunderstanding about our proposal for a democracy commission. That is our fault, not my hon. Friend the Minister's, and I welcomed his comments about the e-democracy initiative. I had a meeting with the head of the Electoral Commission, who was also anxious about that misunderstanding. The Committee proposes a short-lived commission which will find out what has been going wrong and to put solutions in place. There is an urgency about the issue that requires such an initiative, preferably from the Government. I hope that our report and this debate will contribute in some way towards moving the issue on.

Question put and agreed to.

Adjourned accordingly at twenty-five minutes to Six o'clock.

Written Answers to Questions

Monday 19 November 2001

HOUSE OF COMMONS

House of Commons Passes

Mr. Cox: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, how many ex-hon. Members have been allowed a House of Commons pass; how long an hon. Member must serve to qualify for such a pass; and when this system was last reviewed. [15301]

Mrs. Roe: I have been asked to reply.

There are currently 117 ex-hon. Members with House of Commons photo identity passes. Ex-hon. Members with 15 years' pensionable service are entitled to apply for a photo identity pass.

The system was last reviewed at a meeting of the Administration Committee on 27 February 2001 in the context of access to the House by Members of devolved legislatures.

INTERNATIONAL DEVELOPMENT

Zimbabwe (NGOs)

Dr. Tonge: To ask the Secretary of State for International Development what representations she has made to the Government of Zimbabwe regarding their decision to prohibit non-governmental organisations from operating in Zimbabwe. [15778]

Clare Short: No such decision has been communicated to us or to NGOs operating in Zimbabwe. NGOs are providing much needed relief to some of Zimbabwe's most vulnerable people. We would hope that any Government who were serious about the welfare of their people would allow such work to continue.

Older People (Discrimination)

Ms Atherton: To ask the Secretary of State for International Development what action her Department has taken to tackle discrimination against older people. [14955]

Clare Short: My Department's aim is the elimination of poverty in poorer countries. Discrimination and marginalisation is frequently a cause of poverty. We are seeking to ensure that poor people are consulted on policies and decisions that affect them. We are using participatory methods to understand people's perception of their rights and the obstacles they face in accessing entitlements. By adopting such rights approaches, we are promoting social justice, including tackling discrimination against older people.

We are supporting the African Union's leadership in promoting and guiding national policies on ageing in their membership, as well as assisting the policy development process in the preparations for the Second World Assembly on Ageing next spring.

TRADE AND INDUSTRY

Export Licences (Russia)

Mr. Barker: To ask the Secretary of State for Trade and Industry how many export licences have been issued to *(a)* Russian companies to the United Kingdom and *(b)* United Kingdom companies to Russia in the last 12 months. [14727]

Nigel Griffiths: Between 9 November 2000 and 9 November 2001, 50 Standard Individual Export Licences (SIELs) and 15 Open Individual Export Licences (OIELs) were issued covering the export of goods and technology to Russia.

In addition, Russia is a permitted destination on certain Open General Export Licences (OGELs) covering the export of goods on the Military List; copies of all Open General Export Licences are placed in the Library of the House. More information on export licences for Russia can be found in the Government's Annual Reports on Strategic Export Controls (also available in the Library of the House).

Any export licensing requirement for the export of goods and technology to the UK would be a matter for the authorities in the exporting country. We have no information on export licensing decisions made by the Russian authorities.

3G Licensing Sale

Mr. Bercow: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact of the 3G licensing sale conducted by her Department on *(a)* employment, *(b)* growth and *(c)* debt in the United Kingdom telecoms sector. [14385]

Mr. Alexander: We believe that the medium and long-term prospects for the UK telecoms sector remain strong. The current down-turn is part of a global phenomenon, not limited to countries in which there have been auctions of third generation mobile licences. UK mobile operators are continuing to work towards launch of third generation services as rapidly as is practicable.

WTO Conference (Doha)

Annabelle Ewing: To ask the Secretary of State for Trade and Industry what discussions she has had with the Scottish Executive with respect to the preparation of the position of the UK Delegation to the 4 World Trade Organisation Ministerial Conference in November in Doha. [15064]

Ms Hewitt *[holding answer 15 November 2001]:* Regulation of international trade is a reserved matter under the Scotland Act 1998. The Scottish Executive receive invitations to the Whitehall-wide Trade Policy Group, and through this process of information exchange and consultation, the Scottish Executive are involved in trade policy.

Annabelle Ewing: To ask the Secretary of State for Trade and Industry if a representative of the Scottish Executive formed part of the UK Delegation to the fourth World Trade Organisation Ministerial Conference in November in Doha. [15065]

Ms Hewitt *[holding answer 15 November 2001]:* Regulation of international trade is a reserved matter under the Scotland Act 1998, and there was no representative of the Scottish Executive in the delegation. The DTI is in discussion with the Scottish Executive on a number of issues in line with the agreed Memorandum of Understanding and Concordats.

Mr. Ruffley: To ask the Secretary of State for Trade and Industry what steps she is taking at the WTO Ministerial meeting in Doha to meet the concerns of the least developed countries. [14408]

Ms Hewitt *[holding answer 13 November 2001]:* I refer to my Statement to the House on 15 November, reporting on the successful outcome of the WTO Ministerial Conference in Doha.

As well as launching a development-focused trade round, which we believe offers the best route for the developing world to escape from poverty, the Doha Development Agenda includes a number of measures specifically focused on developing countries, with particular extra benefits in some areas for the least developed countries.

The WTO Ministerial Conference also agreed a Declaration on the TRIPS Agreement and Public Health, which clarifies the action that WTO members can take to secure access to essential medicines during public health crises, and a Decision on Implementation-related Issues and Concerns, which contains many provisions specifically intended to benefit least developed countries.

Fireworks

Annabelle Ewing: To ask the Secretary of State for Trade and Industry what plans she has to restrict the sale of fireworks to those organising professional fireworks displays; and if she will make a statement. [15377]

Ms Hewitt *[holding answer 16 November 2001]:* We have no plans to restrict further the sale of fireworks.

Ilisu Dam

Mr. Fallon: To ask the Secretary of State for Trade and Industry what representations she has received on the Ilisu Dam project from the Secretary of State for International Development. [15129]

Ms Hewitt *[holding answer 15 November 2001]:* I have received no representations on the Ilisu Dam project from my right hon. Friend the Secretary of State for International Development. Turkey is not a country where the Department for International Development has a programme.

Mr. Fallon: To ask the Secretary of State for Trade and Industry if she will place in the Library copies of the consultants' reports on the Environmental Impact Assessment report and the Resettlement Action Plan on the Ilisu Dam project. [15131]

Ms Hewitt *[holding answer 15 November 2001]:* I will place copies of the consultants' reports on the Environmental Impact Assessment Report and the Resettlement Action Plan on the Ilisu Dam project in the Library after showing them to the Turkish Government and the other Export Credit Agencies considering support for the project. The reports will also be placed on ECGD's website.

Mr. Llwyd: To ask the Secretary of State for Trade and Industry what recent discussions there have been on the Ilisu Dam project; and if he will make a statement. [15316]

Ms Hewitt: Discussions have recently taken place between officials of the Government Departments with an interest in the project (ECGD, the Foreign and Commonwealth Office, the Department for Environment, Food and Rural Affairs, Trade Partners UK and the Department for Culture, Media and Sport) regarding the assessment of both the reports produced by independent consultants on the Environmental Assessment Report (EIAR) and Resettlement Action Plan (RAP) and the comments received from the public and other interest groups. The consultants' reports will be made publicly available in due course. However, Balfour Beatty have now withdrawn from the project.

Consultation Documents

Sandra Gidley: To ask the Secretary of State for Trade and Industry how many consultation documents were issued by her Department from *(a)* 15 October to 14 January, *(b)* 15 January to 14 April, *(c)* 15 April to 14 July and *(d)* 15 July to 14 October in each year from 1996. [12875]

Ms Hewitt: Since the introduction of the Consultation Code on 1 January 2001, consultation documents have been issued as follows:

Date	*Number*
1 January to 14 January	1
15 January to 14 April	23
15 April to 14 July	10
15 July to 14 October	17
15 October to date	2

Records relating to consultations issued before the introduction of the Consultation Code on 1 January 2001 are held not centrally, but by the management unit responsible for the policy area concerned. The information requested in relation to this period could be obtained and collated only at disproportionate cost.

Consignia

Martin Linton: To ask the Secretary of State for Trade and Industry how many Consignia staff are employed at the Nine Elms Royal Mail sorting office; and what plans she has for the future of this sorting office. [14953]

Mr. Alexander: As an operational issue, plans for the future of the Nine Elms site are a matter for Consignia.

Consignia have informed me that some 3,000 staff are employed at the Nine Elms site of which approximately 1,500 are employed on mail processing.

Mr. Waterson: To ask the Secretary of State for Trade and Industry what steps she has taken to encourage Consignia to make greater use of rail freight for mail deliveries. [15027]

Mr. Alexander: This is an operational issue for Consignia.

I have been informed that the company is currently undertaking a review of its countrywide road, rail and air transport links as part of plans to reshape the entire network to meet the demands for faster, cost effective services in the future.

Mr. Waterson: To ask the Secretary of State for Trade and Industry what proportion of mail was carried by *(a)* road and *(b)* rail in each of the last five years. [15026]

Mr. Alexander: This is an operational issue for Consignia.

Consignia has informed me that, for each of the last five years prior to the Hatfield rail disaster in October 2000, 20 per cent. of mail was carried by train, 5 per cent. by air and the remaining 75 per cent. by road; and that figures since October 2000 are not available.

Consumer Councils

Miss McIntosh: To ask the Secretary of State for Trade and Industry what the total costs were for operating *(a)* the National Consumer Council, and *(b)* the Scottish Consumer Council in (i) 1996–97, (ii) 1997–98, (iii) 1998–99 and (iv) 1999–2000. [15545]

Ms Hewitt: The total expenditure of the National Consumer Council was, in:

Year	*£ million*
1996–97	3.306
1997–98	2.976
1998–99	3.029
1999–2000	3.29

This included the expenditure of the SCC which, for the same period, was:

Year	*£*
1996–97	464,993
1997–98	601,168
1998–99	679,365
1999–2000	761,132

Miss McIntosh: To ask the Secretary of State for Trade and Industry what the salaries are of *(a)* the chairman and members of the National Consumer Council, and *(b)* the chairman and members of the Scottish Consumer Council. [15546]

Ms Hewitt: The chairman and board of the NCC and the SCC are public appointees. The salary of the chairman of the NCC is £30,900 per annum and the salaries of the NCC members are £10,000 per annum. The salary of the chairman of the SCC is £15,450 per annum. The members are unpaid, but receive an attendance allowance of £87 per day.

Miss McIntosh: To ask the Secretary of State for Trade and Industry what the salaries are of the chief executive of the *(a)* National Consumer Council and *(b)* Scottish Consumer Council. [15547]

Ms Hewitt: The salary of the director or chief executive of the National Consumer Council is given in the annual report. It is currently set at £61,498 per annum. The director of the SCC is an employee of the NCC. The individual salaries of NCC employees are not in the public domain.

Miss McIntosh: To ask the Secretary of State for Trade and Industry if she will make a statement about the role of the Scottish Consumer Council since 1999. [15630]

Ms Hewitt: The role of the Scottish Consumer Council (SCC) (an independent sub-committee of the National Consumer Council (NCC)) is to make all Scottish consumers matter by ensuring that all consumer interests, particularly those of disadvantaged groups, are heard by people who can make a difference in business, the public sector and in Government.

Solicitors' Costs

Mr. Ben Chapman: To ask the Secretary of State for Trade and Industry what the total solicitors' costs to her Department was of the action of the right hon. Member for Tyneside North (Mr. Byers) against Associated Newspapers and Simon and Schuster. [16391]

Ms Hewitt: The total solicitors' bill was £20,385.

Departmental Staff

Mr. Andrew Turner: To ask the Secretary of State for Trade and Industry how many employees of *(a)* her Department and *(b)* agencies sponsored by her Department work in (i) London, (ii) areas benefiting from EU Objective 1 status, (iii) areas with Objective 2 status and (iv) other areas. [16110]

Alan Johnson: The information is as follows:

Employees in	*Department*	*Agencies*	*Total*
London	3,529	1,646	5,175
Objective 1 areas	1	219	220
Transitional objective 1 areas	0	6	6
Objective 2 areas	543	1,692	2,235
Transitional objective 2 areas	0	35	35
Other areas	198	651	849

Departmental Publications

Mr. Bercow: To ask the Secretary of State for Trade and Industry how many publications were issued by her Department in each of the last four years. [11841]

Ms Hewitt: The number of publications notified to the Department's Publications Unit during the last four calendar years were:

1998: 802

1999: 919

2000: 967

2001: 771 (to date).

Aviation Industry

Alistair Burt: To ask the Secretary of State for Trade and Industry what plans she has *(a)* to underwrite insurance premiums and *(b)* to seek suspension of the operation of airline passenger duty following the events of 11 September. [15621]

Ruth Kelly *[holding answer 16 November 2001]:* I have been asked to reply.

The Government set up a temporary replacement insurance scheme for UK and Isle of Man airlines following the withdrawal of commercial cover for third party liabilities in the wake of the terrorist attacks in the US. The scheme underwrites third party, war and terrorism liabilities above $50 million for the majority of airlines for a commercially based premium, but will waive the premium for airlines that choose to buy $100 million of cover on the commercial insurance market. The scheme was extended for 30 days on the 24 October and will now expire at midnight on the 23 November. If it is clear that adequate commercial insurance has not returned to the market, the scheme will again be renewed.

The Chancellor reviews all taxes in the context of his pre-Budget and Budget statements.

Bonus Payments

Barbara Follett: To ask the Secretary of State for Trade and Industry what the average increase in the earnings index in the 12 month period to February was as a result of bonus payments; and *(a)* what proportion of that was due to a growth in the financial sector and *(b)* what proportion of those bonuses went to (i) men and (ii) women. [15726]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Barbara Follett, dated 19 November 2001:

As National Statistician, I have been asked to reply to your recent question about the average increase in the earnings index (15726).

The rate of growth in the Average Earnings Index for Great Britain in the year to February was 6.8 per cent. Excluding bonus payments, the index showed annual growth of 4.1 per cent. The published "bonus effect" is therefore 2.7 percentage points.

The Financial Intermediation sector contributed approximately 3.0 percentage points to this effect.

Information is not available from the Average Earnings Index by sex.

DEFENCE

Alternative Landing Ships Logistic

Mr. Sarwar: To ask the Secretary of State for Defence what progress has been made with placing a contract for the additional two alternative landing ships logistics. [16268]

Mr. Ingram: I am pleased to announce that, further to the announcement made by my right hon. Friend the Secretary of State for Defence on 26 October last year, *Official Report,* columns 414–15, the Ministry of Defence has concluded negotiations with BAE Systems Marine and has today placed a contract worth an estimated value of £120 million with the BAE Systems Marine Govan Shipyard on the Clyde to construct two Alternative Landing Ships Logistics. This is in addition to the first two ships in the class which are to be built by Swan Hunter at its Tyneside yard. BAE Systems Marine will build their vessels to Swan's design.

This represents an important enhancement to our Amphibious Capability, as each ALSL has more than twice the carrying capacity of the ships that they will replace. This significantly increases our specialist amphibious lift capacity. The vessels being built by Swan Hunter are due to enter into service in 2004 and 2005. Work at Govan on the further two vessels should commence later this month with a planned in-service date of 2005.

This represents positive news for Clyde shipbuilding and should sustain 600 jobs at the Clyde shipyards and 200 other jobs in the region until the planned Type 45 Destroyer construction commences.

Defence Aviation Repair Agency

Mr. John Smith: To ask the Secretary of State for Defence if he will publish the consultant's report recommending the relocation of the fixed wing aircraft repair business of DARA from RAF St. Athan to Cardiff international airport. [16389]

Mr. Ingram: I refer my hon. Friend to the answer I gave him on 20 July 2001, *Official Report,* columns 707–08W.

RAF Menwith Hill

Norman Baker: To ask the Secretary of State for Defence what the cost has been to his Department of the use of MOD police in connection with RAF Menwith Hill since 5 July; and what the preset departmental budget was for this function. [15878]

Dr. Moonie: I am withholding the cost of the Ministry of Defence Police (MDP) deployed at RAF Menwith Hill in accordance with Exemption 1 (Defence Security) of the Code of Practice on Access to Government Information. The financial arrangements governing the MDP presence at bases made available to the United States visiting forces in the UK, including RAF Menwith Hill, are covered by a Memorandum of Understanding between the UK and US Governments. The costs incurred by Her Majesty's Government for the MDP presence at RAF Menwith Hill are reimbursed by the US Government, except where overtime is occasioned by the activities of protesters, which is a direct cost to the UK.

Missile Trials

Mr. Jenkin: To ask the Secretary of State for Defence what missile trials involving live firing of missiles have been undertaken by *(a)* HMS Marlborough, *(b)* HMS Lancaster and *(c)* HMS York in the past three years. [14627]

Mr. Ingram: There have been no specific missile trials involving the named vessels in the past three years. A number of routine practice firings have been undertaken. However it is not our policy to comment on the details of the live firing programme and I am withholding this information in accordance with Exemption 1 of the Code of Practice on Access to Government Information which relates to Defence, Security and International Relations.

Mr. Jenkin: To ask the Secretary of State for Defence what missile trials involving Trident class submarines have taken place in the past three years. [14628]

Mr. Ingram: One trial has been conducted in the past three years when HMS Vengeance successfully conducted a post-build firing of a Trident missile with an inert warhead.

Departmental Sites (Planning Applications)

Mr. Lidington: To ask the Secretary of State for Defence what his policy is towards submitting planning applications for his Department's sites the use of which is already subject to a local plan public inquiry. [15713]

Dr. Moonie: The Ministry of Defence is obliged to optimise receipts to the Exchequer from the disposal of its surplus estate and adopts strategies which ensure that this objective is achieved while taking full account of local issues and concerns. Planning permission is sought in advance of disposal in order to release the site at the most beneficial value to the taxpayer.

In some cases where a local plan inquiry is in progress or has been completed it may be necessary to submit a planning application in order to determine development proposals in a reasonable timescale. This course is particularly useful if the principles of development have not been previously challenged at the local plan inquiry.

Defence Estates Disposal Programme

Mr. Lidington: To ask the Secretary of State for Defence if he has conducted a review this year of Defence Estates' disposal programme; what was the conclusion of that review; and if he will make a statement. [15715]

Dr. Moonie: The Defence Estates disposal programme is managed carefully to ensure that the targets set under the Strategic Defence Review (SDR) and subsequent public service agreements are achieved. Best practice and lessons learned from post project reviews help to ensure that our disposal process and procedures are taut and provide best value. The SDR target of £700 million by March 2002 will be achieved and we expect property to make up the majority of the current PSA target of £600 million in asset disposals in the three years to March 2004.

Territorial Army

Mr. Swayne: To ask the Secretary of State for Defence what recent assessment has been made of the capability of the Territorial Army to provide aid to the civil powers. [R] [9674]

Dr. Moonie: My right hon. Friend the Secretary of State for Defence announced to the House on 4 October that, following the attacks on 11 September, we are conducting work designed to ensure that we have the right capabilities in place to deal with international terrorism. The range of options being considered includes how the TA may be used in providing assistance to the civil community in an emergency.

Future Strategic Tanker Aircraft

Mr. Keetch: To ask the Secretary of State for Defence what assessment he has made as to the suitability of former civilian aircraft being purchased or leased directly by his Department for conversion to the future strategic tanker aircraft; and if he will make a statement. [13836]

Dr. Moonie *[holding answer 9 November 2001]:* It is intended that the future strategic tanker aircraft will deliver the RAF's air to air refuelling capability from around 2007. Bids for this prospective PFI project were received from two consortiums on 3 July 2001. Potential aircraft solutions include both new and former civilian airliners. We are currently examining the suitability of these options as part of a detailed assessment phase.

Porton Down Volunteers

Matthew Taylor: To ask the Secretary of State for Defence how many individuals have contacted the Porton Down volunteers helpline since February 1998. [14761]

Dr. Moonie: Since February 1998 the helpline has received requests for information relating to 750 individuals.

Matthew Taylor: To ask the Secretary of State for Defence how many officials at the chemical defence establishment, Porton Down, are employed to answer queries in the form of letters and telephone calls by former service personnel about experiments in which they took part. [14760]

Dr. Moonie: Currently, two full-time and three part-time members of Porton Down staff work exclusively on volunteer inquiries. Additionally, five other members of staff devote a significant proportion of their time to volunteer issues.

Matthew Taylor: To ask the Secretary of State for Defence if he will make ex-gratia compensation payments to service volunteers who took part in experiments at the chemical defence establishment, Porton Down, because they believed that they were volunteering for common cold research; and if he will make a statement. [14835]

Dr. Moonie: No. Despite in-depth searches of the Ministry of Defence archive, no evidence has been found to substantiate the allegation that volunteers were recruited under the pretext that they were attending Porton Down for common cold research. Indeed, Porton Down has never conducted work on the common cold.

Matthew Taylor: To ask the Secretary of State for Defence how many service personnel have visited the chemical defence establishment, Porton Down, to inspect records of their experiments and discuss their test with members of staff since 6 April. [14752]

Dr. Moonie: Since 6 April 2001, staff at Dstl Porton Down have hosted visits from seven former Porton Down volunteers.

Matthew Taylor: To ask the Secretary of State for Defence if the War Pensions Agency is being kept informed of the plans to set up an epidemiological study to explore the health of volunteers who took part in experiments at the chemical defence establishment, Porton Down; and what meetings have taken place between the War Pensions Agency and *(a)* the Medical Research Council and *(b)* the Gulf Veterans' Illnesses Unit with regard to this matter. [14763]

Dr. Moonie: The War Pensions Agency is aware of the planned research but has not been involved in meetings with the Medical Research Council or the Gulf Veterans' Illnesses Unit on this matter.

The Agency's core function is delivery of the War Pensions Scheme, with decisions on war pensions claims based on case specific facts, the relevant law and contemporary medical understanding.

Matthew Taylor: To ask the Secretary of State for Defence how many times since 9 April staff at the chemical defence establishment, Porton Down, have supplied information about former volunteers to the War Pensions Agency in response to claims for disablement by such individuals. [14764]

Dr. Moonie: Since 9 April 2001, Dstl Porton Down has supplied information relating to 25 individuals following requests for information from the War Pensions Agency.

Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his answer of 11 May 2001, *Official Report*, columns 415–16W, regarding Porton Down, if his Department's officials conducting the comprehensive survey of the service volunteer programme at the chemical defence establishment, Porton Down, have made a decision on whether to interview *(a)* former scientists and staff at Porton Down who conducted the experiments and *(b)* former service personnel who took part in the experiments. [14751]

Dr. Moonie: No decision has yet been taken.

Matthew Taylor: To ask the Secretary of State for Defence if Professor Ian Kennedy will meet representatives of the Operation Antler team of Wiltshire Police as part of his supervision of the comprehensive survey of the service volunteer programme at the chemical defence establishment, Porton Down. [14756]

Dr. Moonie: Professor Kennedy is acting in a supervisory and advisory role with respect to the comprehensive survey. It would not ordinarily be part of such a role to have discussions with representatives of a police investigation team, and thus Professor Kennedy has no plans to do so.

Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his answer of 15 October 2001, *Official Report*, columns 936–37W, regarding Porton Down, if he will place in the Library papers relating to the War Pensions Agency's decision of 19 February. [14745]

Dr. Moonie: I am withholding this information under Exemption 2 (Internal discussion and advice) of the Code of Practice on Access to Government Information.

Matthew Taylor: To ask the Secretary of State for Defence if he will place in the Library a list of the titles and dates of films held by the chemical and biological defence establishment, Porton Down, which recorded the establishment's trials with the chemical agents CS and CR tear gas in the 1960s and 1970s. [14798]

Dr. Moonie: I refer the hon. Member to the answer I gave him on 9 May 2001, *Official Report*, column 197W. An attempt to collate a list even of the trials involving the tear gases CS and CR undertaken in the 1960s and 1970s could be provided only at disproportionate cost.

Matthew Taylor: To ask the Secretary of State for Defence if he will place in Library a list of the *(a)* common and *(b)* chemical names of the eight nerve agents which have been tested on service volunteers at the chemical defence establishment, Porton Down, during the service volunteer programme; and how many service volunteers were tested with each of the nerve agents. [14754]

Dr. Moonie: The eight nerve agents known to have been used in trials involving volunteers at Porton Down, together with their common and chemical names, are as follows:

GA; common name, Tabun; chemical name, O-ethyl N-dimethyl phosphoramidocyanate:

GB; common name, Sarin; chemical name, O-isopropyl methylphosphonofluoridate:

GD; common name, Soman; chemical name, O-pinacolyl methylphosphonofluoridate:

GE; common name, Ethyl sarin; chemical name, O-isopropyl ethylphosphonofluoridate:

GF; no common name; chemical name, O-cyclohexyl methylphosphonofluoridate:

VX; no common name; chemical name, O-ethyl-S-[2(diisopropylamino)ethyl] methylphosphonothioate: and radio-labelled versions of GB and VX.

At present there are no definitive figures detailing the numbers of service volunteers who have been exposed to each of these agents. It is hoped that these details will become apparent during the forthcoming epidemiological study, which is being overseen by the Medical Research Council. It is intended that the results from this study will be published in the open literature.

Matthew Taylor: To ask the Secretary of State for Defence if he will place in the Library a copy of the report produced by the chemical defence establishment, Porton Down, in 1972 entitled, The Effect of Wind Speed on the Mitogenic Potency of GB and VX Valpour. [14759]

Dr. Moonie: This report is still classified as confidential and contains information which could have a direct bearing on operational effectiveness. I am therefore withholding this information in the interests of national security in accordance with Exemption 1 of the Code of Practice on Access to Government Information.

Matthew Taylor: To ask the Secretary of State for Defence if he will place in the Library a copy of the report produced by the chemical defence establishment, Porton Down in 1984 entitled, Experience in Man with Nerve Agents with Reference to Generalised Symptoms—A Review and Proposals for Further Experiments. [14758]

Dr. Moonie: This report is still classified and contains information which would be of use to a potential aggressor or terrorist. I am therefore withholding this information in the interests of national security in accordance with Exemption 1 of the Code of Practice on Access to Government Information.

Far East Prisoners of War

Mr. Austin Mitchell: To ask the Secretary of State for Defence how many people were detained in Japanese camps in World War Two as British but have now been ruled as ineligible for compensation because of a lack of a blood link with the United Kingdom. [15017]

Dr. Moonie: Precise numbers of people who were detained in Japanese camps in World War Two as British, but have now been ruled as ineligible for payment under the ex-gratia scheme because of a lack of a blood link with the United Kingdom are not available, as records have not been maintained in this form. This information could be provided only at disproportionate cost.

Dr. Julian Lewis: To ask the Secretary of State for Defence if he will make a statement on restrictions placed by Her Majesty's Government on the eligibility for compensation of former British civilian internees in Japanese prisoner-of-war camps. [15028]

Dr. Moonie: I refer the hon. Member to the answer I gave on 11 July 2001, *Official Report*, column 517W to the hon. Member for Macclesfield (Mr. Winterton).

Correspondence

Mr. Bercow: To ask the Secretary of State for Defence when the letter of 24 October from the hon. Member for Buckingham to the Under-Secretary of State, the hon. Member for Kirkcaldy (Dr. Moonie), will be answered. [15764]

Dr. Moonie: The Ministry of Defence aims to answer its Ministerial correspondence within 15 working days of receipt in the Department. The hon. Member's letter was received on 30 October and I replied to him on 12 November.

Foot and Mouth

Mr. Keith Simpson: To ask the Secretary of State for Defence what lessons learned have been made available to the Department for Environment, Food and Rural Affairs based upon the Army's experience of the foot and mouth outbreak. [15365]

Dr. Moonie *[holding answer 16 November 2001]:* The foot and mouth epidemic has been brought under control by the joint efforts of a number of Government Departments and agencies. Throughout the epidemic, there was a constant interchange of information and advice, based on past and present experience, between armed forces personnel and those other agencies and Departments, including DEFRA. The Ministry of Defence is committed to supporting the work of the foot and mouth disease inquiries announced by my right hon. Friend the Prime Minister on 9 August.

Fair Trade Goods

Mr. Weir: To ask the Secretary of State for Defence what his Department's policy is in relation to departmental spending for supplies concerning the purchase of Fair Trade goods. [15203]

Dr. Moonie *[holding answer 16 November 2001]:* The supply of food for the armed forces has been contracted out to "3663" and we require them to seek the best price in the open market, consistent with meeting our quality standard; indeed to do otherwise would contravene European law. In the case of Fair Trade products, it is my Department's policy to require the contractor to give full consideration to such goods whenever they meet these criteria.

Naval Hospital, Gibraltar

Mr. Hoyle: To ask the Secretary of State for Defence what plans he has in relation to the naval hospital in Gibraltar. [14294]

Dr. Moonie: At present the naval hospital is a unit of the Defence Care Agency. Existing plans for replacing the hospital with a new-build facility have been under review by the Agency to assess, among other things, whether there might be scope for improved integration with the primary care facilities at Gibraltar. We expect ownership of the hospital to change in line with the recommendation by the Medical Quinquennial Review (MQR). I refer my hon. Friend to the answer given by the Under-Secretary of State for Defence my hon. Friend the Member for Kirkcaldy (Dr. Moonie), on 17 October 2001, *Official Report*, column 1224W to the hon. Member for Great Yarmouth (Mr. Wright). It was noted in the summary of emerging findings of the MQR that responsibility for the management and funding of all medical functions, including secondary care, in Cyprus and Gibraltar should be vested in the respective overseas commands. Consequently the studies into a replacement for the existing hospital will now be taken forward by the Permanent Joint Headquarters.

Exercise Saif Sareea 2

Mr. Rosindell: To ask the Secretary of State for Defence if he will list the causes of breakdown in armoured vehicles on exercise Saif Sareea 2; when such breakdowns had been anticipated in advance by *(a)* his Department and *(b)* service staff; and if he will make a statement. [14809]

Mr. Ingram: Detailed information on the causes of the limited number of breakdowns among the 395 armoured vehicles deployed during the six weeks of Exercise Saif Sareea 2 has not yet been collated but should be available early next year as part of our standard post-deployment assessment. Providing the information at this stage would incur a disproportionate cost.

We did not anticipate any specific causes of breakdown for individual armoured vehicles types although some unplanned maintenance was inevitable given the challenging environment.

Overall the armoured vehicle fleet deployed on Exercise Saif Sareea 2 performed very effectively. The experience gained from the exercise will provide valuable lessons for future deployments.

Sovereign Bases (Equal Opportunities Legislation)

Mr. Hague: To ask the Secretary of State for Defence (1) pursuant to his answer of 8 November 2001, *Official Report*, column 380W, on the application of the Race Relations Act 1976 to service personnel, if he will list the overseas military bases where the Race Relations Act 1976 and the Sex Discrimination Act 1975 do not apply to service personnel working wholly there; [15639]

(2) pursuant to his answer of 8 November 2001, *Official Report*, column 380W, on the application of the Race Relations Act 1976 to service personnel, what plans he has to amend sections 75(2)(c) and 75(10)(a) of the Race Relations Act 1976 to ensure that service personnel asked to serve on sovereign bases outside the European Union are protected by the Race Relations Act 1976; [15638]

(3) what assessment his Department made of Article 6(1) and Article 14 of the Human Rights Act 1998 in relation to the case of Surinder Nath Saggar of Brompton on Swale, North Yorkshire. [15640]

Mr. Ingram: I refer the right hon. Member to the answer I gave on 26 October 2001, *Official Report*, column 404W. I hope that I will be in a position to write to the right hon. Member with a full substantive reply shortly, and a copy of my letter will be placed in the Library of the House.

Defence Medical Services

Mr. Swayne: To ask the Secretary of State for Defence if he will list the personnel operational and retained task requirement for each medical specialty within the Defence Medical Services, indicating the current strength in each specialty. [13705]

Dr. Moonie *[holding answer 16 November 2001]:* The operational and retained task requirement for each medical specialty within the Defence Medical Services and the strength in each as at 1 October 2001 are shown in the tables:

Consultants

Specialty	*Operational and retained task requirement*[1]	*Trained consultants in specialty*[1,2]	*Specialists undergoing training*[3]
Anaesthetists	120	26	63
General medicine	51	18	27
Paediatricians	5	2	1
Neurologists	1	0	0
General surgeons	44	16	52
Obstetricians and gynaecologist	3	0	1
Urologists	2	1	1
Orthopaedic surgeons	28	10	21
Burns and plastic surgery	11	3	5
Accident and emergency	23	3	20
Psychiatrists	31	11	11
Ophthalmic surgeons	10	3	8
Oral maxillofacial surgeons	10	8	8
Ear, nose and throat	10	3	8
Rheumatology and rehabilitation	6	6	3
Radiologists	11	8	3
Pathologists	18	7	1
Aviation medicine	2	1	2
Occupational medicine	50	8	24
Public health	2	8	3

General medical practitioners

Specialty	
Operational and retained task requirement[1]	398
Vocationally trained GMPs[1]	160
GMPs undergoing vocational training[4]	73
No vocational training[5]	186

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[1] Command and staff posts are excluded from the Operational and Retained Task Requirement and trained manpower figures.

[2] In addition to the figures shown there were five Associate Specialist anaesthetists and one Staff Grade general surgeon who would be deployable under the supervision of a consultant.

[3] The figures provided comprise Specialist Registrars and Senior House Officers. Specialist Registrars within two years of accreditation are deployable within their specialty under the supervision of a consultant while all others are deployable as general duties medical officers.

[4] GP Vocational Trainees are deployable as general duties medical officers.

[5] This figure comprises medical officers who have yet to start training in a primary or secondary care discipline or who qualified prior to the introduction of GP vocational training.

Afghanistan

Llew Smith: To ask the Secretary of State for Defence what his estimate is of the number of Afghan civilians killed as a result of allied coalition use of bombs and missiles since military action began; and if he will publish the total of civilians killed in Afghanistan as a result of allied forces for each day until military action ends. [14264]

Mr. Ingram: I refer my hon. Friend to the answer which my right hon. Friend the Secretary of State for Defence gave on 9 November 2001, *Official Report*, column 432W, to my hon. Friend the Member for Islington, North (Jeremy Corbyn).

Llew Smith: To ask the Secretary of State for Defence what guidance has been provided to the *(a)* print and *(b)* broadcast media in respect of the (i) publication and (ii) broadcast of details of the activities of (A) British armed forces and (B) the SAS since military activities started in Afghanistan. [14690]

Mr. Hoon: Guidance to the media on areas where public disclosure could damage UK security and other interests is set out in standing Defence Advisory Notices. These are established by the Defence Press and Broadcasting Advisory Committee (DPBAC) which consists of representatives from Government and the media. The Committee's main task is to oversee a voluntary code which operates between Departments who have responsibility for national security and the media. Further information is set out in the DPBAC website www.dnotice.org.uk.

Since the terrorists attacks of 11 September, the Secretary of the DPBAC has written twice to editors, enlarging on the general advice in the standing Defence Advisory Notices and reminding them to consult him if considering publication of details which might endanger lives and/or operations.

Mr. Burstow: To ask the Secretary of State for Defence (1) what languages were used for the labelling of *(a)* cluster bombs, *(b)* food parcels and *(c)* leaflets dropped in Afghanistan; [15773]

(2) what assessment his Department has made of the adequacy of the labelling on *(a)* cluster bombs, *(b)* food parcels and *(c)* leaflets dropped in Afghanistan with reference to the literacy rate among the Afghan population. [15820]

Mr. Ingram: I will write to the hon. Member and place a copy of the letter in the Library of the House.

MOD Police Vehicles

Mr. Hoyle: To ask the Secretary of State for Defence what the purchasing policy of the MOD police on UK-built vehicles is; how many MOD police vehicles are operated; and what makes of vehicles are used by the MOD police. [15169]

Dr. Moonie: The Defence Procurement Agency purchases vehicles for the Ministry of Defence (MOD) Police, on a best value for money basis, looking at whole life cycle costings, through competition. As at 13 November 2001 the MOD Police are currently operating 520 vehicles from various manufacturers, as shown in the table:

Vehicles	*Number*
Citroen	105
Daihatsu	2
Ford	183
Glover	4
Honda	30
Isuzu	7
Iveco	7
Landrover	46
Long distance vehicles	1
Leyland	3
Mercedes	5
Mitsubishi	1
Nissan	23
Renault	40
Rover	1
Subaru	46
Toyota	1
Vauxhall	15

NBC Warfare

Mr. Jenkin: To ask the Secretary of State for Defence what liaison takes place between his Department and the NHS regarding preparations for nuclear, biological and chemical attack. [16160]

Dr. Moonie: I refer the hon. Member to the answer I gave on 24 October 2001, *Official Report*, columns 239–40W, to the hon. Member for New Forest, West (Mr. Swayne).

Defence Academy

Mr. Keith Simpson: To ask the Secretary of State for Defence (1) if he will list the names and appointments held by the board selecting the head of the Defence Academy; [15346]

(2) what the *(a)* salary and *(b)* budget of the head of the Defence Academy is; [15351]

(3) how many candidates were interviewed for the post of head of the Defence Academy; [15353]

(4) if the head of Defence Academy was an internal Ministry of Defence appointment; [15352]

(5) who has been appointed as head of the Defence Academy. [15364]

Mr. Ingram *[holding answer 16 November 2001]:* The head of the Defence Academy, Sir Roger Jackling, was appointed on the recommendation of the Chief of the Defence Staff and the permanent secretary in the Ministry of Defence, fully supported by the chiefs of staff who had previously considered a number of military candidates in the Senior Appointments Committee. The recommendation was accepted by the Secretary of State for Defence and subsequently reported to the Cabinet Office Senior Appointments Selection Committee.

Defence Ministers had previously decided that, in the overall context of Defence training, the first head of the Defence Academy should be either a senior military officer or a MOD civil servant. Since all of the candidates for consideration were internal and their suitability was well recognised within the MOD, no interviews were held.

Sir Roger Jackling, presently the second permanent secretary of the Ministry of Defence, will take up this appointment in January 2002. Sir Roger will be paid within the band of £100,000 to £110,000 in the appropriate salary range for civil service appointments at this level. The head of the Defence Academy's budget will be established with effect from 1 April 2002. The precise size of the budget has yet to be determined but it is expected to be in the region of £90 million.

Low Flying

Dr. Kumar: To ask the Secretary of State for Defence when the next review of warplane low-flying practice zones covering North York Moors and East Cleveland area will be held. [16048]

Dr. Moonie: Military Low Flying takes place within a number of Low Flying Areas (LFAs) which together form the UK Low Flying System (UKLFS). The UKLFS is kept under regular review and this work is supported by a rolling programme of detailed inspections on the ground. LFA 11, within which my hon. Friend's constituency lies, will be inspected next year as part of this programme.

Vaccines Research Programme

Llew Smith: To ask the Secretary of State for Defence what is the total cost to date of research conducted by *(a)* his Department and *(b)* consultants on behalf of his Department, into the health effects of the multiple immunisations programme implemented for service personnel and medical auxiliaries who served in the Gulf War; and what resources are allocated for future research. [15577]

Dr. Moonie: As at 14 November 2001, £3,045,188 (including VAT) had been spent by the Ministry of Defence on the Vaccines Interactions Research programme being undertaken by the Defence Scientific Technology Laboratory (Dstl), Porton Down. Of this, £366,152 (including VAT) was in respect of work completed on behalf of Dstl by non-Ministry of Defence bodies. MOD anticipates that at least a further £1,566,100 (including VAT) will be required to complete the Interactions research programme.

Battlefield Surveillance Capability

Mr. Hancock: To ask the Secretary of State for Defence when Thales Sensors enhanced battlefield surveillance capability will be operational; and if he will make a statement. [7318]

Dr. Moonie: Our battlefield surveillance capability has a number of different elements. Assuming the hon. Member's question refers to the Interim Non-Communications Electronic Support Measures system (INCE), for which Thales Sensors were recently awarded the contract, the planned in-service date is December 2002. INCE will provide land commanders with an air-portable system for rapid interception, direction finding and position fixing of opponents' transmissions, primarily targeting radar systems.

Princess Mary Hospital Site, RAF Halton

Mr. Lidington: To ask the Secretary of State for Defence (1) how many homes Defence Estates was seeking permission to build on the site of the Princess Mary hospital, RAF Halton, in *(a)* its evidence to the public inquiry into the Aylesbury Vale local plan, and *(b)* its recent planning application to Aylesbury Vale district council; and if he will make a statement; [15707]

(2) who authorised the planning application to Aylesbury Vale district council for the Princess Mary hospital site, RAF Halton; [15710]

(3) by whom *(a)* his Department and *(b)* its agents were legally represented at the public inquiry into the Aylesbury Vale local plan; what was the cost of such legal representation; and if he will make a statement; [15712]

(4) when *(a)* his Department and *(b)* its agents decided to submit a planning application to Aylesbury Vale district council for the redevelopment of the Princess Mary hospital site, RAF Halton; [15708]

(5) when his officials last met *(a)* Wendover parish council, *(b)* Halton parish council and *(c)* the Wendover Society to discuss the future of the Princess Mary hospital site, RAF Halton; [15717]

(6) for what reasons Defence Estates has submitted a planning application for the site of the Princess Mary hospital, Halton, before the outcome of the public inquiry into the Aylesbury Vale local plan is known; [15714]

(7) what has been the cost to date to *(a)* his Department, *(b)* Defence Estates, *(c)* their agents and *(d)* representatives of (i) preparing and (ii) making representations to the public inquiry into the Aylesbury Vale local plan; [15711]

(8) if he will place in the Library a copy of the evidence about the future of RAF Halton submitted by his Department to the public inquiry into the Aylesbury Vale draft local plan; [15716]

(9) when he notified *(a)* Aylesbury Vale district council, *(b)* Halton parish council, *(c)* Wendover parish council and *(d)* Buckinghamshire county council of the decision of Defence Estates to submit a planning application for the Princess Mary hospital site, RAF Halton. [15709]

Dr. Moonie: It is the Ministry of Defence's normal practice to sell surplus property with the benefit of outline planning permission, or a development brief.

The original decision to submit a planning application for this site was made by the Defence Estates agency during 1997 in consultation with our planning consultants GVA Grimley.

In June 1997 a proposal for the development of up to 500 dwellings was submitted to the pre-deposit consultation for the Aylesbury Vale local plan. As part of our consultations for the current planning application discussions took place with Buckinghamshire county council concerning the traffic impact assessment and similarly consultations took place with Aylesbury Vale district council concerning the environmental statement which accompanies the application.

In evidence to the public inquiry into the Aylesbury Vale local plan, the Department suggested that the site might be suitable for at least 330 dwellings.

GVA Grimley represented MOD at the Aylesbury Vale local plan public inquiry. The direct costs of this amounted to some £67,500. The proof of evidence submitted on the Department's behalf at the public inquiry is available for public inspection at Aylesbury Vale district council.

I understand that the local plan in question is not expected to be adopted by the district council until November/December 2003. However, the Department is required under Government accounting rules to dispose of surplus sites as quickly as possible. So, Defence Estates authorised the current planning application (under the Department of Environment 18/84 procedure) for 480 dwellings, to facilitate marketing during 2002.

So far as liaison with the local community is concerned, the Officer Commanding the Administration Wing at RAF Halton has regular meetings with Halton parish council. The Wendover Society inspected the Princess Mary hospital site during the public inquiry into the Aylesbury Vale local plan in 2000.

CHURCH COMMISSIONERS

Benefice Glebe

Mr. Sanders: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, when a list of landholdings specified in the legislation transferring parish glebe land to the Church of England dioceses was *(a)* compiled and *(b)* published; and where a copy can be viewed. [15635]

Mr. Bell: The obligation to produce lists of benefice glebe was fulfilled by all dioceses by 31 July 1978. They were not published as there was no legal requirement to do so. The hon. Gentleman is welcome to inspect the Commissioners' copies at their offices.

CULTURE, MEDIA AND SPORT

Wembley

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what measures Sport England will take to retrieve money given to the Wembley project. [14291]

Mr. Caborn: It is for Sport England to decide whether to initiate action to recover the lottery grant invested in the Wembley project. Patrick Carter is currently holding discussions with the Football Association and Sport England to find a mutually acceptable basis for moving the project forward.

Royal Parks Constabulary

Peter Bottomley: To ask the Secretary of State for Culture, Media and Sport what is the legal basis of the power of arrest of officers in the Royal Parks Constabulary. [15655]

Dr. Howells: Responsibility for the subject of this question has been delegated to the Royal Parks Agency and I have asked its Chief Executive, William Weston, to reply.

Letter from William Weston to Peter Bottomley, dated 19 November 2001:

I have been asked by the Secretary of State for Culture, Media and Sport to reply to your Parliamentary Question about where the powers of arrest of the Royal Parks Constabulary derive from, because this is an operational matter which is the responsibility of the Royal Parks Agency.

The Royal Parks Constabulary originated as park-keepers appointed to maintain order in the Royal Parks. The position of park-keeper was replaced with that of Park Constable with the passing of the Parks Regulation (Amendment) Act 1974, which amended the Parks Regulation Act 1872. Section 7 of the 1872 Act (as amended) gives Park Constables the same powers, privileges and immunities and makes them liable to the same duties and responsibilities, as any police constable in the police district within which the park is located. Park Constables therefore have the same powers of arrest within the parks where they operate as do ordinary police constables in the surrounding police district. These powers of arrest derive from the common law, the Police and Criminal Evidence Act 1984 and many other statutes.

National Lottery

Dr. Cable: To ask the Secretary of State for Culture, Media and Sport how much money is held in the national lottery distribution fund which is not committed to projects; and if she will make a statement. [15315]

Mr. Caborn: Currently £264 million held in the national lottery distribution fund (NLDF) is not committed to specific projects. This figure represents 8 per cent. of the current NLDF balance. Lottery distributing bodies have forecast that the balance will reduce considerably over the next three years and the Government attach high priority to ensuring that happens.

All-seater Football Stadiums

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport if she will consider relaxing regulations requiring football stadiums to be all-seated. [15782]

Mr. Caborn: The Government believe that the present requirement for Premier League and First Division football grounds to be all-seater is still necessary for reasons of safety and public order. This policy will remain in place unless or until new technical evidence becomes available which convincingly demonstrates that it is no longer needed.

Gambling Machines

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport what representations she has received concerning the proposals to remove gambling machines from non-profit-making members' clubs. [16217]

Mr. Caborn: I refer my hon. Friend to the reply I gave on 5 November 2001 to a question from the hon. Member for Edinburgh, West (John Barrett), *Official Report,* column 14.

Gambling Review

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport what representations she has received on the recommendations of the Gambling Review Body. [15747]

Mr. Caborn: We have received over 2,200 comments on the report of the Gambling Review Body. We are giving them careful consideration, and intend to announce our conclusions early next year.

New Opportunities Fund (Middlesbrough)

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the number and social background of beneficiaries from the new opportunities fund in Middlesbrough South and Cleveland, East. [15783]

Mr. Caborn: Information is not available in the form requested. I will, however, write to my hon. Friend with details of awards made by the new opportunities fund, which are of direct benefit to his constituents.

World Athletics Championships

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport which *(a)* Ministers and *(b)* officials from (i) her Department and (ii) other Departments attended the 2001 World Athletics Championships in Edmonton on an official visit; and what were the *(a)* dates and *(b)* purpose of such visits. [16651]

Mr. Caborn: As Minister of Sport, I attended the World Athletics Championships in Edmonton accompanied by my Private Secretary, two other DCMS officials, and an official from the British Consulate General in Vancouver. Our delegation arrived in Canada on 2 August and returned to the UK on 7 August. The purpose of the visit was to assess the requirements for staging a World Athletics Championships, to meet key members of the International Athletics community gathered in Edmonton for the

Championships and to support the British Team. I also held discussions with representatives from Canadian business and Government.

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport if she will publish the programme of all *(a)* events and *(b)* activities that the Minister for Sport attended at the 2001 World Athletics Championships in an official capacity. [16652]

Mr. Caborn: In my official capacity as Minister for Sport my itinerary of events and activities attended relating to the World Athletics Championships in Edmonton was as follows:

> 3 August—Meeting at the Accreditation Centre followed by lunch with the UK Team ahead of the UK Team meeting. I also attended the opening ceremony and met the Honourable Denis Coderre PC MP, Canadian Secretary of State for Amateur Sport.
>
> 4 August—I attended the Games and undertook a tour of the backroom facilities at the stadium. In the evening I attended a reception and dinner in the presence of the Earl and Countess of Wessex and the Honourable Ralph Klein, Premier of Alberta.
>
> 5 August—I attended the Games and attended a meeting with UK Athletics.
>
> 6 August—I attended the Games, met representatives of the International Association of Athletic Federations (IAAF) and attended an IAAF reception.
>
> 7 August—I attended the Games and the UK Sport and Birmingham City Council reception for IAAF members.

I also stayed in the same accommodation in Edmonton as the UK team which enabled me to meet and discuss issues with athletes and officials.

WALES

Employment Policies

Llew Smith: To ask the Secretary of State for Wales what *(a)* representations he has received and *(b)* communications he has had with the First Minister of the National Assembly for Wales in respect of the employment policies of (i) public bodies and (ii) broadcasting bodies in Wales. [15582]

Mr. Paul Murphy: I meet regularly with the First Secretary when we discuss a range of issues including issues that affect employment in Wales. The employment policies of public and broadcasting bodies are a matter for the bodies themselves.

Departmental Staff

Mr. Andrew Turner: To ask the Secretary of State for Wales how many employees of *(a)* his Department and *(b)* agencies sponsored by his Department work in (i) London, (ii) areas benefiting from EU objective 1 status, (iii) areas with objective 2 status and (iv) other areas. [16114]

Mr. Paul Murphy: My Department has a complement of 48 posts. 40 staff usually work in London and eight usually work in an area with objective 2 status.

My Department does not sponsor any agencies.

FOREIGN AND COMMONWEALTH AFFAIRS

Indonesia

Mr. Blizzard: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking regarding the treatment of Christians in the Moluccas region of Indonesia; and if he will make a statement. [12154]

Mr. Bradshaw: The United Nations has made several assessment visits to Maluku since 1999. They have found concrete evidence of only a small number of forced conversions, including the most highly reported cases in Kasiui and Tior. Many of the Christians evacuated from the province in January are now reported to be voluntarily returning to their homes. Also, many Muslim and Christians who fled their villages to escape the violence are returning, and Muslim leaders in some villages have asked for help in encouraging Christians to return. In Ambon, the two communities remain segregated and there has been very little violence there in recent weeks.

The Department for International Development (DFID) has pledged more than £4 million to help establish the United Nations Development Programme (UNDP) Conflict Prevention and Recovery Unit in Jakarta. The unit will build capacity in conflict reduction and recovery in the provinces torn apart by ethnic conflict, particularly in North Maluku. These new initiatives will complement DFID-supported humanitarian relief programmes by addressing the causes underlying conflict—abuse of power, alienation and loss of access to and control of resources essential for every day life. We will continue to work with the Indonesian authorities and UNDP to promote reconciliation, begin wider reconstruction work and to offer practical assistance where appropriate.

The UK's message to the Indonesian Government has been consistently clear: a long-term solution to regional conflicts can only be achieved through political negotiation and consultation with the people. I raised these issues with Hamzah Haz, the Indonesian Vice President when we met in Jakarta on 27 August.

Departmental Publications

Dr. Cable: To ask the Secretary of State for Foreign and Commonwealth Affairs how much his Department spent on information literature, advertising and campaign material in the financial years *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98, *(d)* 1998–99, *(e)* 1999–2000 and *(f)* 2000–01; and if he will make a statement. [12271]

Mr. MacShane: The amount spent on information literature, advertising and campaign literature by the FCO for the following financial years was:

Year	*£*
(a) 1995–96	2,735,969
(b) 1996–97	1,848,822
(c) 1997–98	3,510,151
(d) 1998–99	2,006,633
(e) 1999–2000	1,794,344
(f) 2000–01	1,921,031

Costs from the British Council and British Trade International are not included. Advertising forms part of the cost of the FCO recruitment service. The FCO has advertised 275 recruitment campaigns since 1996. Separate costs for advertising cannot be ascertained without disproportionate effort and cost. These figures include expenditure on public diplomacy, consular publicity and annual reports. Minor additional expenditure in London and overseas cannot be ascertained without disproportionate effort and cost.

Uranium Testing (Northern Cyprus)

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the evidence in the trial of Jamal al Fadl relating to the military testing of uranium in 1994 by the Islamic National Front in Hilat Koko in northern Cyprus; and if he will make a statement. [14825]

Mr. Bradshaw: We understand that Al Fadl testified that he did not know whether the uranium had been tested. We have no independent evidence of our own to suggest that military testing of uranium by Sudan's National Islamic Front took place in Hilat Koko in 1994. Evidence provided by Al Fadl is for the US courts to assess.

Russian Federation/EU Co-operation

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from applicant states concerning close co-operation between the Russian Federation and the EU Political and Social Affairs Committee. [14811]

Peter Hain: The EU-Russia summit on 3 October 2001 announced that the EU Political and Security Committee Troika and Russia would have monthly meetings to take stock of consultations on crisis prevention and management. This is a reflection of the importance the EU attaches to constructive engagement with Russia across the board. A few representatives of applicant states have noted, mostly informally, to my officials the establishment of these meetings.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his policy towards Kaliningrad in the context of the expansion of the European Union. [14827]

Peter Hain: The UK believes Kaliningrad should be able to benefit from EU enlargement. This will require an imaginative approach and constructive engagement on all sides. A Commission communication published earlier this year examined areas of Russian concern including trade, fishing and transport. The EU-Russia summit on 3 October agreed that Commission and Russian officials would take forward work at the EU-Russia Co-operation Committee on 30 November.

The UK supports proposals for early dialogue between Russia and the EU applicants/neighbours concerned on the movement of people and goods through their territories. We also recognise that the onus is on Russia to take advantage of the opportunities offered by EU enlargement by promoting reforms in rule of law and investment.

The UK has assured the EU applicant states that the Kaliningrad question will not delay their accession to the EU. We have also urged the applicant states involved to work closely with Russia to ensure that Kaliningrad benefits from EU enlargement.

Gibraltar

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress made with the Spanish Government over the future of Gibraltar. [14814]

Peter Hain: I refer the hon. Member to my statement in Westminster Hall on 7 November 2001, *Official Report*, columns 88–92WH.

Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs if it is the policy of Her Majesty's Government that there shall be self-determination of the people of Gibraltar. [15277]

Peter Hain *[holding answer 15 November 2001]:* HMG support the right or principle of self-determination reflecting the wishes of the people concerned. It should be exercised in accordance with the other principles and rights in the UN Charter and with other treaty obligations. In Gibraltar's case, that includes Article X of the Treaty of Utrecht. This has been and continues to be the position of successive British Governments.

Mr. Andrew Turner: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on plans to offer the people of Gibraltar a referendum on the subject of a change to the status of their territory; and if the result of such a referendum will be binding on the United Kingdom Government. [16222]

Peter Hain: The Government stand by the commitment set out in the preamble to the 1969 Gibraltar constitution that we will not enter into arrangements under which the people of Gibraltar would pass under the sovereignty of another state against their freely and democratically expressed wishes.

Mr. Andrew Turner: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received from the people of Gibraltar about the future status of their territory. [16120]

Peter Hain: A 'Declaration of Unity', signed by the Chief Minister and leading politicians, was handed to an FCO representative in Gibraltar on 4 October. This Declaration, which was mainly concerned with the decision to suspend Gibraltar from the EU Single Sky framework regulation, claimed to represent the views of the majority of the people of Gibraltar. I have placed a copy of this document in the Libraries of the House. For the record, since 1 September, 21 letters have been received from members of the public in Gibraltar on various issues, including the future status of the territory.

Scottish Executive

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs which members of the Scottish Executive the Minister for Europe met on his most recent visit to Scotland; and what subjects were discussed. [15896]

Peter Hain: During my visit to Edinburgh on 5 November I met Jack McConnell MSP, Minister for Education, Europe and External Affairs and his Deputy, Nicol Stephen MSP. We discussed my programme of engagements and the importance of informing members of the public about European Union issues. We also discussed forthcoming ministerial meetings at which representatives of the Scottish Devolved Administration and the United Kingdom Government would discuss European issues.

Israeli Exports

Richard Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the EU Association Council of 20 November will consider to stop the import into the EU under preference of goods labelled as made in Israel but which originate in Israeli settlements in the occupied territories. [15893]

Peter Hain: EU Foreign Ministers will discuss this at the 19 November General Affairs Council. The Government continue to support EU efforts with Israel to resolve this issue.

Richard Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs who will represent the British Government at the EU Association Council of 20 November reviewing the EU-Israel Association Agreement. [15890]

Peter Hain: The UK will be represented by staff from the UK Permanent Representation to the European Union.

Richard Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library, the agenda for the meeting of the EU Association Council to be held on 20 November to renew the EU-Israel Association Agreement. [15888]

Peter Hain: A copy of the EU's proposed agenda for the Council, to be formally agreed with Israel at the meeting, will be placed in the Library of the House.

Al Barakat

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to his United States counterpart regarding the United States decision to freeze the assets of the Somali-owned money-transferring company, Al Barakat. [15776]

Mr. Bradshaw: The Foreign Secretary has not discussed with Colin Powell the decision, taken by the Treasuries of the UK, the US and many other UN member states, to freeze the assets of Al Barakat under the terms of UNSCR 1333. Before being made effective or public, the freeze was discussed by Foreign Office and Treasury officials with their US opposite numbers. British Officials approved the freeze and implemented it simultaneously with the US.

Al Barakat is a vital part of the Al Qa'ida's financial network. Usama Bin Laden provided Barakat's start-up finance. Al Barakat wittingly provides foreign exchange, banking and international transfer services for Al Qa'ida and Somali organisations affiliated with Al Qa'ida.

Sudan

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Sudan on the UN Special Rapporteur's report on human rights abuses in Sudan; and if he will make a statement. [15777]

Mr. Bradshaw: The promotion of human rights remains one of our priorities in Sudan and our Embassy in Khartoum is in constant touch with the Government of Sudan. Human rights are also a key focus of the renewed EU-Sudan dialogue. We make representations to the Sudanese Government and to other parties to the conflict on a range of human rights issues, many of which are referred to in the Special Rapporteur's report.

SCOTLAND

Campbeltown to Ballycastle Ferry Service

Mr. Alan Reid: To ask the Secretary of State for Scotland when and where she will meet Scottish Executive and Northern Ireland Executive Ministers to discuss the operation of a ferry service between Campbeltown and Ballycastle. [15695]

Mr. Foulkes: I will be meeting Scottish and Northern Irish Ministers in Glasgow at the end of this month to discuss the Ballycastle to Campbeltown ferry link.

Mr. Alan Reid: To ask the Secretary of State for Scotland when she expects to finalise the evaluation of the expressions of interest received to operate the ferry service between Campbeltown and Ballycastle. [15693]

Mr. Foulkes: I expect to take a decision within the next few weeks, in conjunction with Scottish and Northern Irish Ministers, on how to proceed.

NORTHERN IRELAND

Police Emblems and Flags

Jean Corston: To ask the Secretary of State for Northern Ireland when the draft Police Emblems and Flags Regulations provided for in section 54 of the Police (Northern Ireland) Act 2000 will be issued for consultation; and if he will make a statement. [16701]

Jane Kennedy: I have today launched the consultation process on these draft regulations, copies of which have been placed in the Library of the House.

As the Government said in this House during the passage of the Police (Northern Ireland) Act, they will look to the representative Policing Board to see if it can reach a cross-community consensus on these sensitive issues. We very much hope that it can. But, if not, the Government will take the decision. We have consistently said that in that event we will not decide on an outcome which would deter recruitment or be objectionable to a substantial part of the community.

Comments have been sought by 14 December. Our aim is that the Regulations are approved in time to ensure that the new emblems and new uniforms are ready by the spring for the new recruits.

Criminal Justice Review

Mr. McNamara: To ask the Secretary of State for Northern Ireland for what reasons he has not set an eight week period of consultation on the Government's response to the Criminal Justice Review. [15537]

Mr. Browne: This is not a new issue. There has already been extensive consultation on the review recommendations, both before and after the report was published in March last year. There was widespread support for the review's conclusions, and we made no secret of the fact that we intended to implement them more or less in full. This period of consultation will be focused and proactive, and we will continue to take on board the comments we receive on our proposals as we take forward the implementation process.

Fireworks

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many injuries from fireworks there were in Northern Ireland in each year since 1997. [14323]

Jane Kennedy: Firework injuries statistics in Northern Ireland have been monitored since 1996 and relate to people who have attended an accident and emergency department. The yearly figures are set out in the table.

	Number
1996	202
1997	93
1998	101
1999	[1]139
2000	100

[1] The 1999 figure includes statistics for the Millennium celebration period

Statistics for 2001 are not yet available as the monitoring period for injuries has just ended but they are due to be published in December.

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many incidents of criminal damage were recorded in each year since 1997 in Northern Ireland relating to the use of fireworks. [14324]

Jane Kennedy: The Chief Constable has advised that criminal damage statistics relating to the misuse of fireworks are not held in a format that would enable the Police Service of Northern Ireland to answer the question.

Police Recruitment Quota

Mrs. Calton: To ask the Secretary of State for Northern Ireland (1) what estimate he has made of how long the recruitment quota for the Police Service for Northern Ireland will be necessary; what criteria he will use when determining whether it should continue; and if he will make a statement; [13978]

(2) if he will stop the use of mandatory quotas for recruitment to the Police Service for Northern Ireland; and if he will make a statement. [13979]

Jane Kennedy: The temporary provisions in the Police (Northern Ireland) Act 2000 enabling the recruitment of 50 per cent. Roman Catholic and 50 per cent. non-Catholic (50:50 recruitment) from the pool of qualified candidates are subject to review and a renewal by order in Parliament every three years. The first review will be due in March 2004. In considering whether to renew the provisions, the Secretary of State will have regard to the progress which has been made towards securing a representative police service in Northern Ireland. He will consult as required under the Act.

PRESIDENT OF THE COUNCIL

Departmental Promotions

Dr. Cable: To ask the President of the Council how much his Department spent on information literature, advertising and campaign material in the financial years *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98, *(d)* 1998–99 *(e)* 1999–2000 and *(f)* 2000–01; and if he will make a statement. [12261]

Mr. Robin Cook: The Privy Council Office spent £3,406 on information literature in the financial year 2000–01.

No moneys were spent on information literature, advertising or campaign material in the other financial years mentioned.

TRANSPORT, LOCAL GOVERNMENT AND THE REGIONS

M25

Chris Grayling: To ask the Secretary of State for Transport, Local Government and the Regions when work is due to commence on the next phase of widening the M25. [12751]

Mr. Jamieson: Work is anticipated to start on the next phase of the M25 Junctions 12 to 15 widening in Spring 2003.

Railtrack

Mr. Pickles: To ask the Secretary of State for Transport, Local Government and the Regions what contingency plans he made to provide extra resources to Railtrack prior to 5 October. [13213]

Mr. Spellar: My right hon. Friend the Secretary of State gave due consideration to the option of providing extra resources to Railtrack—through their Project Rainbow proposals—when making his decision on 5 October. Consideration was given to the legislation that would be required to enable Railtrack's request for a suspension of the existing Regulatory regime.

Mr. Hoban: To ask the Secretary of State for Transport, Local Government and the Regions what his estimate is of the revenue that could have been raised from brought-forward payment of track access charges if the Rail Regulator had held an interim financial review on 5 October. [14782]

Mr. Jamieson *[holding answer 14 November 2001]:* This would have been a matter for the independent Rail Regulator. The regulator did indicate to Railtrack his willingness to consider an interim review but Railtrack did not apply for one.

Mr. Rosindell: To ask the Secretary of State for Transport, Local Government and the Regions what discussions he had with the European Commission prior to his decision on placing Railtrack in administration. [15045]

Mr. Jamieson: Neither my right hon. Friend nor my officials had any discussions with the European Commission dealing with the matters which formed the basis for my right hon. Friend's decision to petition for a court order placing Railtrack plc into administration prior to that decision. On Monday 8 October 2001, my officials informed the European Commission that Railtrack plc had been placed into administration.

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 14 November 2001, reference 14783, on what basis his Department determined the value of assets of Railtrack plc for the purposes of assessing the company's solvency. [16092]

Mr. Byers: Under general accounting practice, the solvency of Railtrack plc was assessed on its ability to meet its debt liability payments. Railtrack plc was taken into Railway Administration on 7 October because it was, or was likely to become, unable to pay its debts. The evidence presented to the High Court showed that there would be a deficit of £700 million by 8 December this year, rising to £1.7 billion by the end of March next year. Railtrack plc attended the High Court but did not oppose the petition to place the Company in railway administration.

The administrator will be seeking to obtain the best value he can for the assets in Railtrack plc.

Road Clearance

Mr. Pickles: To ask the Secretary of State for Transport, Local Government and the Regions if he will take steps to introduce similar obligations to those in Scotland on highway authorities to take reasonable steps to prevent ice or snow making roads unsafe in winter. [13994]

Mr. Spellar: We are continuing to consider the legal position on the winter service provided by highway authorities in the light of the House of Lords judgment last year in the case of Goodes *v.* East Sussex. The judgment was that there was there was no duty on local highway authorities under the Highways Act 1980 to prevent ice from forming on highways.

Council Housing

Mr. Coleman: To ask the Secretary of State for Transport, Local Government and the Regions how many council properties in London have rents above £100 per week; and how many he estimates will have target rents above £100 per week under the rent restructuring proposals. [14520]

Ms Keeble: Information on the number of council properties in London which have rents of over £100 per week is not collected centrally. We are considering proposals for tackling the potential problems associated with properties which have very high target rents under the reforms.

Town Centre Housing Incentives

Ross Cranston: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the incentives he provides for people to live in town centres; and if he will make a statement. [14330]

Ms Keeble: Government planning policies (particularly PPGs 3 and 6) provide incentives by encouraging authorities to prepare town centre strategies, and to promote high quality, safe, attractive developments and places. Planning policies also encourage the provision of a wide range of housing types and sizes in urban areas, so as to meet the requirements of the whole community, including those in need of affordable housing.

PPG3 (Housing) gives priority to re-using previously developed land within urban areas in preference to the development of greenfield sites. This significantly increases the attractiveness of town centre locations to residential developers.

To support the redevelopment of vacant and under-used space over shops and other commercial premises, Budget 2001 introduced 100 per cent. capital allowances for owners and occupiers for the costs of creating flats in these locations for letting, enabling them to obtain up-front tax relief on their spending.

In addition to these national measures, there is plenty of locally targeted activity sponsored by English Partnerships and the regional development agencies. In the centre of Newcastle the city council, English Partnerships and the One North East Regional Development Agency have provided incentives through the "Living Over The Shops" project, supporting creation of new flats in upper floors of commercial buildings. The aim is to double the population of the Grainger Town area of the city centre by 2003. Yorkshire Forward is working with city of York council to redevelop land behind the city's railway station as 'York Central', a mixed use development creating jobs and nearly 3,000 new homes, to provide a new business district for the historic city.

Encouraging people to live in town centres is not just about housing, but also about the services and facilities they will find there. In Manchester city centre for instance the North West Development Agency has invested £1 million to enable the conversion of eight derelict railway arches into a vibrant leisure and retail development at Deansgate Locks.

The renaissance of city centres has taken on its own momentum. Again in Manchester, following the substantial investment by the Central Manchester Development Corporation and the North West Development Agency, new developments now take place without public subsidy, and market-led growth continues. Manchester's city centre population has grown from 300 in 1998 to an estimated 6,000 in 2000.

London Underground

Clive Efford: To ask the Secretary of State for Transport, Local Government and the Regions what contingency plans are in place for the London Underground in the event that PPP is found not to be value for money. [14499]

Mr. Jamieson: The Government have consistently made clear the PPP arrangements for the modernisation of London Underground will only go ahead if they provide value for money and the safety arrangements are accepted by the Health and Safety Executive. If the modernisation plans were not to proceed, we would expect that London Underground would transfer to Transport for London in its current form.

Tom Brake: To ask the Secretary of State for Transport, Local Government and the Regions what was the annual average excess waiting time for passengers buying a ticket at the 10 stations on the London Underground with the greatest excess waiting time in *(a)* each year since 1997 and *(b)* for each month of 2001. [14599]

Mr. Jamieson *[holding answer 13 November 2001]:* This is an operational matter for London Underground (LU). LU monitors Ticket Purchase Time at ticket offices as part of the "Journey Time Metrics process". The excess time for ticket purchase is the queuing time experienced when purchasing a ticket at a ticket window. LU have provided the information, set out in the following table, for each full financial year since 1997–98.

Average excess queuing time (seconds) for 10 ticket offices with the greatest queuing time by financial year

Year	*Excess time (seconds)*
1997–98	188
1998–99	196
1999–2000	188
2000–01	206

Tom Brake: To ask the Secretary of State for Transport, Local Government and the Regions how many lost passenger hours were incurred by each of the shadow infrastructure companies of the London Underground in *(a)* 1999, *(b)* 2000 and *(c)* each month of 2001. [14600]

Mr. Jamieson *[holding answer 13 November 2001]:* The information is as follows:

(a) Full year information is not available for the 1999–2000 financial year.

(b) London Underground (LU) have been "shadow running" the PPP contracts since April 2000. Lost Customer Hours will be the main means of calculating "availability", which is the reliability measure under the PPP, and will be one of the measures on the basis of which payments to the Infraco will be calculated. It should be noted that Lost Customer Hours can be the responsibility of either Infracos (for example as a consequence of asset failures) or LU (for example as a consequence of the non-availability of drivers).

Service disruption—Lost customer hours 2000–01 by Infraco

Infraco	*Lost customer hours (full year)*
BCV	6,302,317
JNP	5,449,242
SSL	11,587,434

Note:
BCV = Bakerloo, Central, Victoria and Waterloo and City lines.
JNP = Jubilee, Northern and Piccadilly lines.
SSL = District, Metropolitan, East London, Hammersmith and City and Circle lines

(c) Detailed in-year operational information of this nature is a matter for London Underground.

Tom Brake: To ask the Secretary of State for Transport, Local Government and the Regions what was the *(a)* basic pay rate and *(b)* average annual earnings of London Underground (i) drivers and (ii) station staff in each year since 1991. [14601]

Mr. Jamieson *[holding answer 13 November 2001]:* London Underground have provided the information in the table and following notes:

£

Year	*Train Operator annual salary*	*Train Operator average annual earnings*	*Station Supervisor Annual salary*	*Station Supervisor average annual earnings*	*Station Assistant Annual salary*	*Station Assistant average annual earnings*
1991–92	[1]—	n/a	[2]—	n/a	[3]—	n/a
1992–93	[4]—	n/a	[5]—	n/a	[6]—	n/a
1993–94	23,345	23,275	25,376	23,199	14,109	15,920
1994–95	23,812	23,974	26,009	23,834	14,462	16,167
1995–96	24,647	24,858	26,789	24,734	14,896	16,722
1996–97	25,017	25,207	27,646	25,954	15,373	16,756
1997–98	25,192	25,482	28,392	26,869	15,788	17,163
1998–99	25,545	26,051	29,641	28,020	16,483	17,841
1999–2000	26,592	27,177	30,263	29,026	16,829	18,782
2000–01	27,656	28,077	31,781	30,491	17,674	19,597
2001–02	28,762	[7]—	33,052	[7]—	18,381	[7]—

[1] @£19,250 made up of basic pay of £13,324 + unsocial hours and Sundays
[2] @£18,131 made up of basic pay of £11,879 + unsocial hours and Sundays
[3] @£10,214 made up of basic pay of £7,057 + unsocial hours and Sundays
[4] @£20,116 made up of basic pay of £13,924 + unsocial hours and Sundays
[5] @£18,948 made up of basic pay of £12,414 + unsocial hours and Sundays
[6] @£10,673 made up of basic pay of £7,374 + unsocial hours and Sundays
[7] Not available at this time.

Note:

1. Average annual earnings are not available for 1991–92 or 1992–93 because the systems to calculate these were introduced in 1993.
2. Train operators average earnings figure based on both train operators and instructor operators.
3. Station supervisor group includes four grades of staff.
4. The annual salary shown for station supervisors is the maximum contractual sum that could be earned.
5. Station assistant group includes two grades of staff.
6. The annual salary shown for station assistant staff is the maximum contractual salary for the lower ranking station assistant grade. The maximum contractual salary for the other grade is about £2,T00 a year more.

Tom Brake: To ask the Secretary of State for Transport, Local Government and the Regions at which London Underground stations where new escalators have been installed within the past 10 years, these escalators have had to be taken out of use because of defects where the resulting closure was for a period of longer than one week; and who the manufacturers concerned were. [14594]

Mr. Jamieson *[holding answer 13 November 2001]:* This is an operational matter for London Underground (LU). LU does not hold the information requested in a readily available form, and it could be provided only at disproportionate cost.

Tom Brake: To ask the Secretary of State for Transport, Local Government and the Regions on what date re-signalling of the Central Line was completed; how many signal failures on the Central Line there were in each month since the re-signalling was completed; and which company did the work. [14595]

Mr. Jamieson *[holding answer 13 November 2001]:* The majority of the re-signalling of the Central Line was completed in November 1998, but some features remain to be delivered. There are still two sites, Woodford and Ealing Broadway, where Automatic Train Operation (ATO) has to be fitted—this is planned for completion in December 2001. Automatic Train Regulation (ATR) is still to be fitted to the signalling control system and this is due by spring 2002.

The number of signal failures on the Central Line each month since the major part of the re-signalling was completed in November 1998 is set out in the table.

Number of signal failures on the Central Line since November 1998

Number of signal failures on the Central Line since November 1998

Year/month	*Number of signal failures causing delay*
1998	
November	43
December	93
1999	
January	63
February	61
March	88
April	66
May	70
June	76
July	97
August	80
September	73
October	76
November	49
December	61
2000	
January	66
February	62
March	76
April	88
May	118
June	107
July	139
August	147
September	79
October	100
November	122
December	123
2001	
January	122
February	92
March	132
April	106
May	128
June	102
July	106
August	117
September	121
October	40
Total	3,289

Note:

The work was carried out by Westinghouse Rail Systems of Chippenham, Wiltshire, (formerly Westinghouse Signals) a subsidiary company of Invensys

Tom Brake: To ask the Secretary of State for Transport, Local Government and the Regions if any train sets in use on the *(a)* Central, *(b)* Jubilee and *(c)* Northern lines of the London Underground have, in any month during the period since they were purchased, failed to achieve their original contractual requirements in terms of mean distance between failure; and what the relevant contractual figures are. [14593]

Mr. Jamieson *[holding answer 13 November 2001]:* Yes. Both Central and Jubilee Line trains have had months during the period since they were purchased where they failed to achieve the original contractual requirements in terms of mean distance between failure. The contractual figure for the Central Line is one failure attributable to the manufacturer every 25,000 kilometres. The comparable figure for Jubilee Line trains is 12,500 kilometres.

Northern Line trains have fully met their contractual reliability performance. These trains have not been purchased but are leased under a PFI arrangement.

Tom Brake: To ask the Secretary of State for Transport, Local Government and the Regions what was the average annual mean distance between failure of trains on each line on the London Underground for *(a)* each year since 1996 and *(b)* each month of 2001. [14592]

Mr. Jamieson *[holding answer 13 November 2001]:* On *(a)* I refer the hon. Member to my reply to him of 20 July 2001, *Official Report,* column 529W.

On *(b)*, detailed in-year operational information of this nature is a matter for London Underground.

Tom Brake: To ask the Secretary of State for Transport, Local Government and the Regions what, for each line of London Underground, was the average number of failures of *(a)* points, *(b)* signals and *(c)* trains in each year since 1997; and what the targets for improvement for each line are in the first five years of the public-private partnership. [14589]

Mr. Jamieson *[holding answer 13 November 2001]:* This is an operational matter for London Underground (LU).

For the answers to *(a)* and *(b)*, I refer the hon. Member to the reply I gave to the hon. Member for Westbury (Dr. Murrison) on 18 July 2001, *Official Report*, column 24W.

(c) LU have provided the following information on the number of services disrupted due to train failures in each full financial year since 1997–98.

Service disruptions due to train failures:	*1997–98*	*1998–99*	*1999–2000*	*2000–01*
Non LT	167	249	134	27
Bakerloo	1,144	1,237	879	968
Central	2,423	2,165	2,304	2,864
District	1,082	995	981	834
Jubilee and East London	1,239	2,376	1,722	1,709
Metropolitan and Circle (Circle and Hammersmith)	2,170	1,380	1,568	1,463
Metropolitan and Circle (main)	1,238	1,065	1,047	1,247
Northern	4,229	5,942	3,727	1,674
Piccadilly	3,115	3,886	2,934	2,609
Victoria	994	821	920	1,053
Total	17,801	20,116	16,216	14,448

The PPP contracts incentivise the infrastructure companies to minimise the number of failures from points, signal, trains and other assets. The companies will be paid more for better performance and be penalised for causing delays. The penalties relate to how many passengers are affected by any delay, and there is no ceiling on the level of the penalties. This level of penalty will provide very strong incentives to improve the reliability of the infrastructure.

Tom Brake: To ask the Secretary of State for Transport, Local Government and the Regions what was the London Underground weighted annual *(a)* predicted average passenger journey time and *(b)* passenger excess journey time for (i) each year since the inception of these measures and (ii) each month of 2001. [14597]

Mr. Jamieson *[holding answer 13 November 2001]:* On (i) London Underground (LU) have provided the information in the table showing scheduled journey time and excess journey time collected as part of their "Journey Time Metrics" process for each full financial year since 1998–99. Annual data are not available before 1998–99.

Journey time (weighted minutes)

	1998–99[1]	*1999–2000*[1]	*2000–01*[1]
Scheduled journey time	35.56	35.58	35.58
Excess journey time	6.46	6.55	7.45
Total journey time	42.02	42.13	42.83

[1] Full year

On (ii) detailed in-year operational information of this nature is a matter for London Underground.

Tom Brake: To ask the Secretary of State for Transport, Local Government and the Regions what average annual percentage of peak hour trains ran on each line of the London Underground in *(a)* each year since 1996 and *(b)* each month of 2001. [14596]

Mr. Jamieson *[holding answer 13 November 2001]:* The information is as follows:

(a) London Underground have provided the information set out in the table showing the percentage of peak trains operating in each full financial year since 1996–97, taking account of all cancellations, including those—such as security alerts and passenger action—which are outside their control.

Annual percentage of peak trains operating

Percentage

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*
Bakerloo	94.5	97.1	95.8	95.3	88.4
Central	96.1	97.1	95.6	96.8	96.5
Waterloo and City	95.3	99.6	97.7	99.3	97.3
Victoria	97.2	97.8	97.8	99.0	97.1
Jubilee	96.5	98.6	98.7	96.8	93.3
Northern	95.8	97.0	91.7	97.2	97.7
Piccadilly	95.8	96.6	94.1	94.5	90.6
District	96.3	99.2	98.3	98.8	95.5
East London	96.3	99.2	98.3	98.8	94.4
Metropolitan	95.8	98.5	98.1	97.7	95.6
Circle	91.4	92.6	92.4	90.8	84.5
Hammersmith and City	93.5	96.9	96.4	95.9	93.8
Total	95.8	97.5	95.6	96.8	94.4

(b) Detailed in-year operational information of this nature is a matter for London Underground.

Ms Bridget Prentice: To ask the Secretary of State for Transport, Local Government and the Regions what plans his Department has to increase the number of CCTV cameras in stations and train carriages on London Underground. [15566]

Mr. Jamieson: Under the plans for a publicly run, privately built Tube, there will be improved CCTV in every station, monitoring exits, ticket halls, platforms, passageways. As trains are replaced or refurbished, CCTV will also be introduced in every train carriage.

Ms Bridget Prentice: To ask the Secretary of State for Transport, Local Government and the Regions if he will ask London Underground to install the moving block computerised system in order to replace current signalling systems. [15567]

Mr. Jamieson: The Tube modernisation plans are based on infrastructure contracts for maintenance and renewal, which are output driven. As long as key improvements, such as shorter journey times and improved reliability, are made to London Underground's strict specifications, the method of achieving them will be a matter for the infrastructure companies. Moving block signalling is one possible option.

Ms Bridget Prentice: To ask the Secretary of State for Transport, Local Government and the Regions how many rolling stock failures have been reported on *(a)* the Jubilee Line and *(b)* the Northern Line in the past month. [15570]

Mr. Jamieson: Detailed in-year operational information of this nature is a matter for London Underground.

Ms Bridget Prentice: To ask the Secretary of State for Transport, Local Government and the Regions how many trains are run on *(a)* the Jubilee Line and *(b)* the Northern Line by London Underground. [15569]

Mr. Jamieson: This is an operational matter for London Underground. They have advised that there are up to *(a)* 59 train sets serving the Jubilee Line and *(b)* 106 serving the Northern Line.

Fire Officers (Long-service Award)

Mr. Michael Foster: To ask the Secretary of State for Transport, Local Government and the Regions (1) what the estimated cost is per medal of providing a 30 year long-service award for fire officers; [15174]

(2) how many serving fire officers have 30 years or more service. [15240]

Dr. Whitehead: In September 2000 it was estimated that there were 400 firefighters and fire officers with over 30 years service, with an average of 275 reaching the 30-year mark each year. The estimated cost of an award would be £20.00 per medal or £1.00 for a bar to the existing long service and good conduct medal.

Rail Improvements (Wycombe)

Mr. Goodman: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the revisions to the timetable for planned improvements to the *(a)* track and *(b)* stations in the Wycombe constituency in the last six months. [14879]

Mr. Jamieson: Details of revisions to the timetable from April 2001 to 29 November on the route through High Wycombe have been placed in the Libraries of the House.

Local Government Funding (Buckinghamshire)

Mr. Goodman: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the allocation of central Government funds to *(a)* Wycombe district council and *(b)* Buckinghamshire county council in each of the last four years. [14870]

Dr. Whitehead: The table lists the general grants (Revenue Support Grant, National Non-Domestic Rates and damping grants) and ring-fenced grants to these authorities in the last four years.

£ million

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Buckinghamshire	21.229	229.344	235.763	267.265
Wycombe	8.196	8.264	8.555	9.144

The information is taken from the returns which local authorities have provided to the Department. The figures in the table are on an unadjusted basis and do not reflect changes in financing or functions which may have occurred in that time.

Local Government Funding (Hackney)

Mr. Hancock: To ask the Secretary of State for Transport, Local Government and the Regions what changes have taken place in Government support for the London borough of Hackney, using 1994–95 as the base year, to 2000–01, including the Government general revenue support, revenue support grant, redistributed business rates and damping grants and specific Government grants but excluding housing subsidy, benefits subsidy and mandatory awards; and if he will make a statement. [15020]

Dr. Whitehead: The table lists the general grants (Revenue Support Grant, National Non-Domestic Rates and damping grants) and ring-fenced grants to the London borough of Hackney since 1994–95.

General and ring-fenced grants

	£ million
1994–95	262.216
1995–96	243.744
1996–97	242.301
1997–98	245.175
1998–99	246.385
1999–2000	259.081
2000–01	272.945
2001–02	288.119

The information is taken from returns which the authority has provided to the Department. The figures in the table are on an unadjusted basis and do not reflect changes in financing or functions which may have occurred in that time. Information on ring-fenced grants in 2001–02 is based on budgets and may be different from outturn figures when available.

East London Line

Martin Linton: To ask the Secretary of State for Transport, Local Government and the Regions what progress has been made by the Strategic Rail Authority in their investigation into the possibility of a third extension of the East London Line to Clapham Junction. [14952]

Mr. Jamieson: The Strategic Rail Authority and Transport for London are continuing to assess the options for the further extension of the East London Line, including a possible extension to Clapham Junction. A decision will not be taken until their studies are completed and considered next year.

Social Housing

Martin Linton: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the number of registered social landlord homes *(a)* built and *(b)* approved for building by London boroughs between April 2000 and April 2001. [14950]

Ms Keeble: Numbers of dwellings completed by registered social landlords, as reported by local authorities on their monthly housebuilding returns to the Department, and numbers of homes approved for building, as reported by the Housing Corporation, for the year 2000–01 by London borough are given in the table.

London borough	*Reported RSL completions*	*Approvals*
Barking and Dagenham	[1]—	318
Barnet	168	199
Bexley	98	199
Brent	251	355
Bromley	[1]—	235
Camden	256	170
City of London	0	0
Croydon	77	412
Ealing	[2]53	303
Enfield	344	590
Greenwich	147	409
Hackney	112	640
Hammersmith and Fulham	0	189
Haringey	[3]59	317
Harrow	0	147
Havering	28	130
Hillingdon	[3]286	260
Hounslow	24	170
Islington	[3]44	354
Kensington and Chelsea	[3]55	237
Kingston upon Thames	[3]41	61
Lambeth	[1]—	260
Lewisham	150	347
Merton	51	146
Newham	138	419
Redbridge	39	125
Richmond upon Thames	20	106
Southwark	26	371
Sutton	161	347
Tower Hamlets	[1]—	489
Waltham Forest	257	979
Wandsworth	3	255
Westminster	[3]358	172

[1] Data not available because the local authority has reported for less than nine months.

[2] The local authority has reported for only nine months.

[3] The local authority has reported for only 11 months.

Electoral Review

Dr. Cable: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to establish an independent review of local government electoral arrangements in England. [15312]

Dr. Whitehead: On 14 November we laid before the House a draft of an Order, under section 18 of the Political Parties, Elections and Referendums Act 2000, that, subject to parliamentary approval, will transfer the functions of the Local Government Commission for England to the independent Electoral Commission from 1 April 2002. From that date the Electoral Commission will be entirely responsible for the revision and updating of electoral arrangements in local government.

Manchester—Leeds Freight

Mr. Challen: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to encourage freight traffic on the Manchester to Leeds trans-Pennine rail links. [15333]

Mr. Jamieson: Our policy is to help establish an integrated, sustainable freight distribution system throughout the country to support economic growth and to bring social and environmental benefits. We set out our long term strategy in our 10-year plan and have established the Strategic Rail Authority with a duty to promote rail freight. The SRA's Strategic Agenda and Freight Strategy, published earlier this year, set out its plans for freight, and include proposals for delivering growth on trans-Pennine routes. The SRA will describe further how its freight objectives will be achieved in its soon to be published Strategic Plan.

Planning

Mr. Ben Chapman: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to give objectors more rights in the planning process; and which of those arise from the Human Rights Act 1998. [15593]

Ms Keeble: Local people already have the opportunity to comment on development proposals before the local planning authority decides whether or not to grant planning permission. Our forthcoming planning Green Paper will look at ways of improving community engagement in the planning process.

We assessed the implications of the Human Rights Act 1998 (HRA) for planning legislation and procedures before the Act came into force. We do not consider that there is any need on HRA grounds for changes to the system generally or specifically in relation to third party objectors.

EU-financed Projects (Greater London)

Mr. Cox: To ask the Secretary of State for Transport, Local Government and the Regions what European Union financed projects are under way in the Greater London area. [15303]

Ms Keeble: There is a wide range of European funded projects running in the Greater London area, some of which are funded through the UK Government and some directly from the European Commission. These include the European Union Framework Programme, Eureka, and LEONARDO.

The largest sources of funding available in London through the UK Government are the Structural Funds—the European Regional Development Fund and the European Social Fund. These are worth £570 million to London over the period 2000–06.

Home Improvement Grants

Mr. Austin Mitchell: To ask the Secretary of State for Transport, Local Government and the Regions if he will increase the funding available for home improvement grants. [15606]

Ms Keeble: From 1 April 2002, local authorities' capital programmes, including the provision of home improvement grants, will be funded from within a 'single capital pot'. Subject to that overall allocation, it will be for each authority to determine spending priorities.

For the years 2003–04 to 2005–06 the total capital funds available to local authorities will be decided as part of the Spending Review 2002, due to conclude next summer.

Smoke Alarms

Ross Cranston: To ask the Secretary of State for Transport, Local Government and the Regions if he has made a cost-benefit assessment of fire services making smoke alarms available free to households in their area. [15329]

Dr. Whitehead: No specific work has been done to assess the cost-benefit of fire services providing smoke alarms free of charge to householders.

However, we do encourage the fire service to adopt a policy of smoke alarm installation work rather than give-away initiatives when offering free smoke alarms to the public as part of community fire safety activities. This is based on part-Government funded research work undertaken by the Institute of Child Health (now known as the London School of Hygiene and Tropical Medicine), which sought to determine whether door-to-door distribution of free smoke alarms to householders was effective in reducing the risk of residential fires, fire related casualties, and serious fire-related injuries.

The evaluation of the work concluded that simply giving smoke alarms to households does not increase ownership of fully operational smoke alarms, nor reduce fire-related deaths and injuries. The research suggested that, in addition, correct installation and positioning is crucial to the effectiveness of initiatives to provide free smoke alarms to householders.

Deprived Areas (Newcastle)

Mr. Cousins: To ask the Secretary of State for Transport, Local Government and the Regions if he will place in the Library the rankings of *(a)* Newcastle City council and *(b)* each ward of Newcastle City council on the Index of Local Deprivation for the index of multiple deprivation, and for each of the six domains of deprivation. [16059]

Ms Keeble: Yes, the information requested has been placed in the Libraries of the House.

Regeneration Projects (St. Pancras)

Mr. Don Foster: To ask the Secretary of State for Transport, Local Government and the Regions what research his Department has *(a)* conducted and *(b)* commissioned concerning the (i) economic, (ii) social, and (iii) environmental impact of urban regeneration projects around St. Pancras Station. [15738]

Ms Keeble: The various impacts of the redevelopment of the former railway lands around King's Cross/St. Pancras are being carefully assessed as part of the master planning process being taken forward by London and Continental Railways and their development partner, a consortium of Argent St. George. My Department is very closely involved in this process, which includes extensive community liaison and consultation with business, transport and heritage interests. The process will also involve formal planning applications to the London borough of Camden as the local planning authority. They will closely scrutinise all the impacts of the proposed commercial, residential and leisure development including ease of access, community safety and the employment and housing opportunities offered.

Euston-Northampton Rail Forum

Mr. Page: To ask the Secretary of State for Transport, Local Government and the Regions when he next plans to meet the Euston-Northampton Rail Forum. [15793]

Mr. Jamieson: The Strategic Rail Authority meets the West Coast Joint Forum on a regular basis and will be setting up a further meeting with them in the next few weeks.

Flooding (River Roding)

Linda Perham: To ask the Secretary of State for Transport, Local Government and the Regions (1) what assessment his Department has made of the impact of inundation of the River Roding on transport in Ilford, North; what steps his Department has taken in the last 12 months to minimise the potential impact; and what assistance is available from his Department in case of further flooding; [15522]

(2) what assessment his Department has made in the last 12 months of Redbridge council's procedures in the event of inundation of the River Roding; and what assistance is available from his Department to Redbridge council in the event of further flooding. [15550]

Mr. Jamieson *[holding answer 16 November 2001]:* We have made no such assessments. We have received no approach from Redbridge council on these matters. In the event of further flooding it would be open to the local authority to seek assistance from DTLR under the Bellwin scheme of emergency financial assistance to local authorities.

EU Physical Agents Directive

Mr. Salmond: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made of the medical basis for the European Commission's proposed physical agents directive; and if he will make a statement. [15685]

Dr. Whitehead *[holding answer 16 November 2001]:* The two proposed physical agents directives on vibration and noise are based on known health effects. There is an internationally accepted dose-response relationship between exposure to noise and the risk of hearing loss and between exposure to hand-arm vibration and the risk of hand-arm vibration syndrome. There is an association between exposure to whole body vibration and back pain, though the dose-response relationship is not clear.

Mr. Salmond: To ask the Secretary of State for Transport, Local Government and the Regions what recent representations the Government have made to the European Commission regarding the proposed physical agents directive; and if he will make a statement. [15686]

Dr. Whitehead *[holding answer 16 November 2001]:* The two proposed physical agents directives on vibration and noise have already reached common position in the Council of Ministers. The European Commission attended negotiations in the Council Working Group where the Government's views have been strongly represented. UK representatives have also met Commission officials separately during the course of negotiations.

Mr. Salmond: To ask the Secretary of State for Transport, Local Government and the Regions what recent assessment he has made of the impact of the European Commission's proposed physical agents directive on engineering premises; and if he will make a statement. [15684]

Dr. Whitehead *[holding answer 16 November 2001]:* The Government have not costed the implications to individual industry sectors of the two proposed physical agents directives on vibration and noise. Regulatory impact assessments of the common position reached on both directives covering the costs to industry as a whole and the health benefits to workers have been prepared by the Health and Safety Executive. The RIA on the vibration directive has already been submitted to the European Scrutiny Committee and is available in the House of Commons Library; I will shortly submit the RIA on the noise directive and place it in the Library.

Lewes-Uckfield Railway Line

Norman Baker: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the representations his Department has received since 1 May 1997 *(a)* in favour of and *(b)* against the reopening of the Lewes-Uckfield railway line. [15389]

Mr. Jamieson: I am aware of 244 such representations, many of which have been received from supporters of the Wealden Line Campaign which is promoting the re-opening of the line between Uckfield and Lewes.

Norman Baker: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the status of, and progress being made on, in the feasibility study being undertaken under the auspices of the SRA into the possible reopening of the Lewes-Uckfield railway line. [15388]

Mr. Jamieson: I refer the hon. Member to the record of the Adjournment debate he secured on 31 October 2001, *Official Report,* columns 295–303.

Rail Freight (Newhaven Railhead)

Norman Baker: To ask the Secretary of State for Transport, Local Government and the Regions if he will ask the SRA to consider the potential for switching freight from road to rail following the development of an improved railhead at Newhaven. [15387]

Mr. Jamieson: I am not aware of any proposal for enhancing the railway infrastructure at Newhaven. However, the SRA has a target to deliver a significant increase in rail's share of freight over the next decade and is keen to ensure that potential opportunities to increase rail freight are taken. The authority's first Freight Strategy published in May this year, and their soon to be published Strategic Plan, describe how its freight target will be achieved.

South Coast Multimodal Study

Norman Baker: To ask the Secretary of State for Transport, Local Government and the Regions if the South Coast multimodal study is permitted to consider the impact of fare reductions on train services, underwritten by *(a)* the relevant train operating company, *(b)* the SRA and *(c)* his Department, as part of its remit to find ways to maximise use of the existing infrastructure. [15390]

Mr. Jamieson: Our draft directions and guidance to the SRA require it to keep under review the level of regulated and unregulated fares. The South Coast multimodal study will consider rail options for the routes covered by the study in order to identify cost effective ways of improving rail travel in the study corridor. The Government Office and their consultants are working with the Strategic Rail Authority in identifying and developing rail solutions.

Highways (Consultation Exercise)

Mr. Don Foster: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the *(a)* organisations and *(b)* individuals who responded to the consultation on the New Roads and Street Works Act 1991 section 64A—charges for occupation of the highway which closed on 12 October; and when the official Government response to that consultation will be published. [15954]

Ms Keeble: The list of those responding to the consultation under section 74A of the New Roads and Street Works Act 1991—charge for whole duration of works—is set out. The Government intend laying regulations under section 74A before Parliament within a few days. As these are affirmative regulations, they will need to be debated in both Houses.

List of responses to the consultation held on draft regulations under section 74A of the New Roads and Street Works Act 1991

Local Authorities

Bath and North East Somerset Council
Bexley Council
Birmingham City Council
Cambridgeshire County Council
City of Westminster
City of York Council
Cornwall County Council
Corporation of London
Croydon Council
Devon County Council
Durham County Council
Gateshead Council
Hampshire County Council
Kent County Council
Kirklees Metropolitan Council

Leeds City Council
Leicester City Council
Lincolnshire County Council
London Borough of Camden
London Borough of Ealing
London Borough of Hammersmith and Fulham
London Borough of Harrow
London Borough of Hounslow
London Borough of Lewisham
London Borough of Wandsworth
Milton Keynes Council
Norfolk County Council
Northamptonshire County Council
Nottinghamshire County Council
Royal Borough of Kensington and Chelsea
Sandwell Metropolitan Borough Council
South Gloucestershire Council
Staffordshire County Council
Surrey County Council
Swindon Council
Wigan Council
Wiltshire County Council
Wokingham District Council

Utility Companies

Anglian Joint Utilities Group
Bournemouth and West Hampshire Water
COLT Telecommunications
Electricity Association
Energis Communications Ltd.
London Electricity Group—LPN
London Joint Utilities Group
National Joint Utilities Group
ntl
One 2 One
Scottish and Southern Energy plc
Slough Heat and Power Ltd.
South Staffordshire Water plc
Thames Water Utilities Ltd.
Three Valleys Water plc
Thus plc
Transco
Wessex Water
WS Atkins Services Ltd. on behalf of Cable and Wireless UK
Yorkshire Electricity Distribution Services
Yorkshire Water

Other Organisations

Automobile Association
Chartered Institution of Water and Environmental Management
Confederation of Passenger Transport UK
Disabled Persons Transport Advisory Committee
Freight Transport Association
Institute of Highway Incorporated Engineers
Institution of Highways and Transportation
Institution of Structural Engineers
International Society for Trenchless Technology
Jason Consultants Ltd.
Joint Committee on Mobility of Blind and Partially Sighted People
London Buses—Infrastructure Development
London Buses—Tramlink Division
London Transport Users Committee
Motorists' Forum
National Sewerage Association
Nottinghamshire Police
OFWAT
Ofwat National Customer Council
Pipeline Industries Guild
RAC Foundation for Motoring
Road Haulage Association.

Hostel Beds

Chris Ruane: To ask the Secretary of State for Transport, Local Government and the Regions how many hostel beds were available in *(a)* London and *(b)* the rest of the country in each of the last 10 years. [16218]

Ms Keeble: This information is not collected centrally.

Local Authority Repairs

Chris Ruane: To ask the Secretary of State for Transport, Local Government and the Regions how many landlords have been prosecuted for disregarding local authority repairs notices since 1990. [16100]

Ms Keeble: This information is not collected centrally.

Homelessness

Chris Ruane: To ask the Secretary of State for Transport, Local Government and the Regions which councils operate private leasing of unsold homes as a means of housing homeless families; and how many families are housed by each local authority in private leasing accommodation. [16097]

Ms Keeble: My Department seeks information about English local authorities' activities under the homelessness provisions of the Housing Act 1996 on the quarterly P1 (E) housing returns. Data collected include the number of households being temporarily housed by the authority. These separately distinguish households in private sector accommodation that has been leased either by the local authority itself or by a registered social landlord, although the reason that the property became available for leasing is not collected.

Supplementary tables produced with the Department's quarterly Statistical Release on homelessness activity, present reported information on individual local authorities' use of various types of temporary accommodation, and of the numbers of households accommodated in them, on the last day of the quarter. The latest tables, published on 12 September 2001, cover the period to the end of June 2001. Copies are available in the Library of the House and are also on the DTLR website.

Chris Ruane: To ask the Secretary of State for Transport, Local Government and the Regions how many homeless people there were in each of the last 10 years. [16220]

Ms Keeble: The number of households accepted by local authorities in England under the homelessness provisions of the 1985 and 1996 Housing Acts, as being eligible for assistance, unintentionally homeless and in priority need, was as follows:

Year	*Number*
1991–92	139,630
1992–93	136,230
1993–94	125,360
1994–95	116,850
1995–96	116,550
1996–97	110,810
1997–98	102,650
1998–99	104,150
1999–2000	106,130
2000–01	114,350

Source:
DETR P1(E) housing returns (quarterly)

National and some regional information on local authorities' activity is provided in a quarterly statistical release published by the Department. Copies are available in the Library, and also via the Department's website. The latest edition, published on 12 September, presents statistics up to the end of June 2001.

EDUCATION AND SKILLS

Higher Education

Mr. Bercow: To ask the Secretary of State for Education and Skills what percentage of school leavers *(a)* in the Buckingham constituency and *(b)* nationally entered higher education in each of the last four years. [14209]

Margaret Hodge: Figures for the number of school leavers who go on to higher education are not collated centrally on a constituency basis. The available figures for Great Britain, showing the proportion of under 21 year olds who enter higher education for the first time, are given in the table. The increase in the index in 1997–98 related partly to changes in the funding arrangements for higher education, with students choosing to enter HE rather than wait until 1998–99. There was a corresponding reduction in 1998–99 before the entry rates started to increase again in 1999–2000. Between 1997–98 and 2000–01, total HE students in English universities and colleges rose by 83,000.

Age participation index (API)[1] for Great Britain

Year	*API (percentage)*
1997–98	33
1998–99	31
1999–2000	32
2000–01[2]	32–34

[1] The API is defined as the number of GB domiciled initial entrants to full-time and sandwich undergraduate HE aged under 21, expressed as a percentage of the average number of 18 and 19-year-olds in the population.

[2] Projected: final data on initial entrants is not yet available.

Sure Start

Mr. Bercow: To ask the Secretary of State for Education and Skills if she will make a statement on the cost of the sure start programmes for parents and children in deprived areas in the last 12 months. [14218]

Yvette Cooper: Expenditure on sure start was £7 million in 1999–2000 as set out in the Department for Education and Employment Departmental Report 2001–04, published in March 2001.

University College

Dr. Gibson: To ask the Secretary of State for Education and Skills what representations she has received on the denial of a full-time position to a senior cancer researcher at University college, London; and if she will make a statement. [13973]

Margaret Hodge: We have received no direct representations about Dr. Eva Link's position at University college, London.

Public Service Agreement Targets

Mr. Bercow: To ask the Secretary of State for Education and Skills if she will make a statement on the public service agreement targets for children to have normal spelling and language development at *(a)* 18 months and *(b)* three years. [14066]

Yvette Cooper: The only public service agreement target of this nature is that for Sure Start concerning children in Sure Start areas having normal speech and language skills at 18 months and three years. This is related to the previous PSA period 1998–99 to 2001–02, and has now been superseded with a similar target that can be better measured at a local level. The current Sure Start PSA target is:

> "To achieve by 2004 for children aged 0-three in the 500 Sure Start areas, a reduction of five percentage points in the number of children with speech and language problems requiring specialist intervention by the age of four."

Improved speech and language development is a proxy measure for improving children's ability to learn as there is a strong positive relationship between normal speech and language development and readiness to learn. All Sure Start programmes work towards improving the speech and language skills of children under four. Systems are in place to monitor change in speech and language skills of young children in Sure Start areas and the first information on this will be available later next year.

Early Excellence Centres

Mr. Bercow: To ask the Secretary of State for Education and Skills what the cost is of the early excellence centres under her Department's pilot programme and what assessment she has made of their value for money. [14101]

Mr. Timms: On 27 February we announced a major expansion of the Early Excellence Centre (EEC) programme, taking it out of its pilot phase, with plans to reach up to 100 centres by 2004. Funding for Early Excellence Centres comes from local sources, usually the local education authority, and through childcare and nursery education grants. The EEC programme typically provides additional resource to support a range of supplementary activities in line with the programme aims of disseminating good practice, delivering training and extending the scope and penetration of family services. So far, our contribution to EECs has been:

Year	Amount £
1997–98	123,000
1998–99	1,800,000
1999–2000	3,700,000
2000–01	6,200,000

We plan further investment of:

Year	Amount £ million
2001–02	13
2002–03	16
2003–04	18

The programme is being evaluated and we have published the first of three annual reports on the pilot phase. This shows that EECs have the potential for enhanced cost savings when compared with services that might otherwise have been provided separately. There is also powerful evidence demonstrating that EECs have made a positive difference to the lives of the children and families who use them, and affirming their role in supporting strategies for raising standards, increasing opportunities, supporting families, reducing social exclusion, increasing the health of the nation and addressing child poverty. The second year report is due to be published next spring.

Head Teachers (Misconduct)

Mr. Chaytor: To ask the Secretary of State for Education and Skills if she will list, for each of the last five years, the number of *(a)* primary head teachers and *(b)* secondary head teachers dismissed on the grounds of gross professional misconduct. [14699]

Mr. Timms: DfES does not collect information about the reasons head teachers leave their posts.

Mr. Chaytor: To ask the Secretary of State for Education and Skills if she will list, for each of the last five years, the total number of *(a)* primary head teachers and *(b)* secondary head teachers found guilty by their governing body of gross professional misconduct but not dismissed. [14700]

Mr. Timms: DfES does not collect information about those head teachers found guilty by their governing body of gross professional misconduct but not dismissed.

School Places

Mr. Brady: To ask the Secretary of State for Education and Skills what representations her Department has received from parents who have been denied a school place for their child as a result of the class size limits since their introduction. [14397]

Mr. Timms: We have received occasional representations from parents who believe they were not offered a place at a preferred school because of the infant class size limit. However, in implementing its infant class size pledge, the Government have funded a net increase of 12,000 places at popular schools. This has helped more parents get a place for their child at a school they have chosen.

Education Funding

Chris Grayling: To ask the Secretary of State for Education and Skills, pursuant to her answer of 7 November 2001, *Official Report*, column 239W, on education spending, for what period this information is available. [14680]

Mr. Timms: The table sets out the information which is available on a comparable basis. Since most capital is not and never has been devolved to schools and colleges, the percentage of recurrent funding devolved is higher than the total of capital and recurrent funding.

	1999–2000	*2000–01*	*2001–02*
Percentage of total funding devolved to schools and colleges	79	78	79
Percentage of total recurrent funding devolved to schools and colleges	84	84	84

School Exchanges (Russia)

Mr. Barker: To ask the Secretary of State for Education and Skills what information she has collated on how many school exchanges there have been between United Kingdom and Russian schools *(a)* in the current year and *(b)* since 1991. [14728]

Margaret Hodge: Information of this type is not collated centrally. School exchanges can be arranged by a wide range of organisations, such as individual schools, local education authorities, Government funded organisations, educational trusts etc. Accurate statistics could only be obtained from the schools themselves. This would involve disproportionate costs and an unnecessary additional burden on school administration.

I can say, though, that I know from Department for Education and Skills funding of organisations such as the British Council that there is on-going activity between UK schools and those in Russia, both through exchange visits and, increasingly, Information and Communications Technology projects. We expect and will encourage this activity to continue to develop and grow.

Learning and Skills Councils

Mr. Damian Green: To ask the Secretary of State for Education and Skills (1) how many people with political affiliations sit on learning and skills councils, broken down by major political party; [14572]

(2) what proportion of members on learning and skills councils have known political affiliations. [14575]

Margaret Hodge *[holding answer 13 November 2001]:* Appointments to the LSC and its local arms have been made through fair and open competition, in accordance with guidance issued by the Office of the Commissioner for Public Appointments (OCPA). We have sought to attract applications from individuals with a wide range of appropriate experience, regardless of any political affiliation they may have.

We wrote to all English MPs last year, asking them to encourage suitable candidates to apply. The great majority of applicants for LSC membership and of those appointed as members decided that they had not been politically active within the last five years.

145 (21 per cent.) of the 689 people who have been appointed and remain as members of the Learning and Skills Council declared political activity. These figures exclude Executive Directors of local Learning and Skills Councils as they were not required to declare political activity when applying for these posts.

A breakdown by political party follows:

	Appointed	*(Percentage[1])*
Total number appointed to the LSC: 689		
Conservative	21	(3.0)
Labour	111	(16.1)
Liberal Democrat	10	(1.5)
Other	3	(0.4)
Total	145	(21.0)

[1] Figure in brackets is the percentage of the total number of appointees

Training and Enterprise Councils

Mr. Chaytor: To ask the Secretary of State for Education and Skills if she will list the total cost of administration of each of the former training and enterprise councils in each of the last three years. [13336]

Margaret Hodge: Information on the total cost of administration of the former training and enterprise councils is not available. The amount spent by TECs on administration and its disclosure were a matter for individual TECs and varied between them. Some TECs showed no administration costs within their statutory accounts under this heading, while most excluded the costs of staff involved in the direct delivery of their programmes. However, all TECs had to show staffing costs as a note within their accounts. While this understates administration costs, as it does not cover expenditure on premises, information technology and other support systems, it is the only available indicator for the information sought. I have therefore provided figures for the financial years 1997–98, 1998–99 and 1999–2000 showing spend on staffing costs of each of the former Training and Enterprise Councils (TECs) in England as stated in their consolidated annual statutory audited accounts for the full range of activity TECs undertook. This information is not yet available for 2000–01.

Any direct comparison of staff costs between TECs is misleading, both because there is no statutory definition of staff costs and also because the range of training and enterprise activities differed between TECs.

£

		Staff costs	
TECS by region	*1997–98*	*1998–99*	*1999–2000*
North East			
County Durham	2,418,663	2,445,110	2,264,783
Northumberland	3,095,325	3,242,676	3,470,126
Teesside	2,706,000	3,175,000	3,804,000
Tyneside	4,887,000	5,373,000	5,191,000
Sunderland	2,530,218	2,970,942	3,090,144
Total	15,637,206	17,206,728	17,820,053

£

		Staff costs	
TECS by region	*1997–98*	*1998–99*	*1999–2000*
North West			
Bolton/Bury	2,745,104	3,255,303	3,542,121
Manchester	8,495,725	11,080,599	12,635,740
Wigan	2,963,066	2,872,720	3,124,399
Oldham	1,811,362	2,146,895	2,288,594
Rochdale	1,193,879	1,499,157	1,675,210
SECTEC	4,072,153	4,537,011	4,068,952
Stockport	2,284,839	2,919,825	3,642,684
Cumbria	4,148,320	4,348,398	4,167,719
ELTEC	2,712,421	2,748,113	2,844,807
LAWTEC	3,312,162	3,934,181	3,395,214
NORMID	1,959,869	2,030,310	2,276,603
CEWTEC	3,718,651	4,096,319	4,441,424
Merseyside	5,003,540	5,981,867	6,924,000
St. Helens	1,610,316	1,879,467	1,990,971
Total	46,031,407	53,330,165	57,018,438
Yorkshire and Humberside			
Barnsley/Doncaster	2,445,000	2,974,000	3,328,000
Bradford	2,102,648	2,272,563	2,267,865
Calderdale/Kirklees	3,303,476	3,654,117	3,863,677
Humberside	3,641,593	4,384,166	5,941,686
Leeds	2,771,812	3,049,722	3,263,066
North Yorks	2,009,000	2,418,000	2,871,000
Rotherham	2,479,131	2,842,753	3,034,383
Sheffield	3,160,000	4,215,000	3,704,000
Wakefield	1,759,642	1,456,005	1,476,719
Total	23,672,302	27,266,326	29,750,396
Eastern			
Bedfordshire	2,074,747	2,984,815	3,749,095
Cambs	1,009,261	1,632,060	2,231,354
Essex	2,619,000	2,832,000	4,154,000
Greater Peterborough	2,253,241	2,830,365	2,881,068
Hertfordshire	3,266,000	4,875,000	5,744,000
Norfolk and Waveney	2,676,000	2,714,000	3,106,000
Suffolk	1,415,769	1,488,925	2,076,086
Total	15,314,018	19,357,165	23,941,603
East Midlands			
Greater Nottingham	1,442,000	1,738,000	2,313,000
Leicester	2,053,777	2,190,371	2,834,946
Lincolnshire	3,681,204	4,067,859	3,945,748
Northamptonshire	1,825,258	2,228,847	2,628,728
North Derbyshire	1,886,098	1,827,427	1,788,715
North Nottinghamshire	2,298,889	2,525,876	2,969,381
South Derbyshire	3,329,000	3,663,000	3,911,000
Total	16,516,226	18,241,380	20,391,518
West Midlands			
Birmingham	3,306,000	4,115,000	4,911,000
CENTEC	1,177,224	—	—
Coventry/Warwick	4,453,813	4,725,901	5,061,723
Dudley	1,765,958	1,838,992	2,402,219
HAWTEC	3,169,812	3,991,952	5,258,626
Sandwell	2,077,656	2,406,903	2,587,877
Shropshire	1,897,373	2,000,996	2,055,106
Staffordshire	2,461,000	2,682,000	3,459,000
Walsall	1,580,134	1,727,060	2,197,035
Wolverhampton	2,022,000	2,203,000	2,156,000
Total	23,910,970	25,691,804	30,088,586
South West			
WESTEC	2,425,000	2,017,000	2,342,000
Prosper	5,559,000	6,296,000	8,282,000
Dorset	1,518,023	1,939,118	2,198,014
Gloucester	1,939,644	2,879,008	3,172,585
Somerset	1,618,554	2,648,489	2,813,010
Wiltshire	1,492,318	1,501,086	1,571,918
Total	14,552,539	17,280,701	20,379,527

£

TECS by region	*Staff costs* *1997–98*	*1998–99*	*1999–2000*
London			
AZTEC	1,609,045	2,002,548	2,714,681
FOCUS	5,371,000	6,259,000	6,368,000
LETEC	4,521,474	4,898,407	5,617,403
North London	2,991,331	3,750,158	4,408,581
North West London	1,512,188	1,967,655	2,726,005
SOLOTEC	4,174,000	5,492,000	4,851,000
West London	5,684,669	5,583,113	5,244,201
Total	25,863,707	29,952,881	31,929,871
South East			
Hampshire	3,474,000	4,399,000	4,867,000
Isle of Wight	733,424	1,241,925	1,582,489
Kent	3,624,774	4,138,710	6,315,951
Milton Keynes	2,940,610	3,022,377	3,302,090
Heart of England	2,146,037	2,354,176	2,483,181
Surrey	1,827,970	2,037,138	2,259,269
Sussex	3,619,000	3,952,000	4,229,000
Thames Valley	3,757,432	4,037,146	4,432,670
Total	22,123,247	25,182,472	29,471,650
Grand Total	203,621,622	233,509,622	260,791,642

Higher Education

Mr. Goodman: To ask the Secretary of State for Education and Skills what percentage of school leavers *(a)* in the Wycombe constituency and *(b)* nationally entered higher education in each of the last four years. [14873]

Margaret Hodge: Figures for the number of school leavers who go on to higher education are not collated centrally on a constituency basis. The available figures for Great Britain, showing the proportion of under 21-year-olds who enter higher education for the first time, are given in the table. The increase in the index in 1997–98 related partly to changes in the funding arrangements for higher education, with students choosing to enter HE rather than wait until 1998–99. There was a corresponding reduction in 1998–99 before the entry rates started to increase again in 1999–2000. Between 1997–98 and 2000–01, total HE students in English universities and colleges rose by 83,000.

Age participation index (API)[1] *for Great Britain*

Year	*API (percentage)*
1997–98	33
1998–99	31
1999–2000	32
2000–01[2]	32–34

[1] The API is defined as the number of GB domiciled initial entrants to full-time and sandwich undergraduate HE aged under 21, expressed as a percentage of the average number of 18 and 19 year olds in the population.

[2] Projected: final data on initial entrants are not yet available.

Teachers' Salaries (London)

Dr. Tonge: To ask the Secretary of State for Education and Skills if she will publish the average salary of a teacher in London over the last 10 years. [14409]

Mr. Timms *[holding answer 14 November 2001]:* The average salary of teachers[1] in the maintained schools sector[2] in London were as follows:

Year	*£*
1990	16,600
1991	18,600
1992	20,800
1993	22,400
1994	22,700
1995	23,200
1996	23,700
1997	24,500
1998	25,100
1999[3]	26,200
2000[3]	27,200

[1] All grades including heads and deputy heads.

[2] Excludes sixth form colleges.

[3] Provisional data.

Literacy

Mr. Laws: To ask the Secretary of State for Education and Skills what his estimate is of the number of children who were judged to be illiterate on leaving school in England in the last three years; and if he will make a statement. [13515]

Mr. Ivan Lewis *[holding answer 14 November 2001]:* 99 per cent. of 15-year-olds have achieved a GCSE pass in English in each of the last three years. However, no separate assessment has been made of literacy rates among school leavers. The Government are committed to raising standards of literacy, particularly through the successful National Literacy Strategy in primary schools and the new Key Stage 3 Strategy in secondary schools.

Fast-track Teacher Recruitment

Mr. Willis: To ask the Secretary of State for Education and Skills how many applications were received; how many applicants were accepted; how many applicants commenced training; and how many have failed to complete training in each of the years since the establishment of the fast-track teacher recruitment scheme. [15561]

Mr. Timms: The first round of recruitment to the Fast Track Teaching Programme was completed in Spring 2001. Over 40,000 inquiries were received by phone and internet; 1,574 applications were received; 135 places were offered to successful applicants; 111 chose to take up their places in September 2001 and a further nine deferred their places for a year. Three have withdrawn since the beginning of the academic year.

Teacher Training

Mr. Willis: To ask the Secretary of State for Education and Skills what was the cost of providing an internet-based application system for post-graduate teacher training. [15559]

Mr. Timms: The total cost of the Graduate Teacher Training Registry's electronic applications service was £146,640, including value added tax.

Mr. Willis: To ask the Secretary of State for Education and Skills (1) how many rejected applicants for fast-track teaching were subsequently placed on other post-graduate teacher training programmes through the Graduate Teacher Training Register; what was the total additional resource allocation for this purpose; and if she will make a statement; [15560]

(2) how many applicants who were rejected by the fast-track teaching scheme were referred to the Graduate Teacher Training Register for placement on other teacher training programmes for 2001–02. [15562]

Mr. Timms: There were 1,574 applicants to the Fast-Track Teaching programme in the first round. Details of 677 unsuccessful applicants were passed on to the Graduate Teacher Training Register (GTTR); of whom 105 secured places on other post-graduate teacher training programmes in 2001–02. The cost of processing these candidates through GTTR was £12,186 and was borne by the Teacher Training Agency.

Mr. Willis: To ask the Secretary of State for Education and Skills how many students took part in the graduate training scheme for teachers in *(a)* 1998, *(b)* 1999, *(c)* 2000 and *(d)* 2001. [15556]

Mr. Timms: The table contains the numbers of people who started the Graduate Teacher Programme (GTP) during the calendar years 1998, 1999, 2000 and 2001:

	Number of new entrants
1998	305
1999	591
2000	1,185
2001	2,249

Note:

The Graduate Teacher Programme started in January 1998. The figures exclude overseas trained teachers.

Source:

Teacher Training Agency

Trainees on the Graduate Teacher Programme can enter the programme throughout the academic year.

Mr. Willis: To ask the Secretary of State for Education and Skills how many applications were received by the Graduate Teacher Training Register for postgraduate teacher training for the year 2001–02; how many applications were successful; how many applicants commenced training; and what was the cost per student of placing them on a graduate teacher training register scheme. [15563]

Mr. Timms: The Graduate Teacher Training Registry (GTTR) received a total of 37,963[1] applications, for postgraduate initial teacher training courses starting in 2001–02 in England. Of those, 20,041[2] were accepted. The Teacher Training Agency's Initial Teacher Training (ITT) Trainees Numbers Census recorded a total of 21,140[1] new entrants on postgraduate ITT courses in England, for 2001–02. Not all entrants to postgraduate ITT courses apply through the GTTR.

The cost of placing a student on a GTTR scheme is not collected centrally.

[1] This the provisional end of year figure for applications to postgraduate ITT courses in England, from GTTR.

[2] This is the provisional end of year figure for accepted applications to postgraduate ITT courses in England, from GTTR.

[1] This is the provisional total from the TTA's ITT Trainee Numbers Census.

Road Noise (Classrooms)

Mr. Oaten: To ask the Secretary of State for Education and Skills what guidelines she sets for the maximum level of background road noise in *(a)* classrooms and *(b)* classrooms in schools with special needs. [15069]

Mr. Timms *[holding answer 15 November 2001]:* The Education (School Premises) Regulations 1999 state that

> "Each room or other space in a school building shall have the acoustic conditions and the insulation against disturbance by noise appropriate to its normal use."

For new school buildings, the Department has published Building Bulletin 87 "Guidelines for Environmental Design in Schools". This contains the following acoustic standards.

(a) Table 1a gives the recommended maximum background noise levels, from adjacent areas, ventilation and traffic noise, for various types of spaces found in schools. The figure quoted for general teaching, seminar and tutorial rooms and classbases is 40 dB $L_{Aeq,1hr}$.

(b) In specialist accommodation for pupils with hearing impairments, in special schools and in special units in mainstream schools, the maximum background noise level should be at least 10 dB lower than the figures given in Table 1a.

Education School Standards Framework Act

Mr. Willis: To ask the Secretary of State for Education and Skills what plans she has to reform the Education School Standards and Framework Act 1998; and if she will make a statement. [15553]

Estelle Morris: As announced in the Queen's Speech, the Government intend to introduce an Education Bill during this Parliamentary session, in order to implement the White Paper "Schools—achieving success". The Bill is in preparation and will include amendments to a number of Education Acts, including the School Standards and Framework Act.

Graduate Training Scheme

Mr. Willis: To ask the Secretary of State for Education and Skills how many schools took part in the graduate training scheme for teachers in *(a)* 1998, *(b)* 1999, *(c)* 2000 and *(d)* 2001. [15555]

Mr. Timms: The information is not readily available. Participants in the Graduate Teacher Programme may work in more than one school during their training in order to enhance the range of experience that they gain.

School Admissions (Religious Practice)

Mr. Willis: To ask the Secretary of State for Education and Skills what guidance she gives on school admissions arrangements that require children and their families to have practised a specified religion. [15417]

Mr. Timms *[holding answer 16 November 2001]:* Admission authorities for schools determine their own admission arrangements, which must comply with all relevant legislation and have regard to guidance in the Code of Practice on School Admissions, which was approved by Parliament.

Schools supported by religious foundations have generally been set up on trust deeds, which require them to serve their faith adherents. Their governing bodies must conduct the school in accordance with the terms of the trust deed, providing this does not conflict with general legislation.

Such schools may give priority for admission to members of their particular faith or denomination. Where they do, their admission arrangements should make clear whether a statement of religious affiliation or commitment would be sufficient; whether it is to be "tested" for admission purposes and if so, how; and what, if any, references would be required and how they will be used.

Teacher Vacancies (Maintained Schools)

Mr. Brady: To ask the Secretary of State for Education and Skills how many teacher vacancies there were in maintained schools in each local education authority area at the beginning of the current school term. [15619]

Mr. Timms *[holding answer 16 November 2001]:* The information is not available for September 2001. Full-time teacher vacancies in the maintained schools sector in January 2001 in England were as follows:

	Teacher vacancies	*Vacancy rate (%)*
Gateshead	6	0.4
Newcastle upon Tyne	19	0.9
North Tyneside	14	0.8
South Tyneside	0	0.0
Sunderland	20	0.8
Hartlepool	5	0.6
Middlesbrough	20	1.7
Redcar and Cleveland	18	1.5
Stockton on Tees	15	0.9
Durham	37	0.9
Darlington	8	1.1
Northumberland	0	0.0
Bolton	7	0.3
Bury	4	0.3
Manchester	0	0.0
Oldham	16	0.7
Rochdale	5	0.3
Salford	4	0.2
Stockport	25	1.2
Tameside	23	1.3
Trafford	0	0.0
Wigan	11	0.4
Cheshire	25	0.5
Halton	6	0.6
Warrington	11	0.7
Lancashire	61	0.7
Blackburn with Darwen	19	1.6
Blackpool	5	0.5
Cumbria	6	0.2
Knowsley	12	0.8
Liverpool	0	0.0
St. Helens	8	0.5
Sefton	15	0.6
Wirral	20	0.7
Barnsley	20	1.3
Doncaster	10	0.4
Rotherham	1	—
Sheffield	14	0.4
Bradford	0	0.0
Calderdale	7	0.4
Kirklees	10	0.3
Leeds	47	0.8
Wakefield	14	0.5
Kingston-upon-Hull, City of	8	0.4
East Riding of Yorkshire	6	0.3
North East Lincolnshire	20	1.6
North Lincolnshire	10	0.8
North Yorkshire	12	0.3
York	6	0.5
Derbyshire	45	0.9
Derby	16	0.9
Leicestershire	30	0.7
Leicester	42	1.8
Rutland	0	0.0
Lincolnshire	20	0.4
Northamptonshire	20	0.4
Nottinghamshire	0	0.0
Nottingham	41	2.2
Birmingham	83	0.9
Coventry	24	1.0
Dudley	28	1.1
Sandwell	49	2.0
Solihull	32	1.7
Walsall	17	0.7
Wolverhampton	32	1.6
Herefordshire	18	1.6
Worcestershire	8	0.2
Shropshire	4	0.2
Telford and Wrekin	5	0.4
Staffordshire	40	0.6
Stoke-on-Trent	20	1.1
Warwickshire	42	1.2
Cambridgeshire	3	0.1
Peterborough	7	0.5
Norfolk	71	1.3
Suffolk	89	1.8
Bedfordshire	76	2.6
Luton	63	4.2
Essex	220	2.3
Southend-on-Sea	24	2.0
Thurrock	69	6.9
Hertfordshire	50	0.6
City of London	0	0.0
Camden	59	5.2
Greenwich	63	3.6
Hackney	101	8.0
Hammersmith and Fulham	49	5.9
Islington	56	5.0
Kensington and Chelsea	36	6.6
Lambeth	51	3.7
Lewisham	71	4.2
Southwark	100	6.0
Tower Hamlets	157	8.6
Wandsworth	53	3.7
Westminster	49	4.8
Barking and Dagenham	24	1.7
Barnet	100	4.4
Bexley	85	4.8
Brent	23	1.2
Bromley	63	2.9
Croydon	77	3.2
Ealing	66	3.4
Enfield	65	2.7
Haringey	43	2.5
Harrow	58	4.5
Havering	38	2.2
Hillingdon	52	2.7
Hounslow	18	1.0
Kingston upon Thames	23	2.5
Merton	18	1.7
Newham	103	4.6
Redbridge	40	2.0
Richmond upon Thames	30	3.5
Sutton	10	0.7
Waltham Forest	7	0.4
Bracknell Forest	16	2.4

	Teacher vacancies	Vacancy rate (%)
Windsor and Maidenhead	34	3.9
West Berkshire	10	0.9
Reading	37	4.4
Slough	62	6.7
Wokingham	18	1.6
Buckinghamshire	59	1.8
Milton Keynes	21	1.3
East Sussex	43	1.4
Brighton and Hove	17	1.1
Hampshire	175	2.2
Portsmouth	59	4.5
Southampton	50	3.4
Isle of Wight	7	0.7
Kent	196	2.0
Medway	51	2.6
Oxfordshire	16	0.4
Surrey	104	1.6
West Sussex	82	1.6
Isles of Scilly	0	0.0
Bath and North East Somerset	9	0.7
City of Bristol	25	1.0
North Somerset	7	0.5
South Gloucestershire	7	0.4
Cornwall	0	0.0
Devon	47	1.1
Plymouth	1	—
Torbay	9	1.0
Dorset	18	0.7
Poole	19	2.0
Bournemouth	7	0.7
Gloucestershire	14	0.3
Somerset	11	0.3
Wiltshire	19	0.7
Swindon	20	1.5
England	4,976	1.4

Class Sizes

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what guidance she gives to *(a)* schools and *(b)* local education authorities on the course of action to be adopted where it appears necessary for infants to be taught in classes of more than 30 pupils. [15384]

Mr. Timms *[holding answer 16 November 2001]:* Since September 2001 schools and local education authorities have been responsible for ensuring that infant classes for 5, 6 and 7 year olds are limited to 30 or fewer except where permitted by legislation.

How schools organise their classes is a matter for agreement between the LEA and the schools. The Department has issued no guidance to LEAs or schools on how classes which exceed the limit for permitted reasons should be organised.

Fair Trade Goods

Mr. Weir: To ask the Secretary of State for Education and Skills what her Department's policy is in relation to departmental spending for supplies concerning the purchase of fair trade goods. [15204]

Mr. Ivan Lewis *[holding answer 16 November 2001]:* The Department for Education and Skills takes every opportunity, like the Department for International Development (DFID), to promote fair trade products and also to support ethical trading in mainstream business. DfES seeks prices for both fair trade and non-fair trade products from suppliers during tender exercises for the provision of catering services. In line with Government procurement policy the evaluation of tenders is based on value for money considerations having due regard to propriety and regularity. We also encourage our current catering providers to offer fair trade products as an option to customers in staff restaurants.

Neighbourhood Renewal

Mr. Bercow: To ask the Secretary of State for Education and Skills what the cost is in 2001–02 of the implementation of recommendations in the social exclusion unit's report on neighbourhood renewal. [14083]

Ms Keeble: I have been asked to reply

The National Strategy Action Plan for Neighbourhood Renewal aims to develop common goals including better health, skills, housing and physical environment, and to narrow the gap on these measures between the most deprived neighbourhoods and the rest of the country. If these aims are to be fulfilled, efforts to provide direct support to deprived neighbourhoods must be combined with efforts to "bend" mainstream programmes that provide funding to ensure that challenges faced by deprived areas can be addressed. To this end the Government will be spending an additional £43 billion a year on core public services by 2004. The costs of implementing the recommendations on neighbourhood renewal are embedded in these and the other billions of pounds spent by Government Departments, and it would involve disproportionate costs to disaggregate this expenditure.

Internet Access

Dr. Kumar: To ask the Secretary of State for Education and Skills if she will make a statement on the number of schools with internet access *(a)* nationally and *(b)* in boroughs of (i) Middlesbrough, (ii) Redcar and (iii) Cleveland; and what were the Department's targets in each case. [16214]

John Healey: Statistics published by the Department for Education and Skills in October show that 97 per cent. of schools in England are now connected to the internet; significant progress from a position where only 28 per cent. were connected in 1998. Our target is that every school should have access to the internet in 2002.

The Department does not maintain information about internet access in schools on a regional or local basis.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Sellafield

Mr. Stunell: To ask the Secretary of State for Environment, Food and Rural Affairs if she will publish the latest OCNS advice on the manufacture and transportation of nuclear material to and from the MOX site at Sellafield. [8874]

Margaret Beckett: My right hon. Friend the Secretary of State for Health and I decided on 3 October that MOX manufacture is justified under the Basic Safety Standards Directive. We took account of all relevant issues up to that date, including security considerations. A copy of our decision is in the Library, including a summary of some of the main considerations taken into account. The advice of the Office for Civil Nuclear Security is contained in the decision document. Paragraph 67–69 of the document and paragraphs 25–33 of Annexe 1 describe security issues in detail.

Meat Hygiene Service

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact of Meat Hygiene Service charges on the profitability and operation of small to medium-sized abattoirs. [9806]

Mr. Morley: Following the introduction of revised meat hygiene service charges for abattoirs on 1 April this year there has been no assessment made on their impact to small and medium-sized abattoirs. There is no doubt that there will be positive benefits for small and medium-sized abattoirs but it is too early to assess how the revised charging system will affect their profitability or future operation. Despite the reduction in abattoir numbers over recent years there remains considerable over-capacity in the slaughtering sector and a reasonable spread of abattoirs across most parts of the country. A recent study by the Meat and Livestock Commission found that, while larger abattoirs accounted for over 80 per cent. of the slaughterings of pigs and sheep in 2000–01, small and medium abattoirs increased their share of the numbers of cattle slaughtered. This stood at 46 per cent. in larger abattoirs.

Cod Stocks

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what recent measures she has taken, and what further measures she plans to take, to preserve cod stocks. [10616]

Margaret Beckett *[holding answer 26 October 2001]:* The United Kingdom has played a full part with the Commission and the other member states concerned in developing the second stage of the cod recovery programme for the North sea and west of Scotland. These revised requirements come into force from 1 January 2002. The UK fishing industry has also been involved closely with the process.

We stand ready to play a similar part in taking forward the Irish sea cod recovery programme on which we expect a proposal from the Commission, shortly, for a repeat of the spring spawning closure. We also expect the Commission to bring forward additional ideas to progress the recovery plan for the northern hake stock.

Flood Defences

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what the annual grant to the Environment Agency for flood defence work has been in each of the last four years in *(a)* current and *(b)* real terms; what the projected figures for the remainder of the planning period are; and if she will make a statement. [10605]

Margaret Beckett *[holding answer 26 October 2001]:* My Department provides funding to the Environment Agency, local authorities and internal drainage boards for capital works that meet essential criteria and has also in recent years made funds available to the agency for other initiatives, for example to assist with flood risk public awareness and recently to assist in meeting the extra costs for emergency response and repair associated with last year's floods, and special funding for the design and feasibility costs of river defences.

Allocations to individual authorities, such as the agency, within the total provision depends on the plans identified by those authorities and assessment against the Department's priority score arrangements. Actual outturn reflects the authorities' ability to deliver those plans. Allocations are decided in advance of the start of each financial year and I have just announced those for 2002–03. Therefore separate figures for the Environment Agency are not available for 2003–04 but otherwise the figures requested are:

Environment agency

£ million

	Current prices			*Real prices*[1]
	Grants on capital works	*Contributions on other initiatives*	*Total*	*Total*
Actual outturn:				
1997–98[3]	43.0	0.0	43.0	43.0
1998–99	33.5	0.3	33.8	32.7
1999–2000	31.8	1.2	33.0	31.4
2000–01	26.4	15.5	41.9	38.7
Current allocation:				
2001–02	44.0	19.1	63.1	[2]56.9
2002–03	61.0	4.0	65.0	[2]57.2

[1] Using Retail Prices Index with the base year set to 1997

[2] Expected future RPI increasing at 2.5 per cent. per annum

[3] Allocation for this year was increased significantly in year by the redistribution of funds from elsewhere in the Department

British Waterways

Mr. Grogan: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to visit rivers managed by British Waterways. [11555]

Mr. Meacher: My noble Friend Lord Whitty visited the River Trent at Nottingham with British Waterways on 22 October. My right hon. Friend the Secretary of State has no current plans to visit rivers managed by British Waterways, but would like to do so at a future date if practicable.

Livestock Welfare Disposal Scheme

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to change the level of the payments made under the livestock welfare disposal scheme; and if she will make a statement. [11740]

Margaret Beckett *[holding answer 1 November 2001]:* My noble Friend Lord Whitty announced new rates of payment on Monday 29 October, applicable to applications posted on or after 30 October.

Agriculture

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what her estimate is of the total financial support from public funds for *(a)* United Kingdom and *(b)* English agriculture (i) directly and (ii) indirectly in each year since 1990–91. [12808]

Mr. Morley: The table provided gives estimates of *(a)* expenditure on CAP market support measures and *(b)* direct payments to the agricultural sector in the UK from 1990–91 to 2000–01. Equivalent data for England could be provided only at disproportionate cost. In any case, expenditure on market support measures, eg export refunds and intervention stock costs, could not be meaningfully allocated to particular regions.

£ million

	Total public expenditure on agriculture in the UK	*Of which:* *Expenditure on CAP market support measures*	*Expenditure on direct payments to the agriculture sector*
1990–91	1,910	1,262	647
1991–92	1,959	1,183	776
1992–93	2,003	1,050	953
1993–94	2,869	1,076	1,792
1994–95	2,512	454	2,058
1995–96	2,897	457	2,440
1996–97	4,318	1,621	2,697
1997–98	3,583	1,281	2,302
1998–99	3,482	1,013	2,469
1999–2000	3,161	710	2,451
2000–01(f)	3,182	761	2,421

Hill Farmers

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the *(a)* number and *(b)* percentage of hill farmers in England who have second jobs outside farming; and if she will make a statement. [12698]

Mr. Morley: Our information on farmers with second jobs is incomplete and limited to farms of sufficient size to occupy a full-time farmer. From the data which are available, we believe that the proportion of such hill farmers in England with second jobs off-farm is in line with the national average for all 'full-time' farms of just under 10 per cent.

Animal Health Bill

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she has taken to consult *(a)* the farming community, *(b)* conservation groups and *(c)* the Royal Society for the Prevention of Cruelty to Animals on the Animal Health Bill. [12346]

Margaret Beckett *[holding answer 5 November 2001]:* To ensure that we are prepared for any emergency we have had to act swiftly in preparing this legislation. There has not therefore been time to consult our stakeholders in the way that we normally would.

We nevertheless intend to consult representatives of those who are affected by these measures on how they will apply in practice. On foot and mouth disease in particular we will be consulting on the detail of the disease risk assessment, which is central to the new arrangements for compensation on infected premises.

On TSEs, the national scrapie plan was subject to consultation in July 2000. That exercise indicated that genotyping would become compulsory at a future unspecified date. We will, however, consult organisations representing the sheep industry about the detailed use that should be made of the new compulsory genotyping powers and their timing.

Fuel Poverty

Mr. Burstow: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the numbers of fuel poor households in England containing people aged 60 years or over under each of the definitions set out in the draft fuel poverty strategy; what estimate she has made of the number of older fuel poor households who are not eligible for a grant under the new home energy efficiency scheme; and what measures she will take to help these households improve their energy efficiency. [12431]

Mr. Meacher: The two main definitions of fuel poverty used are:

> (a) A household is in fuel poverty if, in order to maintain a satisfactory heating regime, it would be required to spend more than 10 per cent. of its income on all household fuel use.
>
> (b) A household is in fuel poverty if, in order to maintain a satisfactory heating regime, it would be required to spend more than 10 per cent. of its income (excluding housing benefit and income support for mortgage interest) on all household fuel use.

The table uses data from the 1998 English House Condition Energy Follow-Up Survey (EFUS) to show the estimated number of fuel poor households aged 60 or more in social and private sector housing.

Million

	Number of fuel poor households aged 60 or more in social sector housing	*Number of fuel poor households aged 60 or more in private sector housing*
Using definition (a)	0.5	1.4
Using definition (b)	0.8	1.5

All fuel poor households in the social housing sector will be assisted by the separate housing programmes designed to bring all such properties up to decent standard by 2010.

Following a transition period, the Home Energy Efficiency Scheme (now marketed as the Warm Front Team) is now solely focused on private sector housing. All households aged 60 or more living in this sector and in receipt of one of the main income or disability-related benefits are eligible for assistance from HEES.

Neither the 1996 English House Condition Survey, nor the 1998 EFUS, collected enough information to estimate the number of fuel poor households aged 60 or more in private sector housing that are ineligible for HEES as they do not receive an income or disability-related benefit. Such households are eligible for other assistance with energy efficiency, for example, through improvements under programmes operated by energy suppliers under the Energy Efficiency Standards of Performance (EESoPs) until 31 March 2002, and the Energy Efficiency Commitment (EEC) from 1 April next year, and may be eligible for improvement grants from local authorities.

My right hon. Friend the Secretary of State for Work and Pensions is also considering measures to encourage those aged 60 or more to claim the benefits to which they are entitled. These would further reduce the number of older households that are in fuel poverty but may not be eligible for HEES.

Mr. Burstow: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the *(a)* number and *(b)* percentage of English households containing people who are aged 60 years or over and claiming a means-tested benefit which are fuel poor under the two definitions set out in the draft fuel poverty strategy. [12430]

Mr. Meacher *[holding answer 6 November 2001]:* The two main definitions of fuel poverty used are: *(a)* A household is in fuel poverty if, in order to maintain a satisfactory heating regime, it would be required to spend more than 10 per cent. of its income on all household fuel use.

(b) A household is in fuel poverty if, in order to maintain a satisfactory heating regime, it would be required to spend more than 10 per cent. of its income (excluding housing benefit and income support for mortgage interest) on all household fuel use,.

Using data from the 1998 English House Condition Energy Follow-Up Survey (EFUS) it is estimated that the total number of fuel poor households aged 60 or more was 1.9 million under the definition at *(a)*; or 2.3 million using the definition at *(b)*.

Neither the 1996 English House Condition Survey nor the 1998 EFUS collected enough information to allow an estimate to be made of the number of fuel poor households that are in receipt of an income-related benefit. The 2001 EHCS will be the first to allow such an estimate to be made, with the initial results expected in autumn 2002.

Mr. Burstow: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the number of households containing people aged 60 years and over in England who do not have central heating, and the *(a)* number and *(b)* percentage of such households which are fuel poor under the two definitions set out in the draft fuel poverty strategy. [12432]

Mr. Meacher *[holding answer 6 November 2001]:* Using data from the English House Condition Energy Follow-Up Survey (EFUS), the table sets out the estimated number of households that in 1998 did not have central heating. It also shows the number of these regarded as fuel poor against the two main definitions:

(a) A household is in fuel poverty if, in order to maintain a satisfactory heating regime, it would be required to spend more than 10 per cent. of its income on all household fuel use.

(b) A household is in fuel poverty if, in order to maintain a satisfactory heating regime, it would be required to spend more than 10 per cent. of its income (excluding housing benefit and income support for mortgage interest) on all household fuel use.

Million

Group	*Number of households*
Total number of households aged 60 or more in England	6.5
Total number of households aged 60 or more in England that do not have central heating	1.7
Total number of households aged 60 or more in England that do not have central heating and are regarded as fuel poor using the definition at (a) above	[1]0.8
Total number of households aged 60 or more in England that do not have central heating and are regarded as fuel poor using the definition at (b) above	[2]0.9

[1] 47 per cent. of all households aged 60 or more that do not have central heating.

[2] 53 per cent. of all households aged 60 or more that do not have central heating.

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs how much of the £260 million of funding for the home energy efficiency scheme has been spent on people living in fuel poverty. [16118]

Mr. Meacher: The Home Energy Efficiency Scheme (HEES) was launched on 1 June 2000 and is designed to tackle the problem of fuel poverty. It offers packages of insulation and heating improvements to those households most vulnerable to cold-related ill health: low-income older people, families with children, the disabled and the long-term sick.

The scheme does not attempt to assess whether each individual householder falls within the definition of fuel poverty, which would be impractical. Instead it assumes that receipt of one of the main income or disability benefits suggests that the household may be at risk. It is therefore not possible to identify how many of the 250,000 householders assisted to date were in fuel poverty at the time. However, we are confident that they were vulnerable to cold-related ill-health and at risk of fuel poverty.

A study of the scheme is planned over the next two years and will provide information on the nature of the householder assisted.

Water and Sewerage Services (Worcestershire)

Mr. Luff: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the implications of recent price settlements imposed by Ofwat on investment in water and sewerage services in Worcestershire; and if she will make a statement. [13219]

Mr. Meacher: In 1999 the Director General of Water Services (Ofwat) determined price limits for water and sewerage companies in England and Wales for the five years beginning on 1 April 2000. Worcestershire is within the area served by Severn Trent Water. In setting price limits for Severn Trent Water, the Director General made provision for an annual average capital investment of £391 million (May 1999 prices) over the five year review period. This is set out in "Future water and sewerage charges 2000–05" in the House of Commons Library. Within this framework companies decide their priorities for meeting their planned outputs.

Condensing Boilers

Mr. Win Griffiths: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the *(a)* energy saving and *(b)* pollution cutting potential of replacing conventional boilers in the UK with condensing boilers. [12938]

Mr. Meacher *[holding answer 8 November 2001]:* The Government are keen to promote the installation of condensing boilers when conventional ones are replaced. The benefits of condensing boilers are likely to be attractive to energy suppliers in meeting their requirements under the Energy Efficiency Commitment for 2002–05. Under the Home Energy Efficiency Scheme (HEES) the new central heating systems provided use condensing boilers whenever possible.

The energy and carbon savings, which could be achieved if the entire UK stock of conventional boilers were replaced by condensing boilers, are estimated to be as follows:

Building type	*Energy savings*[1]	*Carbon savings*[2]
Domestic stock		
Gas fired	257	3.78
Oil fired	15.5	0.3
Commercial and public sector	50	0.8
Industrial	10	0.15
Total	332.5	5.03

[1] Peta joules/year

[2] Million tonnes of carbon/year

Border Inspection Posts

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what powers she has to monitor the effectiveness and performance of border inspection posts. [13276]

Margaret Beckett *[holding answer 8 November 2001]:* The local authority are responsible for ensuring that the checks at border inspection posts (BIPs) are carried out to the standards specified in community legislation.

The Products of Animal Origin (Import and Export) Regulations 1996 contains provision for an authorised officer (of the Minister) to audit the local authorities' operation of border inspection posts. This includes checking whether staff comply with the requirements of the regulations, taking samples and the examination of documentary or computer material.

The regulations also require the local authority to provide detailed information on the products checked at the BIP and the outcome of those checks.

Local authorities are required to report on these activities through the Divisional Veterinary Managers of DEFRA. DEFRA staff work closely with the authorities in carrying out these inspection responsibilities.

The Food Standards Agency commenced an audit programme of local authorities on 1 April 2001 and where applicable this will include an audit of the BIP.

Countryside Access

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the separate commencement dates made under the Countryside and Rights of Way Act 2000 to allow access to the open countryside as soon as practicable after the conclusive maps have been completed and approved for each region. [13868]

Alun Michael: The following provisions in Part 1 of the Countryside and Rights of Way Act 2000 came into force on 30 January 2001: section 1 and Schedule 1, sections 3 to 11 and Schedule 3, sections 15 to 17, section 19, Chapters II and III, and sections 40 to 45. The commencement of these provisions enabled the Countryside Agency to begin preparation of and consultation on draft maps of open country and registered common land.

The right of access, in section 2(1), has not yet been brought into effect. We are committed to opening up all open country and registered common land by the end of 2005, but the Act allows for the right to be commenced at different times in different areas, so it would be possible to give people new rights of access to some areas of land before then. I am considering the option of regional commencement, and hope to make an announcement on this before the end of the year.

Water Conservation

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs what recent action she has taken to promote water conservation; and if she will make a statement. [13886]

Mr. Meacher: The Government promote water efficiency by a variety of means including through the Environment Agency's National Water Demand Management Centre, the Water Fittings Regulations, Envirowise, the Market Transformation programme, the Buying Agency's Watermark project, leakage targets for water companies, maintenance of a database of water efficiency research, and through on-going discussions with Ofwat, the Environment Agency and the water industry. The draft Water Bill contains provisions for a new duty on water undertakers to take water efficiency into account in the full range of their plans and activities.

Landfill Tax

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs what environmental projects have been successfully completed as a result of revenue from the landfill tax credit scheme in *(a)* 1999–2000 and *(b)* 2000–01. [13879]

Mr. Meacher: Detailed information on individual projects and the amount of funding they have received is available from ENTRUST, the regulatory body for the landfill tax credit scheme.

The numbers of completed projects in the years 1999, 2000 and 2001 are:

Category	*1999*	*2000*	*2001*
A Reclamation of contaminated land	15	19	9
B Reduction/prevention of pollution of land	2	6	0
C Sustainable waste management	188	225	165
D Provision of public parks and amenities	722	994	763
E Restoration of historical buildings	188	309	244
F Provision of services between environmental bodies	2	1	2

Waste Management

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs what recent action the Government have taken to minimise waste in the UK; and if she will make a statement. [13880]

Mr. Meacher: Tackling the amount of waste produced is the first priority in the hierarchy for waste management decisions set out in the Government's Waste Strategy 2000. Action already taken aimed at encouraging waste minimisation includes Government support for the National Waste Awareness Initiative and guidance to local authorities on their powers under the Waste Minimisation Act 1998.

The Government have implemented the Packaging Directive and a voluntary agreement on newsprint. Further legislation on electrical and electronic equipment and batteries will follow, and a voluntary agreement on direct mail. These are all designed to reduce the amount of waste arising from these products.

The Envirowise programme, jointly funded by DTI and DEFRA, supports policy objectives to reduce waste and increase efforts to reduce waste at source (eg by more efficient use of raw materials) through advice to businesses.

Greenhouse Gas Emissions

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the International Energy Agency report, Spain 2001, in relation to the ability of EU member states to address their greenhouse gas emissions obligations; and if she will make a statement. [13908]

Mr. Meacher: Spain's target under the Kyoto protocol is to limit greenhouse gas emissions to 15 per cent. over 1990 levels by 2008–12. Until Spain publishes its climate change programme, it is not possible to comment on Spain's progress towards meeting its target.

The European Community and its member states are already taking action to ensure that they meet their respective targets under the Kyoto protocol. Between 1990 and 1998, the Community's emissions fell by 2.5 per cent. More work is needed to reach the Community's target reduction of 8 per cent. below 1990 levels by 2008–12, but this is in hand both at the member state and Community level.

Climate Change

Llew Smith: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she has taken to encourage United States participation in the climate change negotiations in Marrakech. [14254]

Mr. Meacher: The United States participated in the negotiations in Marrakech as a party to the UN Framework Convention on Climate Change. It is important that the United States remain engaged in global efforts to tackle climate change. We have kept the door open for them should they decide to re-engage with the Kyoto process in the future, and we are encouraging them to take domestic action consistent with the aims of Kyoto in the meantime. We take every appropriate opportunity to raise climate change with the US. My right hon. Friend the Secretary of State discussed climate change in meetings with Christine Todd Whitman, Administrator of the US Environmental Protection Agency, on 1 November and in a meeting on 8 November in Marrakech, with Paula Dobriansky, the Under Secretary for Global Affairs, Department of State. We expect this dialogue with the US to continue.

SSSIs

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs how many sites of special scientific interest there are in the Buckingham constituency. [14205]

Mr. Meacher: There are 17 SSSIs wholly within the constituency and four partly within it.

The SSSIs wholly within the constituency are:

Foxcote Reservoir
Tingewick Meadows
Pilch fields
Sheephouse Wood
Finemere Wood
Grendon and Doddershall Woods
Ham Home-cum-Ham Green Woods
Long Herdon Meadow
Rushbeds Woods and Railway cutting
Bugle Quarry
Stone
Warren Farm, Stewkley
Pokers Pond Meadow
Muswell Hill
Pitstone Hill
Pitstone Quarry
Ivinghoe Hills.

Four SSSIs partly within the constituency are

Ashridge Common and Woods
Shabbington Woods complex
Whitecross Green and Oriel Woods
Kings and Bakers Woods and Heaths.

Mr. Goodman: To ask the Secretary of State for Environment, Food and Rural Affairs how many sites of special scientific interest there are in the Wycombe constituency. [14871]

Mr. Meacher: There are 14 SSSIs within the constituency. These are:

Bolter End Sand Pit
Fayland Chalk Bank
Frieth Meadows
Gomm Valley
Hollowhill and Pullingshill Woods
Homefield Wood
Millfield Wood
Naphill Common
Moorend Common
Rodbed Wood
Swain's Wood
Temple Island Meadows
Widdenton Park Wood
Wormsley Chalk Bank.

Water Supplies (Chemical or Biological Attacks)

Tom Brake: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had with the water companies and the MoD about the protection of water supplies from chemical and biological attack. [13977]

Mr. Meacher: Discussions take place regularly with relevant interested parties on matters relating to emergency planning in the water industry. The content of these discussions is not made public for security reasons.

Chemicals

Mr. Willis: To ask the Secretary of State for Environment, Food and Rural Affairs if she will set targets to reduce the release of *(a)* cancer-causing chemicals and *(b)* other harmful chemicals. [14527]

Mr. Meacher: The Government set a range of targets in their Chemicals Strategy published in 1999, "Sustainable Production and Use of Chemicals—a strategic approach". Our key priority is to make progress in generating information about chemicals in widespread use and identifying those of most concern so that action can be taken. A Stakeholder Forum was established to implement the strategy and it met its first target by publishing a set of criteria for identifying chemicals of most concern in December 2000. The forum is now working to identify chemicals that meet these criteria.

The Stakeholder Forum is developing indicators of environmental exposure to hazardous chemicals, including those that are carcinogenic. This research will be used to set more specific targets for reducing overall exposure of the environment. I expect the development of the indicators to be completed by July 2002.

In the meantime, an international programme has been agreed to assess the hazards of chemicals that are produced in high volumes. A target has been set to complete 1,000 hazard assessments by 2004. These assessments will provide the information needed to decide whether a chemical is likely to be of concern. The Government will keep the programme under review. Industry and the Stakeholder Forum will review all of the chemicals that meet the criteria for concern. Risk management strategies on chemicals likely to cause serious damage will be produced by 2010 to ensure their withdrawal from use. By 2015, the international chemicals industry aims to have completed hazard assessments for the 4,100 high production volume chemicals. The UK strategy aims to have at least sufficient data to characterise hazards of all commercially produced chemicals.

The emphasis of the strategy is voluntary action, and full transparency in decision making. This will be a faster route to phasing out chemicals of most concern than the legislation, although I will resort to that if we fail to secure co-operation.

In parallel with the UK strategy, the European Commission is developing legislation to implement its White Paper on a future chemicals policy. The Government are playing an active role to shape the proposals to ensure that an effective mechanism is put in place to ensure rapid progress in phasing out the uses of chemicals of most concern.

Foot and Mouth

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if Ministers will give evidence in person to Professor Anderson's inquiry into the foot and mouth outbreak; [14113]

(2) what powers Professor Anderson has to summon *(a)* officials and *(b)* Ministers to give evidence to his inquiry into the foot and mouth outbreak. [14114]

Margaret Beckett *[holding answer 12 November 2001]:* I refer the hon. Member to the reply given to the hon. Member for North Shropshire (Mr. Paterson) on 7 November 2001, *Official Report,* column 300W.

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs how many local areas are conducting their own inquiries into the recent foot and mouth disease breakdown; and what response her Department is making to them. [8543]

Mr. Morley *[holding answer 18 October 2001]:* We are aware that a number of local studies or inquiries are planned or are taking place. DEFRA is prepared to assist these by providing general information on the epidemic and answers to written questions on focused areas of particular concern to the local authorities. However, such assistance must be limited by the need to ensure that staff are not diverted from the prime task of eradicating the disease and preventing its return. DEFRA will not therefore be able to meet requests for wide ranging information and views, nor will staff be available to answer oral questions.

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what help is available to farmers who lost stock owing to the recent foot and mouth outbreak. [8533]

Mr. Morley *[holding answer 18 October 2001]:* Farmers who have lost stock as a result of foot and mouth disease are eligible for compensation for the value of animals destroyed, and for other items seized and destroyed such as fodder and hay.

A further range of measures to help these farmers, amounting to £15.4 million, have also been announced. These are: £10.4 million for an enhanced Farm Business Advice Service (FBAS) offering up to five days of free business advice for farmers whose livestock have been slaughtered under the foot and mouth control measures; £2 million in grant aid made available under a new round of the Agricultural Development Scheme, to improve marketing performance and competitiveness of sectors affected by foot and mouth; and £3 million for a targeted trade development and market campaign, made available through Food from Britain which will co-ordinate their campaign with the Countryside Agency, Meat and Livestock Commission and others with an active interest.

The FBAS is a free and confidential service which offers up to five days advisory time to be provided by an experienced farm business adviser and is available to any farmer in England who has had stock compulsorily slaughtered as a result of the foot and mouth outbreak. It will be available until March 2003. We have sent a letter to all farmers in this category.

An adviser will review the farmer's business and arrange for an environmental evaluation to be conducted by an appropriate specialist. The adviser will then help them prepare a whole farm recovery plan which will help farmers to develop new income opportunities and access the range of other support measures available to them. Advice is also provided on re-stocking.

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will publish the guidelines on access to holdings which lost stock owing to the recent foot and mouth outbreak, with specific reference to those tasked to advise farmers on future opportunities. [8534]

Mr. Morley *[holding answer 18 November 2001]:* The guidelines drawn up by DEFRA, which are also used by the Farm Business Advice Service, are currently being further revised. Until now, other Government agencies have drawn up and disseminated their own guidelines for use by their staff in consultation with DEFRA. However, it is expected that when the new guidelines are issued, all Government personnel will adhere to them when visiting any agricultural premise. The revised guidelines will be placed on the DEFRA website.

Refrigerators

Mrs. Brooke: To ask the Secretary of State for Environment, Food and Rural Affairs what emergency measures she is considering for the disposal of refrigerators after 1 January 2002. [14411]

Mr. Meacher *[holding answer 14 November 2001]:* Although the UK does not currently have facilities capable of extracting ozone depleting substances, including CFCs, from insulation foam, it is anticipated that some plant may come on-line as early as spring 2002. The Department is finalising measures to manage waste refrigeration equipment in the interim. Advice on storage of waste refrigeration equipment will be issued shortly. We are currently considering funding options for local authorities.

Mrs. Brooke: To ask the Secretary of State for Environment, Food and Rural Affairs when she is expecting to announce details of financial assistance to local councils for the disposal of refrigerators after 1 January 2002. [14410]

Mr. Meacher *[holding answer 14 November 2001]:* Shortly.

Sub-standard Meat

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what measures she has taken to ensure that sub-standard meat is not permitted to enter the UK. [15645]

Mr. Morley: All consignments of fresh meat imported into the UK from other EU member states must have been produced in accordance with the harmonised community rules laid down in Council Directive 64/433/EEC. Imports from third countries must have been produced to standards at least equivalent to those in the Directive. Among other things, this Directive sets out the licensing, structural and veterinary supervision requirements to be applied in abattoirs, cutting plants and cold stores.

All meat imported into the UK from third countries must enter at designated UK Border Inspection Posts (BIPs) where it is subject to veterinary inspections. All consignments are subject to documentary and identity checks and at least 20 per cent. of consignments undergo physical checks. These ensure import conditions are met and that the products remain in a satisfactory condition during transport. In line with community rules, random spot checks at destination may be carried out on consignments of fresh meat imported into the UK from other EU member states.

New arrangements have been introduced across all enforcement agencies involved to improve the sharing and analysis of information about known or suspected illegal imports. We are building up a database of details which is enabling us to target enforcement action and to make best use of available resources. Our national regulations have also been amended to assist local authorities in seizing suspected illegal imports when they are found at point of sale. The Food Standards Agency is also encouraging local authorities to ensure that checking for illegal imports is part of their routine inspection of food premises.

Alongside this we have introduced improved publicity to ensure that travellers are aware of the restrictions on what may be imported. Posters have been placed at main airports and we have asked UK travel agents and airlines using UK airports to make information about import controls available to travellers. Recognising that it is most effective to inform travellers before they leave for their journey to the UK, the Foreign and Commonwealth Office have been active via British Embassies abroad, providing information directly to travellers and via travel agents and local media.

We are keeping these measures under review and will make improvements as necessary. In addition, we are looking at a wide range of other options to ensure the rules on imports are enforced effectively and efficiently. These include, for example, the possible use of sniffer dogs and X-ray machines at ports and airports.

Animal Movement

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what changes she proposes to make to the licensing provisions for animal movements. [15646]

Mr. Morley: The licensing provisions on animal movements are kept under review in the light of the developing disease situation. I will continue to announce changes as they are introduced.

Auction Marts

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what recent representations she has received on the future of auction marts. [15647]

Mr. Morley: I have received a number of representations from auctioneers and the livestock industry. I am keeping the position of livestock markets under review in the light of the developing disease situation.

Beef Exports

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the prospects for beef exports to *(a)* Germany, *(b)* the Netherlands, *(c)* Italy and *(d)* France; and how many United Kingdom plants are qualified to export beef. [14787]

Mr. Morley *[holding answer 15 November 2001]:* It is not possible to make a realistic assessment of future prospects because recovery of our beef exports depends on many factors including the number of plants which seek approval to export under the Date-based Export Scheme (DBES); the conditions of DBES; the results of our BSE testing programme; consumer confidence in the countries concerned and currency values. In addition, prospects for beef exports to France depend on the outcome of the Commission's ECJ case which is expected shortly.

Prior to the foot and mouth outbreak two establishments were approved to export beef under DBES.

Departmental Staff

Mr. Luff: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the *(a)* functions performed, *(b)* numbers of staff employed for each function and *(c)* proportion of staff coming from the former (i) Ministry of Agriculture, Fisheries and Food and (ii) Department of Environment, Transport and the Regions for each function, in her Department. [15632]

Mr. Morley: The number of staff employed by function as at 1 October is listed. The figures given include staff employed to deal with foot and mouth disease and those who were in the process of transferring to the Rural Payments Agency, but exclude all other Executive Agencies of the Department. Staff who have joined DEFRA since its creation are included in the percentage for MAFF.

	DEFRA	*MAFF (%)*	*DETR (%)*
Agriculture and Food	577	100	0
Fisheries	217	100	0
Environment, Rural and Regional Services	4,075	86	14
Animal Health (including State Veterinary Services)	2,914	100	0
Science Directorate	101	100	0
European Union and International Policy	57	100	0
Economics and Statistics	175	97	3
Central Services	1,133	97	3
E-business Directorate	360	100	0
Communications Directorate	106	91	9
Total	9,715	93	7

Appointments

Mr. Collins: To ask the Secretary of State for Environment, Food and Rural Affairs how many appointments she has made to public bodies since 7 June; and how many are in her gift. [15481]

Mr. Morley: Information about numbers of ministerial appointments to public bodies is included in the Cabinet Office's annual report, "Public Bodies". Copies of this are placed in the Library of the House and the report is published on the Cabinet Office's internet website. The next edition of "Public Bodies", which will include numbers of appointments at 31 March 2001, will be published around the end of the year.

During the period 7 June 2001 to 31 October 2001, my Department made 33 ministerial appointments to public bodies. This figure includes 13 reappointments. The total number of appointments, which are currently within the gift of DEFRA Ministers, is 781.

Scottish Expenditure

Mrs. Lait: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list, in real terms, for each year since 1979 *(a)* the total sums of money spent directly by her Department in Scotland and *(b)* the total sums of money allocated by her Department for spending in Scotland through (i) the Scottish Office, (ii) the Scotland Office and (iii) the Scottish Executive. [16180]

Mr. Morley: The Department has only been in existence for a few months, so does not have such historical information. Attempting to construct it retrospectively would involve disproportionate cost.

Capture Bird Imports

Mr. Cawsey: To ask the Secretary of State for Environment, Food and Rural Affairs when she will implement the European Commission's decision of 16 October 2000 relating to imports of wild caught birds. [16091]

Mr. Morley: Commission Decision 2000/666/EC of 16 October 2000 lays down new harmonised animal health rules for the import of captive birds into the EU from third countries. The decision came into force on 1 November this year. We notified interested parties on 6 June and 6 November this year of the new arrangements we have put in place for the import of captive birds (including birds taken directly from the wild for approved conservation programmes) from both third countries and EU member states.

Genetically Modified Fish

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what account she has taken of the views of the Royal Society in determining her policy in respect of the rearing of genetically modified fish. [8000]

Mr. Meacher *[holding answer 15 October 2001]:* In their report on "The Use of Genetically Modified Animals", published on 21 May 2001, the Royal Society endorsed the recommendation of the Royal Society of Canada for a moratorium on the rearing of GM fish in aquatic net-pens, with approval for commercial production being conditional on the rearing of the fish in land-locked facilities.

The views of the Royal Society accord with current Government policy.

The keeping and rearing of GM fish is already tightly controlled. They must be kept in secure containment in land based tanks with suitable precautions to preclude escape. The keeping of GM fish in nets, tanks or cages in the sea or in rivers, lakes or streams would constitute a release to the environment and is prohibited under EU legislation without prior consent from the relevant authority. Any application to keep GM fish in such circumstances would have to be underpinned by a detailed risk assessment and would be considered on a case-by-case basis. Applicants would be required to demonstrate that there would be no adverse effects on human health or the environment arising from the activity. Given these requirements it is difficult to envisage any circumstances in which we would permit such a release.

There are no GM fish held in aquatic net-pens in this country and no approval has yet been sought or granted for commercial production of GM fish.

DEPUTY PRIME MINISTER

Climate Change

Mr. Hepburn: To ask the Deputy Prime Minister what progress has been made in climate change negotiations. [15127]

Mr. Meacher: I have been asked to reply.

My right hon. Friend the Secretary of State for Environment, Food and Rural Affairs led the UK delegation to the recent climate change negotiations in Marrakech. We achieved our aim of successfully translating the political agreement reached in Bonn in July on the implementation of the Kyoto protocol into detailed legal texts, removing the final obstacle to ratification and entry into force of the protocol. The UK intends to ratify, along with our EU partners, in time to allow entry into force by the World Summit on Sustainable Development next September. Since Marrakech, Japan has also announced that it will now press ahead with preparations for ratification next year. We hope that many other countries will follow suit.

Parliamentary Questions

David Winnick: To ask the Deputy Prime Minister what is the total cost to public funds of answering the questions tabled on 12 November by the hon. Member for Buckingham (Mr. Bercow) for answer on the 14 November. [15696]

Mr. Leslie: The hon. Member for Buckingham tabled 118 parliamentary questions on 12 November.

As at April 2000, the latest date for which data are available, the average cost of answering a written parliamentary question was £123. The total cost of answering the questions tabled by the hon. Member for Buckingham on 12 November is therefore approximately £14,500, although given that the cost is based on an average it is a very conservative figure.

Social Exclusion Unit

Dr. Kumar: To ask the Deputy Prime Minister what the key priorities are for the Social Exclusion Unit in the next 12 months. [14880]

Mrs. Roche: The Social Exclusion Unit has three key priorities for the next 12 months. The first of these is to deliver four new reports on areas of cross-cutting work to address issues of social exclusion. These areas are: reducing the rates of re-offending among ex-prisoners; developing a more effective system to prevent young people from running away and to help those that do; improving the educational achievement of children in care; and removing the transport barriers that prevent people accessing work and critical services.

The Social Exclusion Unit's second priority is to work closely with the implementation units in other Government Departments to ensure that there is effective implementation of previous work carried out by the unit. This relates to projects carried out on rough sleepers, school exclusions and truancy, providing opportunities for 16 to 18-year-olds not in education, employment or training, and the national strategy for neighbourhood renewal. To support this work the Social Exclusion Unit will communicate with members of the public, the voluntary and the business sector, local government and key professionals regarding the Government's policies on social exclusion and ensure that they receive accurate, up to date information about the work of the unit.

The third priority for the Social Exclusion Unit over the next 12 months is to plan to deliver new areas of cross-cutting work to address specific issues of social exclusion as directed by the Prime Minister.

Labour Force Statistics

Mr. Frank Field: To ask the Deputy Prime Minister if he will disaggregate by *(a)* age and *(b)* sex the information given in Figure 3.7 of the document "Winning the Generation Game". [14960]

Mrs. Roche: The Labour Force status of persons not working aged between 50 and State Pension Age, to which Figure 3 of "Winning the Generation Game" refers, are disaggregated by age group and sex in the table.

Labour Force status of persons aged 50–59 (female)/50–64 (male) by age group and sex, winter 1998–99

Thousands

	Not seasonally adjusted			
	All 50+	*50–54*	*55–59*	*60–64*
All persons				
All persons not working[1]	2,830	953	1,146	731
Looking for work	287	136	105	46
Looking after family, home	400	192	188	20
Long-term sick and disabled	1,234	409	489	336
Do not need a job	148	56	69	23
Retired	499	56	201	242
Other	263	105	94	64
Males				
All persons not working[1]	1,518	348	438	731
Looking for work	201	84	71	46
Looking after family, home	58	19	20	20
Long-term sick and disabled	753	189	228	336
Do not need a job	48	9	16	23
Retired	334	20	72	242
Other	123	27	31	64
Females				
All persons not working[1]	1,312	605	707	—
Looking for work	86	52	34	—
Looking after family, home	341	173	169	—
Long-term sick and disabled	481	220	261	—
Do not need a job	100	47	53	—
Retired	165	36	129	—
Other	140	77	63	—

[1] Includes those ILO unemployed and inactive. The International Labour Organisation (ILO) measure of unemployment refers to people who are: *(a)* out of work, want a job, have actively sought work in the last four weeks and are available to start work in the next two weeks, or *(b)* are out of work, have found a job and are waiting to start it in the next two weeks.

Source:

ONS—Labour Force Survey

Departmental Publicity

Mr. Salmond: To ask the Deputy Prime Minister what the total expenditure was on *(a)* advertising, *(b)* polling, *(c)* focus groups, *(d)* design consultants, *(e)* caterers, *(f)* production of departmental publications and *(g)* photographs/photographers by his Department for each year since 1995 in (i) cash and (ii) real terms; what was (A) the annual percentage increase in spending on each category and (B) spending on each category as a percentage of the total departmental running costs; and if he will make a statement. [6906]

Mr. Leslie: The Government are committed to using only whatever medium and channels are judged to be the most cost-effective way to deliver the publicity necessary to support the implementation of policy. Paid advertising is only resorted to after careful consideration of the cost-benefits.

£

Year	*Advertising*[1]
1995–96	—
1997–97	337,465
1997–98	238,270
1998–99	246,438
1999–2000	678,601
2000–01	662,277

[1] Television, radio and newspaper.

Notes:

1. These figures include recruitment advertising.
2. Figures only include Cabinet Office entities up to and including 31 March 2001.
3. Figures do not include salary costs for Cabinet Office staff.
4. These figures do not include expenditure undertaken by the COI Communications on behalf of clients, which was as follows:

1995–96: £63,663
1996–97: £69,396
1997–98: £59,039
1998–99: £105,464
1999–2000: £113,493
2000–01: £192,407

£

Year	*Public opinion research*
1995–96	n/a
1996–97	n/a
1997–98	656,604
1998–99	897,622
1999–2000	270,096
2000–01	532,076

£

Year	*Publications*
1995–96	n/a
1996–97	2,660,505
1997–98	2,114,993
1998–99	2,752,521
1999–2000	3,101,505
2000–01	2,424,850

Notes:

1. Figures for 1996–97 includes the costs of Her Majesty's Stationery Office, Chessington Computer Centre, Recruitment and Assessment Services, and Occupational Health and Safety Agency. These Executive Agencies were privatised during 1996–97 and expenditure for that year is available in their respective Completion Accounts.
2. Figures are taken from accounting definitions and may include procurement of publications not produced by the Cabinet Office, but will not include staff costs or external consultant costs.
3. Expenditure for 2001–02 is for core Cabinet Office only and is taken from the Cabinet Office Resource Accounting System using Publications and Printing/Binding expenditure codes.

The rest of the information asked for is not available in the form requested without incurring disproportionate costs, as it does not correspond with departmental financial coding.

Equality Unit

Mr. Goodman: To ask the Deputy Prime Minister if he will make a statement on the importance of *(a)* equality of opportunity and *(b)* equality of outcome in the Equality Unit's strategy; and how they relate. [14865]

Mrs. Roche: Equality of opportunity is one of the Government's key priorities. We are committed to ensuring that everyone should be able to develop and make full use of their talents throughout their lives. It cannot be right that people are held back by unfair discrimination or stereotypical and inaccurate assumptions about their ability.

Equality of outcome is a yardstick that can be used to assess the degree to which people from different backgrounds, or who have different personal characteristics, have had equal opportunities. If there is clear evidence that one group of people consistently fare less well than another, then we need to look at why this is happening and address the factors that lead to it.

Delivery Unit

Norman Baker: To ask the Deputy Prime Minister what the purpose of the Delivery Unit is; and what its aims, objectives and workplan are for *(a)* 2001–02 and *(b)* 2002–03. [15885]

The Prime Minister: I am replying to this question as it relates to matters for which I am responsible.

The purpose of the Delivery Unit is to ensure that the Government achieve their delivery priorities during this Parliament across the key areas of public service: health, education, crime and asylum and transport.

It will:

i. report regularly to me on progress towards achievement of these priorities;

ii. help in holding the public service Departments to account through the established PSX monitoring process to make sure that they meet their agreed PSA targets;

iii. ensure that, within departmental spending limits set in the spending review, problems of delivery are solved as rapidly as possible when they emerge;

iv. sustain the Government's focus on the key objectives over time.

Norman Baker: To ask the Deputy Prime Minister if he will list the material published in relation to the work of the Delivery Unit; what his policy is in respect of the publication of such material; and if he will make a statement on the public accountability of this unit. [15882]

The Prime Minister: I am replying to this question as it relates to matters for which I am responsible.

The Delivery Unit has not yet published any material. The unit reports to me and is under the day-to-day supervision of Lord Macdonald, the Minister for the Cabinet Office. It is headed by my Chief Adviser on Delivery, Professor Michael Barber.

Norman Baker: To ask the Deputy Prime Minister what the budget is for the Delivery Unit in *(a)* 2001–02 and *(b)* 2002–03; and how many (i) officials and (ii) special advisers are in this unit. [15881]

The Prime Minister: I am replying to this question as it relates to matters for which I am responsible.

The budget for the Delivery Unit is still being finalised.

At 1 September 2001, there were 12 civil servants in the unit, and no special advisers.

HOME DEPARTMENT

Prisons

15. **Helen Jones:** To ask the Secretary of State for the Home Department what progress has been made on improving liaison between the prison education service and the University for Industry. [13354]

Beverley Hughes: The project to pilot Learndirect in a small number of prison establishments is now under way. Learndirect is an 'e' learning network created by the University for Industry; it is a secure on-line learning programme that brings learning to the learner.

21. **Mr. Blunt:** To ask the Secretary of State for the Home Department if he will make a statement about the future of HM Prisons Downview and High Down. [13360]

Beverley Hughes: HM Prison Downview, which was formerly a training prison for category C males, was re-roled in September 2001 to take female convicted prisoners. The Director General of the Prison Service considered this was necessary to enable the Prison Service to deal with the rise in the number of female prisoners. The Director General is currently considering whether Downview should also hold female remand prisoners.

HM Prison High Down is a local prison which holds male prisoners including category A remand prisoners. The Prison Service continually keeps the use of the estate under review. Changes in the prison population may require establishments to change function, including High Down.

Antisocial Behaviour

16. **Mr. Plaskitt:** To ask the Secretary of State for the Home Department what plans he has to monitor the performance of antisocial behaviour orders. [13355]

Mr. Denham: During the passage through Parliament of the Crime and Disorder Bill the Government gave an undertaking to Parliament that they would review the effectiveness of antisocial behaviour orders two years after their introduction. This review will soon be completed and we are aiming to publish its findings in due course.

Police (Havering)

17. **Mr. Rosindell:** To ask the Secretary of State for the Home Department if he will make a statement on police numbers in Havering in each of the last four years. [13356]

Angela Eagle: The Commissioner tells me that in December 1997 there were 334 full time equivalent police officers in Havering. The figure for December 1998 was 326; for December 1999 it was 327; and for December 2000 it was 297. The figure for September 2001 was 326.

These numbers are specifically for policing Havering. In addition, the borough benefits from central and specialist services such as the territorial support group, traffic officers and specialist crime units, which are not budgeted for at borough level.

Mr. Rosindell: To ask the Secretary of State for the Home Department what change there has been in police numbers in Havering since May 1997. [11655]

Mr. Denham: The information has been provided by the Commissioner of Police for the Metropolis and is set out in the table. These numbers are specifically for policing Havering. In addition, the borough benefits from central and specialist services such as the territorial support group, traffic officers and specialist crime units, which are not budgeted for at borough level.

Year	*Police officers in Havering*[1]
June 1997	326
December 1997	334
December 1998	326
December 1999	327
December 2000	297
September 2001	326

[1] Full time equivalents

Violent Crime

18. **David Wright:** To ask the Secretary of State for the Home Department if he will make a statement on trends in violent crime since 1995. [13357]

Mr. Bob Ainsworth: The British Crime Survey shows that violent crime reached its peak in 1995. Since then, there have been steady falls: down 17 per cent. by 1997, a further 4 per cent. by 1999, and a substantial further fall of 19 per cent. by 2000. Much of the explanation lies in the adoption of a strategic approach to tackling violent crime which emphasises the need for effective policing and punishment, as well as policies to root out the conditions which can engender violent crime, and better support for victims. We are determined to secure further reductions in violent crime in the coming years.

Off-road Motor Bikes

19. **Mr. Pickthall:** To ask the Secretary of State for the Home Department what measures he plans to bring forward to enable the police to curb the illegal use of off-road motor bikes. [13358]

Angela Eagle: A number of existing powers already address this problem. Where there are particular local difficulties we would expect appropriate action to be taken within the local crime and disorder strategy. We have set in hand research on unlicensed driving and motor cycle riding, and we shall consider carefully any further measures it recommends.

Policing (Bromley)

20. **Mr. Horam:** To ask the Secretary of State for the Home Department what recent discussions he has had with the Commissioner of Police of the Metropolis about policing in the London borough of Bromley. [13359]

Mr. Denham: I have regular discussions with the commissioner about policing issues. The resources deployed to individual boroughs is an operational matter for the commissioner.

CCTV

22. **Mr. Bill O'Brien:** To ask the Secretary of State for the Home Department when he intends to make further announcements on developing more CCTV in local communities; and if he will make a statement. [13361]

Mr. Denham: A potential £170 million will be spent funding 686 schemes under the crime reduction programme CCTV initiative.

We are now considering how best to build on the lessons of the crime reduction programme in developing new crime reduction initiatives that could provide future funding for CCTV.

26. **Mr. Borrow:** To ask the Secretary of State for the Home Department which local authorities in the north-west of England have been unsuccessful in bidding for his Department's funds for CCTV schemes. [13365]

Mr. Blunkett: Under the crime reduction programme CCTV initiative, the following local authorities in the north-west of England, as part of their local crime and disorder reduction partnerships, submitted unsuccessful bids. (Those marked with an asterisk also submitted successful bids):

Allerdale
Blackburn and Darwen
Blackpool
Bolton*
Burnley
Carlisle*
Cheshire
Chester*
Crewe and Nantwich*
Copeland*
Ellesmere Port and Neston
Fylde
Halton*
Hyndburn
Knowsley*
Lancashire
Liverpool*
Macclesfield*
Manchester*
Oldham*
Pendle and Burnley
Rochdale*
Rossendale
Salford*
Sefton*
South Ribble
Stockport
Tameside*
Trafford
Vale Royal*
Warrington
Wigan*.

Although this initiative is now closed and no further bids can be accepted under the crime reduction programme, other opportunities for funding may exist under the communities against drugs or the small retailers in deprived areas initiatives.

Seaside Towns (Policing)

23. **Mr. Gordon Marsden:** To ask the Secretary of State for the Home Department what discussions his Department has had with chief constables about recognising *(a)* transience and *(b)* visitor numbers when allocating policing resources to seaside and coastal towns. [13362]

Mr. Denham: The Home Office allocates funding to forces as a whole, it is for the chief officer to determine the best deployment of those resources taking operational needs and priorities into account.

The police funding formula does take account of population including resident population, overnight visitors and day visitors and so deals with the influx of visitors and holiday makers into seaside and coastal towns.

I have not had any discussions with chief constables about recognising transience and visitor numbers when allocating police resources to seaside and coastal towns.

Police Numbers (Essex)

24. **Mr. Burns:** To ask the Secretary of State for the Home Department how many police officers were in post in the county of Essex at the latest available date. [13363]

Mr. Denham: I am told by the Chief Constable that on 31 October this year Essex police had 2,953 officers, 66 more than in March this year. Essex police also had 1,598 civilian staff, 151 more than in March 2001.

We are allocating extra resources to the force. Government supported funding for 2001–02 was increased by six per cent. over the previous year to £185.3 million.

The crime fighting fund is also delivering more police officers in Essex. The force expects to recruit 132 crime fighting fund recruits this year and another 65 in 2002–03.

Cannabis

25. **John Barrett:** To ask the Secretary of State for the Home Department if he will make a statement on the reclassification of cannabis as a class C drug. [13364]

Mr. Bob Ainsworth: My right hon. Friend the Home Secretary has asked the Advisory Council on the Misuse of Drugs to review the scientific and medical arguments for reclassifying cannabis from Class B to Class C under the Misuse of Drugs Act 1971. The Advisory Council is due to provide its advice within three months.

Paul Flynn: To ask the Secretary of State for the Home Department what estimate he has made of the changes in the numbers of people using recreational cannabis in *(a)* the United Kingdom and *(b)* other Council of Europe countries with populations of more than five million in the last five years. [15817]

Mr. Bob Ainsworth: Estimates on the changing patterns of drug misuse in this country are set out in the British Crime Survey. European data are collected by the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA). EMCDDA are working to develop specific instruments to facilitate analysis of the different data collection and data comparison methods throughout Europe. Copies of both reports are available in the Library.

Terrorism

27. **Clive Efford:** To ask the Secretary of State for the Home Department if he will make a statement on the additional costs to the Metropolitan Police Authority of tackling the threat of terrorism. [13366]

Mr. Denham: The Government greatly appreciate the immediate response made by the Metropolitan Police Authority and service after the terrorist attack in the USA on 11 September.

There has been a great deal of speculation as to the additional costs to the Metropolitan police of the increased security measures. We have set in train a process for the detailed assessment of the additional resources deployed.

The Government are actively considering these and hopes to make an announcement in the next few weeks.

30. **Mr. Love:** To ask the Secretary of State for the Home Department what mechanisms are in place to prevent suspected terrorists from claiming asylum. [13369]

37. **Mr. Ross:** To ask the Secretary of State for the Home Department what mechanisms are in place to ensure that suspected terrorists are not able to claim asylum. [13377]

Angela Eagle: Details of all asylum applicants are checked against the immigration service warnings index. Asylum seekers are also fingerprinted and photographed when an application for asylum is made, with further checks made with the police and Security Service if any doubts or question marks arise in the initial interview.

The 1951 UN Convention Relating to the Status of Refugees also specifically precludes certain individuals from benefiting from its provisions, and allows refugees to be returned to their original country in certain circumstances. Measures in the Anti-terrorism, Crime and Security Bill, the Second Reading of which takes place today, deals specifically with this point.

Police Support Staff

28. **Lawrie Quinn:** To ask the Secretary of State for the Home Department what plans he has to increase the role of support staff in the police. [13367]

Mr. Denham: The police reform process is looking at ways in which the visibility and accessibility of the police can be increased. A range of tasks are currently undertaken by police officers which could be carried out by suitably trained support staff, freeing up officers to return to the beat.

My right hon. Friend the Home Secretary announced on 1 November, when he published the report by PA Consulting "Diary of a Police Officer", that we are committed to encouraging broader use of support staff for custody duties and handling the paperwork involved in case preparation. We will use the Police Bill to make any necessary legislative changes.

Police Pensions

29. **Mr. Chope:** To ask the Secretary of State for the Home Department when he intends to meet the Police Federation to discuss police pensions. [13368]

Mr. Denham: Ministers and senior officials have regular meetings with police organisations and representative bodies, including the Police Federation, at which matters relating to police pay and conditions, such as pensions, are discussed.

Drugs Strategy

31. **Miss Begg:** To ask the Secretary of State for the Home Department what plans he has to focus the drugs strategy on class A drugs. [13370]

36. **Jeff Ennis:** To ask the Secretary of State for the Home Department what plans he has to focus the drugs strategy on class A drugs. [13376]

Mr. Bob Ainsworth: The main focus of the Government's drugs strategy is on the drugs that cause the greatest harm, Class A drugs such as heroin and cocaine. However, as the Home Secretary indicated in his evidence to the Home Affairs Committee on 23 October 2001, we need to be even more effective at tackling the harm caused by Class A drugs. He is seeking advice from the Advisory Council on the Misuse of Drugs on their assessment for reclassifying cannabis from Class B to Class C and will be introducing an innovative public awareness campaign on drugs aimed at young people. In addition, he has provided £1 million as a starter fund for a pilot project to help police target regional drug traffickers with a view to a national roll-out of the scheme, has agreed further roll-out of drug testing programmes, and has agreed a series of measures, in partnership with the Department of Health, to minimise the harm drugs cause. We are also currently reviewing progress against all the drugs strategy targets as part of the work for the 2002 spending review, to ensure that we still have the right balance and focus.

Rural Crime

32. **Mr. Hendry:** To ask the Secretary of State for the Home Department if he will make a statement on his policies to tackle crime in rural areas. [13371]

Mr. Denham: Tackling crime and the fear of crime in all areas, including rural areas, is a clear priority for this Government. Our approach is to support the police and the local crime and disorder partnerships in tackling local crime effectively.

This includes increased funding for police forces covering rural areas to take account of the additional costs involved: £30 million is being allocated to 31 forces this year. This money will make a real difference to policing in rural areas. In addition, the anti-crime strategies drawn up by the crime and disorder partnerships support a wide range of initiatives, including local "watch" schemes to help protect farms, equipment and livestock, and rural closed circuit television schemes. The rural crime toolkit, on the crime reduction website, will help local partnerships address crime in rural areas.

The British Crime Survey shows that crime levels are significantly lower in rural areas than in urban areas, with levels of burglary, violent and vehicle crime declining.

Police Administration

33. **Mr. Hoyle:** To ask the Secretary of State for the Home Department how he intends to reduce the level of administration to be carried out by police officers. [13372]

Mr. Denham: On 1 November my right hon. Friend the Home Secretary published PA Consulting's study "Diary of a Police Officer" which had considered what more could be done to free police officers from the unnecessary paperwork and other obstacles which prevent them from spending more time in public.

My right hon. Friend announced that he was setting up a task force, chaired by Sir David O'Dowd, to consider how to take forward the recommendations in this, and other, relevant reports, in order to reduce unnecessary administrative burdens on police officers.

Drugs Treament and Testing Orders (North-East Wales)

34. **Ian Lucas:** To ask the Secretary of State for the Home Department what steps he is taking to assess the effectiveness of drug treatment and testing orders in north-east Wales. [13373]

Beverley Hughes: Between 1 October 2000 and 30 September 2001, 90 Drug Treatment and Testing Orders (DTTOs) were made in north Wales. Implementation of the order is being closely monitored by the National Probation Service and we are considering how research can help us to understand the longer term effectiveness of this new measure. However, it is too early to have any independently evaluated information on the effectiveness of the order, although we do have some limited information on the impact of the pilots.

Khat

35. **Mr. Gardiner:** To ask the Secretary of State for the Home Department what research he has conducted into the importing of khat into the UK and its re-exporting to countries in which it is a banned substance. [13375]

Mr. Bob Ainsworth: There has been no specific research, but Customs and Excise have previously estimated that up to seven tonnes of khat are imported into the United Kingdom every week. It is not known how much of this is re-exported.

Policing (Bromley)

Mr. Horam: To ask the Secretary of State for the Home Department what the cost of policing in the London Borough of Bromley was in each of the last five years, indicating how much of this comes from *(a)* council tax and *(b)* the Government. [9992]

Mr. Denham: The Metropolitan Police Authority is funded on a London-wide basis. Budget and funding figures are given in the table.

£ million

Year	*Budget requirement*	*Central Government provision*	*Council tax requirement*
1997–98	1,720	1,538	182
1998–99	1,778	1,553	222
1999–2000	1,836	1,595	241
2000–01	1,830	1,585	248
2001–02	1,980	1,666	325

Note:

Central Government provision includes Home Office police grant, Department for Transport, Local Government and the Regions (DTLR) revenue support grant, national non-domestic rates and Standard Spending Assessment (SSA) reduction grant. Outside the budget requirement, provision has been made for contributions to the cost of the Council Tax Benefit Subsidy Limitation Scheme and for the precepting authority's share of billing authorities' Collection Fund deficits or surpluses.

The funding allocations specifically for local policing in Bromley are set out in the table. In addition, the borough benefits from central and specialist services such as the territorial support group, traffic officers and specialist crime units, which are not budgeted for at borough level.

Funds for policing Bromley borough

Year	*£ million*
1997–98	27.0
1998–99	26.4
1999–2000	22.9
2000–01	23.7
2001–02	24.6

Arrests (Evesham and Droitwich Spa)

Mr. Luff: To ask the Secretary of State for the Home Department how many custody arrests were made in *(a)* Evesham and *(b)* Droitwich Spa in the last three years. [10143]

Mr. Denham: Information on the number of arrests for notifiable offences is collected centrally at police force area level only. Available information shows that in 1999–2000 there were 21,172 arrests for notifiable offences within the West Mercia Police Force Area and 18,235 in 2000–01. Information for earlier years is not available on a consistent basis.

Emergency Calls

Martin Linton: To ask the Secretary of State for the Home Department what proportion of 999 calls made in London over the past 12 months were dealt with by the police as emergencies; how many were made accidentally from mobile phones; what discussions he has had with mobile phone service providers; and if he will make a statement. [12320]

Mr. Denham: The Commissioner of Police for the Metropolis informs me that, out of 1,908,097 calls, 21 per cent. were graded as immediate emergency response calls; 18 per cent. of 999 calls made in London in the last 12 months were accidentally made from mobile phones.

The Metropolitan Police Service has been in discussions with the mobile phone service providers since January 1999 in order to discuss how best to put into place a system which will help prevent silent emergency calls.

In addition, the Police Information Technology Organisation (PITO) and the Association of Chief Police Officers (ACPO) have been working together to address the issue of inadvertent silent 999 calls from mobile phones.

British Telecom and Cable and Wireless carry all emergency 999/112 calls. Following a successful trial with the metropolitan police, ACPO have arranged for British Telecom and Cable and Wireless to route all silent 999 calls for England, Wales, Scotland and Northern Ireland through a switch that engages a recorded message. This message states that the emergency services have been called, but that no voice connection has been detected, and that the number '5' on the keypad should be pressed twice if the emergency services are required.

This service came into effect nationally on 1 October 2001 and will remove silent calls that were previously routed to police command and control rooms throughout the country. These accounted for approximately 20 per cent. of all 999 calls and their removal will improve the efficiency of control rooms and their ability to deal with genuine emergency calls.

Oftel are currently working with manufacturers to improve the design of mobile phones to reduce problems. These changes should be introduced from 2003 onwards. Interim solutions are being sought from manufacturers to provide specific key protection around the '9' and '1' keys to prevent accidental activation.

Martin Linton: To ask the Secretary of State for the Home Department what plans he has to charge people for accidentally calling 999; and if he will make a statement. [12319]

Mr. Denham: We have no plans to introduce a charge for accidentally calling 999.

Metropolitan Police (Administrative Costs)

Mr. Moss: To ask the Secretary of State for the Home Department if he will publish the administrative costs of the Metropolitan Police Authority for *(a)* last year and *(b)* this year. [12521]

Mr. Denham: The Metropolitan Police Authority (MPA) inform me that the cost of the MPA secretariat in 2000–01 was £2.6 million and that the latest forecast outturn for 2001- 02 is also £2.6 million.

In addition, the MPA are responsible for the Metropolitan Police Service internal audit for which I understand costs are: 2000–01, £1.6 million; 2001–02, £1.7 million.

Baton Rounds

Simon Hughes: To ask the Secretary of State for the Home Department what plans he has to extend the availability of baton rounds for use by the police; and if he will make a statement. [13896]

Mr. Denham *[holding answer 13 November 2001]:* Thirty-six police forces in England and Wales currently possess baton rounds and an additional three non-Home Department forces are similarly equipped. This will increase to 45 forces by April 2002 when the manufacturer has supplied further baton guns. The Association of Chief Police Officers (ACPO) circulated on 24 September 2001 further guidance on the use of baton rounds as a possible alternative to police use of firearms in certain operational situations.

The Home Office, (ACPO) and Northern Ireland Office are currently reviewing, as a matter of priority, the full range of less lethal technologies. The Northern Ireland Office will publish a report on phase two of this work in due course.

Distraction Burglary Strategy

Tim Loughton: To ask the Secretary of State for the Home Department what projects have been funded by his distraction burglary strategy which involve the first check point scheme to combat cowboy builders. [14363]

Mr. Denham *[holding answer 13 November 2001]:* We have allocated £98,000 for the operation and evaluation of a pilot first check point scheme in Leeds. The evaluation will be completed in 2003.

Crime Reduction (Northamptonshire)

Mr. Tony Clarke: To ask the Secretary of State for the Home Department if he will announce the results from Northampton's participation in the On Track crime reduction programme. [11425]

Mr. Denham: On Track is a longitudinal study of the impact of a range of support services on the antisocial and criminal behaviour of children and young people. It is in the very early stages of implementation, and no impact or outcome results are yet available or expected from any of the participating pilot projects.

The final reports of Phase 1, project implementation and service roll-out, are due in September 2002.

Northampton's on track project is characterised by a commitment to sound and detailed referral and assessment procedures for children which provide clear and comprehensive information to both parents and professionals.

Terrorism (Internet Access)

Dr. Julian Lewis: To ask the Secretary of State for the Home Department what assessment his Department has made of the security implications of access by terrorists to UK media reports via the internet. [13676]

Mr. Blunkett: Information is available on the internet as it is in the media generally.

There is no specific assessment made by the Government. Those placing material on and therefore responsible for the information given on the internet, are subject to the same security rules and regulations as print or broadcast media. No assessment has been made by the Government although the security and intelligence services do of course monitor such information and make their own assessment.

TETRA Masts

Mr. Steen: To ask the Secretary of State for the Home Department what research has been done to evaluate the potential health risks caused by TETRA masts; and if he will make a statement. [14621]

Mr. Denham *[holding answer 14 November 2001]:* In areas accessible to the public, TETRA base station operators must ensure that they comply with all relevant guidelines on exposure of the public to signals from radio masts. Operational guidelines on health and safety are in place for instances where the emergency services need to operate in restricted areas around base stations.

Police (Early Leavers)

Mr. Steinberg: To ask the Secretary of State for the Home Department what is the percentage of police officers who leave the police force after *(a)* two years, *(b)* five years and *(c)* 10 years. [10672]

Mr. Denham: As part of the process of monitoring progress on "Dismantling Barriers", Her Majesty's Inspectorate of Constabulary has requested information from forces about the number of officers who left during 2000–01.

This is the first year for which information has been collected in the current format and some forces have been unable to provide the information requested. The following table is based on the information so far available. It covers only 26 of the 43 police forces in England and Wales and may not be representative of the police service as a whole.

Percentage of officers leaving the police service by length of service 2000–01[1,2,3]

	Percentage of total leavers
Less than 2 years	7
2 years—less than 5 years	12
Five years—less than 10 years	13
10 years and over	68

[1] Percentages calculated using data from 26 forces in England and Wales: Avon and Somerset, Bedfordshire, Cheshire, City of London, Cleveland, Cumbria, Devon and Cornwall, Dorset, Dyfed-Powys, Essex, Gloucestershire, Hampshire, Hertfordshire, Kent, Lancashire, Merseyside, Norfolk, Northamptonshire, South Yorkshire, Staffordshire, Suffolk, Sussex, Thames Valley, Warwickshire, West Midlands and Wiltshire.

[2] Leaving: all leavers, medical or ordinary retirement, dismissals, resignations, transfers and deaths.

[3] Length of service is calculated as at 31 March 2000 and includes service in other police forces as well as in the force an officer left.

Police Numbers (Nottinghamshire)

Paddy Tipping: To ask the Secretary of State for the Home Department if he will make a statement on police numbers in Nottinghamshire. [10383]

Mr. Denham: I understand from the Chief Constable that on 31 August the force had 2,285 police officers. This is 63 more officers than the force had in March 2001. Nottinghamshire Constabulary has set a budgeted work force total of 2,347 officers for 31 March 2002. On 31 March 2001 the force had 2,039 civilian support staff, 36 more than in March 1997.

Fifty-eight recruits to Nottinghamshire Constabulary were funded by the crime fighting fund (CFF) in 2000–01 and the force expects to recruit 47 CFF officers in 2001–02.

Terrorism (Civil Response)

Hugh Bayley: To ask the Secretary of State for the Home Department if he will make a statement on his Department's plans for co-ordinating the civil response to a major terrorist attack. [13338]

Mr. Blunkett: As Chairman of the Civil Contingencies Committee, I have been leading a comprehensive review of our contingency plans. We are taking all sensible steps to make sure the country is well prepared to handle all eventualities, including a major terrorist attack.

Building on the extensive work which was already in place, including leading up to the millennium, my right hon. and hon. Friends, the Ministers of State for policing and for local government, and the Parliamentary Secretary, Cabinet Office have also led working groups reporting to the committee on arrangements for key resilience and reassurance issues.

Women Prisoners

Mr. Blunt: To ask the Secretary of State for the Home Department what estimate he has made of the prospects for the rate of change in the number of women prisoners since 1 May 1997 to be sustained; what assessment he has made of the reasons for the change; and if he will make a statement. [14302]

Beverley Hughes: The female prison population has increased by 52 per cent. between 30 April 1997 and 30 September 2001.

The main reason for the growth in this period is the rise in the custody rates at the courts. Around half the increase is accounted for by women imprisoned for drug offences; mainly unlawful importation of drugs, supplying class A drugs and possession with intent to supply class A drugs. During 2001, a rise in remands has also been a contributory factor.

Projections of long term trends in the prison population to 2008 were published on 23 May 2001 (Home Office Statistical Bulletin 8/01). The central scenario assumed that the custody rates for females would increase at a rate of 4.5 per cent. per year until 2008. Both short and long-term prison population projections are currently under review, and a revised projection will be incorporated in the "Prison Population Brief, England and Wales" shortly. This is available on the Home Office website.

Mr. Blunt: To ask the Secretary of State for the Home Department if he will list the capacity of each women's prison in the United Kingdom. [14303]

Beverley Hughes: The information sought is listed in the table and relates to female prisons in England and Wales. Information relating to prisons in Scotland and Northern Ireland should be sought from the Scottish Executive and the Secretary of State for Northern Ireland respectively.

Female Prisons: capacity on 12 November 2001

Name	*Certified normal accommodation*	*Operational capacity*
Askham Grange	135	135
Brockhill	166	166
Bullwood Hall	180	180
Cookham Wood	120	150
Downview	227	227
Drake Hall	267	267
Durham	105	109
East Sutton Park	94	100
Eastwood Park	291	324
Foston Hall	214	219
Highpoint	298	300
Holloway	468	483
Low Newton	255	285
Morton Hall	192	192
New Hall	327	386
Send	220	220
Styal	412	455
Winchester	55	65

Roger Casale: To ask the Secretary of State for the Home Department what steps he is taking to *(a)* ensure that adequate provision has been made for the accommodation of women prisoners, *(b)* reduce the risk of suicide among women prisoners and *(c)* ensure the safety of prisoners at Downview prison in Surrey. [15288]

Beverley Hughes: The Prison Service Management Board continuously monitors the changes in population in order to ensure sufficient accommodation is provided for each group of offenders sent into prison custody. The change of function at Downview is one of the actions that was taken to provide adequate accommodation for women prisoners. Consideration is currently being given to the need to change the function of another male prison to accommodate women prisoners.

Following the Prison Service Internal Review, "Prevention of Suicide and Self-Harm in the Prison Service", a new three-year strategy to reduce prisoner suicides and self-harm was announced by my predecessor on 5 February. The main principles of the strategy apply across all types of prisons and prisoners whether male or female. Implementation of the strategy is being taken forward as part of a long-term programme aiming to reduce suicides and self-harm. This is an all-round approach to encourage a supportive culture in prisons based on good staff-prisoner relationships, a constructive regime and a physically safe environment. Among the five establishments chosen to pilot this programme is the women's prison and young offender institution Eastwood Park. The Prison Service has a duty of care to all prisoners in its custody, and recognises that self-harm is a particular problem among women offenders. The review highlighted the need for specific interventions for repetitive self-injury and a number of steps are being taken to address this issue. The Prison Service is considering alternative care pathways for those who injure themselves. After development, piloting and evaluation it is intended that specific interventions will be introduced in those prisons with a specific need.

All prisoners are assessed for the potential for self-harm before allocation to Downview. Prisoners who have been identified as being at risk of self-harm are only being allocated to Her Majesty's Prison Downview if this provides additional support and is specified in their individual support plan. Prisoners exhibiting the potential for self-harm while at Downview are closely monitored.

Metropolitan Police Informers

Norman Baker: To ask the Secretary of State for the Home Department how much the Metropolitan Police paid out to informers in the last year for which figures are available; how many informers received payments; and what was the average payment made. [15187]

Mr. Denham *[holding answer 15 November 2001]:* The Commissioner of Police for the Metropolis informs me that the total amount paid to informers for the financial year 2000–01 was £661,927. A total of 249 informers received payments during the course of that year. As some will have received multiple payments it is not possible to provide a representative average payment.

Anti-Terrorism, Crime and Security Bill

Mr. Chope: To ask the Secretary of State for the Home Department if he will set out the *(a)* essential characteristics and *(b)* definition of religious belief for the purposes of the Anti-Terrorism, Crime and Security Bill. [16225]

Angela Eagle: Part 5 of the Anti-terrorism, Crime and Security Bill provides for the expansion of incitement to racial hatred and racially aggravated offences, to cover religious hatred and aggravated offences against members of religious groups.

The Bill defines "religious hatred" as hatred against a group of persons defined by reference to religious belief or lack of religious belief. A "religious group" is defined as a group of persons defined by reference to religious belief or lack of religious belief. It will be for the courts, if required, to interpret religious belief. This is in keeping with the approach taken in Northern Ireland since 1987 and the approach taken in international human rights instruments.

We do not believe that it is necessary in the criminal context to define religious groups. This law does not seek to defend religion or religious belief; instead it seeks to protect public order and religious groups from hatred and, in the case of aggravated offences, from violence and harassment. The Government do not intend to make value judgments about religions in this Bill. It is one thing to question, criticise or ridicule a religion and another thing to incite hatred against a group or to attack a person for holding beliefs.

Indefinite Detention

Harry Cohen: To ask the Secretary of State for the Home Department if he will make a statement about his powers in relation to persons detained indefinitely. [13861]

Angela Eagle: Powers of detention under the Immigration Acts are contained in Schedules 2 and 3 to the Immigration Act 1971. Those in Schedule 2 are exercisable by immigration officers, principally in relation to individuals liable to further examination or removal. Those in Schedule 3 relate to individuals subject to deportation action and are exercisable by the Secretary of State. There are no statutory time limits on the duration of detention although, as a general principle, it should continue for no longer than is necessary.

In addition, the provisions of the Anti-terrorism Crime and Security Bill will allow for the detention under Immigration Act powers of persons the Secretary of State has certified as being suspected international terrorists who are a threat to our national security, despite the fact that their removal or departure may be prevented for the time being by a point of law relating to an international agreement or by practical obstacles.

Heroin

Paul Flynn: To ask the Secretary of State for the Home Department what assessment he has made of the impact on availability of street heroin in the United Kingdom of the collapse of the Taliban regime. [15818]

Mr. Bob Ainsworth: We are keeping the situation under review but would expect any effects to take time to feed through.

Kainos Community Projects

Mr. Lidington: To ask the Secretary of State for the Home Department if he will place in the Library a copy of the Prison Service's assessment of the Kainos community projects. [15819]

Beverley Hughes: The Prison Service assessed Kainos on the basis of an independent evaluation of its operation in four prisons. The evaluation report is the property of the Kainos trustees. With their permission, a copy of the executive summary of the report is being placed on the Home Office website, and has also been placed in the Library.

Prostitution

Ms Walley: To ask the Secretary of State for the Home Department what steps the Government are taking to tackle prostitution; and if he will make a statement. [13777]

Mr. Keith Bradley: The Criminal Justice and Police Act 2001 made kerb crawling an arrestable offence and created a new offence of placing prostitutes cards in telephone boxes. These measures came into effect on 1 October and 1 September respectively. They will assist police forces around the country to minimise the public nuisance caused by prostitution.

We are also funding 11 projects as part of the crime reduction programme to find out 'what works' in tackling the crime and disorder associated with legislation. The funding is being used to pilot new methods of combating the nuisance associated with prostitution, preventing children becoming involved in prostitution and helping sex workers to exit prostitution. All the projects are being independently evaluated so that we can make best practice available to all practitioners working in this difficult area.

Ms Walley: To ask the Secretary of State for the Home Department what measures are being taken to prevent people from entering prostitution; and if he will make a statement. [13775]

Mr. Keith Bradley: The Government are concerned to prevent vulnerable people, particularly children, from entering prostitution. They are therefore keen to ensure that the criminal law deals properly with those who seek to coerce or induce people into prostitution or exploit them as prostitutes. "Setting The Boundaries: Reforming the law on Sex Offences", published in July 2000, makes recommendations for new offences to deal with this and the Government are looking at these very carefully in the light of responses to the consultation exercise. A decision on all the proposals in the report will be announced in due course.

In addition, guidance on "Safeguarding Children Involved in Prostitution" was published jointly by the Home Office and the Department of Health in May 2000. One of its key messages is that those under 18 who engage in prostitution are almost invariably victims and must be treated as such. Agencies must work together to identify children at risk to prevent them entering prostitution and help them exit it.

Chemist Inspection Officers

Mr. Boswell: To ask the Secretary of State for the Home Department if he will make a statement on the work of chemist inspection officers in police forces. [12814]

Mr. Denham: Chemist inspection officers play an important role in enforcing the Misuse of Drugs Act 1971 and associated regulations. They are responsible for inspecting retail pharmacies to ensure that controlled drugs are being supplied as authorised, and appropriate records are being kept; investigating breaches of the law; and ensuring that standards of security are maintained where drugs are stored.

The National Association of Chemist Inspection Officers was set up earlier this year with the support of the Association of Chief Police Officers in order to provide a forum for spreading best practice and understanding of the law on the possession, supply and destruction of pharmaceutical controlled drugs.

Golden Jubilee Medal

Bob Spink: To ask the Secretary of State for the Home Department what representations he has received about the award of a Golden Jubilee medal to police; and if he will make a statement. [12665]

Mr. Denham: Representations have been received from the Commissioner of Police of the Metropolis; the Police Federation of England and Wales, the chief constable, West Midlands police, the Police Superintendents' Association and the Association of Chief Police Officers. Representations have also been received from several hon. and right hon. Members of this House on behalf of their constituents. The Home Office is currently reviewing the position.

LORD CHANCELLOR'S DEPARTMENT

Censuses

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on the saving to public funds to be achieved by her Department's Private Finance Initiative contract with the Defence Evaluation and Research Agency to digitise and make available on the internet the population censuses which are open to the public. [14894]

Ms Rosie Winterton: The programme to make digital copies of 100-year-old census returns available on the world wide web is part of the Government's policy to use IT to provide integrated, imaginative and convenient public services, with a target of making all Government services available electronically by 2005. Under a PFI contract, funding for the census digitisation is being provided by QinetiQ, formerly part of the Defence Evaluation and Research Agency. The project is intended to be self-financing through the sale of transcriptions and digital images of census pages.

Public Record Office

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the cost in 2000–01 was of the appointment of a health officer in the Public Record Office; and what it will be in 2001–02. [14895]

Ms Rosie Winterton: The Public Record Office does not employ a health officer.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department, what the level of absenteeism was in the Public Record Office in *(a)* 1999–2000 and *(b)* 2000–01. [14896]

Ms Rosie Winterton: The level of sickness absence in the Public Record Office is calculated by calendar year in accordance with Civil Service practice. The figures for the calendar years 1999 and 2000 are as follows:

1999: 9.10 days per person per staff year

2000: 10.63 days per person per staff year.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on the Public Record Office's Private Finance Initiative contract with a private supplier to provide its UK National Digital Archive of Datasets facility for preserving and making available Government electronic datasets. [14893]

Ms Rosie Winterton: The Public Record Office (PRO) has let a contract to provide its UK National Digital Archive of Datasets facility for preserving and making available Government datasets to the University of London Computing Centre. The purpose of the contract is to enable the PRO to use highly specialist skills of the University of London in the long-term preservation of electronic data so that the PRO can fulfil its obligation under the Public Records Act 1958 to preserve and make available to the public datasets selected for permanent preservation. Further information about the service and access to those datasets which are open to public inspection under the terms of the Public Records Act 1958 is available on the PRO website at: http://www.pro.gov.uk/recordsmanagement/uknda/default.htm.

Newcastle University Research (Family Law Act)

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on the £110,000 awarded in 2001–02 as grant in aid to Newcastle University for research into provision of information meetings. [14917]

Ms Rosie Winterton: The Department is funding further research following the Final Evaluation Report on Information Meetings and Associated Provisions within the Family Law Act 1996, which was published on 16 January 2001. The study will follow up some of the volunteers who participated in the pilot information meetings, to assess the longer term outcomes in their cases over a 30-month period and in particular to assess what use they have made of the information provided to them. The research will contribute to the development of policy on providing information to divorcing couples, and to the development of Family Advice and Information Networks. The amount of grant in aid to be paid in 2001–02 is approximately £80,000, and it is expected that the total cost of the study will not exceed £191,500. The report of its findings is expected in June 2002 and will be published.

Jury Deliberations

Lynne Jones: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will lift the ban on research into the deliberations of juries. [15179]

Mr. Wills: Research into the deliberations of juries is subject to the provisions of section 8(1) of the Contempt of Court Act 1981. Sir Robin Auld in his recent report on the criminal courts recommended that no amendment should be made to section 8(1) of the Contempt of Court

Act. The Government have made no decisions in relation to any of the Auld recommendations, and the report is currently the subject of public consultation.

Queen's Counsel

Mr. Cox: To ask the Parliamentary Secretary, Lord Chancellor's Department how many *(a)* male and *(b)* female members of ethnic communities are Queen's Counsel. [14943]

Ms Rosie Winterton: Statistics held by the General Council of the Bar show that as at 7 November 2001, out of a total of 1,086 Queen's Counsel, 23 men and two women have stated that they are members of ethnic minority communities, although these statements are voluntary and not definitive.

Asylum Appeals

Mr. Malins: To ask the Parliamentary Secretary, Lord Chancellor's Department what proportion of the additional money granted to the Lord Chancellor's Department to clear the backlog of asylum appeals will be made available to the Legal Services Commission for representation for appellants; and if she will make a statement. [15953]

Ms Rosie Winterton: In total an additional £80 million has been granted to the Community Legal Service Fund for the three year period 2001–02 to 2003–04 to meet the additional pressures that result from the Government's plans for speeding up the asylum process and reducing the backlog of cases. That sum represents 29 per cent. of the total additional money granted to the Department for asylum matters.

PRIME MINISTER

Sellafield

Llew Smith: To ask the Prime Minister what representations he has received since September from his Irish counterpart in respect of Sellafield; and what response he has made. [14695]

The Prime Minister: The Taoiseach and I discussed the Sellafield MOX Plant on 8 October. I subsequently wrote to the Taoiseach about the matter.

Mr. Stunell: To ask the Prime Minister what response Her Majesty's Government have made to the request by the Government of the Republic of Ireland on 26 October for a voluntary suspension of the authorisation of the Sellafield Mox plant; and if he will make a statement. [14723]

The Prime Minister: The decision that the manufacture of MOX fuel was justified was made by the Secretaries of State for Environment, Food and Rural Affairs and for Health on 3 October. The Government of the Republic of Ireland are challenging this decision in the International Tribunal of the Law of the Sea. The Secretaries of State have declined Ireland's request to suspend their decision.

Peoples' Peers

Mr. Rosindell: To ask the Prime Minister if he will make a statement on his plans for peoples' peers. [14815]

The Prime Minister: The Government's White Paper on further reform of the House of Lords "The House of Lords—Completing the Reform" CM 5291 proposes that the statutory appointments commission will select independent members of the reformed House on the basis of defined criteria on experience, commitment and the overall balance of representation in the Chamber.

Anji Hunter

Norman Baker: To ask the Prime Minister (1) if he will list the dates on which he was informed of offers of employment made by BP to Anji Hunter; [15189]

(2) when he was informed of Anji Hunter's intention to leave his employ. [15191]

The Prime Minister *[holding answer 15 November 2001]:* Ms Hunter had planned to leave her job after the general election, and had been in discussions with BP. I asked her to stay on to help see in the new Government and bed down the new structures which were being put in place. However, there had always been an understanding that she would be likely to leave in the autumn. BP announced her employment on Thursday 8 November.

Ms Hunter followed the requirements of the business appointments rules to which she is subject.

BP

Norman Baker: To ask the Prime Minister if he will list the dates since 1 May 1997 on which *(a)* he, *(b)* one or more of his special advisers, *(c)* one or more civil servants based at 10 Downing street and *(d)* one or more civil servants based within the Cabinet Office have met representatives from BP, setting out the purpose and consequence of each such meeting. [15190]

The Prime Minister *[holding answer 15 November 2001]:* It is not the normal practice of the Government to release details of meetings or discussions with private individuals or companies.

Legal Appointment

Mrs. Lait: To ask the Prime Minister when he expects the announcement of the appointment of the Lord President of the Court of Session and Lord Justice General of Scotland to be made. [15473]

The Prime Minister: It was announced on Tuesday 13 November that the right hon. Lord Cullen be appointed Lord President of the Court of Session. On appointment as Lord President, Lord Cullen also becomes Lord Justice General.

National Missile Defence

Mr. Alan Simpson: To ask the Prime Minister to what extent the events of 11 September have changed the assessment of protection afforded by the proposed national missile defence system. [15651]

The Prime Minister: The proposed missile defence systems are not designed to protect against the type of attack seen on 11 September. The events of 11 September have shown however that there are those who will seek to attack, with whatever means are available, the United States, its friends and allies. In the future, this might include ballistic missiles. Our position with regard to missile defence remains unchanged. We believe that it is important to tackle all these potential threats with a comprehensive strategy that includes arms control, counter-proliferation, diplomacy, deterrence and defensive measures. We understand the role that missile defence can play as one element of that comprehensive strategy, but as yet we have had no specific proposal from the United States.

Mr. Alan Simpson: To ask the Prime Minister what assessment he has made of the compatibility of the Outer Space Treaty with the proposed US national missile defence programme as it applies to use of UK bases. [15652]

The Prime Minister: The United States Administration have not yet decided how they will proceed with their missile defence programme and have made no requests for the use of facilities in the UK for missile defence purposes. Any specific assessment is therefore premature.

Hydrofluorocarbons

Mr. Peter Ainsworth: To ask the Prime Minister what percentage of plant and equipment installed in 10 Downing Street in the past 12 months contains HFCs. [15526]

The Prime Minister *[holding answer 16 November 2001]:* In accordance with the UK Climate Change Programme, Government policy is that wherever possible HFCs are only used where other safe, technically feasible, cost effective and more environmentally acceptable alternatives do not exist.

During the last 12 months 27 cooling units have been installed which contain HFCs. The manufacturer does not offer the option of non-HFC refrigerant because the available non-HFC refrigerants are not safe to use either in occupied enclosed spaces or enclosed spaces containing electrical equipment. All these systems comply with all relevant European Standards on the use of HFCs and safety in the workplace.

Ministerial Meeting (Indian Prime Minister)

Mr. Vaz: To ask the Prime Minister if he will make a statement on his discussions with the Prime Minister of India in London on 12 November. [15748]

The Prime Minister: I met the Indian Prime Minister, Sri A B Vajpayee, in London for talks on 12 November. These talks followed on from discussions we had held when I visited New Delhi on 6 October. The 12 November talks focused largely on the coalition campaign against terrorism which India strongly supports, and the future of Afghanistan. The talks were timely and productive, and demonstrated the strength of the bilateral relationship.

Forward Strategy Unit

Norman Baker: To ask the Prime Minister if he will make a statement on the methods by which public accountability of the Forward Strategy Unit is achieved. [15880]

The Prime Minister: The unit reports direct to me and is headed by Geoff Mulgan, who is also Director of the Performance and Innovation Unit in the Cabinet Office.

Norman Baker: To ask the Prime Minister (1) what the purpose of the Forward Strategy Unit is; and what its aims, objectives and workplan are for *(a)* 2001–02 and *(b)* 2002–03; [15884]

(2) what mechanism exist to prevent the use of the Forward Strategy Unit for party political purposes; and what independent checks exist to ensure such mechanisms are effective. [15886]

The Prime Minister: The Forward Strategy Unit's role is to provide long-term internal strategic analysis and policy thinking for me and other Cabinet Ministers.

The work of the Forward Strategy Unit is undertaken in line with the requirements of the Ministerial Code and the Civil Service Code.

Norman Baker: To ask the Prime Minister in respect of the Forward Strategy Unit, what the budget is for *(a)* 2001–02 and *(b)* 2002–03; and how many (i) officials and (ii) special advisers are presently deployed to this unit. [15883]

The Prime Minister: The budget for the Forward Strategy Unit is still being finalised.

At 1 September 2001, there were 15 civil servants in the unit, and no special advisers.

Official Visits

Norman Baker: To ask the Prime Minister which constituencies he has visited on official duties since 1 May 1997; and on how many occasions in each case. [15879]

The Prime Minister: I undertake visits to all parts of the country, but records of official visits are not held on a constituency basis and could be obtained only at disproportionate cost.

Shipping Services (Scotland)

Mr. Alan Reid: To ask the Prime Minister if he will make a statement on departmental responsibility for financial assistance to shipping services between a port within Scotland and one outside Scotland. [15694]

The Prime Minister: This is a reserved matter for the Department for Transport, Local Government and the Regions.

HEALTH

Special Schools

Miss Kirkbride: To ask the Secretary of State for Health if residential special schools have to be registered with his Department. [10707]

Jacqui Smith: Currently residential special schools are required to register with the Department for Education and Skills, and the responsibility for welfare inspections lies with the local authority.

In April 2002 residential special schools will be required to register with the National Care Standards Commission when it takes on responsibility for the welfare inspections of boarding schools. Residential special schools will still be required to register with the DfES, which is responsible for educational inspections.

NHS Underspend

Dr. Fox: To ask the Secretary of State for Health how will the underspend in the NHS this year be allocated in the next financial year. [11069]

Mr. Hutton: Any underspends by health authorities, primary care trusts and national health service trusts in 2001–02 will be added to their resource budgets in 2002–03.

Dr. Fox: To ask the Secretary of State for Health what his latest estimate is of the level of underspending by the NHS in the last financial year. [11070]

Mr. Hutton: The provisional underspend for health and personal social services in 2000–01 is £692 million. This includes health authorities, primary care trusts and national health service trusts. Final figures for 2000–01 will not be available until the annual accounts have been completed.

Over one third of this sum was a planned contingency to meet costs falling in the current financial year. The total underspend has been carried forward and is being used on provision of health care in this financial year.

NHS Specialists

Mr. Stinchcombe: To ask the Secretary of State for Health what assessment he has made of the national shortage of *(a)* psychiatrists, *(b)* occupational therapists, *(c)* speech and language therapists, *(d)* GPs and *(e)* healthcare professionals engaged in palliative care in the national health service. [11086]

Mr. Hutton: The NHS Plan recognises that the national health service needs more staff and commits the Government to increasing the size of the NHS work force. By 2004 there will be 7,500 more consultants, 1,000 more specialist registrars, 2,000 more general practitioners, 20,000 extra nurses and over 6,500 extra therapists and other health professionals over a 1999 baseline. We have since rolled these targets forward and by 2005 there will be at least 10,000 more doctors and 20,000 more nurses over a 2000 baseline.

We are also increasing training numbers. Numbers of psychiatric specialist registrars (SpRs) are planned to increase by over 130 and palliative medicine SpRs by 15 during the period 2001 to 2004. There will be an additional 4,500 therapists and other health professionals (including occupational therapists and speech and language therapists) in the next three years as a result of the NHS Plan. We are also increasing general practitioner retainer numbers by 550 and nurse training commissions by 5,500 over the next three years.

The increases in all staff groups are essential for delivering the service improvements set out in the NHS Plan and improving access and delivering quality services at the right time in the right place.

Health Spending

Mr. Weir: To ask the Secretary of State for Health (1) what the level of spending on health per weighted head of population was in each English health authority area in 2000–01; [11308]

(2) what the levels of spending on health per head of population were in each English health authority area for the year 2000–01. [11472]

Mr. Hutton: The spending on health per head of population and the spending per weighted head of population for each English health authority is given in the table.

£

Health authority	*Spending per head*	*Spending per weighted head*
Avon	760.44	810.53
Barking and Havering	783.61	748.55
Barnet	938.60	939.62
Barnsley	810.90	739.66
Bedfordshire	678.73	739.78
Berkshire	663.59	757.49
Bexley and Greenwich	850.60	828.82
Birmingham	799.05	764.32
Bradford	716.32	692.45
Brent and Harrow	842.05	804.74
Bromley	770.03	791.35
Buckinghamshire	628.52	730.37
Bury and Rochdale	777.01	740.61
Calderdale and Kirklees	752.16	742.27
Cambridgeshire	645.05	727.68
Camden and Islington	1,309.52	974.71
Cornwall and Isles of Scilly	768.07	766.48
County Durham and Darlington	781.89	707.44
Coventry	756.20	733.34
Croydon	872.21	896.26
Doncaster	758.20	710.42
Dorset	922.53	932.50
Dudley	699.19	728.03
Ealing, Hammersmith and Hounslow	890.48	801.92
East and North Hertfordshire	679.89	755.61
East Kent	789.01	766.12
East Lancashire	774.59	706.83

£

Health authority	*Spending per head*	*Spending per weighted head*
East London and The City	1,050.29	812.98
East Riding and Hull	756.85	770.24
East Surrey	811.30	872.74
East Sussex, Brighton and Hove	814.92	778.73
Enfield and Haringey	853.78	791.72
Gateshead and South Tyneside	827.72	727.09
Gloucestershire	709.58	778.71
Herefordshire	630.53	671.61
Hillingdon	614.16	614.53
Isle of Wight	902.29	836.61
Kensington, Chelsea and Westminster	1,124.30	878.86
Kingston and Richmond	766.23	795.64
Lambeth, Southwark and Lewisham	1,050.63	852.49
Leeds	792.61	785.61
Leicestershire	695.29	762.11
Lincolnshire	726.96	746.46
Liverpool	937.36	808.94
Manchester	897.69	761.45
Merton, Sutton and Wandsworth	833.71	796.03
Morecambe Bay	802.77	794.67
Newcastle and North Tyneside	875.42	787.58
Norfolk	727.29	760.50
North and East Devon	755.94	769.90
North and Mid Hampshire	675.63	813.99
North Cheshire	765.81	756.15
North Cumbria	747.18	757.42
North Derbyshire	709.66	719.00
North Essex	717.97	777.34
North Nottinghamshire	680.19	679.24
North Staffordshire	764.16	725.72
North West Lancashire	823.75	746.26
North Yorkshire	712.46	763.24
Northamptonshire	668.89	734.29
Northumberland	759.70	751.21
Nottingham	773.74	780.25
Oxfordshire	663.94	779.26
Portsmouth and South East Hampshire	692.27	733.14
Redbridge and Waltham Forest	836.65	812.97
Rotherham	785.72	742.99
Salford and Trafford	847.61	784.35
Sandwell	806.21	744.36
Sefton	1,109.10	1,023.16
Sheffield	818.63	769.93
Shropshire	693.26	740.93
Solihull	680.80	736.55
Somerset	710.45	754.86
South and West Devon	736.99	735.69
South Cheshire	701.33	743.64
South Essex	683.81	717.08
South Humber	713.80	721.20
South Lancashire	728.91	765.98
South Staffordshire	659.48	735.88
Southampton and South West Hampshire	707.61	758.07
Southern Derbyshire	679.51	706.49
St. Helens and Knowsley	797.28	722.31
Stockport	724.05	746.47
Suffolk	684.27	757.91
Sunderland	855.34	760.22
Tees	829.28	768.50
Wakefield	826.37	801.36
Walsall	775.51	739.30
Warwickshire	708.45	771.73
West Hertfordshire	716.30	765.17
West Kent	674.81	744.60
West Pennine	765.01	712.85
West Surrey	725.53	809.35
West Sussex	735.31	742.11
Wigan and Bolton	773.24	717.35
Wiltshire	714.72	807.29
Wirral	822.16	758.47
Wolverhampton	790.82	739.83
Worcestershire	717.78	801.38
All England	770.91	770.91

Notes:

1. Expenditure is taken from health authority and primary care trust summarisation forms which are prepared on a resource basis and therefore differ from cash allocations in the year. The expenditure is the total spent on the purchase of health care by the health authority and by the primary care trusts within the health authority area. The majority of General Dental Services expenditure is not included in the health authority or primary care trust accounts and is separately accounted for by the Dental Practice Board.

2. Some health authorities act as lead commissioners for particular specialities which inflates their figures when compared with others and also causes differences between years. Other factors may also distort the figures so the results are therefore not all directly comparable with each other and with answers to similar questions for previous years.

Sources:

1. Health authority audited summarisation forms 2000–01
2. Primary care trust audited summarisation schedules 2000–01
3. Mid year population estimates and weighted population estimates for 2000–01

Dr. Evan Harris: To ask the Secretary of State for Health if he will list for each health authority area in England, the expenditure on health, by weighted head of population, expressed in real terms for each of the last two years for which figures are available. [13619]

Mr. Hutton: The expenditure on health by weighted head of population in real terms for each health authority area in England for the two latest years is shown in the table.

£

Health authority	*1999–2000*	*2000–01*
Avon	747.51	810.53
Barking and Havering	700.84	748.55
Barnet	768.20	939.62
Barnsley	679.59	739.66
Bedfordshire	696.69	739.78
Berkshire	718.34	757.49
Bexley and Greenwich	793.77	828.82
Birmingham	749.03	764.32
Bradford	724.17	692.45
Brent and Harrow	823.35	804.74
Bromley	793.39	791.35
Buckinghamshire	685.31	730.37
Bury and Rochdale	707.36	740.61
Calderdale and Kirklees	691.84	742.27
Cambridgeshire	702.68	727.68
Camden and Islington	834.92	974.71
Cornwall and Isles of Scilly	751.33	766.48
County Durham	675.16	707.44
Coventry	676.64	733.34
Croydon	712.27	896.26
Doncaster	711.02	710.42
Dorset	743.89	932.50
Dudley	684.70	728.03
Ealing, Hammersmith and Hounslow	747.62	801.92
East and North Hertfordshire	707.99	755.61
East Kent	703.87	766.12
East Lancashire	720.19	706.83
East London and The City	789.78	812.98
East Riding	716.52	770.24
East Surrey	837.92	872.74
East Sussex, Brighton and Hove	780.63	778.73
Enfield and Haringey	717.28	791.72
Gateshead and South Tyneside	677.22	727.09
Gloucestershire	745.23	778.71
Herefordshire	825.52	671.61
Hillingdon	719.40	614.53
Isle of Wight	773.74	836.61
Kensington, Chelsea and Westminster	795.92	878.86
Kingston and Richmond	769.12	795.64
Lambeth, Southwark and Lewisham	804.71	852.49

£

Health authority	*1999–2000*	*2000–01*
Leeds	755.50	785.61
Leicestershire	739.63	762.11
Lincolnshire	725.73	746.46
Liverpool	749.48	808.94
Manchester	787.86	761.45
Merton, Sutton and Wandsworth	839.01	796.03
Morecambe Bay	786.62	794.67
Newcastle and North Tyneside	787.25	787.58
Norfolk	740.53	760.50
North and East Devon	724.43	769.90
North and Mid Hampshire	735.98	813.99
North Cheshire	721.36	756.15
North Cumbria	704.01	757.42
North Derbyshire	684.19	719.00
North Essex	740.78	777.34
North Nottinghamshire	715.05	679.24
North Staffordshire	687.60	725.72
North West Lancashire	721.61	746.26
North Yorkshire	722.87	763.24
Northamptonshire	713.85	734.29
Northumberland	752.58	751.21
Nottingham	723.95	780.25
Oxfordshire	733.57	779.26
Portsmouth and South East Hampshire	682.05	733.14
Redbridge and Waltham Forest	748.03	812.97
Rotherham	702.11	742.99
Salford and Trafford	740.20	784.35
Sandwell	709.97	744.36
Sefton	719.10	1,023.16
Sheffield	771.96	769.93
Shropshire	729.71	740.94
Solihull	700.29	736.55
Somerset	709.49	754.86
South and West Devon	726.34	735.69
South Cheshire	709.08	743.64
South Derbyshire	688.78	717.08
South Essex	673.43	721.20
South Humber	784.66	765.98
South Lancashire	748.52	735.88
South Staffordshire	699.52	758.07
Southampton and South West Hampshire	738.44	706.49
St. Helens and Knowsley	670.55	722.31
Stockport	728.46	746.47
Suffolk	717.21	757.91
Sunderland	688.21	760.22
Tees	735.18	768.50
Wakefield	713.77	801.36
Walsall	726.59	739.30
Warwickshire	741.27	771.73
West Hertfordshire	725.94	765.17
West Kent	771.41	744.60
West Pennine	674.21	712.85
West Surrey	781.74	809.35
West Sussex	694.99	742.11
Wigan and Bolton	660.84	717.35
Wiltshire	776.22	807.29
Wirral	717.31	758.47
Wolverhampton	698.10	739.83
Worcestershire	731.92	801.38

Notes:

1. Expenditure is taken from health authority and primary care trust summarisation forms which are prepared on a resource basis and therefore differ from cash allocations in the year. The expenditure is the total spent on the purchase of health care by the health authority and by the primary care trusts within the health authority area. The majority of general dental services expenditure is not included in the health authority or primary care trust accounts and is separately accounted for by the Dental Practice Board.

2. Some health authorities act as lead commissioners for particular specialties which inflates their figures when compared with others and also causes differences between years. Other factors may also distort the figures so the results are therefore not all directly comparable with each other and with answers to similar questions for previous years.

Source:

Health authority audited summarisation forms 1999–2000 and 2000–01. Primary care trust audited summarisation schedules 2000–01. Weighted population estimates for 1999–2000 and 2000–01. GDP deflator at market prices with 2000–01 as the base year.

Nursing and Midwifery

Mr. Heald: To ask the Secretary of State for Health (1) if he will amend the draft Nursing and Midwifery Order 2001 to include health visiting in the title of the new Nursing and Midwifery Council; and if he will make a statement; [12051]

(2) what recent representations he has received about the draft Nursing and Midwifery Order 2001 and the regulation of health visitors; and if he will place them in the Library; [12019]

(3) what plans he has to regulate the profession of health visiting. [12054]

Mr. Hutton: We have undertaken extensive consultation on the proposals to establish a new Nursing and Midwifery Council. The draft legislation recognises health visitors' special contribution to public health and contains a number of safeguards for health visiting. There will be a separate part of the register for health visitors, protection of their professional title and they will be guaranteed equal representation on the council with nurses and midwives. Legislation is in the final stages of preparation and will be published shortly, together with a report on consultation. There are no plans to amend the proposed title of the Nursing and Midwifery Council.

NHS Staff

Mr. Amess: To ask the Secretary of State for Health by what means the published figures for the proposed establishments for *(a)* GPs, *(b)* nurses and *(c)* consultants are collated; and what account is taken of drop-out rates. [12518]

Mr. Hutton: The analysis of the number of additional health professional staff required during the period of the NHS Plan was based principally on work done in support of the National Service Frameworks and delivery of waiting, booking and access commitments.

The increases are net increases and take account of staff leaving the national health service and attrition during training. They are based on what is deliverable from training, recruitment and retention initiatives and international recruitment.

Consultants

Alistair Burt: To ask the Secretary of State for Health how many unfilled consultant posts there are within the NHS in England and Wales, broken down by region. [12618]

Mr. Hutton: The data collected for England are in the tables. The information relating to Wales is a matter for the devolved Administration.

Department of health vacancies survey, March 2001—vacancies in national health service trusts by region, and medical and dental consultants—three month vacancies

	Total consultants[1]
England	670
Northern and Yorkshire	110
Trent	70
West midlands	90
North west	130
Eastern	60
London	100
South east	70
South west	30

[1] Whole-time equivalents.

Notes:

1. Three month vacancies are vacancies as at 31 March 2001 which trusts are actively trying to fill, which had lasted for three months or more (whole-time equivalents).
2. Numbers are round to the nearest 10.
3. England totals include staff from special health authorities.
4. Totals may not equal sum of component parts due to rounding.

Source:

Department of Health vacancies survey 2001.

Department of health vacancies survey, March 2001—vacancies in NHS trusts by region, and medical and dental consultants—three month vacancy rates

	Percentage
	Total consultants
England	3.0
Northern and Yorkshire	3.6
Trent	3.2
West midlands	3.9
North west	4.1
Eastern	3.1
London	2.5
South east	2.2
South west	1.4

Notes:

1. Three month vacancies are vacancies as at 31 March 2001 which trusts are actively trying to fill, which had lasted for three months or more (whole-time equivalents).
2. Three month vacancy rates are three month vacancies expressed as a percentage of three month vacancies plus staff in post from the September 2000 medical and dental and non-medical work force censuses (whole-time equivalent).
3. Percentages rounded to one decimal place.
4. England percentages include staff from special health authorities.

Source:

Department of Health vacancies survey 2001.

Hospital, public health medicine and community health services medical and dental consultants by region, 30 September 2000

	Total consultants[1]
England	22,140
Northern and Yorkshire	3,030
Trent	2,180
West midlands	2,230
North west	3,120
Eastern	1,970
London	4,160
South east	3,330
South west	2,020

[1] Whole-time equivalents

Notes:

1. Figures are rounded to the nearest 10.
2. England totals include staff from special health authorities.
3. Totals may not equal sum of component parts due to rounding.
4. Figures cannot be used to calculate percentages.

Source:

Department of Health 2000 medical and dental work force census.

NICE

Clive Efford: To ask the Secretary of State for Health what is the average length of time taken by the National Institute for Clinical Excellence to report on the cost effectiveness of drugs referred to them by the national health service. [12549]

Ms Blears: The appraisal process takes about one year. The timetable can be longer for appraisals which are particularly complex or where the determination is subject to appeal.

Nurses

Matthew Green: To ask the Secretary of State for Health what plans he has to encourage the retention of nursing staff. [12378]

Mr. Hutton: We are fully committed to investing in national health service staff. The NHS Plan introduced the improving working lives standard, a model of good employment practices against which NHS organisations are measured. NHS organisations are required to provide a portfolio of evidence that they are improving the working lives of staff.

Mrs. Brooke: To ask the Secretary of State for Health what impact the cost of living supplement has had on the recruitment of nurses in *(a)* qualifying and *(b)* non-qualifying health authorities. [13941]

Mr. Hutton *[holding answer 14 November 2001]:* Cost of living supplements were introduced in April 2001 as part of a wide-ranging strategy to address recruitment and retention in the national health service. It is too early to judge the impact of these new payments. The Department is committed to monitoring the impact of COLS.

Northwood and Pinner Community Hospital

Mr. Gareth R. Thomas: To ask the Secretary of State for Health what further proposals to develop services at Northwood and Pinner Community Hospital he has considered; and if he will make a statement. [12375]

Mr. Hutton: The Hillingdon Local Modernisation Review aims to identify high priority areas for modernisation and development and will set the strategic context for the longer term development of Hillingdon health and social care services. Proposals relating to Northwood and Pinner Community Hospital will emerge from that work and will take account of the needs of Harrow residents. Any proposals for change will form the subject of full public consultation.

Overseas Treatment

Mr. Austin Mitchell: To ask the Secretary of State for Health which professional and representative medical bodies he has consulted concerning the practicalities and consequences of NHS patients receiving treatment in other EU member states; what *(a)* legislative and *(b)* regulatory changes are necessary to allow such treatment; what EU legislation governs such arrangements and what duties it imposes; and if he will make a statement on the judgment of the European Court of Justice. [12882]

Mr. Hutton: The recent judgments of the European Court of Justice in the joined cases Geraets-Smits/Peerbooms and Case Vanbraekel (joined Cases C-157/99 and Case 368/98 respectively) marked a development in the interpretation of directly applicable provisions of European Community law. These provisions override even inconsistent national law and must be given effect to. The relevant provisions of the National Health Service Act 1977 will be amended in the interests of legal certainty. This can be done by regulations made under the European Communities Act 1972 and this is in hand. In the meantime health authorities and NHS trusts are free to commission services abroad. However, sending patients abroad does pose practical and legal problems surrounding patient welfare. Besides establishing three test-bed sites to develop processes for sending patients abroad officials are discussing the practical and legal issues involved with relevant colleagues and interested parties, including the British Medical Association.

Asylum Seekers

Dr. Murrison: To ask the Secretary of State for Health what plans he has to satisfy the health needs of asylum seekers. [12861]

Mr. Hutton: Under national health service legislation, any asylum seeker given leave to remain in the United Kingdom or awaiting a decision on their application is regarded as ordinarily resident and is eligible for free treatment from a general practitioner and eligible to receive NHS hospital treatment. More specifically the Department is working with the Home Office to ensure that the health of asylum seekers is a key consideration in the reform of the asylum system announced recently by my right hon. Friend the Home Secretary. Also, officials are working with the Refugee Council to identify existing best practice in meeting the health and social care needs of asylum seekers dispersed through the National Asylum Support Service. This guidance is expected to be available early next year.

Royal United Hospital (Waiting Times)

Dr. Murrison: To ask the Secretary of State for Health if he will make a statement on the trends in waiting times for MRI scans at the Royal United hospital, Bath in the last 12 months. [12855]

Jacqui Smith: The Department does not collect information on waiting times for MRI scans, however, information from the Royal United hospital, Bath national health service trust shows that between June 2001 and October 2001 the maximum waiting time had reduced by 1.3 months.

The trust has been running additional sessions to reduce the waiting times. It has also appointed two additional consultant radiologists and two new senior radiographers which will enable the trust to increase MRI capacity.

The RUH is looking to make a business case for a second MRI scanner.

National Service Frameworks

Dr. Fox: To ask the Secretary of State for Health what criteria the Government uses to decide the order in which national service frameworks are commissioned and released. [12705]

Mr. Hutton *[holding answer 6 November 2001]:* In the selection of a topic for the national service framework programme, the main criteria are the importance of a health issue in terms of morbidity and mortality; the need for service improvement; and the capacity of the national health service and its partner agencies to implement the framework.

Beta Interferon

Clive Efford: To ask the Secretary of State for Health what estimate he has made of the annual cost of prescribing beta interferon to all patients who need it under the pilot scheme. [13267]

Ms Blears: We are currently holding discussions with the manufacturers to consider a range of options under which drugs for multiple sclerosis might be made available under the national health service. One option is a "risk sharing" scheme which will evaluate their clinical and cost-effectiveness, and until these discussions are concluded we cannot provide detailed information on potential numbers of patients and likely costs.

Anti-TNF Treatment

Martin Linton: To ask the Secretary of State for Health if he will make a statement on the refusal of Merton, Sutton and Wandsworth NHS to fund anti-tumour necrosis factor treatment for a patient living in Battersea with rheumatoid arthritis. [13172]

Ms Blears: Merton, Sutton and Wandsworth health authority recognise the potential benefit of anti-TNF treatments and are funding 24 patients who are part of an already established clinical trial. The health authority is not currently funding new patients. However, its health modernisation group is due to meet shortly to review the funding for these treatments. Funding for anti-TNF drugs will be considered along with other priorities as part of the HA process for financial planning for 2002–03.

Breastfeeding

Ms Drown: To ask the Secretary of State for Health what proportion of *(a)* midwives and *(b)* health visitor training is dedicated to breastfeeding support; and how many hours training this involves. [13519]

Jacqui Smith: The United Kingdom Central Council for Nursing, Midwifery and Health Visiting (UKCC) requires that all midwifery pre-registration students should be able to provide

> "advice and support on feeding babies and teaching women about the importance of nutrition in child development".

The UKCC does not set any specific requirement for health visitor training on breastfeeding support. The statutory bodies do not define the hours required for specific topics within the total hours of the curriculum.

Cranial Osteopathy

Mr. Edwards: To ask the Secretary of State for Health if he will make a statement about the provision of cranial osteopathy in the NHS. [13658]

Jacqui Smith: Decisions on national health service provision of complementary or alternative medicine treatments are made by those responsible for commissioning health services for patients locally.

Osteopathy—of which cranial osteopathy is one form—is already available on the NHS, and is included in the information pack on complementary and alternative medicine for primary care groups which the Department published in July 2000.

Post-natal Care

Mr. Edwards: To ask the Secretary of State for Health if he will make a statement about the post-natal care of mothers of multiple births. [13657]

Jacqui Smith: Post-natal care for women is provided on the basis of assessed health and parenting needs of the mother and baby rather than on the basis of the number of babies born. A range of family support services is available through health (doctors, midwives and health visitors) and social services.

We are currently developing the National Service Framework for Children, which will include the setting of new standards of quality for maternity services and post-natal care for all women.

Red Card Scheme

Paul Flynn: To ask the Secretary of State for Health how many hospitals are taking part in the red card scheme; how many *(a)* red and *(b)* yellow cards have been issued; and what changes have been observed in the levels of violence to staff in the hospitals involved. [13722]

Ms Blears: The Department issued national guidelines to national health service trusts to help develop policies on withholding NHS treatment from violent and abusive patients on 2 November 2001. All trusts must consider the need to develop a local policy on withholding treatment from violent and abusive patients. Such policies and procedures should form part of local policies addressing safer working conditions and should be in place by April 2002.

St. Bartholomews and the London NHS Trust introduced a policy on the withdrawal of treatment from violent patients, also known as the yellow and red card scheme, in September 2000. The policy has had a significant deterrent effect, and although the trust has issued eight yellow cards (formal written warnings), it has not proved necessary to issue red cards (withdrawal of treatment).

Impotence Treatments

Sandra Gidley: To ask the Secretary of State for Health how many responses to the public consultation on eligibility for impotence treatments were *(a)* against and *(b)* in favour of the current restrictions in prescribing treatments. [13489]

Ms Blears: We received 220 responses from manufacturers, health professionals and patients. 202 expressed opposition to the current arrangements.

The current system was introduced in 1999 to get a balance between treating men with impotence and protecting national health service resources to deal with other priorities including those with cancer, heart disease and mental health problems. Expenditure on impotence treatment drugs, at £25 million a year, is above what we expected and continues to increase. We have concluded that the extra cost of allowing unrestricted prescribing might be substantially higher leading to diversion of funds from other NHS priorities.

Repair and Maintenance

Dr. Evan Harris: To ask the Secretary of State for Health what the outstanding repair and maintenance backlog figures in each health authority in England are for each of the last two years. [13620]

Mr. Hutton: Figures collected which generally reflect the cost of outstanding repair and maintenance of hospitals are known as the "cost to achieve Estatecode condition B". In relation to a building's physical condition this is the condition whereby the property is considered to be physically sound, operationally safe and exhibits only minor deterioration.

Costs to achieve Estatecode condition B (physical condition) for the year 1999–2000, grouped into each health authority in England, are shown in the table. Similar costs for the year 2000–01 are still in the process of collection and validation and are unlikely to be available until early next year.

Figures for special health authorities (SHA), figures are only collected in connection with special hospitals and therefore exclude costs relating to all other SHA organisations (for example, Family Health Services Appeal Authority, Commission for Health Improvement, NHS Information Authority).

£

Health authority	*Cost to achieve estatecode Condition 1999–2000*
Avon	57,879,000
Barking and Havering	28,934,000
Barnet, Enfield and Haringey	46,206,000
Barnsley	2,110,000
Bedfordshire	12,804,000
Berkshire	74,205,000
Bexley, Bromley and Greenwich	70,395,000
Birmingham	172,926,000
Bradford	26,722,000
Brent and Harrow	29,783,000
Buckinghamshire	30,607,000
Bury and Rochdale	7,539,000
Calderdale and Kirklees	52,980,000
Cambridgeshire	33,866,000
Camden and Islington	79,819,000
Cornwall and Isles of Scilly	13,279,000
County Durham	13,538,000
Coventry	74,391,000
Croydon	31,100,000
Doncaster	14,368,000
Dorset	10,203,000
Dudley	28,070,000

£

Health authority	Cost to achieve estatecode Condition 1999–2000
Ealing, Hammersmith and Hounslow	96,230,000
East Kent	11,517,000
East Lancashire	29,117,000
East London and The City	113,466,000
East Riding	59,189,000
East Surrey	4,802,000
East Sussex, Brighton and Hove	18,970,000
Gateshead and South Tyneside	7,228,000
Gloucestershire	15,704,000
Herefordshire	7,661,000
Hertfordshire	80,084,000
Hillingdon	6,030,000
Isle of Wight, Portsmouth and South East Hampshire	9,422,000
Kensington, Chelsea and Westminster	63,276,000
Kingston and Richmond	8,667,000
Lambeth, Southwark and Lewisham	126,844,000
Leeds	81,440,000
Leicestershire	81,519,000
Lincolnshire	32,449,000
Liverpool	27,675,000
Manchester	110,612,000
Merton, Sutton and Wandsworth	35,151,000
Morecambe Bay	11,700,000
Newcastle and North Tyneside	44,542,000
Norfolk	30,123,000
North and East Devon	8,103,000
North and Mid Hampshire	17,216,000
North Cheshire	3,201,000
North Cumbria	20,268,000
North Derbyshire	5,748,000
North Essex	38,632,000
North Nottinghamshire	13,211,000
North Staffordshire	40,824,000
North West Lancashire	33,003,000
North Yorkshire	23,115,000
Northamptonshire	21,652,000
Northumberland	15,984,000
Nottingham	71,949,000
Oxfordshire	52,084,000
Redbridge and Waltham Forest	63,457,000
Rotherham	4,306,000
Salford and Trafford	17,681,000
Sandwell	7,681,000
Sefton	10,679,000
Sheffield	27,142,000
Shropshire	35,628,000
Solihull	1,656,000
Somerset	10,211,000
South and West Deveon	13,210,000
South Cheshire	5,266,000
South Essex	17,333,000
South Humber	5,073,000
South Lancashire	4,855,000
South Staffordshire	10,283,000
Southampton and South West Hampshire	24,627,000
Southern Derbyshire	4,565,000
Special Trusts	9,022,000
St. Helen's and Knowsley	8,095,000
Stockport	16,168,000
Suffolk	31,056,000
Sunderland	11,621,000
Tees	46,361,000
Wakefield	30,028,000
Walsall	7,402,000
Warwickshire	6,093,000
West Kent	78,524,000
West Pennine	10,207,000
West Surrey	21,332,000
West Sussex	50,027,000
Wigan and Bolton	12,343,000
Wiltshire	30,824,000
Wirral	8,877,000
Wolverhampton	18,831,000
Worcestershire	23,655,000
Grand total	3,074,431,000

Note:

Special health authorities include special hospitals only (e.g. Ashworth, Rampton and Broadmoor)

Vacancies

Dr. Evan Harris: To ask the Secretary of State for Health how many vacancies per health authority there were in England, broken down by *(a)* dental and medical staff, *(b)* nursing and midwifery staff and *(c)* professions allied to medicine, in each of the last two years for which figures are available. [13612]

Mr. Hutton: The information requested is in the table.

Department of health vacancies survey, March 2001. Number of 3 month vacancies—by region and health authority areas

whole-time equivalents

	All medical and dental		*Qualified nurses*		*Qualified allied health professionals*	
Health authority	*2000*	*2001*	*2000*	*2001*	*2000*	*2001*
England	770	920	10,110	9,000	1,450	1,820
Northern and Yorkshire	130	150	840	760	130	240
Bradford	20	10	80	70	10	20
Calderdale and Kirlees	20	20	50	90	10	10
County Durham and Darlington	10	20	30	10	10	10
East Riding and Hull	10	20	20	90	10	20
Gateshead and South Tyneside	10	10	30	20	10	10
Leeds	10	10	240	200	30	60
Newcastle and North Tyneside	10	0	260	40	10	10
North Cumbria	10	10	10	20	0	20
North Yorkshire	10	0	10	20	0	20
Northumberland	10	20	40	40	20	20
Sunderland	0	20	10	10	0	10
Tees	0	20	30	110	10	10
Wakefield	10	10	30	40	10	20

Department of health vacancies survey, March 2001. Number of 3 month vacancies—by region and health authority areas

whole-time equivalents

Health authority	*All medical and dental*		*Qualified nurses*		*Qualified allied health professionals*	
	2000	*2001*	*2000*	*2001*	*2000*	*2001*
Trent	60	90	490	410	90	110
Barnsley	0	10	10	20	0	10
Doncaster	10	10	20	20	10	10
Leicestershire	10	0	130	50	10	0
Lincolnshire	0	10	0	50	0	30
North Derbyshire	0	0	10	20	0	10
North Nottinghamshire	10	10	20	20	0	0
Nottingham	10	10	110	150	20	10
Rotherham	10	10	10	20	0	10
Sheffield	0	10	90	60	10	0
South Humber	10	20	20	10	20	20
Southern Derbyshire	0	10	60	10	10	10
West Midlands	80	110	950	810	150	210
Birmingham	30	30	350	180	40	80
Coventry	10	10	70	90	10	30
Dudley	0	10	60	50	10	10
Herefordshire	0	10	0	40	0	10
North Staffordshire	10	20	120	170	10	30
Sandwell	0	0	80	70	20	10
Shropshire	0	0	30	90	20	30
Solihull	0	0	30	10	0	0
South Staffordshire	0	10	20	20	10	20
Walsall	20	10	50	10	20	30
Warwickshire	0	10	50	50	0	20
Wolverhampton	0	10	80	10	10	30
Worcestershire	10	10	30	20	20	10
North West	100	160	780	940	160	220
Bury and Rochdale	10	10	40	30	10	10
East Lancashire	10	20	10	40	10	30
Liverpool	20	20	80	50	20	10
Manchester	10	20	150	160	30	30
Morecambe Bay	10	10	10	10	0	0
North Cheshire	0	10	30	140	10	20
North West Lancashire	0	10	130	70	10	10
Salford and Trafford	0	0	50	90	10	10
Sefton	0	10	30	50	10	10
South Cheshire	0	10	30	30	10	10
South Lancashire	0	10	10	30	0	10
St. Helens and Knowsley	10	10	30	40	10	10
Stockport	0	0	20	40	10	10
West Pennine	10	10	70	50	20	50
Wigan and Bolton	10	10	80	60	0	10
Wirral	0	0	20	40	20	10
Eastern	80	80	1,130	720	190	160
Bedfordshire	0	0	40	40	0	10
Cambridgeshire	20	10	350	110	50	30
East and North Hertfordshire	10	0	150	110	30	40
Norfolk	0	20	70	150	20	30
North Essex	10	10	240	80	50	10
South Essex	0	20	30	30	0	20
Suffolk	20	10	50	10	20	0
West Hertfordshire	10	0	190	180	30	20
London	170	160	3,360	2,960	410	470
Barking and Havering	20	10	100	130	30	40
Barnet	0	0	70	30	10	20
Bexley and Greenwich	10	10	110	180	0	20
Brent and Harrow	10	0	110	110	20	30
Bromley	10	10	120	100	0	10
Camden and Islington	20	10	590	280	40	40
Croydon	0	10	70	40	20	10
Ealing, Hammersmith and Hounslow	10	10	380	340	40	60
East London and the City	20	20	80	70	30	40
Enfield and Haringey	0	10	10	60	10	10
Hillingdon	0	0	480	330	0	10
Kensington, Chelsea and Westminster	10	10	130	10	50	30

Department of health vacancies survey, March 2001. Number of 3 month vacancies—by region and health authority areas

whole-time equivalents

	All medical and dental		*Qualified nurses*		*Qualified allied health professionals*	
Health authority	*2000*	*2001*	*2000*	*2001*	*2000*	*2001*
Kingston and Richmond	10	0	490	630	20	0
Lambeth, Southwark and Lewisham	50	40	200	280	80	60
Merton, Sutton and Wandsworth	0	10	320	310	30	60
Redbridge and Waltham Forest	10	10	100	80	30	30

General Practitioners

Dr. Evan Harris: To ask the Secretary of State for Health how many general practitioners, expressed as whole-time equivalents per 100,000 weighted population, there were for *(a)* each health authority and *(b)* in total in England for the last two years for which figures are available. [13614]

Mr. Hutton: The information requested is shown in the table.

Unrestricted principals and equivalents (UPEs)[1]*, estimated whole-time equivalents*[2] *per 1000, weighted population*[3] *by health authority: England 1999 and 2000*

Region/HA name	*1999*	*2000*
Northern and Yorkshire		
Bradford	58.0	57.5
Calderdale and Kirklees	52.2	51.7
County Durham and Darlington Health Commission	49.0	48.4
East Riding and Hull	50.6	50.3
Gateshead and South Tyneside	48.6	49.3
Leeds Healthcare	55.5	55.1
Newcastle and North Tyneside	52.5	53.0
North Cumbria	62.2	61.2
North Yorkshire	61.5	61.8
Northumberland	58.2	57.6
Sunderland	44.9	45.3
Tees	50.0	49.4
Wakefield Healthcare	52.3	53.7
Trent		
Barnsley	43.9	44.7
Doncaster	47.4	47.6
Leicestershire	55.9	55.1
Lincolnshire	53.7	52.9
North Derbyshire	51.8	49.8
North Nottinghamshire	50.2	49.7
Nottingham	51.8	52.5
Rotherham	44.7	45.7
Sheffield	56.3	55.7
South Derbyshire	51.9	52.8
South Humber	52.7	52.4
Eastern		
Bedfordshire	53.3	53.3
Cambridge and Huntingdon	53.5	55.6
East and North Hertfordshire	53.1	51.3
Norfolk	58.5	58.0
North Essex	53.9	53.6
South Essex	47.3	47.5
Suffolk	57.3	57.5
West Hertfordshire	55.0	54.6
London		
Barking and Havering	42.9	44.8
Barnet	53.3	53.4
Bexley and Greenwich	47.2	46.7
Brent and Harrow	54.6	53.7
Bromley	48.5	49.1
Camden and Islington	42.8	43.5
Croydon	49.2	47.8
Ealing, Hammersmith and Hounslow	48.5	47.6
East London and the City	46.8	47.5
Enfield and Haringey	51.3	52.5
Hillingdon	43.2	42.6
Kensington, Chelsea and Westminster	28.8	27.9
Kingston and Richmond	49.7	48.3
Lambeth, Southwark and Lewisham	47.0	48.1
Merton, Sutton and Wandsworth	46.8	47.7
Redbridge and Waltham Forest	50.0	49.0
South Eastern		
Berkshire	52.8	51.3
Buckinghamshire	54.7	54.8
East Kent	50.1	50.3
East Surrey	49.4	50.1
East Sussex, Brighton and Hove	50.9	50.8
Isle of Wight Health Commission	59.0	58.2
North and Mid Hampshire	56.8	56.1
Northamptonshire	56.4	55.1
Oxfordshire	58.4	57.8
Portsmouth and South-East Hampshire	53.9	54.3
Southampton and South-West Hampshire	55.5	55.6
West Kent	54.8	54.5
West Surrey	49.7	50.4
West Sussex	51.2	51.5
South Western		
Avon	55.2	55.0
Cornwall and Isles of Scilly	59.4	59.1
Dorset	57.9	57.8
Gloucestershire	60.3	60.3
North and East Devon	60.6	59.8
Somerset	60.5	60.2
South and West Devon	58.1	58.0
Wiltshire	55.9	56.8
West Midlands		
Birmingham	54.6	54.2
Coventry	53.6	53.7
Dudley	50.9	49.4
Herefordshire	61.1	60.3
North Staffordshire	47.8	46.9
Sandwell	49.8	49.9
Shropshire	58.2	56.4
Solihull	51.9	53.4
South Staffordshire	53.9	52.9
Walsall	50.6	51.2
Warwickshire	53.7	53.7
Wolverhampton	48.9	51.0
Worcestershire	57.0	56.1
North West		
Bury and Rochdale	53.6	53.1
East Lancashire	50.8	49.9
Liverpool	49.1	49.7
Manchester Health	54.3	53.8
Morecambe Bay	56.7	56.3
North Cheshire	48.7	50.2
North West Lancashire	48.7	48.7
Salford and Trafford	51.3	51.2
Sefton	47.9	48.6
South Cheshire	54.0	54.7
South Lancashire	53.1	51.5

Unrestricted principals and equivalents (UPEs)[1]*, estimated whole-time equivalents*[2] *per 1000, weighted population*[3] *by health authority: England 1999 and 2000*

Unrestricted principals and equivalents (UPEs)[1], estimated whole-time equivalents[2] per 1000, weighted population[3] by health authority: England 1999 and 2000

Region/HA name	1999	2000
St. Helens and Knowsley	49.4	48.5
Stockport Health	55.4	54.4
West Pennine	50.0	48.9
Wigan and Bolton	46.6	47.2
Wirral	56.3	58.2
England total	62.4	52.3

[1] UPEs includes GMS Unrestricted Principals, PMS Contracted GPs and PMS Salaried GPs

[2] WTE data have been estimated using the results from the 1992–93 GMP Workload Survey

[3] HA population data have been weighted using the GMS cash limited age and needs formula used in 1999–2000 and 2000–01

Notes:

1. Full time = 1.00 wte; three quarter time = 0.69 wte; job share = 0.65 wte; half-time = 0.60 wte
2. Data as at 1 October 1999 and 30 September 2000
3. This is based on information on actual hours worked by GPs with different contractual commitments

Source:

Department of Health General and Personal Medical Services Statistics and ONS Population estimates adjusted for temporary residents, cross boundary flows, rural practices and weighted for GMS CL age and need

Public-private Partnerships

Matthew Taylor: To ask the Secretary of State for Health if he will list the projects which have been considered as potential public-private partnerships since 1997 which have not been undertaken because the public sector comparator had a lower net present value than the public-private partnership proposed; and if he will make a statement. [13454]

Mr. Hutton: Private finance initiative was considered for the eight schemes listed but in each case did not produce a suitable value for money solution:

Rochdale Healthcare National Health Service Trust (Rochdale Infirmary development)

Royal Berkshire and Battle NHS Trust (consolidation of services)

Central Sheffield University Hospitals NHS Trust (Stonegrove Maternity unit)

Guy's and St. Thomas' NHS Trust (reconfiguration of services)

Thames Gateway NHS Trust (Isle of Sheppey Community Hospital)

Southampton Community Health Services NHS Trust (Lymington and New Forest Community Hospital)

Portsmouth Healthcare NHS Trust (mental health facilities)

Maidstone and Tunbridge Wells NHS Trust (eye care facilities).

Trolley Waits (Leicestershire)

Mr. Vaz: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Leicester, East, 24 October 2001, *Official Report*, columns 306–07W, what statistics are kept on the average waiting time on a trolley before admission to a Leicestershire hospital in the last 12 months. [13546]

Mr. Hutton: Latest published figures show that of the 15,690 patients admitted through the accident and emergency department at University Hospitals of Leicester National Health Service Trust between July 2000 and June 2001, an average of 83 per cent. were admitted within two hours and 92 per cent. were admitted within four hours. Overall average waiting time figures are not calculated.

Private Finance Initiative

Mr. Bercow: To ask the Secretary of State for Health what assessment he has made of the cost of the delay since June to private finance initiative schemes for hospitals. [14248]

Mr. Hutton: Shortlisted bidders at three private finance schemes—Stoke Mandeville Hospital National Health Service Trust, South West London Community NHS Trust (Queen Mary's Hospital, Roehampton) and Havering Hospitals NHS Trust—have delayed submitting best and final offers since June until development work on a new retention of employment model (ROE), under which ancillary services staff could retain their NHS employment terms but be managed by the private sector, is completed. It is expected that this work will be completed before the end of the year.

No other PFI schemes are at a stage where the ROE development is causing a delay.

Consultants' Hours

Dr. Murrison: To ask the Secretary of State for Health (1) what change in the required number of NHS consultants would result if they were to work only contracted hours; [14041]

(2) what assessment he has made of the hours in excess of contracted hours worked by NHS consultants in the last five years. [14050]

Mr. Hutton: National health service consultants are employed under a professional contract, in that they do not specify particular hours of work. Whole-time and maximum part-time contract holders have a contractual commitment to devote substantially the whole of their professional time, up to 11 sessions, to their national health service duties. In 1999 a survey by KPMG did, however, demonstrate that both the volume of work and intensity of work, as a whole, had increased since 1990. Intensity pay supplements, amounting to £50 million were therefore introduced from April 2000 to recognise and reward increases in work load, intensity of work and contribution to the NHS.

Dr. Murrison: To ask the Secretary of State for Health what assessment he has made of the change in work load for NHS consultants as a result of the Calman report and the new deal. [14051]

Mr. Hutton: It is not possible to identify the effect of individual initiatives on changes in consultant work load. As well as implementation of the Calman report and the new deal, there have been parallel changes in service management and patient throughput, and changes in the balance of in-patient and day-case clinical work which will have had an effect on consultant work load.

Since the new deal was launched in 1991 there has been an increase in the consultant work force of 7,200 (45.5 per cent.) and since the Calman reforms were implemented in 1996 there has been an increase of 3,800 (19.9 per cent.). There have also been significant increases in the number of trainees and other hospital doctors in the relevant period.

Annual Budget Settlement

Peter Bradley: To ask the Secretary of State for Health if he will list the amount of each item of funding over and above the annual budget settlement, made by his Department to *(a)* Shropshire health authority and *(b)* other health providers in the country in 2001–02 to date. [14474]

Mr. Hutton: The information requested has been placed in the Library.

GP Statistics

Fiona Mactaggart: To ask the Secretary of State for Health how many GPs there were in *(a)* Berkshire and *(b)* the Slough primary care trust area in (i) 1992, (ii) 1997 and (iii) 2001. [14320]

Ms Blears: Figures for 2001 are not yet available. Figures for 1992, 1997 and 2000 are shown in the table.

General medical practitioners in Berkshire health authority and Slough primary care group as reported at 1 October 1992 and 1997 and 30 September 2000

Area	*1992*	*1997*	*2000*
Berkshire HA			
All practitioners[1] (excluding GP retainers)	419	437	456
Unrestricted principals and equivalents[2]	396	425	449
Slough PCG[3]			
All practitioners[1] (excluding GP retainers)	—	—	63
Unrestricted principals and equivalents[2]	—	—	58

[1] All practitioners include unrestricted principals and equivalents, restricted principals, assistants, GP registrars, salaried doctors (Para. 52 SFA) and PMS Others. GP retainers were first collected in the 1999 census. As at 1 October 1999 there were 12 in Berkshire HA and 0 in Slough PCG. As at 30 September 2000 there were 15 in Berkshire HA and 0 in Slough PCG.

[2] Unrestricted principals and equivalents include GMS unrestricted principals, PMS Contracted GPs and PMS Salaried GPs.

[3] The creation of PCGs was announced in 1998, Slough PCG came in to existence in April 1999. It became a trust on 1 April 2001.

Source:

Department of Health General and Personal Medical Services Statistics

NHS Funding Formula

Dr. Murrison: To ask the Secretary of State for Health if he will make a statement on how the higher travel costs and average basic pay of health workers in rural areas is reflected in the NHS funding formula. [14378]

Mr. Hutton: The Department uses a weighted capitation formula to determine each health authority's fair share of available resources, to enable them to commission similar levels of health services for populations in similar need. The formula weights each health authority's population according to their relative need for healthcare and unavoidable geographical differences in the cost of providing healthcare.

Within the formula the staff market forces factor estimates the relative differentials that national health service employers need to pay in order to recruit and retain staff. And the emergency ambulance cost adjustment reflects the unavoidable cost variations of providing emergency ambulance services. This adjustment particularly benefits areas with low population density and lower numbers of journeys than average.

Dr. Murrison: To ask the Secretary of State for Health what plans he has for including rurality as a factor in the NHS funding formula. [14379]

Mr. Hutton: The national health service funding formula weights each health authority's population according to their relative need for health care and the unavoidable geographical differences in the cost of providing health care.

Earlier studies have not identified evidence of need for health care associated with rurality that is not already covered within the formula. However some services cost more to provide in rural areas. An emergency ambulance cost adjustment has been included in the formula since 1998–99.

A review of the formula is currently under way. By 2003, following the review, reducing inequalities will be a key criterion for allocating NHS resources to different parts of the country. The review will include consideration of the health needs of rural areas.

Strategic Outline Cases

Mr. Webb: To ask the Secretary of State for Health, pursuant to his answer of 5 November 2001, *Official Report*, column 118W, regarding major capital projects, when he expects to invite the next round of strategic outline cases for hospital building projects. [14347]

Mr. Hutton *[holding answer 13 November 2001]*: There are currently no plans to invite a further round of strategic outline business cases for major hospital building projects. However, Ministers will consider cases outside this round where necessary.

Public Service Agreements

Mr. Bercow: To ask the Secretary of State for Health if he will list the local authorities which reached the PSA target for the proportion of children in local authority care who had three or more placements in one year by 2001. [14920]

Jacqui Smith: The information for the year ending 31 March 2001 is in the table.

	Number of children looked after at		*Percentage of children looked after with 3 or more placements during the year*
	31 March with 3 or more placements during the year	*31 March 2001*	
Calderdale	33	201	16
Bolton	45	275	16
Trafford	27	165	16
Stoke-on-Trent UA	60	367	16
Bath and North East Somerset UA	23	141	16
Buckinghamshire	44	270	16

	Number of children looked after at 31 March with 3 or more placements during the year	31 March 2001	Percentage of children looked after with 3 or more placements during the year
Southend-on-Sea UA	40	250	16
Tameside	39	246	16
Redbridge	22	139	16
Nottingham UA	96	611	16
Essex	187	1,197	16
East Sussex	73	468	16
West Sussex	119	763	16
Barking and Dagenham	44	283	16
Hackney	77	497	16
Sheffield	104	673	15
Lancashire	197	1,285	15
Leeds	193	1,278	15
Wirral	62	412	15
Harrow	27	181	15
Wiltshire	38	256	15
Liverpool	175	1,179	15
Poole UA	20	136	15
Bradford	101	697	15
Kingston upon Hull UA	83	573	14
Newham	77	537	14
Wolverhampton	56	391	14
Rochdale	34	239	14
Wokingham UA	12	85	14
Sunderland	70	498	14
Sefton	43	306	14
Walsall	57	406	14
Wakefield	62	446	14
Windsor and Maidenhead UA	10	72	14
North Somerset UA	23	166	14
East Riding of Yorkshire UA	28	204	14
Cornwall	81	591	14
Barnet	39	285	14
Salford	82	601	14
Plymouth UA	63	463	14
Norfolk	96	707	14
Gateshead	37	273	14
Staffordshire	72	535	13
Stockport	52	393	13
Doncaster	58	439	13
Barnsley	42	318	13
Waltham Forest	39	296	13
Bournemouth UA	27	205	13
Bury	28	214	13
Solihull	23	176	13
Hounslow	42	322	13
Cheshire	58	458	13
Hampshire	113	893	13
North Lincolnshire UA	22	174	13
Thurrock UA	24	192	13
Oldham	38	305	12
Camden	39	314	12
Slough UA	18	146	12
Merton	22	179	12
Lincolnshire	65	531	12
Manchester	148	1,232	12
Blackburn with Darwen UA	33	275	12
Havering	18	150	12
Lewisham	65	547	12
Derbyshire	76	642	12
Oxfordshire	54	462	12
Bristol UA	64	561	11
Lambeth	88	777	11
Kirklees	33	293	11
Dudley	42	377	11
North Yorkshire	42	378	11
St. Helens	30	272	11
Dorset	28	255	11
Westminster	29	267	11
Warrington UA	17	157	11
York UA	15	141	11
Hammersmith and Fulham	42	397	11

	Number of children looked after at		
	31 March with 3 or more placements during the year	*31 March 2001*	*Percentage of children looked after with 3 or more placements during the year*
Suffolk	68	643	11
Torbay UA	25	238	11
Cambridgeshire	39	375	10
Wigan	44	426	10
Darlington UA	12	117	10
Bexley	21	207	10
North East Lincolnshire UA	28	277	10
Islington	53	531	10
Bromley	29	296	10
Worcestershire	58	596	10
Isle of Wight UA	16	166	10
Surrey	65	681	10
Durham	42	443	9
Ealing	38	409	9
Wandsworth	34	366	9
Rotherham	38	411	9
Hartlepool UA	11	120	9
Kensington and Chelsea	21	234	9
South Tyneside	26	293	9
Hillingdon	37	419	9
Herefordshire UA	17	194	9
Reading UA	12	139	9
Derby UA	35	412	8
Rutland UA	[1]—	[1]—	8
Southwark	53	657	8
Richmond upon Thames	9	112	8
Newcastle upon Tyne	35	441	8
Bedfordshire	27	341	8
Gloucestershire	42	544	8
North Tyneside	25	328	8
West Berkshire UA	9	119	8
Cumbria	39	521	7
Greenwich	37	508	7
Hertfordshire	57	798	7
Croydon	33	478	7
Medway Towns UA	21	324	6
Luton UA	21	328	6
Bracknell Forest UA	[1]—	[1]—	6
Coventry	26	497	5
Kingston upon Thames	[1]—	[1]—	5
Peterborough UA	18	353	5
Knowsley	13	256	5
Enfield	13	273	5
Middlebrough UA	11	236	5
Tower Hamlets	[1]—	[1]—	1
City of London	[1]—	[1]—	0
Isles of Scilly	[1]—	[1]—	0

[1] Numerator or denominator value 5 or less

Residential Care Homes (Havering)

Mr. Rosindell: To ask the Secretary of State for Health if he will make a statement on the closure of residential care homes in Havering. [14802]

Jacqui Smith: I understand that Havering council is undertaking a review of its own care homes in order to ensure that they are able to meet future needs and standards. As a result of this review, one council home closed recently and another is in the process of doing so. The council plans to establish four new resource centres that are capable of meeting care needs in a holistic manner. There have been no recent independent home closures in Havering.

People in Havering will benefit from a number of recent Government initiatives designed to improve the commissioning and delivery of care services. The agreement with local government, the national health service and independent sector providers of care—Building Capacity and Partnership—will help to bring stability to the care home sector. In addition, Havering council is being targeted for extra help and will this year receive £550,000 of the £300 million we are allocating to councils over the next two years to tackle the problem of delayed discharge from hospital.

Surgical Procedures (Cost)

Mr. Laws: To ask the Secretary of State for Health, pursuant to his answer of 1 November 2001, *Official Report*, column 828W, by what date he expects to complete his review of activity and costs in the private health sector; what plans he has to publish the results of the review; and if he will make a statement. [13485]

Mr. Hutton *[holding answer 14 November 2001]:* The survey returns from the national health service are being analysed by statisticians in the Department. I expect to be able to share the results early in the new year.

My answer of 1 November 2001, *Official Report*, column 828W set out our plans to improve collaboration between the NHS and the private sector.

Residential Care Homes

Mr. Andrew Turner: To ask the Secretary of State for Health if he will list the new care standards for residential care homes in order of date required for implementation. [15125]

Jacqui Smith: National minimum standards for care homes for older people were published on 2 March 2001. Copies are available in the Library.

Most of the standards will apply from 1 April 2002. The exceptions include standards 28.1 and 31.2 (qualifications of staff and managers) which will apply from 2005, and standards 20.1 (communal space per resident in homes existing prior to April 2002), 23.3 and 23.4 (floor space in single rooms), and 23.11 (proportion of single rooms) which will apply from 2007.

Correspondence

Mr. McLoughlin: To ask the Secretary of State for Health when he will reply to the letters from the hon. Member for West Derbyshire of 10 September concerning care home fees. [15117]

Jacqui Smith: A reply was sent to the hon. Member on 13 November.

Social Services Departments

Mr. Streeter: To ask the Secretary of State for Health on what basis social services departments will be graded with star ratings in accordance with his speech to the recent local government conference at Harrogate. [14940]

Jacqui Smith: The star rating that each social services department receives will be soundly based upon professional judgment encompassing all the available performance evidence—from inspections, in-year monitoring and the performance indicators. The new system will allow people to tell at a glance how their local council is performing and provide national accountability by highlighting how their performance changes over time.

The detailed process for awarding star ratings is still being decided, in consultation with the Local Government Association and the Association of Directors of Social Services.

Pneumococcal Vaccine

Mr. Burstow: To ask the Secretary of State for Health, pursuant to his answer of 8 November 2001, *Official Report*, column 349W, on pneumococcal vaccine, when the Joint Committee on Vaccination and Immunisation last reviewed its advice to the Department; and what evidence his Department has considered in the last year concerning age-based vaccination. [14958]

Jacqui Smith *[holding answer 15 November 2001]:* The Joint Committee on Vaccination and Immunisation (JCVI) last considered the issue of pneumococcal vaccine at its meeting in November 2001. Studies to assess the possible role for pneumococcal conjugate vaccine in the United Kingdom programme are currently on-going and JCVI will review the evidence once these studies have been completed.

Overseas Nursing Students

Dr. Fox: To ask the Secretary of State for Health what estimate he has made of the savings obtained from the abolition of bursaries for overseas nursing students. [15057]

Mr. Hutton *[holding answer 15 November 2001]:* No cost saving is anticipated.

The change introduced earlier this year to the student support arrangements was not introduced as a cost-saving measure but to bring conditions for access to the national health service bursary for overseas applicants to diploma nursing and midwifery courses into line with those for degree nurses, and students in higher education as a whole.

Care Trusts

Dr. Fox: To ask the Secretary of State for Health which care trusts he expects to be in operation by the end of 2002. [15061]

Jacqui Smith *[holding answer 15 November 2001]:* The following partners are considering the development of care trusts in 2002:

1. Camden and Islington Mental Health Trust, London borough of Islington, and London borough of Camden.
2. Somerset health authority (North Somerset Primary Care Group) and north Somerset council.
3. Essex county council, Braintree district council, north Essex health authority (Witham, Braintree and Halstead PCG).
4. Sandwell council and Black Country Mental Health Trust.
5. Manchester social services and Manchester health authority (Manchester Mental Health Partnership).
6. Northumberland health authority (Northumberland PCGs) and Northumberland social services.
7. Bradford council and Bradford health authority (Airedale National Health Service Trust and Bradford Community NHS Trust).

If these applications are made, my right hon. Friend the Secretary of State will consider these applications in accordance with section 45 of the Health and Social Care Act 2001.

Suicide

Mr. Heald: To ask the Secretary of State for Health what assessment he has made of the main barriers to those contemplating suicide receiving the treatment they need. [13964]

Jacqui Smith *[holding answer 15 November 2001]:* An assessment of the main barriers to those contemplating suicide receiving the treatment they need helped inform the development of the National Service Framework for Mental Health. Implementation of the NSF and NHS Plan will ensure that people receive services that are more responsive to their needs. In addition, the suicide prevention strategy, to be launched in spring 2002, will outline further action to ensure the target in "Saving lives: Our Healthier Nation" to reduce the death rate from suicide by at least one fifth by 2010 is met.

Mr. Heald: To ask the Secretary of State for Health when he expects to implement a national suicide prevention strategy. [13965]

Jacqui Smith *[holding answer 15 November 2001]:* The Department hopes to launch the suicide prevention strategy in spring 2002. We are in the process of considering the timetable for its implementation.

GP Surgeries (Assaults)

Mr. Gordon Prentice: To ask the Secretary of State for Health how many assaults were committed on *(a)* doctors and *(b)* other staff in GP's surgeries in the last 12 months for which figures are available; and if he will make a statement. [15467]

Mr. Hutton: Information on assaults against general practitioners or other primary care staff is not collected nationally. However in 2000–01, 988 patients were de-registered from their GPs' lists because of violent behaviour. We deplore violence towards any healthcare worker and in 1999 launched the "NHS zero tolerance zone" campaign to reduce the risks of its occurrence. This campaign continues.

Midwives

Mr. Amess: To ask the Secretary of State for Health what steps he can take to encourage national health service trusts to fully adopt last year's recommendations of the Pay Review Body in respect of midwives' pay and conditions. [15508]

Mr. Hutton *[holding answer 16 November 2001]:* We accepted in full the recommendations of the review body for nursing staff, midwives and health visitors and professions allied to medicine for 2001–02.

The advance letter promulgating the pay increases for 2001–02 and the new midwifery grading agreement was issued to the national health service on 15 February 2001. The advance letter made it clear that national health service employers have a responsibility to implement these agreements from 1 April 2001.

Mr. Amess: To ask the Secretary of State for Health what steps can be made to encourage midwives who have left the profession to return. [15507]

Mr. Hutton *[holding answer 16 November 2001]:* The Department is working closely with the Royal College of Midwives to encourage and support returning midwives. The national health service now offers all midwives improved pay, supportive family friendly working practices, improved training conditions, better access to continuing professional development and a better career structure.

All returning midwives will now receive:

Free refresher training

A minimum of £1,500 financial support while training

Assistance with child care support of up to £135 per week for one child and £200 for two or more children

Assistance with travel and books.

Mr. Amess: To ask the Secretary of State for Health when the statutory instruments required for the implementation of the Nursing and Midwifery Council, due to come into place in April 2002, are to be laid before the House. [15509]

Mr. Hutton *[holding answer 16 November 2001]:* The order under section 60 of the Health Act 1999, which will establish the Nursing and Midwifery Council, has today been laid before Parliament. Copies are available in the Vote Office. A similar order which will establish the Health Professions Council has also been laid.

Flooding (Ilford)

Linda Perham: To ask the Secretary of State for Health what assessment his Department has made of the impact of flooding of the River Roding on public health in Ilford, North; and what steps he has taken in the last 12 months to minimise the impact. [15529]

Mr. Hutton *[holding answer 16 November 2001]:* I am informed that Redbridge and Waltham Forest health authority have confirmed that the work of the local emergency planning team covers the response to flooding incidents. The team comprises representatives from the emergency services, health and local authorities and the voluntary sector.

From a public health perspective, leaflets were issued to residents in flooding risk areas and actual flooded areas, advising of the risks from flood water.

Regional Health Boundaries

Dr. Kumar: To ask the Secretary of State for Health if he will make a statement on his proposals to redraw regional health area boundaries so that they are coterminous with regional Government boundaries. [16206]

Mr. Hutton: As part of the programme to shift the balance of power from Whitehall to frontline staff, the Department is proposing to abolish its national health service regional offices by 1 April 2003. We are introducing four directorates of health and social care by April 2003 responsible for strategic oversight of health and social care activity in London, the south of England, the west midlands and eastern England and the north of England respectively. They will cover areas with outer boundaries coterminous with the Government offices for the regions. These arrangements are in line with the Government's policy on coterminosity set out in the Modernising Government White Paper.

TREASURY

Equitable Life

Mr. Chope: To ask the Chancellor of the Exchequer what the cost to public funds was of the review by the Financial Services Authority of its role in the regulation of Equitable Life. [12823]

Ruth Kelly: The cost of the review by the FSA of its role in the regulation of Equitable Life will be met by the insurance industry. Some of the costs have already been recovered by way of fees imposed by the existing regulators (the Personal Investment Authority and the Treasury). Once the Financial Services and Markets Act 2000 comes fully into force, the remaining costs will be recovered by the FSA by way of fees.

Mr. Bercow: To ask the Chancellor of the Exchequer how many representations he has received about Equitable Life from policy holders resident in the Buckingham constituency. [16163]

Ruth Kelly: We have received many representations from policy holders of Equitable Life. Identifying policy holders resident in Buckingham constituency could not be undertaken except at disproportionate cost.

National Insurance Contributions

Mr. Bercow: To ask the Chancellor of the Exchequer how much money would be raised for the Exchequer at current prices over one financial year as a result of the removal of the upper earnings limit on national insurance; and what discussions he has had on the impact of this change. [14389]

Dawn Primarolo: The full-year yield from removing the upper earnings limit on national insurance contributions is estimated to be £3¼ billion in 2002–03.

Appointments

Mr. Collins: To ask the Chancellor of the Exchequer how many appointments he has made to public bodies since 7 June; and how many are in his gift. [15476]

Ruth Kelly: Information about the numbers of ministerial appointments to public bodies is included in the Cabinet Office's annual report, "Public Bodies". Copies of this are placed in the Library of the House and the report is published on the Cabinet Office's internet website. The next edition of "Public Bodies", which will include numbers of appointments at 31 March 2001, will be published around the end of the year.

Ministers of the Chancellor's Departments and agencies make (or in the case of Crown appointments recommend the making of) a total of 80 appointments to six of the public bodies listed in "Public Bodies". No new appointments or reappointments have been made to these bodies since 7 June.

Green Fuel Challenge

Mr. Heath: To ask the Chancellor of the Exchequer when he expects to announce the result of the green fuel challenge. [15307]

Mr. Boateng: We expect to make a further announcement shortly.

Fuel Duty

Mr. Heath: To ask the Chancellor of the Exchequer what account he takes of greenhouse gas emissions when determining excise duties for *(a)* biodiesel, *(b)* bioethanol, *(c)* compressed natural gas and *(d)* liquid petroleum gas. [15613]

Mr. Boateng: The Chancellor takes account of a wide range of social, economic and environmental factors when determining duty rates.

Single-parent Families

Mr. Cox: To ask the Chancellor of the Exchequer how many single parent families have more than *(a)* one child, *(b)* two children, *(c)* three children and *(d)* four children. [15337]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Kidgell to Mr. Tom Cox, dated 19 November 2001:

The National Statistician has been asked to reply to your recent question on the number of single parent families who have more than one, two, three or four children (15337). I am replying in his absence.

Provisional estimates for Great Britain, from the Labour Force Survey (LFS) for 2000 indicate that there were 1.6 million lone parent families in Great Britain in 2000. Of this total, 0.8 million families had 1 dependent child; 0.5 million families had 2 dependent children; 0.2 million families had 3 dependent children and 0.06 million families had 4 or more dependent children.

Drug Deaths

Andrew George: To ask the Chancellor of the Exchequer (1) how many deaths have been attributed to benzodiazepines in each year for the last 10 years for which records are available; [15585]

(2) how many deaths have been attributed to *(a)* heroin, *(b)* methadone, *(c)* cocaine, *(d)* morphine and *(e)* opiates in each year for the last 10 years for which records are available. [15589]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Kidgell to Andrew George, dated 19 November 2001:

The National Statistician has been asked to reply to your recent questions asking how many deaths have been attributed to various types of drugs in each year for the last ten years for which records are available (15585/9). I am replying in his absence.

Figures published by the Office for National Statistics are available for 1993 to 1999 inclusive and indicate the number of times substances are mentioned on death certificates. The data are shown below.

Number of deaths in England and Wales where heroin/morphine, methadone, cocaine, benzodiazepines or opiates were mentioned on the death certificate with or without other substances, persons, all ages, Calendar years 1993–1999

Year	Heroin/ Morphine[1]	Methadone	Cocaine	Benzodiazepines	Opiates[2]
1993	187	232	12	280	669
1994	277	269	24	279	820
1995	357	310	19	253	957
1996	466	368	19	230	1,157
1997	445	421	39	248	1,200
1998	646	364	66	245	1,334
1999	754	298	88	240	1,467

[1] As heroin breaks down in the body into morphine, the latter may be detected at post mortem and recorded on the death certificate.

[2] Opiates include heroin/morphine and methadone.

Source:

ONS database of drug-related poisonings

Balance of Payments

Mr. Bercow: To ask the Chancellor of the Exchequer what assessment he has made of the significance of the balance of payments deficit in goods in the second quarter of this year. [16164]

Ruth Kelly: The Government will publish their latest forecasts for the UK economy, together with an assessment of recent economic developments, in the pre-Budget report on 27 November.

Mortgages

Mr. Kidney: To ask the Chancellor of the Exchequer what representations he has received in response to his proposals for *(a)* the new regulatory regime for mortgages and *(b)* the date for N3. [15899]

Ruth Kelly: I have received a number of representations from the Council of Mortgage Lenders, individual mortgage lenders and others on the scope of mortgage regulation, the arrangements set out in the Financial Services Authority draft rules, as well as on the timing of N3.

Mr. Kidney: To ask the Chancellor of the Exchequer what will be the role of *(a)* the mortgage code and *(b)* the Mortgage Code Compliance Board under the proposed new regulatory regime for mortgages. [15900]

Ruth Kelly: Much has been achieved since the Mortgage Code came into being in 1997. The Mortgage Code Compliance Board has worked to set the standards for service delivery, training and competence, and to increase professionalism within the mortgage industry. All of this will stand the industry in good stead when statutory regulation of mortgages comes into force.

Mr. Greenway: To ask the Chancellor of the Exchequer what assessment his Department has made of the consumer benefits accruing from the proposed implementation of Rule 4.7.1(1) in the draft mortgage sourcebook and the likely implementation of Rule 4.7.1(1) by mortgage lenders; and if he will make a statement. [R] [15784]

Ruth Kelly: A cost benefit analysis of the proposals contained in the (draft) mortgage sourcebook was published as an annexe (annexe D) to the Consultation Paper (CP 98) published by the Financial Services Authority.

Euro

Mr. Flight: To ask the Chancellor of the Exchequer what assessment he has made of the likely impact of the euro on stability in the UK housing market. [15935]

Ruth Kelly: The Government have said that they will produce an assessment of the five economic tests within two years of the start of this Parliament. The assessment will be comprehensive and rigorous; all relevant economic issues will be dealt with as part of the assessment.

Consumer Debt

Mr. Flight: To ask the Chancellor of the Exchequer when he last discussed the level of consumer debt with the Governor of the Bank of England. [15934]

Ruth Kelly: The Chancellor and the Governor are in regular contact about a full range of economic issues.

Mr. Flight: To ask the Chancellor of the Exchequer what percentage of all non-mortgage consumer debt is held by each income quintile in the last year for which figures are available. [15937]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Howard Flight, dated 19 November 2001:

As National Statistician, I have been asked to reply to your question concerning the percentage of all non-mortgage consumer debt that is held by each income quintile. (15937)

The information requested is not available.

Stamp Duty

Mr. Flight: To ask the Chancellor of the Exchequer what percentage and what amount in real terms of stamp duty paid by private investors on shares was paid by each income quintile for the last year for which figures are available. [15924]

Ruth Kelly: The information is not available.

Inheritance Tax

Mr. Flight: To ask the Chancellor of the Exchequer (1) what percentage and what amount in real terms of inheritance tax was paid by each income quintile in the last year for which figures are available; [15923]

(2) what plans he has to reform tax avoidance in relation to inheritance tax liabilities for persons in the upper earnings quintiles. [15925]

Dawn Primarolo: No statistics are available linking inheritance tax liabilities with the relative income level either of transferors in their lifetime, or of transferees.

The Government take tax avoidance seriously whoever practises it; experience does not suggest that inheritance tax avoidance is necessarily confined to the upper income quintiles, and if we find that action is needed it will apply across the board.

Diesel Fuels

Mr. Peter Ainsworth: To ask the Chancellor of the Exchequer how tax relief attaching to diesel fuels applies in the case of fuels comprising both diesel and biodiesel. [15525]

Mr. Boateng *[holding answer 16 November 2001]:* There is no tax relief on diesel used as a road fuel. A blend of diesel and biodiesel used in one of the non road fuel purposes specified in schedule 1 to the Hydrocarbon Oil Duties Act 1979 would be charged at the rebated rate of 3.13p per litre.

Under the Green Fuel Challenge, the Government will, subject to EU agreement, introduce a new duty rate for biodiesel in Budget 2002, at 20p per litre below the rate then in force for ultra-low sulphur diesel. Provisions covering duty on blends of biodiesel and diesel will be reviewed in the light of this new duty rate.

Fair Trade Goods

Mr. Weir: To ask the Chancellor of the Exchequer what his Department's policy is in relation to departmental spending for supplies concerning the purchase of fair trade goods. [15217]

Mr. Andrew Smith *[holding answer 16 November 2001]:* As my hon. Friend the Parliamentary Under-Secretary of State for International Development has stated in his answer of 16 November 2001, *Official Report*, column 931W, it is Government policy to promote fair trade products, subject of course to the need to obtain value for money in public procurement for the taxpayer.

Public-private Partnerships

Matthew Taylor: To ask the Chancellor of the Exchequer for what reason the Government do not count incurring of liabilities through public-private partnerships as the incurring of financial liabilities in the consideration of the achievement of the Government's fiscal rules; and if he will make a statement. [16077]

Mr. Andrew Smith: Most public-private partnerships involve operating leases rather than finance leases. In accordance with Statement of Standard Accounting Practice 21, the Government do not capitalise operating leases but do capitalise, and thus count as a financial liability, all finance leases.

Tax Credits

Mr. Lidington: To ask the Chancellor of the Exchequer what discussions he has held with the Secretary of State for Education and Skills regarding the impact of fraud on tax credits for *(a)* education and *(b)* training. [15703]

Dawn Primarolo: The Chancellor of the Exchequer meets regularly with his Cabinet colleagues to discuss a wide range of issues.

Mr. Lidington: To ask the Chancellor of the Exchequer (1) what estimate he has made of the likely cost in financial year 2002–03 of *(a)* an incremental research and development tax credit for all companies paid only on additional spending and *(b)* a research and development tax credit for all companies covering all relevant spending; [15702]

(2) what assessment he has made of the incremental approach to the operation of research and development tax credits. [15701]

Dawn Primarolo: The Government set out their views of an incremental R and D tax credit for large companies in the Budget consultation document "Increasing Innovation" published on 7 March. Since then we have received a number of responses from companies, representative bodies and others, which we are considering. The cost of such a measure depends upon the rate at which the credit is given and the final design of the scheme. Until decisions are reached on the design of the credit and the rate of relief, it is not possible to estimate the cost of the credit.

Climate Change Levy

Mr. Lidington: To ask the Chancellor of the Exchequer what was the average excess charge for all companies paying the climate change levy with an excess charge over and above NI rebates in the last year for which figures are available, broken down by industrial sector. [15705]

Mr. Boateng: The climate change levy was only introduced in April 2001. Therefore no annual figures are available.

Mr. Lidington: To ask the Chancellor of the Exchequer what estimate he has made of the proportion of companies paying the climate change levy which will pay an excess charge over and above NI rebates. [15706]

Mr. Boateng: The climate change levy is broadly revenue neutral with all revenue being recycled back to business through a reduction in national insurance contributions cuts and support for energy efficiency measures. The impact on any specific company or sector will depend on a number of factors, including: their future energy consumption and the use made of levy funded energy efficiency support; employment levels and the benefits received from the levy funded reductions in national insurance contributions; eligibility to receive a discount by signing up to an energy efficiency agreement; the use made of electricity generated from 'new' renewable sources of energy and combined heat and power, both of which are levy exempt.

Mr. Lidington: To ask the Chancellor of the Exchequer from how many *(a)* companies and *(b)* business organisations he has received pre-budget representations regarding the impact of the climate change levy. [15699]

Mr. Boateng: The Government have received representations from a variety of businesses, trade bodies, environmental organisations and other interested parties. They are being considered as part of the pre-Budget report process.

Mr. Lidington: To ask the Chancellor of the Exchequer what estimate he has made of the cost of administering the *(a)* aggregates tax and *(b)* climate change levy in their first full year of operation. [15704]

Mr. Boateng: Estimates of the costs of administering the aggregates levy and the climate change levy are contained in the respective regulatory impact assessments, which have been placed in the Library.

Mr. Lidington: To ask the Chancellor of the Exchequer what representatives he will send to the manufacturing summit to explain the operation of the climate change levy. [15700]

Mr. Boateng: The operation of the climate change levy is fully set in Customs and Excise notice CCL1.

Cannabis

Paul Flynn: To ask the Chancellor of the Exchequer if he will estimate how much revenue would accrue annually if cannabis were taxed in the same way as tobacco, assuming consumption by 2 million users. [16126]

Mr. Boateng: No such estimates are currently available.

Cigarette Imports

Mr. Gibb: To ask the Chancellor of the Exchequer, pursuant to his answer of 12 November 2001, *Official Report*, column 531W, if he will specify how many cigarettes Customs and Excise guidelines state would prima facie be regarded as not for own use. [15159]

Mr. Boateng: Travellers from the EU can bring in as many cigarettes as they like for own use. Customs do not enforce any absolute limits. Each individual's purchases are assessed in the light of the individual circumstances. If the amount is over the Minimum Indicative Level of 800, set out EC Directive 92/12 and in the Excise Duties (Personal Reliefs) Order 1992 the traveller may be required to satisfy Customs that they are not being held or used for a commercial purpose.

Aggregates

Mr. Lidington: To ask the Chancellor of the Exchequer what was the total weight of aggregates used by public or public/private projects in the last financial year for which information is available in *(a)* road building and *(b)* rail infrastructure. [15697]

Mr. Boateng: Responsibility for this rests with my right hon. Friend the Secretary of State for Transport, Local Government and the Regions.

Tax Credits Consultation Paper

Mr. Willetts: To ask the Chancellor of the Exchequer which organisations have responded to the tax credits consultation paper issued by the Inland Revenue. [15146]

Dawn Primarolo: Over 170 written responses to this consultation document have been received from a wide range of organisations and individuals.

Ethnic Groups (Wycombe)

Mr. Goodman: To ask the Chancellor of the Exchequer how many people of each ethnic group *(a)* live in the Wycombe constituency and *(b)* have been living there during the past four years. [14875]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Kidgell to Mr. Paul Goodman, dated 19 November 2001:

The National Statistician has been asked to reply to your recent question to the Chancellor of the Exchequer asking how many people of each ethnic group (a) live in Wycombe constituency and (b) have been living there during the past four years. I am replying in his absence. (14875)

The only information that can be provided for (a) is from the 1991 Census. No information is available for (b).

The information shown in the table overleaf is therefore based on the 1991 Census, but revised to reflect the Wycombe Parliamentary Constituency as constituted with effect from 1 May 1997.

1991 Census. Number of residents by ethnic group for the Wycombe parliamentary constituency as constituted with effect from 1 May 1997

Ethnic group	*Number*
White	85,018
Black Caribbean	2,965
Black African	195
Black other	594
Indian	836
Pakistani	5,761
Bangladeshi	78
Chinese	218
Other groups	
Asian	323
Other	1,250
Total residents	97,238

Unemployment (Wycombe)

Mr. Goodman: To ask the Chancellor of the Exchequer what the level of unemployment in the Wycombe constituency was in *(a)* September 2000 and *(b)* September 2001. [14877]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Paul Goodman, dated 19 November 2001:

As National Statistician I have been asked to reply to your recent question about the level of unemployment in the Wycombe constituency in September 2000 and September 2001 (14877).

The Office for National Statistics (ONS) compiles statistics for unemployment from surveys following the standard International Labour Organisation definition. However, for the Wycombe parliamentary constituency the survey sample size is too small to provide estimates.

ONS also compiles statistics of claimants of unemployment-related benefits. The claimant count consists of all people claiming Jobseeker's Allowance or National Insurance credits at Employment Service local offices. They must declare that they are out of work, capable of, available for and actively seeking work during the week in which the claim is made.

Between September 2000 and September 2001 the claimant count level in the Wycombe parliamentary constituency rose by 108 from 1,403 to 1,151.

Earnings (Wycombe)

Mr. Goodman: To ask the Chancellor of the Exchequer what the average *(a)* weekly wage, *(b)* weekly earnings, *(c)* income per head and *(d)* household income of (i) men and (ii) women was in each ethnic group in the Wycombe constituency in each of the last five years. [14866]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Paul Goodman, dated 19 November 2001:

As National Statistician I have been asked to reply to your recent question on earnings of men and women in the Wycombe constituency by ethnic group (14866).

The most recent available information is from the Labour Force Survey (LFS) for Winter 2000–01. This is only available for the Local Authority District of Wycombe and not for parliamentary constituencies, and is shown in the table overleaf. Information in the detail you require is not available except for average weekly earnings for the total of men and women, and for the 'White' ethnic group. The sample sizes are too small to provide estimates for other groups.

The Family Resources Survey (FRS) provides estimates of income by household. However no data is available at a parliamentary constituency or Local Authority District level for ethnic origin from this source.

Average gross weekly earnings of full-time[1] employees by ethnicity; Wycombe Local Authority District; Winter (December to February) 2000–01; not seasonally adjusted

£

Employees by ethnicity	*Winter 2000–01*
All persons	514
White	535
Non-white	[2]—

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[1] The definition of full-time is based on respondents' self assessment

[2] Sample size too small for reliable estimate

Railtrack

Mr. Hogg: To ask the Chancellor of the Exchequer when, after 1 August, the Treasury sent advice to the Department for Transport, Local Government and the Regions that it was unlikely that additional public funding for Railtrack would be approved. [13470]

Mr. Andrew Smith *[holding answer 9 November 2001]:* I refer the right hon. and learned Member to the statement made to the House by my right hon. Friend the Secretary of State for Transport, Local Government and the Regions on 13 November 2001, *Official Report*, columns 723–24.

Mr. Bercow: To ask the Chancellor of the Exchequer (1) if *(a)* Ministers and *(b)* officials from Her Majesty's Treasury attended meetings on 27 July between representatives from Railtrack and the Department for Transport, Local Government and the Regions; [15259]

(2) when he first discussed with *(a)* Ministers and *(b)* officials the request by Railtrack for the payment of £162 million on 1 October; [15265]

(3) if he will place in the Library of list of meetings regarding the rail industry held between *(a)* Ministers and *(b)* officials from Her Majesty's Treasury between 1 July and 7 October with (i) representatives of Railtrack, (ii) representatives of the Strategic Rail Authority and (iii) representatives of the Rail Regulator; [15264]

(4) pursuant to his answer of 7 November 2001, *Official Report*, column 252W, when he was first informed that the Railway Administration Order 2001, relating to the potential administration of Railtrack, was being drafted; [15040]

(5) if consultations took place between *(a)* officials and *(b)* Ministers from Her Majesty's Treasury and (i) officials and (ii) Ministers from the Department for Transport, Local Government and the Regions prior to 7 October, regarding (A) the drafting of the Railway Administration Order 2001 relating to the potential administration of Railtrack and (B) the request by Railtrack for the payment of £162 million on 1 October; [15263]

(6) when he first discussed the possibility of Railtrack being placed into administration with *(a)* the Secretary of State for Transport, Local Government and the Regions and *(b)* the Prime Minister; [15266]

(7) pursuant to his answer of 7 November 2001, *Official Report*, column 252W, when and by whom he was first informed that the Secretary of State for Transport, Local Government and the Regions was considering placing Railtrack into administration; [15039]

(8) if *(a)* Ministers and *(b)* officials from Her Majesty's Treasury attended meetings on 25 July between the Secretary of State for Transport, Local Government and the Regions and (i) the Chairman and (ii) other representatives of Railtrack; [15260]

(9) if he was informed prior to the announcement of the administration of Railtrack that the Secretary of State for Transport, Local Government and the Regions was considering the use of emergency legislation in respect of the powers of the Rail Regulator; and what discussions took place between his Department and the Department for Transport, Local Government and the Regions on this matter prior to the announcement of the administration of Railtrack; [15262]

(10) when he was first advised, and by whom, that there was a prospect of Railtrack no longer being a going concern; [15271]

(11) if *(a)* Ministers and *(b)* officials from Her Majesty's Treasury attended meetings on 5 October between the Secretary of State for Transport, Local Government and the Regions and the Rail Regulator. [15261]

Mr. Andrew Smith: Treasury Ministers and officials have discussions with a wide range of organisations, including other Government departments, on a wide range of subjects on a regular basis.

WORK AND PENSIONS

Nursing and Residential Homes

Mr. Burstow: To ask the Secretary of State for Work and Pensions if he will set out the most recent figures he has for the proportion of preserved rights residents in *(a)* nursing homes, *(b)* residential homes and *(c)* nursing and residential homes whose (i) fees are equal to or below income support, (ii) top-up is less than their personal expenses allowance, (iii) top-up is between personal expenses allowance and £20, (iv) top-up is between £20.01 and £30 and increments of £10 thereafter up to £70.01 and over. [15132]

Malcolm Wicks: The information is in the table.

	All preserved rights cases		*Residential care*		*Nursing homes*	
	Number (Thousand)	*Percentage*	*Number (Thousand)*	*Percentage*	*Number (Thousand)*	*Percentage*
All cases	65.1	100.0	47.6	100	17.4	100
Fees equal to or below IS	35.2	54.1	24.8	52.1	10.4	59.4
Fees above IS	29.9	45.9	22.8	47.9	7.1	40.6
of which above IS by:						
£0.01 to £16.04[1]	8.3	12.7	5.1	10.8	3.1	18.0
£16.05 to £20.00	1.8	2.8	1.4	3.0	[2]0.4	[2]2.3
£20.01 to £30.00	2.6	4.1	1.9	3.9	0.8	4.5
£30.01 to £40.00	2.1	3.2	1.6	3.4	[2]0.5	[2]2.6
£40.01 to £50.00	1.2	1.9	0.8	1.7	[2]0.4	[2]2.5
£50.01 to £60.00	1.1	1.7	0.9	1.9	[2]0.2	[2]0.9
£60.01 to £70.00	1.0	1.5	0.8	1.6	[2]0.2	[2]1.3
£70.01 and over	11.8	18.1	10.3	21.6	1.5	8.5

[1] Below the personal expenses allowance of £16.05.

[2] Subject to a high degree of sampling error and should be used as a rough guide to the current situation only.

Notes:

1. Figures are based on a 5 per cent. sample and are therefore subject to a degree of sampling error.
2. Numbers have been rounded to the nearest hundred and are expressed in thousands.

Source:

Income Support Quarterly Statistical Enquiry, May 2001

Disability Benefits

Mr. Boswell: To ask the Secretary of State for Work and Pensions what studies he is conducting into new systems for assessing entitlement to disability living allowance and attendance allowance. [14367]

Maria Eagle *[holding answer 13 November 2001]:* We are currently conducting a small-scale test to ascertain whether it might be viable to continue development of a possible new system, known as "Activities for Managing Life" (AMLs), for gathering information about the care and mobility needs of severely disabled people who claim DLA and AA, and for assessing their entitlement to those benefits.

Fair Trade Goods

Mr. Weir: To ask the Secretary of State for Work and Pensions what his Department's policy is in relation to departmental spending for supplies concerning the purchase of fair trade goods. [15219]

Mr. Nicholas Brown: I refer the hon. Member to the answer my hon. Friend the Under-Secretary of State for International Development gave to him on 16 November 2001, *Official Report,* column 931W.

Benefit Eligibility

Annabelle Ewing: To ask the Secretary of State for Work and Pensions if he will list the procedural steps for assessing eligibility, reviewing, appealing and making payment of *(a)* severe disablement allowance, *(b)* maternity allowance, *(c)* industrial injuries disablement allowance, *(d)* reduced earnings allowance/retirement allowance, *(e)* attendance allowance and *(f)* disability working allowance, indicating which of the offices of his Department and his agencies in Scotland handle each of these steps. [12194]

Maria Eagle *[holding answer 2 November 2001]:* This is a matter for Alexis Cleveland, Chief Executive of the Benefits Agency. She will write to the hon. Member.

Letter from Alexis Cleveland to Annabelle Ewing, dated 16 November 2001:

The Secretary of State for Work and Pensions has asked me to respond to your recent Parliamentary Question asking if he will list the procedural steps for assessing eligibility, reviewing, appealing and making payment of (a) severe disablement allowance (b) maternity allowance (c) industrial injuries disablement allowance (d) reduced earnings allowance/retirement allowance (e) attendance allowance and (f) disability working allowance, indicating which of the offices of his Department and his agencies in Scotland handle each of these steps.

Information is not available about Disability Working Allowance as this was replaced by the Disabled Person's Tax Credit in October 1999, and is now administered by the Inland Revenue. Details of eligibility and payments for the other benefits listed have been placed in the House of Commons Library.

The revision and appeals process is the same for all benefits. When an appeal is received in the Benefits Agency (BA), the Decision Maker considers whether there are any new grounds raised that would enable the decision to be revised. If not, a written submission is prepared and it and copies of the evidence are sent to The Appeals Service. At the same time a copy of the submission and the evidence is sent to the appellant and any known representative. The appellant is also sent a pre-hearing enquiry form to complete and return to the Appeals Service to indicate whether he/she wants his/her appeal to be dealt with by an oral or paper hearing.

On receipt of the appeal submission and documents, the appeal is registered by the Appeals Service. When the pre-hearing enquiry form is received from the appellant, the appropriate type of hearing is arranged. Where an oral hearing has been requested, the panel member(s) who will form the appeal tribunal are allocated according to type of appeal and all interested parties (appellant, representative and BA) are notified of the date, time and place of the hearing.

The panel members who form the appeal tribunal are independent of the Department for Work and Pensions and are appointed by the Lord Chancellor. When they have made their decision, all interested parties are notified. If the appeal tribunal finds in the appellant's favour, the BA is then responsible for implementing the tribunal's decision.

I hope this is helpful.

Jobcentre Plus

Mr. Willetts: To ask the Secretary of State for Work and Pensions how many Jobcentre Plus pathfinder offices have been subjected to, or threatened with, industrial action; for what reasons industrial action has been taken; and what measures he is taking to resolve this industrial action. [7897]

Mr. Nicholas Brown: 49 pathfinders opened as planned on Monday 22 October and staff are enthusiastically providing a full service. In the areas balloted by PCS two-thirds of staff are working. The dispute is over the delivery of welfare benefits to people of working age in a predominantly unscreened environment.

Jobcentre Plus will introduce a radical improvement to customer service based on Personal Advisers working closely with individuals to help them into jobs and to secure the right financial support. This cannot be achieved from behind screens.

The Department remains in discussion with the Public and Commercial Services Union to seek to resolve this dispute in a way which is compatible with the Government's objectives for delivering a modern, personalised and work-focused service in Jobcentre Plus. We are putting in place contingency arrangements to ensure that claimants can continue to receive their benefit.

Pension Awareness Campaign

Mr. Willetts: To ask the Secretary of State for Work and Pensions for what reason the pension awareness advertising campaign was *(a)* stopped and *(b)* restarted. [7902]

Mr. McCartney: Advertising is just one element of the pensions education campaign. This is an on-going campaign which runs constantly throughout the year through a wide variety of channels. Advertising appears at various intervals during the campaign and is planned to run during periods when it will be most effective.

Stakeholder Pensions

Mr. Willetts: To ask the Secretary of State for Work and Pensions, (1) pursuant to his answer of 28 June 2001, *Official Report*, column 158W, when figures showing the number of people who have bought a stakeholder pension each month will be available; and what proportion of these pensions have been bought on behalf of someone else; [7915]

(2) how many people have taken out stakeholder pensions in each month since April. [7918]

Mr. McCartney: The information is not available in the format requested. The information available is shown in the table.

Period	*Number of stakeholder pension policies sold*
April—June 2001	224,506
July 2001	69,087
August 2001	63,585

Note:

Figures shown are provided by the Association of British Insurers and are based on returns from registered stakeholder pension providers. Monthly figures for the April—June quarter are not available. Figures from July onwards are provided by the ABI through news releases on a monthly basis. (They are released approximately five weeks in arrears owing to the need for prior collection and analysis of data).

Jeff Ennis: To ask the Secretary of State for Work and Pensions by what means he plans to *(a)* monitor and *(b)* police employers, with 50 or fewer workers, who do not register to promote a stakeholder pension for their workforce. [11994]

Mr. McCartney: I refer my hon. Friend to the Written Answer I gave the right hon. Member for Hitchin and Harpenden (Mr. Lilley) on 23 October 2001, *Official Report*, column 180W.

Industrial Injury Disablement Benefit

Dr. Gibson: To ask the Secretary of State for Work and Pensions how many applicants have successfully claimed industrial injury disablement benefit for prescribed disease for primary neoplasms of the epithetical lining of the urinary tract in each year since 1996; and how many of those *(a)* successful and *(b)* unsuccessful applicants were employed in the printing and related industries. [8624]

Malcolm Wicks: The information is not available in the format requested. Such information as is available is in the table:

Primary neoplasm (including papilloma, carcinoma-in-situ and invasive carcinoma) of the epithelial lining of the urinary tract (renal pelvis, ureter, bladder and urethra)

Year	*Successful new applications for Industrial Injuries Disablement Benefit*
1996–97	22
1997–98	34
1998–99	29
1999–2000	26
2000–01	30

Notes:

1. Figures are based on a 100 per cent. count and relate to assessments of disability over 14 per cent.
2. No information is collected on the number of unsuccessful claims.
3. As there have been fewer than five successful applications in each year by those employed in the printing and related industries, actual figures cannot be disclosed to protect the confidentiality of individuals.

Housing Benefit

Mr. Webb: To ask the Secretary of State for Work and Pensions what his plans are to reform housing benefit. [8970]

Malcolm Wicks: Our first priority has been to work with local authorities to drive up administrative standards, tackle fraud and error and improve work incentives.

The Department's response to consultation on the Housing Green Paper, "Quality and Choice: A decent home for all—The way forward for housing" (December 2000), set out a wide-ranging package of measures to help improve service delivery and streamline the system making Housing Benefit easier for councils to administer and those in need to claim.

For the longer term we intend to ensure that, for people of working age, Housing Benefit strengthens work incentives further. We will work with wider housing reforms to make Housing Benefit part of a system that encourages choice, responsibility and fairness.

IT Projects

Mr. Webb: To ask the Secretary of State for Work and Pensions, pursuant to his answer of 20 July 2001, *Official Report*, columns 689–90W, on IT projects, (1) if he will list individual Department of Work and Pensions information technology projects grouped under *(a)* working age, *(b)* pensions, *(c)* children and *(d)* corporate; and for each of those projects, what is (i) the expected completion date and (ii) the estimated cost; [10466]

(2) if he will give *(a)* reasons for and *(b)* a breakdown of, the increase from the planned costs to the current estimated costs for Department for Work and Pensions information technology projects on its (i) pensions, (ii) corporate and (iii) children's programmes. [10467]

Mr. McCartney: I refer to my answer of 20 July 2001, *Official Report*, columns 689–90W. The information technology elements of the Department's modernisation programme are not shown separately from the overall programme costs because contracts have not yet been let for many of the IT projects.

Early estimates have been revised as a result of the 2000 Spending Review settlement which provided additional funding for modernising the Department which enabled it to undertake necessary and more extensive improvements. Additional improvements have therefore come on stream since initial calculations were made and estimates have been revised for Child Support reforms as implementation has progressed.

Computer Crime

Mr. Burstow: To ask the Secretary of State for Work and Pensions how many cases of computer *(a)* hacking, *(b)* fraud and *(c)* theft his Department has recorded in 2000 and 2001; and on how many occasions in 2000 and 2001 computer systems in his Department have been illegally accessed by computer hackers (i) within and (ii) outside his Department. [11001]

Mr. McCartney: The information is as follows:

Calendar Year	*Hacking*	*Fraud*	*Theft*
2001	0	1	42
2000	0	5	73

Benefits (Northampton)

Mr. Tony Clarke: To ask the Secretary of State for Work and Pensions how many people in the Northampton, South constituency have been in receipt of *(a)* income support, *(b)* disability living allowance, *(c)* incapacity benefit, *(d)* unemployment benefit and *(e)* housing benefit in each of the last 10 years. [11288]

Malcolm Wicks: Information is not available in the format requested. Such information as is available is in the tables.

Benefit recipients in the Northampton South constituency

Year	*(a) Income support*	*(b) Disability living allowance*	*(c) Incapacity benefit*	*(d) Jobseeker's allowance*
1997	5,300	2,700	2,100	2,200
1998	5,400	2,700	1,900	1,600
1999	5,400	2,900	1,900	1,600
2000	5,700	3,200	1,800	1,200
2001	5,900	3,400	1,800	1,300

Notes:

1. Data prior to 1997 are not available at constituency level.
2. Figures are rounded to the nearest hundred.
3. With the exception of disability living allowance, figures are based on a 5 per cent. sample and are subject to a degree of sampling error.
4. Figures for income support include pensioners, including those in receipt of the minimum income guarantee since its introduction in April 1999.
5. Figures for incapacity benefit exclude a small number of clerically held cases.
6. Figures for incapacity benefit and jobseeker's allowance are for benefit recipients and exclude those receiving national insurance credits only.
7. Unemployment benefit was replaced by jobseeker's allowance from October 1996.

Source:

(a) Income support Quarterly Statistical Inquires May 1997 to May 2001.

(b) Disability living allowance annual 100 per cent. count in May of each year.

(c) Incapacity benefit Quarterly Statistical Inquires May 1997 to May 2001.

(d) Jobseeker's allowance Quarterly Statistical Inquires May 1997 to May 2001.

Housing benefit recipients in Northampton borough council area

Year	*Housing benefit recipients*
1992	13,500
1993	13,700
1994	13,900
1995	14,000
1996	14,100
1997	13,400
1998	12,800
1999	12,500
2000	11,100
2001	10,400

Notes:

1. The data refer to households, which may be a family, a single person or a couple.
2. Figures are rounded to the nearest hundred.
3. Housing benefit information is not collected by parliamentary constituency.

Source:

Housing Benefit Management Information System Quarterly 100 per cent. count in May of each year.

Departmental Publications

Mr. Bercow: To ask the Secretary of State for Work and Pensions how many publications were issued by his Department between 8 June and 26 October. [11825]

Mr. Nicholas Brown: The number of publications, defined as new or amended titles which includes booklets, leaflets, flyers and forms issued to the public or made available on request to the public is 356. This figure includes items published under the Department's agencies and Jobcentre Plus brands.

Jobseeker's Allowance

Mr. Clappison: To ask the Secretary of State for Work and Pensions (1) what his Department's estimates are of the number of people who will *(a)* find work and *(b)* be moved from incapacity benefit to jobseeker's allowance as a result of the Jobcentre Plus interviews regulations; [11263]

(2) what estimate his Department has made of the additional expenditure which will arise in the next three years as a result of people moving from incapacity benefit to jobseeker's allowance following a work-focused interview. [11408]

Mr. Nicholas Brown: Jobcentre Plus interviews are to discuss people's work aspirations either now or in the future and to ensure that all people of working age are aware of the help and support available if they choose to move into work.

Jobcentre Plus pathfinder offices will initially be working to existing Employment Service and Benefits Agency targets. Jobcentre Plus will have its own Annual Performance Agreement (APA) targets from April 2002, which will be agreed with the Secretary of State. In addition to these high level targets, lower level operational targets will be set by the Jobcentre Plus Chief Executive. The number of people helped into work overall will be a key outcome.

Public-private Partnerships

Matthew Taylor: To ask the Secretary of State for Work and Pensions if he will list the projects in his Department which have been considered as potential public-private partnerships since 1997 which have not been undertaken because the public sector comparator had a lower net present value than the public private partnership proposed; and if he will make a statement. [13430]

Mr. Nicholas Brown: I refer the hon. Member to the answer given by my right hon. Friend the Chief Secretary to the Treasury, on 13 November 2001, *Official Report*, column 607W, which sets out the position of public sector comparators in the investment appraisal process.

The Department has had no public-private partnership projects since 1997 that were not taken forward because the public sector comparator had a lower net present value.

Pension Rates

Paul Flynn: To ask the Secretary of State for Work and Pensions what would have been the value of the basic pension for a single person and a married couple in each year from 1998–99 to 2002–03 if it had been increased each year in line with the average earnings index for *(a)* the previous September and *(b)* May to July; and what would have been the additional costs in each year compared with the actual pension rates. [13724]

Mr. McCartney: In 2001–02 alone, the Government will spend around £4½ billion more in real terms on help for pensioners than was spent in 1996–97. That is almost £3 billion more than would have been spent through earnings uprating of the basic state pension. Of this extra spending, £2 billion is going to the poorest third of pensioners—five times more than an earnings link would have given them.

The information requested is shown in the tables.

	6(a) September		*(b) May-July*	
	Single	*Couple*	*Single*	*Couple*
1998–99	£65.00	£103.90	£64.95	£103.80
1999–2000	£68.40	£109.30	£68.65	£109.70
2000–01	£71.60	£114.40	£71.90	£114.90
2001–02	£74.60	£119.20	£74.80	£119.50
2002–03	£78.05	£124.70	£78.25	£125.00

Notes:

1. Figures are in cash terms, £ per week.
2. Part a uses the September whole economy, seasonally adjusted annual percentage change in the average earnings index.
3. Part b uses the May to July whole economy, seasonally adjusted headline rate from the average earnings index.

The extra cost of uprating the basic state pension by the average earnings index in *(a)* the previous September and *(b)* May-July would have been:

£ billion

	(a) September	*(b) May-July*
1998–99	0.2	0.1
1999–2000	0.8	0.9
2000–01	2.1	2.2
2001–02	1.1	1.2
2002–03	1.2	1.3

Note:

Figures are in constant 2001–02 price terms, rounded to the nearest £100 million.

Disability Living Allowance

Mr. Boswell: To ask the Secretary of State for Work and Pensions how many disabled children qualify for Disability Living Allowance; what the percentage take-up of benefit is; and if he will make a statement on action being taken to improve the take-up figures. [13902]

Maria Eagle *[holding answer 13 November 2001]:* The latest available information is that 227,000 children aged under 16 were receiving Disability Living Allowance at 31 May 2001. Estimates of the take-up of this benefit are not routinely made. We keep take-up of benefit under review.

Touch Screen Kiosks

Mr. Bercow: To ask the Secretary of State for Work and Pensions if he will make a statement on the cost of touch screen kiosks for job search in jobcentres. [14093]

Mr. Nicholas Brown: I refer the hon. Member to the answer given to the hon. Member for Hertsmere (Mr. Clappison) on 12 November 2001, *Official Report*, column 583W.

Benefits (Buckingham)

Mr. Bercow: To ask the Secretary of State for Work and Pensions how many people living in the Buckingham constituency were in receipt of income-related benefits in each of the last four years. [14211]

Malcolm Wicks: The available information is in the tables.

Income-related benefit recipients in the Buckingham constituency

	Income support	*Jobseeker's allowance (income based)*	*Family credit/working families tax credit*	*Disability working allowance/disabled person's tax credit*[1]	*Total*
May 1998	2,000	*300	*300	11	2,600
May 1999	2,000	*300	*300	14	2,600
May 2000	2,000	*200	500	14	2,700
May 2001	2,000	*100	800	18	3,000

[1] Disabled Working Allowance/Disabled Person's Tax Credit figures are for April each year.

Notes:

1. Figures (other than Disability Working Allowance/Disabled Person's Tax Credit which is a 100 per cent. count of all cases) are based on a 5 per cent. sample and are therefore subject to a degree of sampling error.
2. Figures marked '*' are subject to a high degree of sampling error and should be treated as a rough guide to the situation only.
3. Income Support/Jobseeker's Allowance (Income Based) and 'Total' figures have been rounded to the nearest 100.
4. Income Support/Jobseeker's Allowance claimants in receipt of Family Credit/Working Families Tax Credit or Disability Working Allowance/Disabled Person's Tax Credit are not shown in Income Support/Jobseeker's Allowance totals.
5. Family Credit and Disability Working Allowance were replaced by Working Families' Tax Credit and Disabled Person's Tax Credit in October 1999.

Sources:

Income Support Quarterly Statistical Enquiries May 1998–May 2001.
Jobseeker's Allowance Quarterly Statistical Enquiries May 1998–May 2001.
Family Credit/Working Families' Tax Credit Quarterly Statistical Enquiries May 1998–May 2001.
Disability Working Allowance/Disabled Person's Tax Credit Quarterly Statistical Enquiries April 1998-April 2001.

Housing Benefit and Council Tax Benefit figures are not available for the Buckingham constituency but are available for Aylesbury Vale district council.

Housing Benefit and Council Tax Benefit caseload for Aylesbury Vale district council

Aylesbury Vale[1]	*Housing Benefit*	*Council Tax Benefit*
May 1998	5,880	6,840
May 1999	5,720	6,660
May 2000	5,220	6,150
May 2001	5,000	6,020

[1] Buckingham parliamentary constituency and Aylesbury parliamentary constituency are both covered in part by the Aylesbury Vale Local Authority area. Figures are not therefore representative of the constituency area.

Notes:

1. The data refer to households, which may be a single person or a couple.
2. The figures have been rounded to the nearest 10 cases.

Source:

Housing Benefit and Council Tax Benefit Management Information System quarterly 100 per cent. caseload stock-count taken each May from 1998 to 2001.

Benefits Agency

Mr. Clappison: To ask the Secretary of State for Work and Pensions (1) how many cases of vandalism were recorded in Benefits Agency offices in each year since 1997; and how many successful prosecutions were brought in respect of such cases; [14229]

(2) what was the approximate cost of vandalism in Benefits Agency offices in each year since 1997. [14239]

Mr. Nicholas Brown *[holding answer 12 November 2001]:* At the outset of the PRIME contract on 1 April 1998, all risk arising from vandalism and causing damage to accommodation, furniture and fittings in Benefits Agency premises transferred to Land Securities Trillium. Land Securities Trillium is responsible therefore for all costs associated with their repair or replacement. Land Securities Trillium do not maintain statistics on vandalism in Benefits Agency offices.

Incidents such as criminal damage or vandalism, are referred to the police for investigation and possible prosecution.

Social Security (Modernisation Budget)

Mr. Kirkwood: To ask the Secretary of State for Work and Pensions on what items the budget for modernising the delivery of the social security system allocated in the 2000 Spending Review has been spent; and how the budget will be spent in 2001–02. [14311]

Mr. Nicholas Brown: The budget for modernising the delivery of the social security system, allocated in the 2000 Spending Review, was spent on the items listed. Spending will continue on these items in 2001.

Payment Modernisation Programme

New IT for the Child Support Agency

New front end systems

Replacement of legacy systems

Improvement to management information

PCs for all staff

Modernising services to pensioners, including preparation for the pensioner credit

DSS (now DWP) work on the integrated child credit, which now forms part of New Tax Credit.

Benefit Expenditure (Scotland)

Mr. Cousins: To ask the Secretary of State for Work and Pensions what recent request he has received from the Scottish Executive to transfer benefit expenditure to the Executive; and what consequential changes to benefit eligibility are implied by such requests. [14350]

Maria Eagle *[holding answer 13 November 2001]:* In September 2001, the Scottish Executive requested a transfer of resources from the Department in respect of their proposals on free personal care.

My right hon. Friend decided not to agree to their proposal. No further request has been received from the Scottish Executive.

Pension Clawback

Mr. Boswell: To ask the Secretary of State for Work and Pensions what was *(a)* the total annual clawback of pensions arising from downgrading owing to hospitalisation and *(b)* the estimated total arising from each specific category of downgrading in each of the last five years. [14368]

Mr. McCartney *[holding answer 13 November 2001]:* Information is unavailable prior to 1997–98.

The estimated total arising from each specific category of downrating in each of the last five years is:

£ million

Year	*6–52 weeks downrating*	*Over 52 weeks downrating*
1997–98	23	36
1998–99	25	34
1999–2000	26	31
2000–01	28	29

Notes:

1. Figures in 2000–01 prices
2. Figures rounded to nearest £ million

The rules for the adjustment of benefits for periods in hospital are applied to most social security benefits such as incapacity benefit as well as to retirement and widow's pension. These rules, which are laid down in law, have been applied with only minor modifications since the introduction of the national insurance scheme over 50 years ago. The rules are based on the view that while the national health service provides free maintenance as well as free treatment, maintenance benefits, also paid out of state funds, should not be paid in full indefinitely.

Departmental Name Change

Mr. Bercow: To ask the Secretary of State for Work and Pensions what the cost has been to public funds of re-branding his Department to accommodate its name change following the last general election. [14436]

Mr. Nicholas Brown: The total cost of re-branding the Department to accommodate its name change following the last general election has been £232,044.

Pension Credit

Mr. Bercow: To ask the Secretary of State for Work and Pensions (1) what measures he has taken to ensure that advice is available to benefit recipients on the interaction between housing/council tax benefit and the pension credit; and what is the anticipated cost of that advice; [14448]

(2) if he will make a statement on how entitlements to housing and council tax benefit will be affected by the pension credit; [14447]

Mr. McCartney: The pension credit forms a key part of the Government's overall strategy for tackling pensioner poverty.

We are completing the design of the pension credit and will publish details of our proposals, including the interaction of pension credit with housing benefit and council tax benefit, when the Bill is introduced. We are planning a more customer-focused service tailored to individual needs which will include information on the benefits to which pensioners may be entitled.

"Removing the Barriers"

Mr. Burstow: To ask the Secretary of State for Work and Pensions, pursuant to his answer to the hon. Member for Sutton and Cheam of 6 November 2001, *Official Report*, columns 195–96W, on "Removing the Barriers", if he will specify improvements which have been introduced as a result of the report's recommendations. [14617]

Malcolm Wicks *[holding answer 14 November 2001]:* We consider carefully the findings of reports such as "Removing the Barriers". While the welfare reforms the Government have, and continue to make, have not been made as a specific result of concerns expressed in this particular report, they address many of the concerns raised.

The report concluded that there was a need for a co-ordinated approach to the provision of welfare services and that central and local government needed to share common objectives. We are committed to working together with the Local Government Association and have already agreed a framework for the conduct of relations between central and local government. Among the many things the framework embraces is a commitment to reflect both local and national priorities and the views of local communities.

The new pension service will also be based on working in close partnership with local authorities, particularly to encourage the take-up of benefits for older people. Officials met with the local government association on 24 October to discuss how these proposals can be taken forward.

Freedom of Information Act

Matthew Taylor: To ask the Secretary of State for Work and Pensions on what date his Department established a working group of officials to prepare his Department for the implementation of the Freedom of Information Act 2000; and on what dates this committee has met since it was set up. [14779]

Mr. McCartney: A working group has been established within the Department for Work and Pensions to consider implementation of the Freedom of Information Act across the Department.

The first meeting of the group was held on Wednesday 24 October 2001 and provided an overview of the provisions of the Act. Future meetings will consider more detailed implementation plans. The membership of the group includes representatives from the Corporate Centre, departmental agencies including Employment Services and associated non-departmental public bodies.

Pensioners (Wycombe)

Mr. Goodman: To ask the Secretary of State for Work and Pensions how many *(a)* men and *(b)* women in each ethnic group of pensionable age there (i) were in the Wycombe constituency and (ii) have been in each of the last four years. [14878]

Mr. McCartney: The information requested is not collected centrally by this Department.

Personal Advisers

Mr. Willetts: To ask the Secretary of State for Work and Pensions if incapacity benefit claimants who make a claim at a Jobcentre Plus office are assigned a personal adviser immediately. [15148]

Mr. Nicholas Brown: People making a new or repeat claim to incapacity benefit through Jobcentre Plus will meet with a personal adviser at a work focused interview at the start of their claim. During this interview they will normally be given information about the New Deal for Disabled People (NDDP) and details of local job brokers. If they wish to take part in NDDP then further support will be provided by their chosen job broker.

Child Poverty

Chris Ruane: To ask the Secretary of State for Work and Pensions how many children were living in poverty in each of the last 15 years; and what estimate he has of the number of children that will be living in poverty in each of the next three years. [16099]

Malcolm Wicks: Child poverty is a complex multi-dimensional concept, affecting many aspects of children's lives—including their living standards, health, housing, the quality of the environment, and opportunities to learn. The third "Opportunity for all" report (Cm 5260) sets out the Government's strategy for tackling child poverty and presents the latest information on the indicators used to monitor progress against this strategy. The report also contains details of Public Service Agreement targets which set levels of progress to be achieved over specific timescales.

New Deal

Chris Ruane: To ask the Secretary of State for Work and Pensions how many young people aged under 25 years have been *(a)* killed and *(b)* injured while on new deal schemes in each of the last three years. [16095]

Mr. Nicholas Brown: Since April 1998 there has been one fatality and 230 injuries reported on the new deal for young people. These are broken down as follows for each of the last three years:

Year	*Injuries*	*Fatality*
April 1998 to March 1999	21	1
April 1999 to March 2000	130	—
April 2000 to March 2001	79	—
Total	230	1

Mr. Clappison: To ask the Secretary of State for Work and Pensions what estimate he has made of the number of persons classified as leaving the New Deal for Young Persons to unknown destinations who left for sustained jobs in each of the last three years. [8125]

Mr. Nicholas Brown: We estimate from surveys of this group that over 50 per cent. of those who have left the New Deal for Young People for unknown destinations moved into sustained jobs.

Mr. Clappison: To ask the Secretary of State for Work and Pensions (1) how many people left the Environmental Taskforce option of the New Deal for Young People between July 1999 and October 2001 for *(a)* an unknown destination, *(b)* sustained unsubsidised employment, *(c)* jobs lasting less than 13 weeks, *(d)* other benefits and *(e)* another known destination; [11596]

(2) how many people left the voluntary sector option of the New Deal for Young People between July 1999 and October 2001 for *(a)* an unknown destination, *(b)* sustained unsubsidised employment, *(c)* jobs lasting less than 13 weeks, *(d)* other benefits and *(e)* another known destination. [11597]

Mr. Nicholas Brown: The available information is in the table. Figures for the numbers leaving for jobs lasting less than 13 weeks are not available as, by definition, all clients who enter a job and return to benefit within 13 weeks are not classed as having left New Deal.

Numbers and destinations of leavers from the Environment Taskforce and Voluntary Sector options: July 1999—August 2001

	Environment taskforce	*Voluntary sector*
Total leavers	33,960	34,920
Unsubsidised job	10,650	11,480
Other benefits	2,970	3,290
Other known destination	10,140	10,410
Unknown destination	10,200	9,740

Source:

Employment Service New Deal Evaluation Database

Mr. Clappison: To ask the Secretary of State for Work and Pensions, pursuant to the answer from the Minister for Work to the hon. Member for Vale of York (Miss McIntosh) of 12 November 2001, *Official Report*, column 865, if he will place in the Library the evidence referred to on the number of people who have found work as a result of the new deal for the under-25s. [16221]

Mr. Nicholas Brown: The report "The New Deal for Young People: Implications for Employment and the Public Finances" by Rebecca Riley and Garry Young, National Institute of Economic and Social Research (December 2000), is already in the Library.

Mr. Clappison: To ask the Secretary of State for Work and Pensions (1) how many persons have left the New Deal for Young People for *(a)* employment and *(b)* sustained employment lasting more than 13 weeks in Government Departments; what proportion such persons represent of the total number of persons (i) leaving the New Deal for Young People and (ii) leaving the New Deal for Young People for employment; how many joined each Government Department in each year since the inception of the New Deal for Young People; and what this last number represents as a proportion of (A) total recruitment and (B) recruitment in the 18–25 age group by the Department in question; [7981]

(2) how many persons left the New Deal for the long-term unemployed for *(a)* employment and *(b)* sustained employment in Government Departments; and what proportion such persons represent of the total number of persons leaving the New Deal for the long-term unemployed in each year since its inception; [9420]

(3) how many persons left the New Deal for Disabled People for *(a)* employment and *(b)* sustained employment in Government Departments; what proportion such persons represent of the total number of persons (i) leaving the New Deal for Disabled People and (ii) leaving the New Deal for Disabled People in each year since its inception; [9642]

(4) how many persons have left the New Deal for Lone Parents for *(a)* employment and *(b)* sustained employment in Government Departments; what proportion such persons represent of the total number of persons (i) leaving the New Deal for Lone Parents and (ii) leaving the New Deal for Lone Parents for employment; how many joined each Government Department in each year since its inception; [9682]

(5) how many persons have left the New Deal for people aged 50 and above for *(a)* employment and *(b)* sustained employment in Government Departments; what proportion such persons represent of the total number of persons (i) leaving the New Deal for people aged 50+ and (ii) leaving the New Deal for people aged 50+ for employment in each year since the inception of the New Deal. [9683]

Mr. Nicholas Brown: At 1 July 2001, the total number of clients entering Government Departments from the New Deal for Young People and the long-term unemployed was 5,151, which equates to 1.4 per cent. of all people starting on these programmes. Employment in the civil service accounts for around 1.7 per cent. of the work force as a whole. Figures for the other new deals are not available.

Written Answers to Questions

Tuesday 20 November 2001

TRADE AND INDUSTRY

British Coal (Equal Value Pay Claim)

Mr. Barron: To ask the Secretary of State for Trade and Industry if she will place in the Library a copy of the agreement reached between her Department and the National Union of Mineworkers in April on the equal value pay claim of ex-British Coal women workers; and if she will make a statement. [16093]

Mr. Wilson *[holding answer 19 November 2001]:* I have today placed in the Library of the House a copy of the letter of the Minister for Energy and Competitiveness in Europe, my right hon. Friend the Member for Neath (Peter Hain) of 23 April to the President of the National Union of Mineworkers setting out the details of the agreement reached on 9 April.

Regulations

Mr. Bercow: To ask the Secretary of State for Trade and Industry if she will introduce targets for reducing the number of regulations issued by her Department over the next four years and for consequent financial savings. [14430]

Ms Hewitt: The DTI keeps the regulations for which it is responsible under constant review and welcomes the comments of stakeholders on them. There are no plans to introduce numerical targets for the reduction of regulations.

The Government's policy is to regulate only when necessary, ensuring that regulations are fair and effective, so that they protect the vulnerable but do not stifle competitiveness or productivity. New processes including the Regulatory Reform Act 2001 give us powerful tools to help cut down over-complex, overlapping and over-burdensome regulatory regimes.

My right hon. Friend the Prime Minister has asked all Whitehall Departments to identify by the end of this year areas of legislation that are ripe for reform under the Act and other procedures. A Government-wide action plan will then be published containing firm commitments to specific reforms and initiatives which will aid both businesses and the public sector.

Mr. Bercow: To ask the Secretary of State for Trade and Industry how many regulations were introduced by her Department in each year since May 1997. [14428]

Ms Hewitt: Figures for the number of statutory instruments introduced each year are as follows (year from 1 April in each case, save 1997, where the figures run from May 1997 to 31 March 1998):

1997–98: 76 regulations

1998–99: 112 regulations

1999–2000: 172 regulations

2000–01: 127 regulations

2001 to date: 43 regulations.

Of these 530 regulations, we estimate that 9 per cent. reduced costs borne by businesses, charities and voluntary bodies, while over 75 per cent. had little or no effect on costs for businesses, voluntary bodies, and charities. Over 30 per cent. of all the regulations introduced by DTI since May 1997 have been orders licensing firms to provide public telecommunications services, increasing consumer choice and competition in this sector.

Regulatory Impact Assessments (Compliance Cost Assessments for measures introduced before August 1998) have been completed in respect of all measures imposing or reducing costs and placed in the Libraries of the Houses.

Departmental Promotions

Dr. Cable: To ask the Secretary of State for Trade and Industry how much her Department spent on information literature, advertising and campaign material in the financial years *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98, *(d)* 1998–99 *(e)* 1999–2000 and *(f)* 2000–01; and if she will make a statement. [12260]

Ms Hewitt: For expenditure on information literature, I refer the hon. Member to the answer I gave to the hon. Member for North Tayside (Pete Wishart) on 17 October 2001, *Official Report,* column 1225W. Expenditure on advertising, excluding VAT through the COI has been as follows:

	£
1995–96	1,086,410
1996–97	3,087,350
1997–98	2,475,705
1998–99	14,154,738
1999–2000	12,620,476
2000–01	12,159,710

Expenditure on campaign materials is not held centrally.

Euro

Mr. Davidson: To ask the Secretary of State for Trade and Industry what funds are available from the *(a)* EU and *(b)* UK Government to compensate the (i) industrial and (ii) service sector in Britain for losses caused by the weakness of the euro; and how much has been paid, by industry and service, for each of the last three periods for which figures are available. [15402]

Ms Hewitt: No such funds are available from either Her Majesty's Government or the EU. No payments have therefore been made.

Equal Pay

Barbara Follett: To ask the Secretary of State for Trade and Industry what action she has taken to encourage employers and trade unions to work in partnership to achieve equal pay. [15727]

Alan Johnson: The pay gap is now 18 per cent. for full-time hourly earnings. This has halved from 37 per cent. since the introduction of the Equal Pay Act in 1970 and is the smallest gap recorded, but is still far too high.

We have announced extra funding for the Equal Opportunities Commission to prepare a model for voluntary pay reviews and will encourage employers and trade unions to take up this and other tools. To encourage partnership working generally between employers and trade unions, the Government have several initiatives including the Partnership at Work Fund. Applications for grant are currently being sought and could include projects looking to use partnerships to achieve equal pay.

More generally, the Government are taking a range of actions to improve the operation of the labour market and, in doing so, the position of women. For example, about 900,000 women have benefited from the introduction of the national minimum wage in 1999, and this measure has helped to reduce the pay gap by over one percentage point. The Employment Bill placed before Parliament earlier this month provides for equal pay questionnaires and improved maternity rights, and the Government have accepted each of the recommendations made by the Work and Parents Taskforce on how a duty can be placed on employers to consider seriously requests from parents of young children to work flexibly.

BNFL

Mr. Gibb: To ask the Secretary of State for Trade and Industry what the purchase price paid by BNFL for each of the companies acquired in the US since 1990 was. [14862]

Mr. Wilson: BNFL has informed me that BNFL Business Group has purchased five companies in the US since 1990:

January 1995—Pajarito Scientific Corporation (now BNFL Instruments Inc.) for £3 million;

December 1997—Manufacturing Sciences Corporation for £2 million;

March 1998—Sierra Nuclear Corporation for £2 million;

March 1999—Westinghouse Electric Company LLC for £607 million; and

April 2000—nuclear power business of ABB for £291 million.

Mr. Gibb: To ask the Secretary of State for Trade and Industry what the annual throughput capacity is of the Sellafield MOX plant; and what the original design capacity was. [14860]

Mr. Wilson: This is commercially sensitive information.

Mr. Gibb: To ask the Secretary of State for Trade and Industry what the final cost of the Sellafield MOX plant constructed by BNFL was. [14861]

Mr. Wilson: In BNFL's latest published annual report and accounts SMP is identified as a tangible asset in the course of construction with a carrying value of £462 million. This value was based on the assumption that there would be a positive decision on justification of the manufacture of MOX and that plutonium commissioning of the plant would proceed.

Mr. Gibb: To ask the Secretary of State for Trade and Industry what the *(a)* profit and *(b)* loss of BNFL Inc has been in each year since the company was established. [14863]

Mr. Wilson: This is a commercial matter for BNFL.

As a US subsidiary BNFL Inc is not required to report annual profit and loss details as is required by BNFL plc in the UK. BNFL Inc is part of BNFL plc's Nuclear Clean Up and Decommissioning Business Group for which segmental information is published in BNFL's annual report and accounts.

Mr. Gibb: To ask the Secretary of State for Trade and Industry what the value is of overseas contracts won by BNFL since 1990 for *(a)* reprocessing spent nuclear fuel, *(b)* shipping spent nuclear, vitrified waste and MOX fuel and *(c)* manufacturing MOX fuel. [14864]

Mr. Wilson: This is a commercial matter for BNFL. Information about the financial performance of BNFL's spent fuel management business can be found in the company's annual report and accounts.

Atomic Energy Police Force

Mr. Hoyle: To ask the Secretary of State for Trade and Industry how many Atomic Energy police have *(a)* transferred to the police service and *(b)* been made redundant in each of the last three years; and what plans she has to merge the Atomic Energy police force and the MOD police force. [15162]

Mr. Wilson: Eight officers resigned from the United Kingdom Atomic Energy Authority (UKAEA) constabulary to take up appointment in other police forces in the last three years and four in the calendar year 2001 so far, two in 2000 and two in 1999. No officers have been made redundant over this period. The Quinquennial Review of UKAEA has considered a range of options for the future of the UKAEA constabulary including options involving working more closely with the MOD police force. An announcement will be made in due course.

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what the cost was of operating the Atomic Energy police force in the last 12 months; and how many Atomic Energy police officers are employed. [15160]

Mr. Wilson: The cost of operating the United Kingdom Atomic Energy Authority constabulary for the financial year 2000–01 was £21.1 million. There are currently 515 officers employed in the force.

Financial Assistance (Blackpool, North and Fleetwood)

Mrs. Humble: To ask the Secretary of State for Trade and Industry what *(a)* financial investment and *(b)* other assistance the North West Regional Development Agency has put into Blackpool, North and Fleetwood in each of the last three years. [16057]

Alan Johnson: The North West Development Agency is not able to provide the information in precisely the form requested as the Blackpool Challenge Partnership, which handles the Agency's Single Regeneration Budget investment in the town, cuts across constituency boundaries. During the last three years, investment in Blackpool via the Partnership has been as follows:

£ million

Year	
1998–99	3.9
1999–2000	3.9
2000–01	3.2

Investment for 2001–02 will be approximately £3.3 million.

In addition, investment in Fleetwood has been as follows:

Year	*£ thousands*
1998–99	514
1999–2000	410
2000–01	314

Investment for 2001–02 will be approximately £1.1 million.

The Agency works closely with the borough councils in Blackpool, North and Fleetwood, and with other public and private sector partners, to provide advice and guidance on economic development and regeneration issues.

Unsolicited Marketing Material

Dr. Kumar: To ask the Secretary of State for Trade and Industry what plans she has to prevent the practice by companies of sending unsolicited marketing material by fax to *(a)* businesses and *(b)* individuals. [16449]

Mr. Alexander: Arrangements for preventing the sending of unsolicited marketing material by fax to individuals are already in place. The Telecommunications (Data Protection and Privacy) Regulations 1999 ban the sending of unsolicited marketing faxes to private individuals and sole traders in the UK, as well as to partnerships in England, Wales and Northern Ireland.

The Regulations also establish an "opt-out" scheme—The Fax Preference Service (FPS)—for corporate subscribers who do not wish to receive such faxes.

Departmental Spending (Scotland)

Mrs. Lait: To ask the Secretary of State for Trade and Industry if she will list, in real terms, for each year since 1979 *(a)* the total sums of money spent directly by her Department in Scotland and *(b)* the total sums of money allocated by her Department for spending in Scotland through (i) the Scottish Office, (ii) the Scotland Office and (iii) the Scottish Executive. [16183]

Alan Johnson: Public expenditure information by territory and function is available in Public Expenditure Statistical Analyses 2001–02 (Cm 5101) for the years 1995–96 to 1999–2000, and earlier years are available in previous PESA publications (copies of which are in the Library of the House). Further information could be provided only at disproportionate cost.

Scottish Executive

Mrs. Lait: To ask the Secretary of State for Trade and Industry what her policy is regarding consultations prior to the publication of proposals involving the transfer of powers to the Scottish Executive by *(a)* primary legislation and *(b)* Order in Council. [13820]

Ms Hewitt: I refer the hon. Member to the reply given by my right hon. Friend, the Secretary of State for Scotland on 14 November 2001, *Official Report,* column 748W.

Sub-post Offices

Mr. Luff: To ask the Secretary of State for Trade and Industry if she will discuss with the Chairman of Consignia the impact on *(a)* rural and *(b)* other local sub-post offices of the sale by major retailers of postage stamps at a discount to their face value; and if she will make a statement. [15472]

Mr. Alexander: Operational issues such as these are a matter for Consignia from whom I understand that, in addition to the post office network, over 65,000 retail outlets sell stamps. While stamps cannot be sold above their retail price, there is no restriction preventing retailers from selling stamps at less than face value.

Scottish Consumer Council

Miss McIntosh: To ask the Secretary of State for Trade and Industry what assessment has been made since 1999 of the effectiveness of the Scottish Consumer Council. [15548]

Ms Hewitt: The National Consumer Council regularly monitors the performance of the SCC to ensure that it meets its performance and work-related objectives. The SCC, in its annual report, includes a report on its activities and how well it has achieved its objectives.

In 1999 the Department carried out a thorough review of the role, objectives and performance of the NCC and its country committees, including the SCC. This was followed in late 2000 by a Governance review (completed early 2001) of the NCC. This review recommended changes to the NCC board and as a result a new board was appointed as of 1 October.

Textile Industry (World Trade Conference)

Mr. Reed: To ask the Secretary of State for Trade and Industry what recent discussions she has had with representatives of the textile sector on the WTO talks. [16084]

Mr. Wilson: My right hon. Friend the Secretary of State for Trade and Industry met the Director General of the British Apparel and Textiles Confederation and the General Secretary of the National Union of Knitwear, Footwear and Apparel Trades on 19 October. The forthcoming Fourth WTO Ministerial meeting in Doha was among the issues discussed.

State Subsidies

Mr. Rosindell: To ask the Secretary of State for Trade and Industry what information she has collated, broken down *(a)* by member state and *(b)* by industry, on state subsidies currently authorised by the European Commission (i) annually and (ii) for the current year. [14795]

Mr. Wilson: The information requested can be found on the European Commission website www.europa.eu.int. The website has the 5th, 6th, 7th, 8th, and 9th Surveys on State Aid in the European Union. Copies of the 5th, 6th, 7th and 8th surveys are already in the Libraries of the Houses. A copy of the 9th survey, which has recently issued and covers 1998–99, will also be placed in the Libraries of the Houses. The Commission is at present collating figures for 2000–01.

Utilities Act

Mr. Alan Simpson: To ask the Secretary of State for Trade and Industry how many statutory instruments have been laid before Parliament; and what ministerial guidance notes have been issued to implement the commitment in the Utilities Act 2000 on energy supplies from renewables. [15644]

Mr. Wilson: Under section 67 of the Utilities Act 2000 the following statutory instruments (SIs) have been made:

The Electricity from Non-Fossil Fuel Sources Saving Arrangements Order 2000 (S.I. 2000/2727)

The Electricity from Non-Fossil Fuel Sources Saving Arrangements (Amendment) Order 2001 (S.I. 2001/3268)

The Electricity from Non-Fossil Fuel Sources (Scotland) Saving Arrangements Order 2001 (S.I. 2001/3269 (S.17)).

These SIs ensure the preservation of arrangements which were made under section 32 of the Electricity Act 1989 to secure the availability of capacity from non-fossil fuel sources. It was necessary to take such measures on the coming into effect of the New Electricity Trading Arrangements and on the splitting of Public Electricity Suppliers into separate supply and distribution companies.

Ministerial guidance notes have not been issued on these SIs, but they are accompanied by any necessary explanatory notes.

It is proposed that further SIs will be made under section 62 of the Utilities Act 2000 in order to introduce the Renewables Obligation. Drafts of those SIs have recently been put out to statutory consultation and the Department is in the process of considering the responses given.

It is also proposed to make a further SI under section 67 of the Utilities Act 2000 in order to permit locational flexibility for certain NFFO projects. A draft of this proposed SI is out for informal consultation.

Renewable Energy

Llew Smith: To ask the Secretary of State for Trade and Industry if she will make a statement on progress in the *(a)* development of and *(b)* support for thin film solar photovoltaic renewable energy technology. [15573]

Mr. Wilson: Thin film photovoltaic technology (largely amorphous silicon) currently accounts for about 20 per cent. of total world shipments of all PV products but its market share is increasing. Several countries and companies are investing heavily in research into and development of existing and new thin film technologies. Although thin film modules and tiles tend to be less efficient than the more established crystalline silicon products, they have the potential to be much cheaper, because they are more suited to automated processing and use much less of the basic PV material, such as silicon.

In the UK, the Government have supported a number of research and development projects for thin film technologies, including several large projects with the UK's only thin film cell producer. The DTI is also supporting the deployment of thin film products under its Domestic Field Trials, and the recently announced Large Scale Field Trial for Public Buildings will be open to all PV technologies. Budgets for these trials amount to some £8.4 million. In addition to this the Government have allocated £20 million to the first phase of a major PV demonstration programme over the next two to three years.

Nuclear Security

Llew Smith: To ask the Secretary of State for Trade and Industry what progress has been made in *(a)* decommissioning redundant facilities and *(b)* decontamination of radioactively polluted land at the Dounreay nuclear site. [15580]

Mr. Wilson: Dounreay is being decommissioned. In October 2000 UKAEA published the Dounreay Site Restoration Plan, a comprehensive blueprint for restoring the site. Most of the radioactive hazards will be removed over the next 25 years. The plan is available on the UKAEA website (http://www.ukaea.org.uk/sites/dounreay/rplan.htm).

Work is currently in progress on the Prototype Fast Reactor, the Dounreay Fast Reactor and redundant plants within the Fuel Cycle Area. New and upgraded facilities have also been commissioned for the management of wastes and discharges.

The programme includes the decontamination of areas of land where low levels of radioactive contamination has occurred in the past. The majority of identified areas have already been decontaminated.

Llew Smith: To ask the Secretary of State for Trade and Industry what progress has been made in decommissioning the Windscale plutonium production piles at Sellafield; and what is her estimate of the cost of decommissioning these piles. [15579]

Mr. Wilson: Both Piles are in a safe, stable condition and pose no threat to the public or the environment.

Progress on decommissioning the Pile 1 and Pile 2 reactors is as follows:

The air and water ducts of Pile 1 have been cleared and a contract for dismantling the core of the reactor for treatment and storage was awarded to a consortium in 1997. A comprehensive technical review is currently in progress to ensure that the project arrangements are robust before proceeding. Pile 2 is currently in safe care and maintenance pending decommissioning at a later stage.

UKAEA's detailed cost estimates for decommissioning both Piles will be completed when the plans for their removal are finalised.

Universal Bank

Mr. Waterson: To ask the Secretary of State for Trade and Industry when a decision will be made on how many customers the Universal Bank should serve. [10129]

Mr. Alexander: Our policy is to encourage benefit recipients to use the accounts that will best meet their needs. This matter is being considered further within the context of an overall migration and marketing strategy on which detailed work is in progress.

No-fly Zones

Mr. Whittingdale: To ask the Secretary of State for Trade and Industry what representations she has received about the establishment of no-fly zones around nuclear power stations. [13474]

Ms Hewitt *[holding answer 9 November 2001]:* My officials and I have received a number of representations from hon. Members on behalf of their constituents, from the public, and from the nuclear industry. On 2 November, British Energy contacted my officials to raise concern about a recent number of flights over its nuclear power stations. In response to the concerns expressed, the system of flying restrictions over nuclear installations has now been extended to apply to all nuclear power plants with immediate effect. Restrictions were already in place for a number of nuclear installations.

Fair Trade

Mr. Weir: To ask the Secretary of State for Trade and Industry what her Department's policy is in relation to departmental spending for supplies concerning the purchase of Fair Trade goods. [15215]

Ms Hewitt *[holding answer 16 November 2001]:* As my hon. Friend the Parliamentary Under-Secretary of State for International Development has stated, it is Government policy to promote fair trade products, subject of course to the need to obtain best value for money from public funds. In my own Department, for example, our caterers provide fair trade beverages.

Aggregates Levy

Mr. Cawsey: To ask the Secretary of State for Trade and Industry (1) what provision will be made to protect SMEs which are unable to pay the aggregates levy; [16088]

(2) what assessment she has made of the ability of SMEs to fund the aggregates levy; [16087]

(3) what assessment she has made of the effect of the aggregates levy on small and medium-sized companies. [16086]

Mr. Boateng *[holding answer 15 November 2001]:* I have been asked to reply.

A Regulatory Impact Assessment for the levy was published as part of Budget 2000. The aggregates levy will be payable only by those who commercially exploit aggregate.

DEFENCE

Operation Enduring Freedom

Lynne Jones: To ask the Secretary of State for Defence, pursuant to his answer of 23 October 2001, *Official Report*, column 114W, to the hon. Member for Lewes (Norman Baker), on Operation Enduring Freedom, when he will place a copy of his letter in the Library. [15241]

Mr. Hoon: I expect to provide the information requested in due course.

Public Appointments

Mr. Collins: To ask the Secretary of State for Defence how many appointments he has made to public bodies since 7 June; and how many are in his gift. [15487]

Dr. Moonie: Information on the numbers of ministerial appointments to public bodies is included in the Cabinet Office's annual report, "Public Bodies". Copies of this are placed in the Library of the House and the report is published on the Cabinet Office internet website. The next edition of "Public Bodies", which will include numbers of appointments at 31 March 2001, will be published around the end of the year.

Since the current edition of "Public Bodies" was published, the War Pensions Agency (and its 14 public bodies) has transferred to the Ministry of Defence, and we have re-classified two existing committees as non-departmental public bodies (the Nuclear Research Advisory Committee and the Advisory Group on Medical Countermeasures). As a result, MOD currently sponsors 33 non-departmental public bodies, with a total of 423 public appointments. Since 7 June 2001, 31 appointments have been made to these bodies.

Sovereign Bases

Mr. Hague: To ask the Secretary of State for Defence what discussions the Government have had with the Commission for Racial Equality concerning the applicability of the Race Relations Act 1976 to service personnel serving on sovereign bases outside the European Union. [15641]

Mr. Ingram: There have been no such discussions to date.

Mr. Hague: To ask the Secretary of State for Defence if he will amend the UK armed forces policy statements on equal opportunities to make it clear that service personnel serving wholly on sovereign bases outside the European Union are not covered by the Race Relations Act 1976 and the Sex Discrimination Act 1975. [15637]

Mr. Ingram: The armed forces policy statements on equal opportunities are kept under review and will be updated if necessary once the legal position for service personnel serving on sovereign bases outside the European Union is clarified.

In addition I refer the right hon. Member to the answer I gave him on 8 November 2001, *Official Report*, column 380W.

Nuclear, Biological and Chemical Warfare

Mr. Jenkin: To ask the Secretary of State for Defence how many S10 NBC suits his Department has in stock and what is the average life expectancy from first use. [16159]

Mr. Ingram: The current in-service NBC suit is the Mk4. There are sufficient stocks of the suit to meet defence planning assumptions. I am withholding the information relating to specific quantities under Exemption 1 of the Code of Practice on Access to Government Information.

The Mk4 NBC suit has a shelf life, vacuum packed, of eight years. Once unpacked, the suit remains operational for 28 days. In adverse biological and chemical environmental conditions this time would be considerably reduced.

Defence Academy

Mr. Keith Simpson: To ask the Secretary of State for Defence how many *(a)* academic and *(b)* military staff are employed at the Defence Academy. [15349]

Mr. Ingram *[holding answer 16 November 2001]:* It is expected that in April 2002, the Defence Academy will employ some 190 academic and 280 military staff. The academy will also employ some 240 Ministry of Defence civil servants and 740 contractors' staff. Apart from the head of the academy and his personal staff, the small HQ support staff will be found from within current resources of the existing colleges.

Mr. Keith Simpson: To ask the Secretary of State for Defence (1) to which top level budget holder in his Department the head of the Defence Academy reports; [15347]

(2) what is the administrative and budgetary relationship between the head of the Defence Academy, the Commandant of RMC Shrivenham, the Commandant of the Joint Service Command and Staff College and the Commandant of the Doctrine Centre. [15348]

Mr. Ingram *[holding answer 16 November 2001]:* The Head of the Academy will be responsible and accountable to the Vice Chief of the Defence Staff for the work and development of the Academy. He will manage the academy's budget, for which he will be accountable directly to the joint managers of the Ministry of Defence Central Top Level Budget. The components of the Defence Academy such as RMCS Shrivenham and the Joint Services Command and Staff College will become cost centres of the academy and will report financially to the Head of the Academy. The Joint Doctrine and Concepts Centre will not be a part of the Defence Academy and will continue to report to the Policy Director.

Widows' Pensions

Vernon Coaker: To ask the Secretary of State for Defence what plans he has to review the pension entitlement of those second wives of ex-servicemen who become widows who are not entitled to a pension. [15759]

Mr. Ingram: The Government have no plans to increase the current Armed Forces Pension Scheme provisions for post retirement widows. Following longstanding practice, improvements to the armed forces and other public sector pension schemes do not apply retrospectively.

Airport Security

Mr. Jenkin: To ask the Secretary of State for Defence what analysis of the threats to UK airports requiring military protection he has made; and if he will make a statement. [16157]

Mr. Ingram: Security at airports is a matter for my right hon. Friend the Secretary of State for Transport, Local Government and the Regions. The threat of a terrorist attack on UK airports is constantly monitored by the appropriate authorities. There are, in place, a series of robust measures and contingency plans to guard against a range of different threats. These include the provision of military support, should it be required. These plans have been reviewed in the light of events of 11 September.

Major Project Report

Mr. Jenkin: To ask the Secretary of State for Defence when he expects to publish the Defence Acquisition 2001 report. [16156]

Dr. Moonie: I assume the hon. Member is referring to the Major Project Report (MPR).

The Ministry of Defence's annual progress report on the acquisition of major defence equipment, the MPR, was submitted to the Committee of Public Accounts in October. The Comptroller and Auditor General plans to publish his report on this year's MPR on 23 November.

Logistic Stockholding Review

Mr. Jenkin: To ask the Secretary of State for Defence if he will list the criteria which have shaped the review of the logistic stockholdings following 11 September. [16161]

Mr. Ingram: Logistic stockholdings are reviewed on a regular basis to take account of experience gained during exercises and operations, and to ensure maximum efficiency and effectiveness. In addition, more formal reviews of logistic planning are conducted from time to time in the light of the strategic military and political situation. The most recent review was considered over a 12 month period that ended last month. Though September 11 has not led to any further formal general reviews, in keeping with sound military practice logistic plans and availability have been carefully considered as an integral part of military response planning.

Anti-tank Weapons

Mr. Jenkin: To ask the Secretary of State for Defence if he will announce the replacement to the proposed Trigat anti-tank guided weapon programme. [16155]

Dr. Moonie: I refer the hon. Member to the answer I gave to the hon. Member for Grantham and Stamford (Mr. Davies) on 17 July 2001, *Official Report*, column 148W.

Cyprus (Migrant Birds)

Mr. Hancock: To ask the Secretary of State fo Defence what action he has taken to prevent the illegal trapping of migrant birds in the sovereign base areas within Cyprus; if he will make more resources available to control this activity; and if he will make a statement. [15731]

Dr. Moonie: The Sovereign Base Areas (SBA) Administration and Police already devote significant resources to the control of illegal trapping of migrant birds. In this autumn's migration season wardens from the Republic of Cyprus's Game Service have joined the SBA Police in a number of large scale patrols, involving up to forty officers, while the SBA Police have carried out smaller anti-poaching patrols on an almost daily basis. Over 500 mist nets, nearly 300 limesticks and many other items of trapping equipment have been seized and will be destroyed. Nine people have been arrested and charged with trapping offences. They now face prosecution in the SBA Court, which can and does impose heavy fines for trapping offences. An extensive publicity campaign has been undertaken by the SBA Police in the Eastern Sovereign Base Area aimed at discouraging local people from engaging in trapping and spelling out the consequences if they are caught. This autumn's anti-trapping campaign has had a significant impact on the level of trapping activity in the Eastern Sovereign Base Area and the SBA Administration will pursue similar campaigns in the future.

Battlefield Light Utility Helicopter

Mr. Gray: To ask the Secretary of State for Defence if he will make a statement on the battlefield light utility helicopter programme; and what is its in-service date. [16553]

Dr. Moonie: I refer the hon. Member to the answer I gave to the hon. Member for Portsmouth, South (Mr. Hancock) on 16 October 2001, *Official Report*, column 1140W.

Defence Aviation Repair Agency

Mr. John Smith: To ask the Secretary of State for Defence when the Chief Executive of DARA first met the First Secretary to discuss the relocation of the fixed wing aircraft repair business from RAF St. Athan to Cardiff International Airport. [16390]

Mr. Ingram: The Defence Aviation Repair Agency records show that the Chief Executive of DARA first met with the First Secretary on 5 May 2000.

Afghanistan

Mr. Drew: To ask the Secretary of State for Defence what recent discussions he has had with the German Defence Minister on providing troops for the international coalition in Afghanistan. [15822]

Mr. Hoon: I have spoken with my German colleague on a number of occasions on a range of issues associated with the international response to the events of September 11, including options for the use of armed forces in support of the international coalition.

RAF St. Athan

Mr. John Smith: To ask the Secretary of State for Defence what assessment he is making of the siting of Army units at RAF St. Athan. [16459]

Mr. Ingram: The Ministry of Defence is looking at the possibility of locating two major Army units on the West Camp site after 2004. This is subject to further detailed study.

Veterans' Affairs

Mr. Swayne: To ask the Secretary of State for Defence, pursuant to his answer of 13 November 2001, *Official Report*, column 630W, if he will publish the terms of reference he has agreed on policy development for veterans' affairs. [15539]

Dr. Moonie: The terms of reference for the task force responsible for the development of our policy on veterans' affairs have now been published on the Ministry of Defence website "www.mod.uk", together with other information about the initiative. They can be found under Contacts—Veterans' Advice Unit. The terms of reference are as follows:

> To ensure that the policies of individual Government Departments and of devolved administrations are co-ordinated to produce a coherent and integrated response to veterans' needs and concerns.
>
> To identify and prioritise areas of particular need within the veterans' community and develop policies to address these as appropriate, focusing in particular on the most vulnerable.
>
> To improve co-operation between government and veterans' organisations, seeking to ensure that Government policies address the reasonable concerns of veterans and that the work of veterans' organisations is supportive of, or at least consistent with, government policies.
>
> To ensure that the Government's current support and future plans for veterans is effectively understood by them.
>
> To ensure that the contribution of ex-Service personnel is appropriately recognised at the national and the individual level within the country.

HOUSE OF COMMONS

Adjournment Debates

Mr. Cox: To ask the President of the Council if he will increase the time allocated for the Christmas, Easter and summer Adjournment debates. [15410]

Mr. Robin Cook: The introduction of Westminster Hall has greatly increased the number of Adjournment debates available, and, indeed, returned the pre-Adjournment debates to the Floor of the House.

The Modernisation Committee may look at them when it examines the future of Westminster Hall, but I see no need for immediate change.

INTERNATIONAL DEVELOPMENT

Public Appointments

Mr. Collins: To ask the Secretary of State for International Development how many appointments she has made to public bodies since 7 June; and how many are in her gift. [15480]

Clare Short: I have made no appointments to public bodies since 7 June. I have 21 appointments in my gift.

Albania (Child Welfare)

Mr. Cox: To ask the Secretary of State for International Development what recent discussions she has had with the Albanian Government on their policies concerning the *(a)* welfare and *(b)* protection of children. [15304]

Clare Short: We have assisted the Government of Albania with the preparation of its recently completed poverty reduction strategy and with the complementary process of developing a Medium Term Expenditure Framework (MTEF). The poverty reduction strategy includes targets to reduce infant mortality and improve school enrolment. The MTEF has already led to increased Government spending on health and education.

We are responding to these policies by supporting several projects that have both direct and indirect benefits for children, from our bilateral programme of £3 million per year. These include a £2 million project to reform social service delivery and to target resources better, including services for children; help for reforms to policy development, planning and financing of health care; and a project to improve rural livelihoods in the poorest rural communities.

We are also contributing £4.3 million to the EU programme for Albania in 2001, which includes measures that benefit children and their protection, such as local community development and strengthening of policing and public order.

NORTHERN IRELAND

Decommissioning

Mr. Nicholas Winterton: To ask the Secretary of State for Northern Ireland what assurances he can give that the stockpiles of IRA weapons and explosives have not been transferred into the possession of the Real IRA and Continuity IRA. [11399]

Jane Kennedy: I receive daily reports on the security situation from my security advisers and would be advised of any information that came to light indicating that IRA arms had been passed on to dissident republican groups.

The international arms inspectors, Martti Ahtisaari and Cyril Ramaphosa, had stated in their reports that the arms dumps they inspected had not been tampered with and remained secure. Subsequently we have had actual decommissioning of IRA weapons.

Mr. Nicholas Winterton: To ask the Secretary of State for Northern Ireland if he will make a statement about future acts of decommissioning; and by what date he expects the process of decommissioning to be completed. [11398]

Jane Kennedy: Future decommissioning events are a matter for the Independent International Commission on Decommissioning and the representatives of the various paramilitary organisations.

Decommissioning is only one part of the Good Friday Agreement of which we can now say that implementation of every aspect is underway. Full implementation of the Good Friday agreement in all its aspects is a task that will take some time to accomplish.

Mr. Nicholas Winterton: To ask the Secretary of State for Northern Ireland (1) what age and in what condition the illegally held weapons and explosives were which were decommissioned by the IRA; and if they can be quantified according to type; [11397]

(2) what quantities of weapons and explosives have been decommissioned by the IRA *(a)* under the Good Friday Agreement and *(b)* under the decision on 23 October to engage in decommissioning; and by what means IRA weapons and explosives were decommissioned. [11396]

Jane Kennedy: The Independent International Commission on Decommissioning stated in their report that they have witnessed an event in which the IRA has put a quantity of arms completely beyond use. They confirm the material in question includes arms, ammunition and explosives.

That also means that under paragraph 11 of the decommissioning scheme made in August 2001, the Commission has taken a record of the arms decommissioned and has verified the information on that record, although it is the Commission's judgment on this occasion, that such information must remain confidential.

The Government and all of the pro-Agreement parties have said throughout the process that the details of the actual process should be left to the Decommissioning Commission.

The Government accept the integrity of the Commission's judgment.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what assessment he has made of the percentage of the IRA's arsenal which has been put beyond use. [15272]

Jane Kennedy: The Independent International Commission on Decommissioning reported on 23 October that it had witnessed a quantity of IRA arms being put beyond use according to the terms of the decommissioning schemes and regulations. However, in the interest of furthering the process of putting all arms beyond use, the Commission declined to provide further details. Accordingly, it has not been possible to assess the percentage of the provisional IRA's weaponry involved.

The Commission's mandate under the terms of the Good Friday Agreement is to facilitate the decommissioning of all paramilitary arms. The Government have every confidence in General de Chastelain and his colleagues and respects their wishes on how best to proceed to fulfil their mandate.

WORK AND PENSIONS

DHSS Leaflets

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will place in the Library copies of the DHSS leaflets NP32 and NP27 dating from 1983. [7573]

Mr. McCartney: Copies of the DHSS leaflets are not routinely held by the Department for Work and Pensions and any which were current in 1983 may have been discontinued or subsumed into other leaflets. However, we have obtained copies of ones which were current in 1983 and they have been placed in the Library.

Public Servants (Assaults)

Mrs. Curtis-Thomas: To ask the Secretary of State for Work and Pensions how many members of staff working in *(a)* benefit offices and *(b)* jobcentres were assaulted while at work in (i) 1999–2000 and (ii) 2000–01. [8610]

Hywel Williams: To ask the Secretary of State for Work and Pensions how many reported incidents of an aggressive nature against Benefits Agency workers there were in each of the past five years for *(a)* England, *(b)* Wales and *(c)* Scotland. [11115]

Mr. Clappison: To ask the Secretary of State for Work and Pensions (1) how many attacks on Benefits Agency staff were recorded in each year since 1997; and how many successful prosecutions were brought against the perpetrators of such attacks; [14227]

(2) how many assaults on Benefits Agency staff were *(a)* recorded last year and *(b)* recorded in each of the previous years since 1997. [11253]

Mr. Nicholas Brown: The information available is in the tables. The information requested on the number of successful prosecutions is not available.

The increase in the number of reported incidents in 2000 can be attributed to awareness raising activities with Benefits Agency staff about the importance of reporting incidents and to a poster issued by the PCS Union advising staff that all incidents of customer aggression should be reported.

Benefits Agency

Year	*Physical assaults*	*Non-physical assaults*	*Total assaults* *England*	*Scotland*	*Wales*
1997	100	3,426	2,959	278	289
1998	41	3,092	2,579	313	241
1999	98	2,357	2,071	186	198
2000	163	5,144	4,467	398	442
2001[1]	92	3,567	2,990	283	386

Employment Service

	1999[4]	*2000*	*2001*[1]
Number of staff reporting a physical assault	166	232	166
Number of staff reporting a non-physical assault	2,530	4,146	2,850
Total number of reports received[2]	2,696	4,378	3,016
Total number of incidents occurring[3]	2,481	4,044	2,729

[1] Information to date. These figures are based on the reports so far received; other incidents may have occurred but may not yet have been reported.

[2] This figure represents the number of individual reports completed.

[3] This figure relates to the number of individual incidents that have occurred. This number is lower than the number of reports as several individuals can report the same incident if they feel that they have been a victim of it.

[4] The figures shown for the Employment Service for 1999 record the number of incidents that occurred between April and December. Prior to this date the information was collated on a separate database which did not provide data in compatible categories. During the period January to March 1999, 1,115 reports were filed and 1,106 incidents occurred but these figures include 'other' incidents between clients where no staff were involved.

New Deal

Mr. Clappison: To ask the Secretary of State for Work and Pensions what proportion of the long-term unemployed in the pilot areas for the new deal for the long-term unemployed found *(a)* jobs and *(b)* sustained jobs in (i) each of the three years prior to the inception of the new deal pilots and (ii) in each year since their inception. [9334]

Mr. Nicholas Brown: In the new deal 25-plus pilots, the proportion of long-term unemployed participants who left the programme for sustained jobs was 33 per cent. in 1999 and 34 per cent. in 2000 and 2001 to date. Equivalent figures for years prior to the new deal 25-plus pilots are not available. However, evaluation of the new deal 25-plus pilots showed that long-term unemployed participants were over 70 per cent. more likely to move into work than those participating in the pre-April 2001 national programme.

Mr. Clappison: To ask the Secretary of State for Work and Pensions (1) how many people joined the voluntary section option of the new deal for young people between July 1999 and October 2001; and how many of these *(a)* completed their course before leaving the new deal and *(b)* left their course before completing the new deal; [11598]

(2) how many people have joined the *(a)* Environmental Task Force option, *(b)* the subsidised employment option and *(c)* the voluntary sector option of the new deal since implementation; and how many and what percentage of these (i) completed their programme before leaving the new deal, (ii) left their programme before completing it and (iii) left at any stage for unknown destinations; [11599]

(3) how many people joined the Environmental TaskForce option of the new deal for young people between July 1999 and October 2001; and how many of these *(a)* completed their course before leaving the new deal and *(b)* left their course before completing the new deal. [11595]

Mr. Nicholas Brown: The latest results for the new deal for young people are contained in the Statistical First Release which is available in the Library. Information on numbers completing options is not available.

Mr. Clappison: To ask the Secretary of State for Work and Pensions how many benefit sanctions were imposed on participants in the New Deal for Young People in each year since its introduction *(a)* nationally and *(b)* by region, broken down into each of the four options. [11601]

Mr. Nicholas Brown: The information requested is published in the Employment Service Labour Market Statistics: Analysis of Sector Decision Making, copies of which are available in the Library.

Mr. Clappison: To ask the Secretary of State for Work and Pensions when he will answer the question (No. 7981) of 8 October from the hon. Member for Hertsmere concerning the number of persons on the new deal for young people recruited by Government Departments. [15775]

Mr. Nicholas Brown *[holding answer 19 November 2001]*: I answered the question on Monday 19 November 2001.

Dr. Kumar: To ask the Secretary of State for Work and Pensions if he will make a statement on *(a)* the number of participants in the new deal for young people from the Middlesbrough, South and Cleveland, East constituency in the last 12 months, *(b)* the destination of people leaving the scheme and *(c)* the cost involved. [16433]

Mr. Nicholas Brown: The information is in the tables:

Middlesbrough, South and Cleveland, East constituency

Month	*Number of new deal for young people participants*
2000	
August	509
September	491
October	477
November	459
December	447

Middlesbrough, South and Cleveland, East constituency

Month	*Number of new deal for young people participants*
2001	
January	454
February	459
March	448
April	430
May	417
June	414
July	400
August	352

Note:

Figures are for the end of each month and are the latest available.

Source:

New Deal Evaluation Database.

Middlesbrough, South and Cleveland East, constituency

Destination on leaving the new deal for young people	*Number of clients*
Unsubsidised employment	656
Other benefits	224
Other known destinations	331
Not known	393
Total leavers	1,604

Note:

Figures are cumulative to the end of August 2001.

Source:

New Deal Evaluation Database.

Estimates of the cost of the programme are not available at constituency level.

Appeals Service

Mr. Willetts: To ask the Secretary of State for Work and Pensions how much additional funding was awarded to the Appeals Service relating to the increase in Disability Living Allowance appeals in 2000–01. [9807]

Maria Eagle: The Appeals Service was awarded an additional £2.809 million for 2000–01 in respect of disability appeals. This represents the total for Disability Living Allowance and Attendance Allowance combined, where funding is provided by tribunal type rather than benefit.

Employment Service

Mr. Bercow: To ask the Secretary of State for Work and Pensions (1) if he will make a statement on the Employment Service job entries of people who are included within the Welfare to Work definition in 2000–01, with reference to the annual performance agreement target; [14065]

(2) if he will make a statement on the number of jobless people helped into work by the Employment Service in 2000–01, with reference to the annual performance agreement target; [14016]

(3) if he will make a statement on Employment Service job entries of people with disabilities in 2000–01, with reference to the annual performance agreement target; [14054]

(4) if he will make a statement on Employment Service job entries of *(a)* New Deal and *(b)* Employment Zone participants in 2000–01, with reference to the annual performance agreement target. [14064]

Mr. Nicholas Brown: The information is contained in the Employment Service Annual Report and Accounts 2000–01, which is in the Library.

Mr. Bercow: To ask the Secretary of State for Work and Pensions (1) what the public service agreement targets were for the Employment Service placings of the New Deal for *(a)* lone parents and *(b)* young people participants in 2000–01; and if they were achieved; [14216]

(2) what efficiency savings were achieved by the Employment Service in *(a)* 1999–2000 and *(b)* 2000–01; and if these savings met the public service agreement target; [14087]

(3) what the public service agreement targets were in 2000–01 for the Employment Service placings into work of *(a)* people with disabilities, *(b)* jobseeker's allowance claimants unemployed more than six months and *(c)* unemployed people; and if they were achieved. [14198]

Mr. Nicholas Brown: The information is contained in the Employment Service Annual Report and Accounts 1999–2000 and 2000–01, which are in the Library.

Social Exclusion

Mr. Rosindell: To ask the Secretary of State for Work and Pensions if he will make a statement on his policy towards the establishment of a Community action plan to combat social exclusion at EU level. [14828]

Malcolm Wicks: A five-year EU action programme to encourage co-operation between member states to combat social exclusion is expected to be formally adopted shortly and to come into force on 1 January 2002. This programme will include provision for financial support totalling 75 million euro to support:

analysis of characteristics, processes, causes and trends in social exclusion;

policy co-operation and exchange of information and best practices;

participation of the various actors and support for networking at European level.

The Government look forward to implementation of this action programme, which follows the framework set by the Lisbon European Council of March 2000.

Investors in People

Mr. Drew: To ask the Secretary of State for Work and Pensions when his Department applied for Investors in People; and if it has achieved it *(a)* in whole and *(b)* in part. [14857]

Mr. Nicholas Brown *[holding answer 14 November 2001]:* The Department for Work and Pensions is fully committed to Investors in People and is continuing to maintain the standard.

All constituent parts of the Department are currently recognised as Investors in People. Officials are in discussion with Investors in People(UK), to agree a strategy for the future corporate recognition of the Department.

Attendance Allowance

Mr. Burstow: To ask the Secretary of State for Work and Pensions how many self-funders in *(a)* residential and *(b)* nursing homes are in receipt of attendance allowance; and what assessment his Department has made of the survey of self-funders undertaken by the Department of Health. [15774]

Maria Eagle *[holding answer 19 November 2001]:* Estimates of the number of self-funders in residential care homes and nursing homes who are receiving attendance allowance are not available.

Work Incentives (Child Care)

Dr. Kumar: To ask the Secretary of State for Work and Pensions what steps he has taken to improve incentives for those with children to work; and how many people have availed themselves of them *(a)* in Middlesbrough and *(b)* in Redcar and Cleveland in the last year for which figures are available. [16429]

Mr. Nicholas Brown: This Government believe that work is the best form of welfare for those who are able. We have introduced a wide range of measures including the Working Families Tax Credit to help make work pay and the National Childcare Strategy to help make work possible for people with children. Since April this year, lone parents can also get help with childcare payments if they take up part-time work through the New Deal for Lone Parents.

We are also easing the transition to work through a range of benefit run-ons. Lone parents benefit run-on was introduced in 1999 and in the year 2000–01 helped over 50,000 lone parents nationally. Housing Benefit and Council Tax Benefit run-ons have been available for a number of years and in 2000–01 were claimed by 140,000 people nationally. From April this year we have also introduced the Mortgage Interest run-on to help home owners moving from benefits to full time work. In the Middlesborough local authority district, 670 people claimed the Housing Benefit Run-on and 410 people claimed the Council Tax Run-on in 2000–01. Equivalent figures are not available for Redcar and Cleveland. The numbers of people taking advantage of other run-ons are not available broken down by area.

Winter Fuel Payments

Dr. Kumar: To ask the Secretary of State for Work and Pensions how many older people will receive winter fuel payments this winter *(a)* in the UK and *(b)* in Middlesbrough South, and Cleveland, East. [16431]

Mr. McCartney: Last winter, nationally, over 11 million people aged 60 and over received a Winter Fuel Payment. Around 18,000 of these were in Middlesbrough, South and Cleveland, East. The figures for this winter will be similar.

Social Security Fraud Act (Code of Practice)

Mr. Watts: To ask the Secretary of State for Work and Pensions if he will publish a summary of the responses to the public consultation on the draft Code of Practice on obtaining information under the Social Security Fraud Act 2001. [17153]

Malcolm Wicks: A summary of the responses has been placed in the Library and copies have been sent to all those who responded.

Housing Estates Refurbishment (Leicestershire)

Mr. Clappison: To ask the Secretary of State for Work and Pensions what assessment he has made of the Beaumont Leys Stocking Farm scheme in Leicestershire; how many people obtained work as a result of the scheme; and what the cost was of the scheme. [15780]

Ms Keeble *[holding answer 19 November 2001]:* I have been asked to reply.

The Leicester North West SRB 5 Programme, which covers five housing estates, including Beaumont Leys and Stocking Farm, was agreed by Ministers as part of the SRB programme. To date 29 jobs have created, along with other outputs such as refurbishment of community buildings, CCTV provision, improvement of local advice services, projects to reduce crime, vandalism, domestic violence, and assist vulnerable youngsters. The programme received £1.9 million in the last financial year.

FOREIGN AND COMMONWEALTH AFFAIRS

International Terrorism

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the membership of the coalition against International Terrorism and the contributions they are making. [13383]

Mr. Bradshaw: States across the world expressed their sorrow and outrage at the dreadful events of 11 September and there has been widespread acceptance of the need for an international coalition to tackle terrorism. UN Security Council resolution 1373 was passed unanimously on 28 September. It is the first resolution to impose obligations on all states to respond to a global threat to international peace and security. It focuses on two key areas: to suppress the financing of terrorism and to deny terrorists a safe haven from which to operate. All UN member states are bound by UNSCR 1373 to take measures against international terrorism. The present military campaign directed at Osama bin Laden and the Taliban regime has the support of all NATO allies who agreed unanimously to invoke Article 5 (the collective self-defence commitment at the core of NATO). A wide range of other countries also back the military campaign. For operational reasons we cannot disclose details of that support.

Iraq

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what representation he has received on the impact of sanctions on the access of Iraqi citizens to clean water; and if he will make a statement. [16274]

Mr. Bradshaw: We regularly receive parliamentary and public correspondence on all aspects of sanctions on Iraq, including the water and sanitation sector.

Since 1990, the UK has donated over £100 million od humanitarian aid to Iraq (including £5.5 million this year) for projects which include the rehabilitation of water and sanitation infrastructure. In addition, earlier this year the EU agreed a 13 million euro aid package for projects which include the provision of clean drinking water.

By contrast, the Iraqi regime continues to hamper all aspects of the oil for food programme. At a time when around $2 billion lies unspent by Iraq in the UN escrow account, Iraq has, for example, cut spending in this sector by 18 per cent. in 2001 compared to last year. Iraq continues to refuse to allow UN officials to enter Iraq to dicuss a cash component for sectors identified by the UN Secretary-General as being critical, one of which is water and sanitation.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the performance of the oil for food policy regarding Iraq and the attitude of the Iraqi Government towards this policy. [16230]

Mr. Bradshaw: The oil for food programme is the UN's largest humanitarian programme ever, worth some $12.5 billion last year alone. In his most recent report (September 2001), the UN Secretary-General concludes that the oil for food programme has made a considerable difference to the lives of ordinary Iraqis and, in spreading beyond the food and medicine sectors, to the rehabilitation of Iraq's civilian infrastructure.

These achievements have been made despite the continuing efforts of the Iraqi regime to hamper the oil for food programme. For example, around $2 billion of funds lie unspent, by Iraq in UN accounts and the Iraqi Central Bank consistently holds up the delivery of around $1 billion-worth of goods. Iraq continues to refuse to allow UN Officials to enter Iraq to discuss a cash component for sectors identified by the UN Secretary-General as being critical, such as health, education and water sanitation.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussion he has had with the Iraqi Government on no-fly zones. [16231]

Mr. Bradshaw: None.

Intelligence

Mr. Laurence Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what provision he has made to increase intelligence on security matters since 11 September. [14946]

Mr. Straw: It has long been the policy of this and previous Governments not to comment on details of intelligence and security matters. The events of 11 September, and the role of the intelligence and security agencies in responding to them, are being taken into account in considering their financial allocation.

Jordan

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he had with King Abdullah of Jordan during his recent visit on *(a)* the middle east peace process, *(b)* terrorists living in Britain, *(c)* terrorism outside Britain, *(d)* Iraqi sanctions and *(e)* the present economic situation in Jordan. [15610]

Mr. Bradshaw: The Prime Minister and Foreign Secretary had talks with King Abdullah in London on 8 November. The Prime Minister and Foreign Secretary thanked the King for his leadership and determination in supporting the coalition against terrorism, agreed on the need to put the best humanitarian effort into dealing with the problems of displaced people and refugees and discussed how the international community could help reconstruct Afghanistan post-conflict. King Abdullah thanked the Prime Minister for his efforts during his travels throughout the middle east and the Islamic world to clarify the West's position that this is not a struggle between the West and Islam.

The King and Prime Minister agreed the importance of moving forward the Middle East Peace process as quickly as possible. The Prime Minister praised King Abdullah's record of pushing for progress in that area. The King, Prime Minister and Foreign Secretary discussed the need to control Iraq's military capabilities, while minimising the effects on Iraqi citizens. They also discussed ways in which the UK could help Jordan to achieve its economic objectives through support of King Abdullah's economic reform programme and encouragement of inward investment. There was no discussion on the issue of terrorists in the UK.

Afghanistan

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made regarding the *(a)* religious make-up and *(b)* ethnic make-up of Afghanistan; and what is his policy on the role of each of the (i) religions and (ii) ethnic groupings within Afghanistan in a future Government of Afghanistan. [15607]

Mr. Bradshaw: Afghanistan has an immensely complex social tapestry. That complexity has been increased by the disruption of almost 20 years of continual warfare involving the movement of population both within and out of the country and whose effects are not yet properly documented. Traditionally, the main communities have been described as Pashtun (c. 38 per cent.), Tajik (c. 25 per cent.), Hazara (c. 19 per cent.), Uzbek (c. 6 per cent.) with the balance being made up of a patchwork of smaller groups. About 99 per cent. of the population are Muslims divided between Sunni (c. 84 per cent.) and Shia (c. 15 per cent.) adherents: the Hazara constitute almost all the Shia population.

The Government welcome the new UNSCR 1378 (2001) which sets out the international community's road map for a broad-based successor government to the Taliban regime, which should be multi-ethnic and fully representative of all the Afghan people.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs how many times he has met the *(a)* Head of the Cabinet's Defence and Overseas Secretariat, Robert Cooper, and *(b)* UN special representative for Afghanistan, Lakhdar Brahimi, since 11 September; and what was discussed during each of these meetings. [15611]

Mr. Bradshaw: The Secretary of State met the UN Special Representative for Afghanistan, Lakhdar Brahimi, several times at the recent UN General Assembly (including at the open Security Council meeting on 13 November). They discussed the UN's role in a post-Taliban Afghanistan.

Robert Cooper, the UK Co-ordinator for the Future of Afghanistan, has met the Secretary of State frequently since the 11 September attacks (most recently on 19 November). They discussed all aspects of the crisis.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs on what occasions he has discussed the prospect of a United Nations monitoring force for Afghanistan with the Government of Turkey; and what was discussed. [15608]

Mr. Bradshaw: During his visit to Turkey on 17–18 October, the Secretary of State discussed a wide range of issues related to the current crisis with the Turkish Foreign Minister Cem. He has since met Foreign Minister Cem at the UN General Assembly on 12 November.

Mr. Llwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the coalition against terrorism's proposals for UN intervention in Afghanistan; and if he will make a statement. [15493]

Mr. Bradshaw: We and the US have strongly supported a UN role in Afghanistan. We welcome the new UN Security Council Resolution 1378 (2001), which was unanimously adopted on 14 November and sets out the international community's vision for the future of Afghanistan.

Inter alia, the resolution outlined the principles that should govern the formation of a new administration in Afghanistan. It affirmed that the UN would play a central role in supporting the efforts of the Afghan people to establish such an administration. And it encouraged UN member states to support efforts to ensure the safety and security of areas of Afghanistan no longer under Taliban control, and in particular to ensure respect for Kabul as the capital for all Afghan people, and especially to protect civilians, transitional authorities, United Nations and associated personnel, as well as personnel of humanitarian organisations.

We have also discussed with the UN Secretary-General and his Special Representative for Afghanistan, Ambassador Lakhdar Brahimi, a number of other proposals, including for possible UN roles in security, which might be appropriate at some stage.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those countries that support the international coalition's actions in Afghanistan. [15824]

Mr. Bradshaw: I refer my hon. Friend to the answer I gave my hon. Friend the Member for Birmingham, Selly Oak (Lynne Jones) today, *Official Report*, column 182W.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the United Nations on the creation of a multi-national force to provide peacekeeping in Afghanistan. [15826]

Mr. Bradshaw: During my visit to New York for the UN General Assembly from 10-16 November, I held consultations with the UN Secretary-General and his Special Representative for Afghanistan, Lakhdar Brahimi, on the future of Afghanistan, including what possible security arrangements might be appropriate at some stage. We are fully supportive of Ambassador Brahimi's efforts to resolve these issues.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the UN Security Council's role in relation to the international coalition's actions in Afghanistan. [15825]

Mr. Bradshaw: In response to the 11 September attacks, the UN Security Council adopted resolution 1368 (2001) on 12 September 2001, in which it stated that it would hold accountable those indirectly responsible—those who aid, support or harbour the perpetrators—as well as those directly responsible. This resolution also reaffirmed the right of self-defence, enshrined in Article 51 of the UN Charter. Coalition military action has been undertaken in self-defence to avert further terrorist attacks.

We and the US both notified the Security Council of the action when it began in accordance with Article 51 of the UN Charter.

On 14 November, the UN Security Council adopted Resolution 1378 (2001), which sets out the international community's vision for the future of Afghanistan. Inter alia, the resolution encourages member states to support efforts to ensure the safety and security of areas of Afghanistan no longer under Taliban control, and in particular to ensure respect for Kabul as the capital for all the Afghan people, and especially to protect civilians, transitional authorities, United Nations and associated personnel, as well as personnel of humanitarian organisations.

Cluster Bombs

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent consultations he has had with *(a)* the United Nations and *(b)* the International Red Cross about the use of cluster bombs. [15656]

Mr. Bradshaw: As part of the review process of the UN Convention on Certain Conventional Weapons, the UK co-sponsored a working paper proposing a way ahead for future work on explosive remnants of war, including cluster bombs. The UK will continue to participate actively in the UN as discussions develop, aiming to work together with EU partners and other States' parties, towards a practical solution that addresses humanitarian concerns while safeguarding the UK's military requirements. UK officials have also participated in discussions, about cluster bombs, with the International Committee of the Red Cross, in the context of consultations about the ICRC's proposals on explosive remnants of war.

The Gambia

Mr. Nigel Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of preparations for the forthcoming parliamentary elections in The Gambia. [15604]

Mr. Bradshaw: The Gambian Independent Electoral Commission is in the preliminary stages of planning for parliamentary elections to be held on January 17 2002. Similar arrangements to the October Presidential elections will be used, including the unique marble system of voting. The voter education campaign is not yet finalised, but will also follow a similar course to the Presidential election, where the turnout was high (89 per cent.). The British observing team found the Presidential election well organised, fair and transparent on the day. I hope that the Parliamentary elections will be conducted in a similar manner. The Independent Electoral Commission has told us it will invite all those who observed the Presidential election, and others, to observe the parliamentary elections.

Ballistic Missiles

Mr. Alan Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the effectiveness of existing international efforts to prevent ballistic missile proliferation, with particular reference to the MTCR; and what international plans there are to strengthen these efforts. [15642]

Mr. Bradshaw: The Missile Technology Control Regime (MTCR) has done a good job in countering the proliferation of missiles capable of delivering weapons of mass destruction through the co-ordination of the export controls of its 33 members. But it is not comprehensive in its membership or scope. The UK has therefore been active in the development of an International Code of Conduct (ICOC) against Ballistic Missile Proliferation. A draft text was agreed by MTCR members at their plenary meeting in Ottawa in September 2001, and will now be opened for wider negotiation. We hope the Code will become a universally accepted international agreement establishing global standards of practice in an area where currently there are none.

Nuclear Weapons

Mr. Alan Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs what response he has made to the Russian suggestion to engage permanent members of the Security Council in negotiations on nuclear weapons reductions. [15643]

Mr. Bradshaw: The Foreign Secretary has received no formal Russian proposal that Permanent Members of the Security Council should engage in negotiations on nuclear weapons reductions.

Arms Control (Outer Space)

Mr. Alan Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs what his policy is on arms control in outer space. [15649]

Mr. Bradshaw: We are parties to the Outer Space Treaty and other treaties that place some important limitations on military activity in space, prohibiting the deployment of weapons of mass destruction in space and military activity on the moon and other celestial bodies. While we do not wish to see a general prohibition on the military use of outer space we do recognise that there are legitimate concerns about these issues and support further consideration of them within the Conference on Disarmament in Geneva.

Zimbabwe

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs which places the Parliamentary Under-Secretary of State visited during her recent visit to Zimbabwe with the Commonwealth Ministerial Action Group; whom she met; and what discussions she has had since returning from the region. [15407]

Mr. Bradshaw: My noble Friend Baroness Amos and the Commonwealth Committee visited Harare and toured two farms, one near Masvingo and one in Marondera in Mashonaland East. She met members of the Zimbabwe Government as well as groups and organisations representing chiefs, farmers, war veterans, ZANU(PF), the MDC, the churches, UNDP, NGOs, the media and the Electoral Supervisory Commission. Since the visit Baroness Amos has discussed Zimbabwe with Ministers from SADC countries and with senior US officials.

Correspondence

Mr. Colman: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will reply to the letter of 6 September from the hon. Member for Putney with regard to his constituent, Mr. M. Sandhu (GV100/69005/JS). [15073]

Mr. Bradshaw: I am sorry that my hon. Friend did not receive my reply of 24 September to his letter of 6 September. Another copy was sent on 13 November.

Human Rights (Chechnya)

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Russian Government concerning human rights in Chechnya. [16680]

Peter Hain: The Secretary of State has raised the human rights situation in Chechnya with the Russian Foreign Minister on a number of occasions, most recently during his visit to Moscow on 31 October.

Diego Garcia (The Ilois)

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent meetings have been held with the US administration of Diego Garcia on the conditions relating to the return of the Ilois people to the islands; and if he will make a statement. [16677]

Mr. Bradshaw: There have been no recent meetings with the US administration on this matter but it has been discussed once since my hon. Friend last asked this question on 26 April 2001, *Official Report*, columns 337–38W.

Western Sahara

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent meetings he has held with the Government of Morocco concerning their occupation of the Western Sahara. [16679]

Mr. Bradshaw: We regularly discuss the issue of western Sahara with the Government of Morocco. I raised the issue during my visit to Morocco on 24 to 26 September.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what he expects the UN administration in the Western Sahara to name a date for a referendum on the future governance of the territory. [16678]

Mr. Bradshaw: The UK supported United Nations Security Council resolution 1359, which was passed unanimously on 29 June 2001. This reiterated full support for the on-going efforts of MINURSO to implement the settlement plan and the agreements by the parties to hold a free, fair and impartial referendum for the self-determination of the people of Western Sahara.

The United Nations Security Council resolution made no provision for setting a date for the referendum and at this stage we do not know when it will be possible to set such a date.

The resolution does, however, reaffirm the UN's commitment to assist the parties in achieving a just and lasting solution to the question of the Western Sahara. The personal envoy of the Secretary-General is currently engaged in an attempt to resolve the dispute. The special envoy is discussing with the parties the draft framework agreement (as set out in the United Nations Secretary-General's report of June 2001) which may offer a mutually agreed political solution to the dispute. He has also discussed with the Polisario their proposals to overcome the obstacles faced in the settlement plan.

United Nations Security Council

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the proposal of the Japanese Government to expand membership of the Security Council. [15828]

Peter Hain: The UK is a strong advocate of Security Council reform, which is discussed at the Open-ended Working Group on Security Council Reform at the United Nations in New York. Since views differ widely on what the size and shape of the Security Council should be progress has been slow.

Like Japan and a number of other countries, we support enlargement of the Security Council in both the permanent and non-permanent categories of membership. We believe that a Council along these lines could provide an acceptable balance between retaining effectivness and making the Council more representative of the modern world.

Gibraltar

Mr. O'Hara: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy not to accept at his meeting with his Spanish counterpart on 20 November proposals that *(a)* the Government and *(b)* the people of Gibraltar do not support. [16345]

Peter Hain: The Government stand by the commitment set out in the preamble to the 1969 Gibraltar Constitution that we will not enter into arrangements under which the people of Gibraltar will pass under the sovereignty of another state against their freely and democratically expressed wishes.

The Foreign Secretary met Spanish Foreign Minister Pique for talks under the Brussels Process in Barcelona this morning. At the conclusion of the meeting, they issued the following statement.

Brussels process Ministerial meeting on Gibraltar, 20 November, Barcelona

Joint Press Communique

Josep Pique i Camps, the Spanish Minister of Foreign Affairs and Jack Straw, the Foreign Secretary of the United Kingdom

> At our meeting today we confirmed our shared objective to continue our discussions about Gibraltar, in an atmosphere of trust and mutual co-operation, a commitment which Prime Minister Blair and Prime Minister Aznar endorsed when they met in London on 9 November. We are delighted that we are making good progress.
>
> We discussed the full range of issues set out in the November 1984 Brussels Communique. We did not want to draw conclusions today. Our aim is to conclude a comprehensive agreement by the summer of next year. This overall agreement will cover all outstanding issues, including those of co-operation and sovereignty.
>
> Our share objective is a future where Gibraltar enjoys greater self-government and the opportunity to reap the full benefits of normal co-existence with the wider region. The guiding principle is to build a secure, stable and prosperous future for Gibraltar and a modern sustainable status, consistent with our common membership of NATO and the EU. We also agreed on the need for rapid progress on key areas of co-operation. We asked officials to work up ideas and report to the next Ministerial meeting.
>
> While the British Government welcomed the Spanish decision to more than triple the number of telephone numbers for Gibraltar to 100,000, both Ministers agreed on the need for experts to continue discussions to resolve the other telecommunications issues. The British Government welcomed Spain's proposals to improve health care facilities in Spain for Gibraltarians, and both Ministers agreed that this should be followed up quickly. The Ministers also agreed that bilateral discussions would continue to address the pensions issue.
>
> We agreed that the Government of Gibraltar had a very important contribution to make to our discussions. Gibraltar's voice should be heard. We reiterated the invitation which we issued to the Chief Minister of Gibraltar when we met in London on 26 July to attend future Brussels Process Ministerial meetings. His role will be fully respected and he will have the opportunity to contribute fully to the discussion. The Process would benefit greatly from the direct views of the Government of Gibraltar, and through the Government of the House of Assembly and public opinion in Gibraltar as a whole.

Mr. O'Hara: To ask the Secretary of State for Foreign and Commonwealth Affairs what models of sovereignty he is exploring with the Spanish Government in the Brussels process. [16344]

Peter Hain: I refer my hon. Friend to the statement issued in Barcelona earlier today by the Spanish Minister of Foreign Affairs and the Foreign Secretary, a copy of which is also being placed in the Libraries of the House.

Mr. Jenkins: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals he has made to ensure that the people of Gibraltar enjoy the rights of citizens of the European Union; and if he will make a statement. [16287]

Peter Hain: The UK Government take their responsibility for Gibraltar in the EU very seriously and will continue firmly to defend the rights and interests of the people of Gibraltar.

HMG are actively working to ensure Gibraltar's enfranchisement in time for the 2004 elections to the European Parliament. HMG tabled an amendment to the 1976 EC Act on Direct Elections in order to extend the European franchise to Gibraltar. But such amendment has not proved possible. So, the UK is now actively considering taking unilateral action to extend the franchise to Gibraltar. This would involve bringing in domestic legislation without prior amendment to the 1976 Act.

Mr. Jenkins: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Gibraltar about facilitating their participation in the talks with the Spanish Government on terms that are acceptable to the Government of Gibraltar. [16288]

Peter Hain: I have held extensive discussions with the Government of Gibraltar about their participation in the Brussels process beginning in July and during my visit to Gibraltar on 6 September. The Chief Minister of Gibraltar called on the Foreign Secretary on 9 October. The Chief Minister called on me on 24 October. I also spoke to Chief Minister on 6 November and again on 13 November. At the Brussels Process Ministerial meeting held in Barcelona this morning the Secretary of State and the Spanish Foreign Minister reiterated their invitation for the Chief Minister of Gibraltar to attend future meetings.

Bangladesh

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Bangladesh regarding the treatment of Hindus. [15785]

Mr. Bradshaw: Our High Commission in Dhaka closely monitor reports of human rights abuses against minority groups and will continue to do so. They have raised the persecution of Hindus several times with the Bangladesh government, encouraging them to investigate allegations. High Commission staff recently visited regions where abuses were alleged to have taken place. The evidence suggests minorities have been caught up in inter-party clashes following the recent elections.

Chagos Islands

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions have been held by the the British High Commission in Mauritius with representatives of the Chagos islanders.

Mr Bradshaw: The British High Commissioner in Mauritius met with the Chairman of the Chagos Refugee Committee and his advisers in Port Louis on 12 November.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent visits to the Chagos islands have been made by officials of the British Indian Ocean Territories during the current calender year; and if he will make a statement. [16675]

Mr. Bradshaw: MOD staff and UK military personnel have visited this calendar year but not officials of the British Indian Ocean Territory Government.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to receive the environmental impact assessment report on potential future settlement of the Chagos Islands by its former inhabitants and their descendants. [16676]

Mr. Bradshaw: I refer my hon. Friend to the answer I gave on 28 June 2001, *Official Report*, column 164W. Phase 2 of the feasibility studies remains on target and we expect it to be completed by mid-2002.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions his Department has held with representatives of the Chagos islanders concerning their legal rights of return. [16673]

Mr. Bradshaw: We have maintained a regular dialogue with various members of the Ilois community and their lawyers.

Terroism Convention

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made with drawing up a draft convention on international terroism. [15827]

Peter Hain: There has been extensive work on the Comprehensive Terrorism Convention in the Sixth Committee of the UN General Assembly in New York. The UK has played an active part. The areas still under discussion have been narrowed consideralby. But consensus on the whole text has not yet been reached.

Kashmir

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with *(a)* India and *(b)* Pakistan on the situation in Kashmir. [15829]

Mr. Bradshaw: We regularly discuss Kashmir with the Indian and Pakistani Governments. The Prime Minister met the Pakistani President and Indian Prime Minister on 5 and 6 October and again during their respective visits to London on 8 and 12 November. The Foreign Secretary met his Indian counterpart in London on 3 October and his Pakistani conterpart in New York on 13 November. We will continue to urge both countries to persevere with dialogue to find a solution to this and all the issues outstanding between them.

International Criminal Court

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those countries that *(a)* have ratified and *(b)* have undertaken to ratify the Treaty on the International Criminal Court. [16233]

To date, 46 countries including the United Kingdom have ratified or acceded to the Rome Statute of the ICC. These are:

Ratifications: Senegal, Trinidad and Tobago, San Marino, Italy, Fiji, Ghana, Norway, Belize, Tajikistan, Iceland, Venezuela, France, Belgium, Canada, Mali, Lesotho, New Zealand, Botswana, Luxembourg, Sierra Leone, Gabon, Spain, South Africa, Marshall Islands, Germany, Austria, Finland, Argentina, Andorra, Paraguay, Croatia, Cost Rica, Antigua and Barbuda, Denmark, Sweden, Netherlands, Yugoslavia, Nigeria, Liechtenstein, Central African Republic, United Kingdom, Switzerland, Peru, Nauru and Poland.

Accession: Dominica

The Statute will enter into force on the first day of the month after the 60th day following the date of the 60th deposit of ratification, accession, acceptance or approval with the Secretary-General of the United Nations.

139 States have signed the Rome Statute of the ICC. Of these, many are well advanced with preparations to ratify. 12 EU member states have ratified to date and the other three are committed to doing so. We continue our efforts to encourage state to ratify or accede to the Statute as soon as possible.

CULTURE, MEDIA AND SPORT

Cultural Objects

Mr. Rosindell: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on her policy towards 2001/C193/17, extending Council Directive 93/7/EEC on the return of cultural objects unlawfully removed from the territory of a member state; and what assessment she has made of its impact on holdings in British museums. [14832]

Dr. Howells: The provisions of Directive 2001/38/EC of the European Parliament and of the Council amending Council Directive 93/7/EEC will be implemented into UK law. The amendments should have no impact on the holdings in British Museums.

National Lottery

Dr. Cable: To ask the Secretary of State for Culture, Media and Sport what the total value of lottery ticket sales in the Twickenham constituency has been since the National Lottery began. [15313]

Mr. Caborn: Information on National Lottery ticket sales by constituency is not routinely collected. Camelot did, however, conduct a one-off exercise to calculate ticket sales by constituency early in 2000. At that time, cumulative ticket sales in Twickenham from the start of the Lottery were £35.4 million.

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport how many *(a)* tennis clubs, *(b)* football clubs, *(c)* cricket clubs and *(d)* rugby clubs have received Lottery awards in each year since the National Lottery began. [16166]

Mr. Caborn: Lottery awards have been made to the following number of tennis, football, cricket and rugby clubs in each year since the lottery began:

Lottery Awards

Clubs	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*
Tennis	66	93	79	47	45	28
Association Football	38	34	15	12	17	8
Cricket	83	98	93	49	45	39
Rugby League	0	3	3	3	1	5
Rugby Union	21	17	9	7	11	4

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the total value of lottery ticket sales in the Buckingham constituency since the National Lottery began. [15771]

Mr. Caborn: Information on National Lottery ticket sales by constituency is not routinely collected. Camelot did, however, conduct a one-off exercise to calculate ticket sales by constituency early in 2000. At that time, cumulative ticket sales in Buckingham from the start of the lottery were £11.1 million.

Mr. Nigel Jones: To ask the Secretary of State for Culture, Media and Sport what the total value of lottery ticket sales in the Cheltenham constituency is since the National Lottery began. [16045]

Mr. Caborn: Information on National Lottery ticket sales by constituency is not routinely collected. Camelot did, however, conduct a one-off exercise to calculate ticket sales by constituency early in 2000. At that time, cumulative ticket sales in Cheltenham from the start of the lottery were £46.2 million.

Tony Wright: To ask the Secretary of State for Culture, Media and Sport what alteration in *(a)* number and *(b)* value of lottery awards to Cannock Chase has occurred as a result of recent initiatives to increase awards to coalfield areas. [16423]

Mr. Caborn: In the period up to August 1998 Cannock Chase received six awards, worth just over £330,000. Following the National Lottery Act 1998, revised policy directions and recent coalfields initiatives by Government and distributors, this figure increased to 93 awards, worth over £1.3 million.

The proportion of grants going to coalfield areas as a whole has increased by a third since the reforms.

Playing Fields

Llew Smith: To ask the Secretary of State for Culture, Media and Sport what the reason is for the delay in the publication by her Department of monthly figures on the number of playing fields sold off; and when she will publish the figures. [15854]

Mr. Caborn: Statistics on playing field sales were not collected until our playing fields legislation came into force. The Playing Field Monitoring Group was established to agree which statistics would be most useful in informing playing field policy. The Central Council of Physical Recreation and the National Playing Fields Association are members of the group to help that process. Figures from the Department for Education and Skills on applications made by state schools to dispose or change the use of school playing fields are published monthly, and those from Sport England giving details of planning applications affecting playing fields which have been referred to them as statutory consultee are published annually. We are aiming to produce combined figures including relevant data from the Department for Transport, Local Government and the Regions shortly. The differing time frames and areas covered by each set of figures, along with double counting in some areas and gaps in the data have complicated the issue and delayed publication. We hope to publish the first set of statistics, agreed by the monitoring group, early next year.

Tourism (North-East)

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport what steps she is taking to promote tourism in the coastal resorts in the north-east. [15781]

Dr. Howells *[holding answer 19 November 2001]:* Seaside resorts continue to represent a very important sector of our domestic holiday market, generating well over 15 per cent. of England's total domestic tourism income. The principal responsibility for supporting and promoting British seaside resorts lies with local government, working with other interested parties in the light of a clearly enunciated vision and strategy for tourism and other economic activity. The North East Regional Development Agency also has a key role to play at the regional level.

The north-east benefits, as does the rest of Britain, from British Tourist Authority (BTA) promotions overseas. Among BTA campaigns featuring coastal resorts in the north-east are Hidden Britain, due for launch next year, which suggests itineraries through less well known places, the Walking Britain map, due for launch in January and Harry Potter and Magical Britain, which will be launched on Monday 19 November. This is a guide to locations used in the recent film. Promotion of the Harry Potter guide includes a BTA press trip to Alnwick and Whitby, planned jointly with England's north-east.

Gambling

Miss McIntosh: To ask the Secretary of State for Culture, Media and Sport from which *(a)* individuals and *(b)* bodies the Gambling Review Body received advice regarding problem gambling among (i) children and (ii) adults. [16571]

Mr. Caborn: Annexes D and E to the report of the Gambling Review Body list the individuals and bodies who gave evidence.

Miss McIntosh: To ask the Secretary of State for Culture, Media and Sport what recent representations she has received concerning problem gambling among *(a)* children and *(b)* adults. [16570]

Mr. Caborn: A substantial number of the submissions which we have recently received on the report of the Gambling Review Body comment on problem gambling. A number express concern that some of the recommendations in the report could increase current levels of problem gambling.

Miss McIntosh: To ask the Secretary of State for Culture, Media and Sport (1) what estimate she has made of the impact on *(a)* small businesses, *(b)* private clubs and *(c)* other organisations of the implementation of recommendation 70 of the report of the Gambling Review Body; [16572]

(2) what estimate she has made of the impact on *(a)* small businesses, *(b)* private clubs and *(c)* other organisations if all recommendations of the Gambling Review Body were implemented. [16573]

Mr. Caborn: We have not yet completed our consideration of the many representations on the report in general and recommendation 70 in particular which we have received; but a substantial number have drawn attention to the serious financial consequences for clubs and small businesses which they argue it would have.

Staff Dispositions

Mr. Andrew Turner: To ask the Secretary of State for Culture, Media and Sport how many employees of *(a)* her Department and *(b)* agencies sponsored by her Department work in (i) London, (ii) areas benefiting from EU objective 1 status, (iii) areas with objective 2 status and (iv) other areas. [16103]

Dr. Howells *[holding answer 19 November 2001]:* The Department for Culture, Media and Sport has 462 staff in post (as at 15 November 2001):

453 in London;

Three in areas benefiting from EU objective 1 status; and

Six in areas with objective 2 status.

The Royal Parks Agency has 224 staff in post in London only. They have no staff with objective 1 or 2 status.

Gaming Machines

Mr. McCabe: To ask the Secretary of State for Culture, Media and Sport when she will make an announcement on the recommendations of the Gaming Board for Great Britain on the maximum stakes and prizes in gaming machines. [16887]

Mr. Caborn: I will make an announcement on this tomorrow.

Free Television Licences

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport how many older people will receive free television licences *(a)* in the UK and *(b)* in Middlesbrough, South and Cleveland, East. [16435]

Dr. Howells: Approximately 3.2 million people who previously paid the full television licence fee and 475,000 people who previously paid a £5 concessionary licence fee currently benefit from free television licences for the over-75s. TV Licensing, which administers this concession for the BBC as Licensing Authority, is not able to provide geographical breakdowns of the number of free licences issued. However, estimates based on the 1991 Census indicate that there were approximately 4,800 people aged 75 or over in the Middlesbrough, South and Cleveland, East constituency.

SCOTLAND

Departmental Response Times

Mr. Salmond: To ask the Secretary of State for Scotland (1) if she will place in the Library for each year since 1995 the average response time for providing a substantive answer to *(a)* hon. Members' correspondence, *(b)* correspondence from members of the public and *(c)* written parliamentary questions in the (i) Commons and (ii) Lords; [7010]

(2) if she will place in the Library for each year since 1995 the total number of *(a)* letters from hon. Members, *(b)* letters from members of the public and *(c)* parliamentary questions from (i) hon. Members and (ii) Lords dealt with by her Department; what percentage took (A) more than one month and (B) more than three months to provide a substantive answer; and if she will make a statement. [7011]

Mrs. Liddell: The effective handling of correspondence and PQs is an issue to which I, and ministerial colleagues, attach great importance.

General information on the volumes of correspondence received across Whitehall and on overall performance is published by the Cabinet Office. Figures for 2000 were published on 6 April 2001, *Official Report*, columns 324–28W and on 19 July 2001, *Official Report*, columns 454–56W.

The time limits for answering written parliamentary questions vary considerably and the calculation of an average response time would not, therefore, provide a reliable indication of the timeliness of answers.

Departmental Spending

Pete Wishart: To ask the Secretary of State for Scotland what the total amount of spending by her Department was in each nation and region of the UK, in the last year for which figures are available; what proportion of her Department's total spending this constitutes; and if she will make a statement. [6809]

Mrs. Liddell: I refer the hon. Member to the answer given by my right hon. Friend the Chief Secretary to the Treasury to the hon. Member for Banff and Buchan (Mr. Salmond) on 15 October 2001, *Official Report*, columns 454–56W.

Departmental Staff

Pete Wishart: To ask the Secretary of State for Scotland if she will estimate the number of staff employed by her Department by region and nation of the UK; and if she will make a statement. [6804]

Mrs. Liddell: I refer the hon. Member to the answer given by my hon. Friend the Parliamentary Secretary, Cabinet Office on 15 October 2001, *Official Report*, columns 1009–12W.

House of Lords Reform

Mr. Swire: To ask the Secretary of State for Scotland if she will make a statement regarding the implications for Scotland of the proposals to reform the House of Lords. [10245]

Mrs. Liddell: The Royal Commission on House of Lords reform recommended a minority elected element to represent the nations and regions. It found no appetite for direct representation of the devolved institutions in the House of Lords and recommended against it. The Government have pledged to implement the recommendations of the Royal Commission in the most effective way possible, and have recently published their proposals in the White Paper, "The House of Lords—Completing the Reform" (Cm 5291).

MSPs (Numbers)

Mr. Gordon Prentice: To ask the Secretary of State for Scotland what discussions she has had with the Scottish Executive on the operation of the Scotland Act 1998 concerning the reduction of the number of MSPs as a consequence of a reduction in the number of hon. Members from Scottish constituencies. [14398]

Mrs. Liddell: I have regular discussions with the Executive on a range of issues. I announced to the House on 6 November that I will be consulting widely on the size of the Scottish Parliament and expect to receive the views of Scottish Ministers and others on this matter.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Environment Agency (Navigation Responsibilities)

Shona McIsaac: To ask the Secretary of State for Environment, Food and Rural Affairs if she has reached a decision on the review of the Environment Agency's navigation responsibilities. [16771]

Martin Linton: To ask the Secretary of State for Environment, Food and Rural Affairs if she has reached a decision on the review of the Environment Agency's navigation responsibilities. [16827]

Margaret Beckett: The Environment Agency's navigation responsibilities were considered during Stage 1 of the Financial, Management and Policy Review (FMPR) which has recently been completed. The review team considered a wide range of views on the subject, including responses to public consultation, reports such as that of the Environment, Transport and Regional Affairs Select Committee, and an independent consultant's study.

The Stage 1 report concluded that there were no compelling operational reasons for a transfer of functions from the Environment Agency to British Waterways, but nor were there insuperable barriers to such a transfer. The report also concluded that there was an underlying policy issue to be resolved, which was beyond the scope of the FMPR to address. Essentially, that was whether the institutional arrangements for the waterways should be structured to promote navigation and regeneration benefits, with flood defence and conservation accommodated within the structure, or vice versa. In this respect British Waterways and the Environment Agency offer different advantages.

I have considered carefully the FMPR report, and information and views provided subsequently by the Environment Agency and British Waterways. This has not been a straightforward decision. I am attracted by the potential regeneration benefits a transfer to British Waterways could bring, and I accept the FMPR report's conclusion that flood defence issues do not pose an insuperable barrier to transfer, given British Waterways' safety record on its own rivers. However, any change needs to be justified by clear and objective evidence. On balance I do not judge there is sufficiently robust evidence on which to justify a transfer. I have therefore decided that current responsibilities should continue.

The Environment Agency will be set challenging new targets to deliver the improved service on navigation and regeneration being developed through initiatives like "Thames Ahead", working with local authorities and other partners. I look forward to positive results from this exercise, and to renewed goodwill and partnership with British Waterways in serving our important inland waterways.

BSE

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs if she will publish all correspondence *(a)* between her Department and (i) the Institute of Animal Health, (ii) the Laboratory of the Government Chemist, (iii) the Veterinary Laboratories Agency, (iv) the Spongiform Encephalopathy Advisory Committee, (v) the Food Standards Agency and (vi) the Department of Health, and *(b)* between those agencies which are the responsibility of her Department, regarding tests to establish whether BSE was present in sheep in the early 1990s. [10594]

Margaret Beckett *[holding answer 26 October 2001]:* The information requested could be provided only at disproportionate cost.

Border Inspection Posts

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to record centrally *(a)* the number of people employed in border inspection posts and *(b)* where they are deployed. [13275]

Margaret Beckett *[holding answer 8 November 2001]:* The inspection services at the border inspection post (BIP) are the responsibility of the local authority and it is for the appropriate local authority to deploy inspection staff at the BIP in response to the volume and nature of products imported through the BIP. For this reason the exact number of inspectors engaged in checking imports can vary from day to day. Any centrally held figure would therefore be accurate only on the day it was collected. Central Government have no powers to instruct the local authority over the number of inspectors.

Foot and Mouth

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what measures she is taking to draw up a National Contingency Plan in relation to foot and mouth disease. [11736]

Margaret Beckett *[holding answer 1 November 2001]:* Contingency plans are held and regularly reviewed by the Regional Operations Directors who have been put in place to deal with the current foot and mouth disease outbreak. The plans are kept under review and up-dated as necessary in the light of the latest disease situation. They are based on the continued adherence to and rigorous enforcement of the existing control strategies, including tight biosecurity, and take the form of working documents that have to be refined in the light of any new developments including up to date epidemiological advice.

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has recently received from Professor Fred Brown regarding new technologies in the diagnosis of foot and mouth disease. [8909]

Margaret Beckett *[holding answer 19 October 2001]:* The Department last had contact with Professor Brown some months ago when he proposed the use of new portable technology, a portable SmartCycler, in the diagnosis of foot and mouth. This equipment has been tested at Pirbright against the laboratory-based testing system and results compared.

Early findings indicate that the tests carried out within the laboratory are more accurate as they are able to identify borderline positive samples. This has been crucial in the fight against this outbreak. The technology test itself is quicker than the laboratory by two hours, but in its current form it is not suitable for large scale testing in the field. This is because there are a number of practical considerations which might lead to contamination of samples which are tested in the field. Further work on the validation of the test, the assay procedures and "real time" comparisons with the laboratory system is being carried out. We are always keen to encourage new technology in this area and willing to co-operate in development and validation whenever we have the facility available and it is practical to do so.

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received requesting a public inquiry into the origins of the foot and mouth outbreak and the measures taken to control it. [7861]

Margaret Beckett *[holding answer 15 October 2001]:* The Government have received a number of representations on this subject. These have mainly been from parish, district and borough councils.

Paul Flynn: To ask the Secretary of State for Environment, Food and Rural Affairs what was the average daily fee and commission paid to *(a)* valuers, *(b)* slaughtermen and *(c)* vets for their work in the slaughter of herds owing to FMD between March and October. [12294]

Mr. Morley *[holding answer 2 November 2001]:* The precise information requested cannot be provided except at disproportionate cost. Information on the fee structure is as follows: *(a)* valuers are paid 1 per cent. of valuation subject to a daily minimum of £500 and daily maximum of £1,500; *(b)* slaughtermen are paid at or around a headage rate of £2.50 per bovine and £1.00 per sheep, pig or goat; and *(c)* temporary veterinary inspectors are engaged at a daily rate of £250.

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs what standard operating procedures based upon previous outbreaks had been established by MAFF to deal with foot and mouth. [15371]

Mr. Morley *[holding answer 16 November 2001]:* Comprehensive veterinary instructions and procedures have been in existence for some years. These are developed in the light of outbreaks of disease (not only foot and mouth) and are continually reviewed and amended where necessary. In this outbreak, numerous instructions have also been issued in response to the developing disease situation.

Air Quality

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what measures she is taking to ensure the effective monitoring of progress by local authorities on the implementation of plans to improve air quality. [11733]

Margaret Beckett *[holding answer 1 November 2001]:* Local authorities have a key role to play in improving air quality, and we recognise the importance of monitoring closely the progress that they are making. We have issued guidance to local authorities on preparing air quality action plans, and authorities are required to consult us on all draft plans as they emerge. We will consider these carefully, and offer formal comments as appropriate. Once air quality action plans are in place, we will monitor their effectiveness through our national air quality monitoring network, as well as by overseeing the results of local authorities' own future reviews and assessments of air quality. Where insufficient progress is being made, we have the power under section 85 of the Environment Act 1995 to issue directions to local authorities, requiring them to do more.

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs if she will establish a timetable for regular reviews of the Government's air quality standards. [11732]

Margaret Beckett *[holding answer 1 November 2001]:* The Government's plans for future reviews of air quality standards and objectives were set out in Chapter 6 ("Next Steps") of the Air Quality Strategy for England, Scotland, Wales and Northern Ireland, published in January 2000. The Government's air quality standards are based on the advice of the expert panel on air quality standards (EPAQS), and are reviewed as and when necessary in the light of scientific and other developments in the UK and elsewhere. EPAQS's work programme is regularly revised to take account of emerging developments, including new advice from the World Health Organisation and the European Commission.

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to widen the membership of the expert panel on air quality standards and to review its remit; and if she will make a statement. [11731]

Margaret Beckett *[holding answer 1 November 2001]:* The Government recognise the need to widen the membership of the expert panel on air quality standards (EPAQS). We are, for example, taking urgent steps to recruit at least one lay member onto the panel. EPAQS remit will be revised and updated following discussions at the Air Quality forum (a stakeholder group which advises the Government on air quality policies) earlier this year. A copy of the remit and a list of the current members is available via the Department's website. http://www.defra.gov.uk/

Nitrogen Dioxide

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to identify the long-term effects of nitrogen dioxide emissions on human health. [11730]

Margaret Beckett *[holding answer 1 November 2001]:* The Department of Health has recently issued a call for research proposals which includes a request for a review of the effects of long-term exposure to nitrogen dioxide on health. In addition, the World Health Organisation will be reviewing the health effects of nitrogen dioxide in the next couple of years. The Government will assess the implications of these reviews when they have been completed, and will take full account of them in shaping any policy objectives for nitrogen dioxide that are set after that time.

Farmers' Markets

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what measures she is taking to promote farmers' markets. [7862]

Margaret Beckett *[holding answer 15 October 2001]:* We have actively encouraged the development of farmers' markets.

In 1999 the Ministry of Agriculture hosted a seminar which led to the creation of the National Association of Farmers' Markets (NAFM). The NAFM acts as the 'umbrella' body for farmers' markets and plays a key role in protecting and advancing their interests at a national level. We awarded NAFM grant under the Agricultural Development Scheme towards its training, accreditation and marketing programmes. More recently we have provided funding to help NAFM re-launch farmers' markets in the wake of the foot and mouth outbreak.

Farmers Markets may be eligible for funding under the Rural Enterprise Scheme which is part of the England Rural Development Programme.

Earlier this year we co-sponsored the Local Government Association Guide on Farmers' Markets. The Guide is intended to disseminate good practice for local authorities hosting farmers' markets and provides a range of information, help and advice.

The Countryside Agency, which we grant aid, is also supporting the development of farmers' markets.

Genetically Modified Fish

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the *(a)* likelihood of interbreeding of genetically modified fish and wild fish and *(b)* environmental consequences of such interbreeding, with particular reference to salmon. [8001]

Mr. Meacher *[holding answer 15 October 2001]:* It is likely that fertile genetically modified (GM) fish released into the environment would interbreed with the local wild population of the same species. The environmental consequences would depend on the individual circumstances.

The likelihood of environmental consequences is the rationale behind the European Regulatory regime, which prohibits releases of genetically modified organisms into the environment. Directive 90/220 requires that anyone wanting to release genetically modified organisms in any country in the EU must have prior approval subject to a detailed risk assessment. Approval cannot be granted unless the applicant can demonstrate to the satisfaction of the regulatory authorities that all appropriate measures have been taken to avoid adverse effects on human health and the environment. Each application is considered on a case by case basis taking account of specific circumstances in each individual case; it is not possible to generalise.

In the case of a proposal to release GM salmon the likelihood of interbreeding with the wild population is one of the factors which would be assessed. It is difficult to envisage approval being granted where the possibility of interbreeding with wild stock exists.

Sellafield

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will make a statement on the environmental implications of the manufacture of MOX fuel at Sellafield; [9928]

(2) what conclusions her Department has reached about objections raised by *(a)* the Irish Government and *(b)* others to the MOX plant at Sellafield; [9929]

(3) what *(a)* risk assessment and *(b)* additional consideration her Department has given to the risk of suicide terrorist attacks on shipments of plutonium since 11 September; [9931]

Margaret Beckett: The Secretary of State for Health and I decided on 3 October that MOX manufacture is justified under the Basic Safety Standards Directive. We took account of all relevant issues up to that date, including environmental and security considerations and the views of the Irish Government and others who responded to five consultation exercises over five years. A copy of our decision is in the Library, including a summary of environmental, security and other main considerations taken into account. Paragraphs 56–64 and 67–70 of the decision document and paragraphs 6–14 and 25–33 of Annexe 1 describe these issues in detail. We sought the advice of agencies responsible for safety and security issues, including the Office for Civil Nuclear Security which, as the decision document makes clear, took account of the terrorist attacks on 11 September.

Timber Products (Public Sector Procurement)

Mr. Chope: To ask the Secretary of State for Environment, Food and Rural Affairs what advice the Cabinet Office gives to *(a)* Government Departments and *(b)* public sector procurement directors about the purchase of office furniture which has been certified by the Forest Stewardship Council. [16462]

Mr. Morley: Giving advice to Government Departments on environmental procurement matters is the joint responsibility of the Department for Environment, Food and Rural Affairs and the Office of Government Commerce.

Central Government Departments were formally reminded of the Government's policy to procure timber and timber related products from sustainable and legal sources in a Note dated 2 January 2001 from the then Department for the Environment, Transport and the Regions sent to heads of procurement under cover of a Note from the Office of Government Commerce. In that note attention was drawn to advice on the DETR website—now maintained by DEFRA. Central Government have not given advice on this subject directly to other public sector procurement directors but the Government's advice is widely available and can be adapted or adopted by any other organisation.

Central Government buyers are advised to specify in orders and contracts that suppliers provide documentary evidence, which has been, or can be, independently verified, that the timber has been lawfully obtained from forests and plantations managed to sustain their biodiversity, productivity and vitality and to prevent harm to other ecosystems and any indigenous or forest dependent people. When verifying the credibility of suppliers' claims buyers are not advised to consider any particular scheme in preference to other schemes. Buyers have been advised, by way of the statement made by the Minister for the Environment to Parliament on 28 July 2000, that the Forest Stewardship Council is an example of a body that sets independent standards for sustainable forestry and a means for verifying the source of timber purchased.

DEFRA has commissioned a study of central Government's timber procurement requirements with a view to producing further advice to buyers.

Foxhunting

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs when she received the risk assessment of restarting foxhunting; and if she will publish it. [10003]

Alun Michael *[holding answer 25 October 2001]:* The Veterinary Risk Assessment for hunting was submitted in mid-September in the light of the foot and mouth disease classification of counties for autumn movements. Since then, Ministers and officials have monitored the disease picture closely and have been considering the detail of how any relaxation of foot and mouth disease controls on hunting would be implemented. The Veterinary Risk Assessment and our decision based on it were published on 15 November 2001 and have been placed in the Vote Office and in the Library of the House.

Lembit Öpik: To ask the Secretary of State for Environment, Food and Rural Affairs what individuals and organisations have been consulted during the compiling of the Veterinary Risk Assessment report on hunting; and if she will make a statement. [12022]

Alun Michael: Officials from the Department have met a range of organisations including the Countryside Alliance, the League against Cruel Sports and the Masters of Foxhounds Association regarding the possible relaxation of foot and mouth disease controls over hunting.

Badgers

Chris Grayling: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the illegal killing of badgers. [16199]

Mr. Morley: This Government deplore the illegal killing of badgers. The principal legislation protecting the welfare of badgers is the Protection of Badgers Act 1992. Under the 1992 Act it is an offence to kill, take or dig for a badger, or attempt to do so, except under licence or in certain particular circumstances, or to injure one or attempt to do so. The maximum penalty for an offence under the 1992 Act is a fine of £5,000 and/or 6 months' imprisonment.

The level of protection for badgers is unique for an unendangered animal and reflects the concern which is felt by Parliament about the gratuitous acts for cruelty to which badgers have been subjected to all too often in the past.

Flooding

Mr. Love: To ask the Secretary of State for Environment, Food and Rural Affairs what advice her Department is issuing to householders who face repeated flooding on *(a)* protecting and *(b)* insuring their properties; and if she will make a statement. [16452]

Mr. Morley: Guidance on protecting properties is available from the Environment Agency's Floodline Service and on the agency's website.

As regards flood insurance, it is clearly in householders' interests to ensure that their policies provide suitable cover against flooding. The Government maintain close links with the insurance industry to help ensure continued availability of affordable flood cover. Together with the flood defence operating authorities, we are reducing the risk of flooding and are communicating this to the industry. However, it must be recognised that insurance companies need to take a commercial decision as to what risk they will cover and on what terms. Also, the insurance industry is a competitive one and customers may need to shop around to obtain the best deal.

The agreement among Association of British Insurers (ABI) member companies is that they will continue to provide flood cover, except in exceptional circumstances, for domestic properties and small businesses which they currently insure, during 2001 and 2002. Cases where there is an alleged breach of this agreement have been referred by DEFRA to the ABI for investigation.

My hon. Friend the Economic Secretary to the Treasury and I met the ABI on 5 September to discuss our mutual aim of ensuring that affordable flood insurance cover continues to be generally available after December 2002. Further discussions between official have taken place.

In relation to the concerns expressed by the ABI, the Government are acting to reduce flood risk, through substantial increases in investment in flood and coastal defence (which now totals over £400 million a year). Flood defences are being repaired, renewed, maintained and improved. Flood warning arrangements are continually being improved. The Government have issued strengthened guidance to local planning authorities on control of development in flood risk areas, and are reviewing the financial and institutional arrangements under which the flood defence service is delivered.

Mr. Love: To ask the Secretary of State for Environment, Food and Rural Affairs what additional funding she will make available to assist local authorities with the cost of sandbags, water pumps and other items in relation to flooding and flood defences in the next 12 months; and if she will make a statement. [16451]

Mr. Morley: The flood defence service is provided by the Environment Agency, internal drainage boards and local authorities. It is funded by a combination of grant from DEFRA towards approved capital schemes and Department for Transport, Local Government and the Regions funding delivered through the local government financial mechanisms.

Total Government funding is set to increase from some £377 million this year to £394 million in 2002–03. The great majority of this funding is used to provide new flood defences, maintain and improve existing defences and watercourses, and provide flood warning schemes, though such funding may also be used to provide additional sandbags and pumping equipment.

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what representations she has received from owners of properties that were flooded last year for the first time and have been designated by insurance companies as at risk; [16568]

(2) what measures she has taken to assist homeowners whose houses are not on flood plains but who have been flooded in the last year who are required to pay the same insurance premiums as those homeowners who are; [16567]

(3) if she will encourage insurance companies not to charge excessive premiums to homeowners who possess properties at risk from flooding. [16569]

Mr. Morley: The Government maintain close links with the insurance industry to help continued availability of affordable flood cover. Together with the flood defence operating authorities, we are reducing the risk of flooding and are communicating this to the industry. However, it must be recognised that insurance companies need to take a commercial decision as to what risk they will cover and on what terms. Also, the insurance industry is a competitive one and customers may need to shop around to obtain the best deal.

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Pay Dispute

Mr. Luff: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the state of industrial relations at her Department's office in Worcester; and if she will make a statement. [15631]

Mr. Morley: Despite the current pay dispute involving the Public and Commercial Services Union, we are continuing to maintain working relations with them and other DEFRA unions.

Mr. Luff: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the likely implications of industrial action at her Department's office in Worcester for the efficient delivery of services by that office; and if she will make a statement. [15634]

Mr. Nicholas Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the industrial action carried out by staff employed at her Department's regional offices at *(a)* Crewe, *(b)* Nottingham and *(c)* Bristol; and what assessment she has made of the industrial action's effect on the (i) despatch and (ii) processing of (A) agricultural claim forms and (B) payments for farmers. [15811]

Mr. Morley: DEFRA Ministers receive regular reports on the impacts on the Department and we are determined to manage the consequences responsibly, taking account of the needs of our customers, the taxpayer and the long-term working relations in the Department. Our aim is to resolve the current dispute as quickly as possible.

Local Access Forums

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs what progress has been made in establishing local access forums; and if she will make a statement. [13867]

Alun Michael: I am pleased to say that we are making significant progress. On 31 July I published a consultation document on proposals for regulations to establish local access forums under Section 94(1) of the Countryside and Rights of Way Act 2000. The consultation closed on 23 October. We received around 300 responses, and these will be considered with care when drafting the regulations. I expect the regulations to come into force early next year.

Livestock Farming

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement about the future of livestock farming in the UK. [13939]

Mr. Morley *[holding answer 12 November 2001]:* DEFRA's objectives are to create a livestock production sector which is sustainable, competitive, responsive to consumer demands and founded on high animal health and welfare standards.

To ensure sustainability we need to have regard to environmental limitations and market limitations. We continue to argue the case for decoupling EC beef and sheep payments from production to enable producers to align their livestock numbers to the carrying capacity of their land and to the likely markets for their produce.

Better marketing is needed to shorten the supply chain between producer and consumer. This should enable producers to be both more competitive and to respond to consumer tastes.

DEFRA is determined to develop a coherent strategy for the identification and tracing of animals to enable diseases to be tackled more effectively and to ensure consumer confidence in animal products. We are also launching the National Scrapie Plan, which is a long-term programme for breeding genetic resistance to scrapie and BSE into the national sheep flock.

Hare Coursing

Mr. Simmonds: To ask the Secretary of State for Environment, Food and Rural Affairs what recent representations she has received regarding illegal hare coursing; and if she will make a statement. [14309]

Alun Michael: A number of hon. Members have commented on the problem of illegal hare coursing following the Adjournment Debate initiated by the hon. Member for Wantage (Mr. Jackson) on 29 October 2001, *Official Report,* columns 727–34. In responding to that debate I set out the Government's position on illegal hare coursing.

Special Advisers

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the special advisers employed by her Department and their relevant qualifications and experience. [15367]

Mr. Morley *[holding answer 16 November 2001]:* My right hon. Friend the Secretary of State has appointed Sheila Watson and Nicci Collins as her special advisers under the terms and conditions set out in the Model Contract for special advisers. Details of the career history of individuals are not disclosed, under exemption 12 of the Code of Practice on Access to Government Information, to protect the privacy of the individual concerned.

Departmental Estate

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the *(a)* buildings and *(b)* lands owned by her Department. [15357]

Mr. Morley *[holding answer 16 November 2001]:* Details of the buildings and land owned by the Department have been placed in the Library of the House.

Open Day

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs when her head office intends holding a public open day. [15356]

Mr. Morley *[holding answer 16 November 2001]:* The Department has a good record of heritage involvement and has opened the doors of Nobel House, its Grade 2* listed headquarters on Millbank, for the Open House event over the past few years. This has been favourably received by about 2,500 visitors, for whom officials have laid on guided tours, exhibitions and a brochure. This takes considerable pre-planning and unfortunately we could not open the building in September 2001 because of the pressures of foot and mouth disease. We intend to open Nobel House again in the future.

Flood Defences

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs what the components and weightings are of the economic tests applied to proposals for *(a)* coastal protection and *(b)* flood prevention. [16608]

Mr. Morley: This Department provides funding for coast protection and flood alleviation capital works that meet essential technical, economic and environmental criteria and achieve an appropriate priority score. To ensure that value is obtained for taxpayers' money the economic criteria for all works are that (a) the benefits outweigh the costs and (b) the most economically efficient option, commensurate with achieving an appropriate level of protection, is identified. The most recent guidance for operating authorities on the aspects to be covered in the economic appraisal of both coast protection and flood alleviation schemes was published in 1999.

Kew Gardens

Shona McIsaac: To ask the Secretary of State for Environment, Food and Rural Affairs if the report of the Quinquennial Review of the Royal Botanic Gardens, Kew has been completed. [16770]

Alun Michael: The review team have completed Stage I of the Quinquennial Review of the Royal Botanic Gardens, Kew. This deals with strategic options. I am today depositing a copy of their report in the parliamentary Libraries.

The Government welcome the work of the review team and the scientific visiting group. We shall be replying to the recommendations of both exercises in due course with a formal response and action plan agreed jointly with the Board of Trustees of the Royal Botanic Gardens, Kew.

Stage II of the Quinquennial Review is currently in hand.

PRIME MINISTER

Departmental Spending

Mr. Salmond: To ask the Prime Minister what the total expenditure was on *(a)* advertising, *(b)* polling, *(c)* focus groups, *(d)* design consultants, *(e)* caterers, *(f)* production of departmental publications and *(g)* photographs/photographers by his Department for each year since 1995 in (i) cash and (ii) real terms; what was (A) the annual percentage increase in spending on each category and (B) spending on each category as a percentage of the total departmental running costs; and if he will make a statement. [6942]

The Prime Minister: I refer the hon. Member to the answer given to him by my hon. Friend the Parliamentary Secretary, Cabinet Office on 19 November 2001, *Official Report*, columns 81–82W.

Resource Productivity

Fiona Mactaggart: To ask the Prime Minister when the Performance and Innovation Unit will publish its report on resource productivity; and if he will make a statement. [16700]

The Prime Minister: The Performance and Innovation Unit's report "Resource productivity: making more with less" to Government is being published today. I welcome the report, which will make an important contribution to delivering our goal of sustainable development. The report focuses on how to meet our objectives on economic growth without unacceptable environmental impacts.

Key areas identified in the report for further action include Government procurement; a new approach to sustainable development and resource productivity in small businesses; targeted support for resource productive innovation; and an assessment of long-term indicative targets.

My right hon. Friend the Minister for the Environment will lead on taking forward the implementation and dissemination of the report, in collaboration with colleagues on the ENV(G) Cabinet sub-committee.

Copies have been placed in the Libraries of the House. It is also available on the Cabinet website at www.cabinet-office.gov.uk/innovation.

TRANSPORT, LOCAL GOVERNMENT AND THE REGIONS

East Coast Main Line

14. **Mr. Lazarowicz:** To ask the Secretary of State for Transport, Local Government and the Regions what progress has been made regarding the extension of the east coast main line franchise. [13565]

Mr. Jamieson: Negotiations between the Strategic Rail Authority and GNER are continuing. Discussions for extending franchises will focus on better rolling stock, refurbished stations and new services.

Rent Restructuring

15. **Mr. Coleman:** To ask the Secretary of State for Transport, Local Government and the Regions when he expects to announce his proposals for rent restructuring; and if he will make a statement. [13566]

Ms Keeble: My right hon. Friend the then Minister of State responsible for local government and the regions announced our proposals for rent restructuring in the December 2000 policy statement, "The Way Forward for Housing". We expect to announce shortly how the housing revenue account subsidy system is to change to reflect those proposals.

Inner-city Regeneration

16. **Mr. Mudie:** To ask the Secretary of State for Transport, Local Government and the Regions what steps he is taking to encourage regeneration in the inner cities. [13567]

Ms Keeble: We are working closely with 24 partner towns and cities around the country to take forward the urban regeneration agenda. My Department also has a number of programmes including the Neighbourhood Renewal Fund, New Deal for Communities and Neighbourhood and Street Warden schemes through which we are spending over £1.9 billion in deprived areas over the next three years.

Aircraft Noise

17. **Mr. Todd:** To ask the Secretary of State for Transport, Local Government and the Regions what steps he is taking to control the nuisance of aircraft noise. [13568]

Mr. Jamieson: The Government's policy is to address the nuisance of aircraft noise by promoting improved standards for noise at source, through ICAO and other bodies; by encouraging good practice in noise control at airports through local consultation; and where appropriate by directly regulating operational noise controls.

Local Government Settlement

18. **Paddy Tipping:** To ask the Secretary of State for Transport, Local Government and the Regions if he will use financial floors and ceilings in determining the local government settlement for 2002–03. [13569]

Dr. Whitehead: As I announced to the House on 20 July, we will be applying floors and ceilings to grant increases for authorities with education and social services responsibilities, and to police and fire authorities in the 2002–03 local government finance settlement. We are also considering how best to improve predictability and stability for shire districts in the 2002–03 settlement. We will announce the details of our proposals to the House at the start of the consultation on the provisional settlement.

Railtrack

19. **Mr. Martlew:** To ask the Secretary of State for Transport, Local Government and the Regions what rail infrastructure improvement targets Railtrack has met since privatisation. [13571]

26. **James Purnell:** To ask the Secretary of State for Transport, Local Government and the Regions what rail infrastructure improvement targets Railtrack has met since privatisation. [13579]

Mr. Jamieson: No infrastructure improvement targets were set at the time of privatisation. Since 1998 the Rail Regulator has set a range of targets for Railtrack covering track quality, broken rails and overall performance. Of these, the company has met that relating to broken rails for 2000–01 and a small proportion of those covering track quality and operational performance.

Michael Fabricant: To ask the Secretary of State for Transport, Local Government and the Regions (1) on which dates, up to one month prior to 5 October, he received advice from the Treasury indicating funds were not likely to be approved to maintain the *(a)* viability and *(b)* liquidity of Railtrack plc; [16227]

(2) if he will list the dates up to one month prior to 5 October when he received advice from the Treasury, pursuant to his statement in the House of 13 November 2001, *Official Report*, column 724. [16226]

Mr. Byers: As I made clear in my Statement to the House on 13 November 2001, *Official Report*, column 725, it was my decision, on behalf of the Government, on 5 October to refuse further funding for Railtrack plc, over and above the Regulated settlement and the 2 April Agreement. Treasury was kept fully informed of Railtrack's requests for unlimited funding.

Rail Network (Funding)

20. **Mr. Hoban:** To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on future funding of the rail network. [13573]

24. **Tim Loughton:** To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on future funding of the rail network. [13577]

Mr. Jamieson: The Government, through their 10 Year Plan, remain committed to delivering a better, safer and more reliable railway network for the 21st century, and are prepared to spend over £30 billion over the next 10 years to achieve substantial improvements.

Telecommunications Masts

21. **Mr. Burns:** To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the planning procedures for erecting telecommunications masts in residential areas and near schools. [13574]

Ms Keeble: Mobile phone mast development in residential areas and near schools is subject to the normal telecommunications planning arrangements in place throughout England.

Our recently published Planning Policy Guidance Note 8 "Telecommunications" advises that before an operator submits an application for planning permission or prior approval for a mast near a school or college they should discuss the proposed development with the relevant body of the school or college.

Standard Spending Assessment (Wirral)

22. **Mr. Ben Chapman:** To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on his plans for the standard spending assessment for the Wirral. [13575]

Dr. Whitehead: We are currently determining the provisional Local Government Finance Settlement for 2002–03. We will announce the resulting figures for all English local authorities at the time of the consultation on the provisional settlement, which will commence in late November or early December, as is normal.

Elected Mayors

23. **Mr. Kevin Hughes:** To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the adoption of local government constitutions involving elected mayors. [13576]

Dr. Whitehead: To date, referendums in six local authorities, including Doncaster, have supported the introduction of an elected mayor, and mayoral elections in those local authorities will be held in May 2002.

We have also received proposals from five other councils that include the holding of referendums on a range of dates between now and the beginning of February 2002.

Glas Cymru

25. **Kevin Brennan:** To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made of Glas Cymru as a model for the new Railtrack. [13578]

Mr. Jamieson: We have indicated that we will be making a proposal to the administrator for a company limited by guarantee to take over Railtrack's role, but the Secretary of State will of course consider any proposal put to him by the Administrator to transfer the railway assets out of administration.

We are of course aware that Glas Cymru is based on the company limited by guarantee model, as are a large number of housing associations throughout the country. But our proposal will not be based on any one company model.

E-Government

27. **Mr. Prosser:** To ask the Secretary of State for Transport, Local Government and the Regions what steps his Department is taking to assist local authorities to deliver e-Government. [13580]

Dr. Whitehead: Local authorities are making good progress towards meeting e-Government targets with the help of £350 million from the Local Government Online Programme. £24 million of this has been allocated this year to fund 24 of the 25 pathfinder projects; I expect to release a further amount shortly.

Local Government Finance

28. **Kali Mountford:** To ask the Secretary of State for Transport, Local Government and the Regions when he will make an announcement on the reform of local government finance. [13581]

Dr. Whitehead: The Local Government White Paper due to be published later this year will set our financial reforms in context of the wider modernisation agenda and will include a Daughter Document detailing our financial proposals.

Private Sector Houses (Surplus)

30. **Mr. Pike:** To ask the Secretary of State for Transport, Local Government and the Regions what action his Department proposes to take to assist local authorities with large numbers of unwanted and surplus private sector houses. [13583]

Ms Keeble: We recognise the problems created by abandoned housing in low-demand areas. There are no easy answers. The causes of market decline vary between authorities and so will the solutions. Local authorities already have a range of tools that they can use to deal with surplus housing. Other measures, such as licensing of private landlords and our private sector renewal reforms, are in the pipeline.

Bicycle Transportation

31. **Dr. Palmer:** To ask the Secretary of State for Transport, Local Government and the Regions what guidance he gives light rail operators on the circumstances under which passengers may transport cycles. [13584]

Ms Keeble: We offer no specific guidance to operators on the carriage of cycles on LRT systems. However, the National Cycling Strategy, which we support, suggests that all new LRT projects should include cycle carriage. Advice in "Cycle-friendly Infrastructure, Guidelines for Planning and Design" also advocates the carriage of bicycles on LRT. However, this is ultimately a matter for the discretion of the operator.

Regional Assemblies

32. **Mr. Swire:** To ask the Secretary of State for Transport, Local Government and the Regions what changes to local government structures he plans as part of the introduction of regional assemblies. [13585]

Dr. Whitehead: As previously announced by my right hon. Friend the Deputy Prime Minister, we intend to publish a Regional Governance White Paper, and this will set out how we plan to take forward our Manifesto commitment that:

> "provision should be made for directly elected regional government to go ahead in regions where people decided in a referendum to support it and where predominantly unitary local government is established".

North Kent Rail Services

33. **Clive Efford:** To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to increase passenger capacity on North Kent rail services; and what recent representations he has received on this issue. [13586]

Mr. Jamieson: The Strategic Rail Authority has no immediate plans to increase passenger capacity on North Kent rail services. However, this could be achieved by introducing 12-car operation as part of the Thameslink 2000 project and as a result of possible negotiations to extend the current Connex South Eastern franchise. I am not aware of any recent representations on this issue other than those made by my hon. Friend.

Local Communities (Partnerships)

34. **Stephen Hesford:** To ask the Secretary of State for Transport, Local Government and the Regions what steps his Department is taking to encourage partnerships in local communities. [13587]

Dr. Whitehead: The Government expect county, district and parish councils to work in partnership with each other, with local communities, and other public, private and voluntary sector organisations to provide the best quality services for local people.

We are taking a number of steps to foster this working, including the promotion of 'local strategic partnerships' to bring these groups together.

Under the duty of Best Value, we also expect local councils to explore new ways of delivering public services, and that is why we have just launched a new task force on strategic service delivery further to encourage partnership working with the private sector.

I understand that there is effective joint working between the public, private and community and voluntary sectors in Dorset and I commend my hon. Friend the member for South Dorset (Jim Knight).

Mobile Phones (Accidents)

35. **Tony Wright:** To ask the Secretary of State for Transport, Local Government and the Regions what evidence he has collated on the number of accidents caused by motorists using mobile phones while driving. [13588]

Mr. Jamieson: There is clear evidence of an increased risk of an accident when using any type of mobile phone while driving. Detailed investigation is needed to establish the cause of any accident. Two research projects currently under way will help to establish the likely numbers of road traffic accidents involving mobile phones.

Women in Government

36. **Julie Morgan:** To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to encourage women to put themselves forward for election to each level of Government. [13589]

Mr. Raynsford: We have introduced the Sex Discrimination (Election Candidates) Bill to enable political parties to use positive measures to reduce inequality in the numbers of men and women elected.

We are also reforming Government to make it a more attractive option to all people of all backgrounds, including women, through improving the hours and working environments at all levels of government.

However, political parties have a vital role to play in encouraging women to come forward, and I hope that the work that the Government are doing in this area acts as a spur to parties wishing to achieve a greater gender balance in their representatives.

Ten-year Transport Plan

37. **Chris Grayling:** To ask the Secretary of State for Transport, Local Government and the Regions which projects in the 10-year transport plan he estimates *(a)* will and *(b)* will not be open by 2010. [13590]

Mr. Jamieson: The 10-year plan is an investment strategy aimed at providing improvements to transport across the board. There is no definitive list of projects. These will emerge as decisions are taken in the light of reports from the multi-modal studies, by local authorities and the Mayor of London, and by the SRA and the rail industry.

Concessionary Fares

29. **Paul Holmes:** To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to extend the scope of the current legislation covering concessionary fares in England and Wales. [13582]

Ms Keeble: The Travel Concessions (Eligibility) Bill will extend local authority concessionary travel schemes to men aged 60–64 in England and Wales.

Mr. Andrew Turner: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to the answer of 14 November 2001 by the Prime Minister to the hon. Member for the Isle of Wight, *Official Report*, column 850, on concessionary coach fares, if he will set out when public financial support for concessionary fares for pensioners on *(a)* buses and *(b)* coaches (i) became permissible, (ii) became mandatory and (iii) began to be implemented or will begin to be implemented, (A) for within-county travel and (B) for out-of-county travel. [16464]

Ms Keeble: Concessionary travel on buses and coaches at county level has been permitted since 1968. It was possible for authorities to arrange for the concession to apply outside the county by arrangement with adjoining local authorities. The statutory minimum standard that commenced in June 2001 ensures at least half-fare travel for pensioners on local buses. It does not apply at county level outside the metropolitan areas, although there is no reason why local authorities should not join together to run a county scheme, or a scheme beyond the county boundary, if they wish.

Road Traffic Accidents

Mr. Rosindell: To ask the Secretary of State for Transport, Local Government and the Regions what proportion of road traffic accidents occurred on or near to the calibration lines of speed cameras in the last 12 months for which figures are available. [11657]

Mr. Jamieson: That information does not form part of the accident record. Monitoring of the areas taking part in the trial of a new funding system for speed and traffic signal enforcement cameras has shown a significant decrease in the number of collisions and casualties at the camera sites. A site is considered to be the stretch of road within a half a kilometre of the camera.

David Wright: To ask the Secretary of State for Transport, Local Government and the Regions what percentage of *(a)* deaths and *(b)* serious injuries in road traffic accidents occur to passengers where they and the car driver are under 21 years. [15015]

Mr. Jamieson: In Great Britain in 2000 there were a total of 3,409 deaths in road accidents. Four per cent. of these fatalities were aged under 21 and a passenger in a car with a driver who was also under 21. There were 38,155 seriously injured casualties, of whom 3 per cent. were passengers where they and the car driver were under 21 years of age.

M25 Motorway

Mr. Greg Knight: To ask the Secretary of State for Transport, Local Government and the Regions if he will change the variable speed limit system in operation on the M25 motorway to permit the raising of speed limits above 70 mph in non-rush hour periods and lighter traffic. [12327]

Mr. Jamieson: The M25 Controlled Motorway scheme is experimental and still subject to evaluation: there are no plans to modify the scheme at this time.

Social Housing

Ms Buck: To ask the Secretary of State for Transport, Local Government and the Regions how many *(a)* council and *(b)* registered social landlord properties, and what percentage of all properties in each case, in each region in England and Wales will have target rents above their actual rent at the end of the 10 year transition period, assuming that target rents rise in line with retail prices index over the same period. [14479]

Ms Keeble: Under the social rent reforms, we are protecting tenants by limiting actual rent changes to no more than £2 per week in any one year above the normal increase for inflation, even where this means it takes more than 10 years for actual rents to reach the target levels given by the reforms. Information on actual and target rents under the reforms is currently not available. Social landlords will only have completed their property valuations and calculated their target rents under the reforms around the turn of this calendar year.

Ms Buck: To ask the Secretary of State for Transport, Local Government and the Regions how many *(a)* council and *(b)* RSL properties, and what proportion of the total stock in each case, in each region in England and Wales will see (i) a reduction in their target rent as against their current rent, (ii) an increase in their target rent as against their current rents of under £10, (iii) an increase in their target rents as against their current rents of £10-£20, (iv) an increase in their target rents as against their current actual rents of £20-£30, (v) an increase in their target rents as against their current rents of £30-£50 and (vi) above £50 under the Government's rent restructuring proposals. [14478]

Ms Keeble: The information is currently not available. Social landlords will only have completed their property valuations and calculated their target rents under the reforms around the end of this calendar year.

Mr. Coleman: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made of the percentage of *(a)* council and *(b)* RSL tenants in London whose rents will rise as a consequence of the introduction of the target rents set as a consequence of the introduction of the rent restructuring proposals. [14521]

Ms Keeble: Our initial estimates were based on the English House Condition Survey database and information from landlords' statistical returns. At a national level, in April 2000 terms, they suggested the restructuring formula leads to increases in rents for around 53 per cent. of council tenants and 52 per cent. of RSL tenants. Equivalent figures have not been produced at the level of individual regions to avoid problems from small sample sizes.

Compulsory Training Directive (Minibus Drivers)

Mr. Gibb: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made of the impact the European Directive on Compulsory Training for LGV and PCV drivers will have on voluntary minibus drivers required to hold a D1 driving licence. [14939]

Mr. Spellar: We have sought to assess the impact by seeking the views of interested parties on the draft Directive, including the exemptions it proposed to the compulsory training requirement. Copies of the Consultation Paper were placed in the House Libraries. As discussions have progressed, we have held meetings with groups with particular interests in minibus drivers, such as the Community Transport Association and the Confederation of Passenger Transport.

Persons driving minibuses as volunteers may usually do so on the basis of holding a car driving licence. Under European driving licence laws they are exempt from the normal requirement to hold the higher standard vocational driving licence, provided they can satisfy the exemption conditions which generally relate to age and experience.

Discussions on the draft Directive have established that drivers who are not required to hold a vocational driving licence will not be required to undertake the compulsory training requirement.

Affordable Homes (London)

Martin Linton: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the number of affordable homes achieved via *(a)* section 106 agreements and *(b)* unilateral undertakings by London boroughs between April 2000 and April 2001. [14951]

Ms Keeble: Statistical data recently supplied by the London boroughs with their housing strategy submissions indicate that 1,010 affordable homes (completions) were provided through Section 106 agreements in London for April 2000-April 2001. However, these figures are provisional and require further validation and may include housing units achieved by way of unilateral undertakings.

In addition, we have commissioned detailed research into levels of affordable housing in London provided by Section 106 obligations.

Fishing Vessels

Andrew George: To ask the Secretary of State for Transport, Local Government and the Regions how many fishing vessels of over 12 metres have had an MCA sea worthiness test in each year for the last 10 years for which figures are available. [15663]

Mr. Jamieson: The number of fishing vessels over 12 metres in registered length that have undergone a survey and been issued with a UK Fishing Vessel Safety Certificate in the last 10 years is as follows.

Year	*Number of surveys*
1990–91	508
1991–92	581
1992–93	550
1993–94	564
1994–95	395
1995–96	361
1996–97	399
1997–98	376
1998–99	274
1999–2000	303
2000–01	358

Andrew George: To ask the Secretary of State for Transport, Local Government and the Regions how many fishing vessels of over 12 metres length are registered which are liable for *(a)* a mandatory MCA test and *(b)* a sea worthiness certificate. [15662]

Mr. Jamieson: There are 1,236 fishing vessels over 12 metres in length registered in the UK. All these vessels are issued with a sea worthiness certificate in the form of a UK Fishing Vessel Safety Certificate and are subject to the mandatory tests associated with the certificate as appropriate to the individual vessels.

Andrew George: To ask the Secretary of State for Transport, Local Government and the Regions how many fishing vessels of over 12 metres length have failed to pass their MCA sea worthiness test in each year for the past 10 years for which records are available. [15661]

Mr. Jamieson: In practical terms no fishing vessel over 12 metres in registered length fails its sea worthiness test when presented for survey. Vessels presented for survey are issued with a list of defects that are rectified before the Fishing Vessel Safety Certificate is issued.

Alternative Fuels

Mr. Heath: To ask the Secretary of State for Transport, Local Government and the Regions what steps he is taking to prepare for the European Commission's draft directive target of 2 per cent. road fuel provision by biofuel by 2005. [15615]

Mr. Jamieson: The draft Directive on the "Promotion of biofuels for transport" has yet to be discussed by member states, and it is premature to consider its implementation. The Government have already announced that biodiesel will attract a fuel duty rate of 20 pence per litre below the rate for ultra low sulphur diesel, to be introduced in Budget 2002. Bioethanol is one of the fuels to which the Government are offering support for research through piloting as part of the Green Fuels Challenge programme.

Mr. Heath: To ask the Secretary of State for Transport, Local Government and the Regions what criteria he has used to assess the environmental benefits of *(a)* wheat grain and *(b)* cellulosic biomass as source material for bioethanol production. [15308]

Mr. Jamieson: The Government assess the environmental benefits of fuels including bioethanol produced from various feedstocks on a lifecycle basis. This includes consideration of air quality, greenhouse gas emissions and other environmental impacts such as noise, waste, biodegradability and biodiversity. Bioethanol is one of the fuels to which the Government are offering support for research, through piloting, as part of the Green Fuels Challenge programme in order to foster the development of lower-carbon bioethanol.

Mr. Heath: To ask the Secretary of State for Transport, Local Government and the Regions what recent comparison he has made of the relative greenhouse gas emissions of *(a)* biodiesel, *(b)* bioethanol, *(c)* compressed natural gas and *(d)* liquid petroleum gas. [15614]

Mr. Jamieson: The Government launched the Green Fuels Challenge in November 2000, consulting industry and environmental groups on the possible environmental and health and safety aspects of the range of alternative fuels, including biodiesel, bioethanol, natural gas and liquefied petroleum gas. The outcome of the first stage of the Challenge was announced in the 2001 Budget. The criteria used for the consultation and a summary of the Green Fuels Challenge preliminary results are available on DTLR's and DEFRA's websites.

London Underground

Ms Bridget Prentice: To ask the Secretary of State for Transport, Local Government and the Regions (1) how many stations on the London Underground will be refurbished as part of his Department's investment plans for the tube; [15565]

(2) how many miles of new track will be laid on the London Underground as part of his Department's investment plans for the tube. [15564]

Mr. Jamieson: The Government's modernisation plans for the London Underground will deliver at least £13 billion investment over the next 15 years. Bidders have said that more than 50 stations will be modernised in the first 7½ year period.

School Buses

Mr. Edwards: To ask the Secretary of State for Transport, Local Government and the Regions which local authorities in England have indicated that they have dropped the three for two rule regarding the seating of pupils under 14 years of age on scheduled bus services. [15798]

Ms Keeble: Seating arrangements on scheduled bus services, other than contract services for a local authority, are a matter for the operator subject to the relevant regulations and not for the local authority.

I have no information on what arrangements are in place for bus services provided and contracted to local education authorities. This is a matter for local authorities and operators.

Planning Reform

Mr. Gardiner: To ask the Secretary of State for Transport, Local Government and the Regions when he will publish the Green Paper on planning reform; and whether the Green Paper will consult on a change to the use classes order system of planning regulation. [16019]

Ms Keeble: I expect to publish the Green Paper by the end of the year. A separate consultation document will be issued in the new year relating to the use class order.

These documents form part of a suite of consultation papers proposing comprehensive reform of the planning system.

Cornish

Andrew George: To ask the Secretary of State for Transport, Local Government and the Regions when the Government will complete their assessment of the case for specifying the Cornish language within the European Charter for regional or minority languages. [15861]

Ms Keeble: I can assure the hon. Member that Government's assessment of their position on Cornish in relation to the Charter is being given the most careful consideration. We share his interest in a timely conclusion to this work and have said we will do this as quickly as possible. This remains our aim.

Free Bus Passes (London)

Chris Grayling: To ask the Secretary of State for Transport, Local Government and the Regions what his policy is on the provision of free bus passes for pensioners in London. [16173]

Ms Keeble: Under the Transport Act 2000, the statutory minimum requirement for local authority concessionary fare schemes guarantees that pensioners and disabled people are entitled to half fares on local bus services, with a free bus pass. The London boroughs, however, have chosen to provide a more generous free travel scheme with free travel for their resident pensioners and disabled people.

Employment (Blackpool, North and Fleetwood)

Mrs. Humble: To ask the Secretary of State for Transport, Local Government and the Regions what funding he has provided *(a)* to encourage employment opportunities and *(b)* to regenerate industrial estates in the Blackpool, North and Fleetwood constituency in the last three years. [16058]

Ms Keeble: The constituency of Blackpool, North and Fleetwood has benefited from the award of £20 million funding in round two of the Single Regeneration Budget. The £2 million Business and Technology Park in the Moor Park area of Bispham was part funded by £600,000 from the SRB and has attracted £1.4 million of private sector investment. Its aim is to encourage inward investment and generate permanent jobs.

Rents

Mr. Chris Smith: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 13 November 2001, *Official Report*, column 616W, on rent levels, what information he has collated on the impact of his proposals on the average level of rents in inner London boroughs. [16197]

Ms Keeble: Initial results from the case study we commissioned in West London suggest that between 2000–01 and 2011–12 the average level of weekly rent will rise in real terms from £61 to £72 for council tenants in LB Hammersmith and Fulham and from £62 to £81 for tenants of Notting Hill Housing Trust.

Mrs. Anne Campbell: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the effect of rent restructuring on constituencies with high housing prices. [13570]

Ms Keeble: We have reviewed our approach to the introduction of the rent reforms on new developments. We have concluded that it could lead to some anomalies between the rents on new and existing stock. We have therefore decided that restructured rents on new developments should be phased in alongside restructuring on the remainder of a landlord's stock.

We recognise that there are potential problems associated with the small number of existing properties which would have very high rents under the reforms and are considering proposals for tackling them.

Older People (Discrimination)

Ms Atherton: To ask the Secretary of State for Transport, Local Government and the Regions what action his Department has taken to tackle discrimination against older people. [16327]

Dr. Whitehead: The Government are determined to tackle discrimination against older people and will continue to act to combat it wherever it is found.

Our long-term integrated transport strategy is helping older people by delivering more accessible public transport, ensuring half price local bus fares for pensioners, and providing support for a wide range of flexible, community transport projects. We are also taking forward the recommendations contained in our audit of older people's transport requirements.

Home Ownership (Buckingham)

Mr. Bercow: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the level of home ownership in the Buckingham constituency in each of the last five years. [16255]

Ms Keeble: The level of home ownership in the Buckingham Constituency (which is the same area as covered by Aylesbury Vale district council) over the last five years is detailed in the table.

Year	*Total number of dwellings in area*	*Total number of private sector dwellings*
2001	64,545	54,760
2000	63,687	53,648
1999	63,229	52,885
1998	62,516	52,203
1997	61,225	50,772

Monocular Drivers

Mr. Salmond: To ask the Secretary of State for Transport, Local Government and the Regions whether his Department maintains records on the safety record of monocular drivers. [15772]

Mr. Jamieson *[holding answer 19 November 2001]:* The Department for Transport, Local Government and the Regions does not maintain records on the safety record of monocular drivers.

Employers' Insurance

Mr. Battle: To ask the Secretary of State for Transport, Local Government and the Regions what statutory provisions govern the rights of employees to information on the employers liability compulsory insurance scheme. [15961]

Dr. Whitehead: There are no statutory provisions governing the rights of employees to information under the Employers' Liability (Compulsory Insurance) Act 1969 ("the 1969 Act"). So far as the insurance that an employer takes out to comply with the 1969 Act is concerned, regulation 5 of the Employers' Liability (Compulsory Insurance) Regulations 1998 made under the 1969 Act requires the employer to display one or more copies of the certificate of insurance at each place of business at which he employs any relevant employee of the class or description to which the certificate relates.

Mr. Battle: To ask the Secretary of State for Transport, Local Government and the Regions what statutory provisions govern the commercial confidentiality of information held by companies on employers' insurance liabilities. [15963]

Dr. Whitehead: So far as I am aware, there are no statutory provisions specifically governing the commercial confidentiality of information held by companies on employers' insurance liabilities. Companies must, however, comply with the provisions of the Data Protection Act 1998 in respect of personal and sensitive personal data which may be relevant to insurance liabilities and may be bound by contractual or other duties of confidentiality restricting disclosure.

Mr. Battle: To ask the Secretary of State for Transport, Local Government and the Regions how many companies were prosecuted in the last five years for failing to display an ELCI certificate in the workplace. [15962]

Dr. Whitehead: There are no known cases where a company has been prosecuted for not displaying an ELCI certificate. However, since April 1996 there have been 24 prosecutions by HSE of companies for failure to hold ELCI cover. When such failure occurs, it follows that the company has also failed to display a valid ELCI certificate.

Apart from these cases there has been no known instance where an employer has failed to display an ELCI certificate after an inspector has requested him/her to do so.

There are a further five prosecution cases awaiting court dates.

Mr. Battle: To ask the Secretary of State for Transport, Local Government and the Regions what statutory provisions govern the duty of employers to display an ELCI certificate in the workplace. [15955]

Dr. Whitehead: Regulation 5 of the Employers' Liability (Compulsory Insurance) Regulations 1998. This requires an employer who has been issued with an ELCI certificate to display one or more copies of it at each place of business at which he employs any relevant employee of the class or description to which the certificate relates. Section 4 of the Employers' Liability (Compulsory Insurance) Act 1969 provides for a person who fails to comply with a requirement to display copies of the certificate of insurance to be liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1,000).

Disabled Passengers

Dr. Kumar: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on what his Department is doing to ensure that the UK transport network is accessible to those with *(a)* mobility problems and *(b)* other disabilities. [16426]

Ms Keeble: We are committed to providing an accessible public transport system in which people with a wide range of disabilities will have the same opportunities to travel as everyone else. Accessibility regulations for new trains, buses and coaches have been introduced under Part V of the Disability Discrimination Act 1995. Part III of the Act requires public transport infrastructure to be accessible to disabled people. From 2004 this will include the removal of physical barriers to access.

The 10 Year Transport Plan introduced a new commitment to ensuring that access for disabled people is a condition of all new public investment in transport.

Traveline

Dr. Kumar: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the promotion and use of the Traveline website. [16428]

Mr. Jamieson: Traveline currently is primarily a telephone service offering route and timetable information on all forms of public transport. A website is being developed to supplement the telephone service. The website can be seen at www.traveline.org.uk. and links to all currently available public transport journey planners in the UK. During 2002, journey planners for more regions will become available and will be linked from the site. As coverage of these services becomes more comprehensive the national Traveline website will be given more active promotion.

Camping (Research)

Mr. Lidington: To ask the Secretary of State for Transport, Local Government and the Regions what was the cost to public funds of the research project conducted by Heriot-Watt University, the University of Bristol and the University of Cardiff into the implementation of Government guidance on managing unauthorised camping. [16339]

Ms Keeble: The cost of the research was £80,519.

Departmental Initiatives

Dr. Kumar: To ask the Secretary of State for Transport, Local Government and the Regions if he will list for each *(a)* area-based and *(b)* other regeneration-related initiative for which his Department is responsible (i) the amount budgeted and (ii) the total expenditure in each financial year for the planned lifetime of each initiative (A) nationally and (B) in the Middlesbrough, South and Cleveland, East constituency. [16427]

Ms Keeble: Department for Transport, Local Government and the Regions programmes contribute to the regeneration of all deprived neighbourhoods by helping to improve the quality of life of local people by reducing the gap between deprived and other areas and between different groups. Levels of funding for the initiatives listed by the Cabinet Office Regional Co-ordination Unit as being the responsibility of this Department are as follows:

£ million[1]

	1998–99	*1999–2000*	*2000–01*	*2001–02 estimate*	*2002–03 plans*
Coalfields	—	2	15	26	15
Community chest	—	—	—	10	15
Community empowerment fund	—	—	—	12	12
European regional development fund areas	229	278	246	255	254
Neighbourhood management	—	—	—	16	23
Neighbourhood Renewal Fund	—	—	—	200	300
Neighbourhood Wardens	—	—	—	2	3
New Deal for Communities	—	4	35	94	350
Single Regeneration Budget	561	692	725	851	767

[1] Rounded

The Government Office for the North East is collecting information on regeneration funding within Middlesbrough, South and Cleveland, East constituency and I will write to my hon. Friend when it is available.

The objectives of the national DTLR regeneration initiatives are as follows:

Coalfields

To bring about the physical, social, economic and environmental regeneration of Coalfields. Support for the Coalfield Regeneration Trust covers the period 1999–2000 to 2005–06.

Community Chest

To support community involvement and activity in deprived neighbourhoods for up to three years.

Community Empowerment Fund

To support community and voluntary sector involvement in Local Strategic Partnerships for up to three years.

European Regional Development Fund Areas

To tackle economic regeneration by promoting the development of those regions—lagging behind the rest of the European Union, redeveloping regions seriously affected by industrial decline; and supporting the adjustment of rural and urban areas facing new economic challenges. DTLR share of the ERDF programme covers the period 2000–06.

Neighbourhood Management

To help deprived communities and local services improve local outcomes, by improving and joining up local services, and making them more responsive to local needs. Support is provided up to seven years.

Neighbourhood Renewal Fund

To enable the 88 most deprived authorities to improve services, narrowing the gap between deprived areas and the rest of the country. Subject to review in SR2002.

Neighbourhood Wardens

Using Wardens to tackle the problems of our poorest neighbourhoods. Subject to review in SR2002.

New Deal for Communities

To tackle multiple deprivation in the most deprived neighbourhoods in the country, taking forwards the Government's commitment to combat social exclusion in the context of the National Strategy for Neighbourhood Renewal Action Plan. The lifetime of schemes is up to 10 years.

Single Regeneration Budget

To enhance the quality of life of local people in areas of need by reducing the gap between deprived and other areas, and between different groups. Schemes under each round have a lifetime up to seven years.

Urban Regeneration Companies

To lead and co-ordinate redevelopment and new investment in declining urban areas. URCs are new independent companies established by the relevant local authority, Regional Development Agency, English Partnerships (if appropriate), the private sector and other key partners. The lifetime for each URC is for the local partners to decide. Resources or powers are those that the local partners themselves are willing to commit.

Road Surfaces

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions what research his Department has undertaken into the relative effectiveness of reducing noise levels of *(a)* porous asphalt and *(b)* this surface coating road surfaces. [16597]

Mr. Byers: My Department has researched the relative effectiveness of porous asphalt in reducing traffic noise levels from those generated by a conventional motorway asphalt surface for nearly 20 years. The specification for porous asphalt was developed using research into ways of increasing its durability, which was inevitably reduced by its porosity. One of the issues emerging from the longer-term research into porous asphalt has been the tendency for its performance to reduce as the pores become clogged.

Thin surface coating road surfaces have been researched since these surfacings first became available in the early 1990s. A wide range of proprietary materials covered by this description has been subjected to a range of tests developed by the British Board of Agreement under the Highway Authorities Product Approval Scheme. The test of relative acoustic performance included within this scheme was developed from the procedure used in the research programme.

NAOMI Traffic Flow Model

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the projects for which the Highways Agency's NAOMI traffic flow model has been used in the last six months. [16596]

Mr. Byers: During the last six months, the NAOMI traffic model has been used to predict traffic flows for the following projects:

The ORBIT multi-modal study, which covers the M25 corridor

Proposals for service areas on the M25, M4 and M40.

Additionally, during the last six months information from the NAOMI model has provided input to developing the traffic forecasts for the following projects:

The Reading Area Transportation Study

A simulation model of the M25 junctions 10 to 16

Research into trip movements at motorway service areas

A proposed motorway service area on the M27 at Meon Valley

An investigation of M25 Junction 13 and Glantry roundabout

Highways Agency development control

An investigation of development opportunities in Thames Gateway.

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions when the NAOMI traffic flow model was introduced by the Highways Agency; and what assessment has been made of its reliability and accuracy. [16595]

Mr. Byers: The NAOMI (New Assessment of Motorway Improvements) traffic flow model was introduced originally in 1995 and has been subject to several revisions and updates. The current version has been in use since September 2001. The reliability and accuracy of the model has been assessed using procedures contained in volume 12a of my Department's Design Manual for Roads and Bridges and passed as being fit for purpose as a regional scale model.

Public Transport (Wales)

Dr. Francis: To ask the Secretary of State for Transport, Local Government and the Regions what recent discussions he has had with the National Assembly for Wales to achieve an integrated public transport system for Wales. [13553]

Mr. Jamieson: My right hon. Friend the Minister for Transport met the Minister for the Environment of the National Assembly, Sue Essex, in July this year. At that meeting various items relating to achieving an integrated public transport system were discussed. Officials are in regular contact with the Assembly regarding developments which may affect devolved policy.

Rochdale District Council

Sir Teddy Taylor: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the funding of Rochford district council. [13572]

Dr. Whitehead: This financial year, Rochford district council received a 3.9 per cent. increase in Government support. The Spending Review provided for continued good increases in grant for all authorities in the next two years. We will be announcing our proposals for funding for local government in 2002–03 at around the end of this month.

Turner and Newall Plc

Mr. Battle: To ask the Secretary of State for Transport, Local Government and the Regions what investigations his Department has carried out into Turner and Newall plc in relation to employees' liability insurance cover since 1971; and if he will make a statement. [15958]

Dr. Whitehead: None.

Congestion Charges

Mr. Pickles: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to issue instructions to exempt *(a)* teachers, *(b)* fire fighters, *(c)* police officers and *(d)* nurses from payment of the congestion charges in London. [15018]

Mr. Spellar: I have no plans to issue instructions to exempt the categories of road users mentioned by the hon. Member from the payment of congestion charges in London. It will be open to the Mayor of London to grant concessions on exemptions to his scheme if he judges it appropriate to do so.

LORD CHANCELLOR'S DEPARTMENT

Court Service Website

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the cost in 2000–01 was of the inclusion of the Lexicon Portal in the Court Service website. [14979]

Mr. Wills: The cost in 2000–01 for the inclusion of the Lexicon Portal in the Court Service website totalled £80,700.

Court Building Programme

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the cost to public funds was in *(a)* 2000–01 and *(b)* 2001–02 of the court building programme. [14919]

Mr. Wills: The cost of the 2000–01 court building programme was £8,519,779. The cost of the 2001–02 court building programme is anticipated to be £12,146,000.

Public Trust Office

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the cost is in 2001–02 of the Complaints Unit set up by the Public Trust Office. [14992]

Ms Rosie Winterton: The Public Guardianship Office was created as a new executive agency on 1 April 2001, and has assumed the responsibilities of the Public Trust Office for looking after the financial affairs of people suffering from mental incapacity. The estimated administration costs of the Complaints Unit at the Public Guardianship Office will be £286,000 in 2001–02, including accommodation and common services costs.

"Funds in Court: Unclaimed Balances"

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on his Department's response to the National Audit Office report "Funds in Court: Unclaimed Balances". [14929]

Ms Rosie Winterton: The National Audit Office report was followed by a hearing of the Public Accounts Committee. The Government gave their response to the report of the Public Accounts Committee in a Treasury minute dated 25 April 2001 (CM 5127).

Statutory Instruments

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment she has made of the cost to public funds of the statutory instruments introduced in 1999–2000; and if he will list them. [15128]

Ms Rosie Winterton: A list of the statutory instruments has been placed in the Libraries of both Houses. It includes those signed by or on behalf of the Lord Chancellor and laid before Parliament in the years 1999 and 2000, and also Orders in Council for which the Lord Chancellor's Department was responsible. A list of Northern Ireland statutory rules signed by or on behalf of the Lord Chancellor is also included.

The exercise by the Lord Chancellor of a power granted to him in primary legislation to make rules, regulations or other statutory instruments is often a necessary step for the expenditure of public funds, but is not in itself a sufficient step. It is seldom if ever possible to say that the expenditure of any particular sum is attributable to, and only to, a particular statutory instrument.

PFI

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) if he will make a statement on the expected savings to public funds from the Private Finance Initiative contracts signed by his Department in 2000–01; [15036]

(2) what Private Finance Initiative contracts have been signed by his Department in the current financial year. [14924]

Mr. Wills: The Lord Chancellor's Department has not signed any Private Finance Initiative (PFI) contracts in either of these years. The Department does, however, provide financial support and other assistance to local authority PFI projects for magistrates courts buildings. The contract for the city of Manchester magistrates court, which was signed by Manchester city council in March 2001, is expected to save £3.25 million at today's prices over the 25 year contract. The contract for Derbyshire magistrates courts, which was signed in August 2001 by Derby city council and Derbyshire county council, is expected to save £10.2 million over the 25 year contract, again at today's prices.

Libra Project

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the cost is in 2001–02 of the Libra project. [15038]

Mr. Wills: The estimated costs of the Libra project in 2001–02 amount to £26.5 million. This is made up of internal costs, payments to ICL for the rollout of the first phase of the project and payments by the Magistrates Courts Service for the ongoing usage of Libra.

Royal Courts of Justice

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the progress of and cost saving from the public-private partnership to procure a building adjacent to the new court complex and the Royal Courts of Justice for the location of headquarters staff. [14897]

Mr. Wills: We have no public-private partnership to procure a building at or adjacent to the Royal Courts of Justice for headquarters staff.

Northern Ireland Court Service (IT Provision)

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on the savings achieved by the Northern Ireland Court Service's public-private partnership agreement with ICL for the provision of IS/IT services. [14898]

Ms Rosie Winterton: The Information Services and Information Technology Agreement between the Northern Ireland Court Service and ICL is a 10 year contract with the main savings and benefits, as identified in the business case, realised through the delivery of new operational systems. Specifically these are the Enforcement of Judgments System and the Integrated Court Operation System due for delivery in late 2001 and 2005 respectively.

Savings since the signing of the contract, at current average costs, have totalled £274,000 with further savings to be achieved on the delivery of the Integrated Court Operations System. The contract has delivered a wide range of non-financial efficiencies with specific emphasis on supporting the Government's modernisation programme including a replacement ICT infrastructure, a corporate desktop and an intranet service.

J. W. Roberts Ltd.

Mr. Battle: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) if he will place in the Library a copy of Mr. Justice Hart's reasons for accepting the petition of J. W. Roberts Ltd. in the High Court of Justice Chancery Division Companies Court (in the matter of the Insolvency Act 1986) heard on 1 October; [15960]

(2) if he will place in the Library the transcript of the hearing and decision of the petition of J. W. Roberts Ltd. in the High Court of Justice, Chancery Division, Companies Court heard on 1 October by Mr. Justice Hart. [15956]

Mr. Wills: A transcript of the hearing of and decision on the petition of J. W. Roberts Ltd., one of the 133 cases heard by Mr. Justice Hart, on 1 October, will not be placed in the Library as this is not normal procedure. Transcripts of court proceedings, or parts of proceedings, are not routinely arranged unless requested by a superior court for the consideration of an appeal. However, the parties to the action, or any interested party, with the judge's consent, can order it. The judge has given his consent and it is now open to anyone to place an order for a transcript with the court reporters responsible for taking the verbatim record of the case. There is a charge for this service, although in cases of financial hardship this may be met from public funds. The order may be placed with the Court Reporting Unit, Royal Court Justice, Strand, London WC2A 2LL. Before deciding whether to place an order for the transcript an estimate of the cost should be requested, as this may be considerable.

Mr. Battle: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will place in the Library the list of the companies Turner and Newall put into administration as a result of the hearing and decision on the petition of J. W. Roberts Ltd. in the High Court of Justice, Chancery Division Companies Court heard on 1 October. [15964]

Mr. Wills: A list of the companies in the T and N Group in respect of which the administration orders were made on 1 October 2001 will not be placed in the Library. A central index of companies in administration is held on computer in the High Court of Justice. This index is available to anybody to search on payment of a fee of £5 for 15 minutes.

Mr. Battle: To ask the Parliamentary Secretary, Lord Chancellor's Department on what date J. W. Roberts petitioners and Turner and Newall plc first filed its application for administration under the Insolvency Act 1986. [15957]

Mr. Wills: The petition was presented on 1 October 2001.

Community Legal Service

Dr. Kumar: To ask the Parliamentary Secretary, Lord Chancellor's Department how many *(a)* public, *(b)* private, *(c)* charity and *(d)* non-governmental organisations are involved in community legal service partnerships in the (i) borough of Middlesbrough and the (ii) Redcar and Cleveland areas. [16446]

Ms Rosie Winterton: The borough of Middlesbrough is covered by the Middlesbrough Community Legal Service Partnership which includes representatives from Middlesbrough borough council, the Benefits Agency, Teesside Magistrates Court, 21 local law firms and 24 non-governmental and charitable organisations, including Middlesbrough Citizens Advice Bureau.

Redcar and Cleveland borough council is covered by the Redcar and Cleveland Community Legal Service Partnership which includes representatives from Redcar and Cleveland borough council, the Benefits Agency, 16 local law firms, and eight non-governmental and charitable organisations, including Redcar and Cleveland Citizens Advice Bureau.

Public Defenders

Dr. Kumar: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to develop the concept of public defenders throughout the UK. [16444]

Mr. Wills: Public defender offices are being piloted by the Legal Services Commission in the first phase of a four-year pilot which began in May 2001. Offices have already opened in Liverpool, Middlesbrough, Swansea and Birmingham. The 5th and 6th offices will be opened before April 2002. During and at the end of the four-year start-up period the Government will review the service and make decisions on its future development. The Scottish Executive and the Northern Ireland Office are responsible for the administration of justice in Scotland and Northern Ireland.

Freedom of Information Act

Matthew Taylor: To ask the Parliamentary Secretary, Lord Chancellor's Department what progress has been made in completing the review to *(a)* repeal and *(b)* amend (i) primary and (ii) secondary legislation under section 75 of the Freedom of Information Act 2000; how many statutory bars have been scrutinised during this review; if he will list the titles of (A) primary and (B) secondary legislation which are to be repealed or amended under section 75 of the Act; when the review began; and if he will make a statement. [14747]

Mr. Wills: Over 300 separate pieces of legislation containing these statutory bars have been identified and are in the process of being reviewed in consultation with other Government Departments to establish which provisions may be repealed or amended. I will make a further report to the House when the review has been completed. Given the complexity of the legislation under review, however, it may be some time before a full statement can be given.

Scottish Executive

Mrs. Lait: To ask the Parliamentary Secretary, Lord Chancellor's Department what her policy is regarding consultations prior to the publication of proposals involving the transfer of powers to the Scottish Executive by *(a)* primary legislation and *(b)* Order in Council. [13822]

Ms Rosie Winterton: I refer the hon. Member to the answer given to her by my right hon. Friend the Secretary of State for Scotland on 14 November 2001, *Official Report*, column 748W.

DEPUTY PRIME MINISTER

Correspondence

Mr. Chope: To ask the Deputy Prime Minister when he will provide a substantive reply to the letter of 31 July about public procurement from the hon. Member for Christchurch; and what is the explanation for the delay. [16463]

Mr. Leslie: The hon. Member's letter of 31 July, which refers to what advice the Cabinet Office gives to Government Departments and public sector procurement directors about the desirability of purchasing office furniture which has been certified by the Forest Stewardship Council, is the responsibility of the Department for Environment, Food and Rural Affairs and it will be replying directly to the hon. Member shortly.

The delay occurred due to an administrative error in the allocation of this case to the correct Government Department.

Appointments

Mr. Collins: To ask the Deputy Prime Minister how many appointments he has made to public bodies since 7 June; and how many are in his gift. [15477]

Mr. Leslie: Information about numbers of ministerial appointments to public bodies is included in the Cabinet Office's annual report, "Public Bodies". Copies of this are placed in the Library of the House and the report is published on the Cabinet Office's internet website. The next edition of "Public Bodies" will be published around the end of the year.

Between 7 June and 31 October 2001, the Deputy Prime Minister has made 10 such appointments. The total number of appointments in these bodies for which the Department is responsible is 269.

Additionally, my right hon. Friend the Secretary of State for Trade and Industry and Minister for Women is responsible for appointments to two public bodies within the Cabinet Office. Between 7 June and 31 October 2001, she has made two appointments out of a total of 31 in these bodies.

Special Advisers

Matthew Taylor: To ask the Deputy Prime Minister how many special advisers leaving the Government since May 1997 have made applications before taking employment elsewhere to the Advisory Committee on Business Appointments; and if he will make a statement. [14703]

Mr. Leslie: Special advisers are subject to the Business Appointment Rules set out in the "Civil Service Management Code" and departmental staff handbooks. They are required to make an application to their employing Department for permission to take up outside appointments under the criteria set out in the rules. Departmental Permanent Secretaries, who may consult the Cabinet Office or the Advisory Committee on Business Appointments, take the decisions on applications from special advisers. Applications from the most senior staff are referred to the Advisory Committee on Business Appointments. Information on the number of applications made by special advisers to Permanent Secretaries is not held centrally.

Parliamentary Questions

Mrs. Lait: To ask the Deputy Prime Minister, pursuant to his answer of 14 November 2001, *Official Report*, ref. 13819, what is the *Official Report* reference and column number. [16204]

Mr. Leslie: The *Official Report* reference and column number to the pursuant answer of 14 November 2001, ref. 13819 is *Official Report*, column 783W.

Equal Pay

Barbara Follett: To ask the Deputy Prime Minister what action he has taken to promote the code of practice on equal pay in *(a)* the public sector and *(b)* the private sector. [15729]

Mrs. Roche: The Code of Practice on Equal Pay was published in 1997 by the Equal Opportunities Commission. With Government support, the Commission has publicised the Code of Practice in both the public and the private sectors. Since then the pay gap has narrowed from 20 per cent. to 18 per cent. We have provided an extra £100,000 in funding for the Equal Opportunities Commission to support work with employers on building the capacity for them to do pay reviews, including developing software to help employers with computerised pay systems.

HOME DEPARTMENT

"Findings from the Youth Justice Plans 2001–02"

Vernon Coaker: To ask the Secretary of State for the Home Department if he will place in the Library the Youth Justice Board's report, "Findings from the Youth Justice Plans 2001–02". [17027]

Beverley Hughes: The Youth Justice Board's report "Findings from the Youth Justice Plans 2001–02" was published in August and copies have been placed in the Library. The Youth Justice Board was established in September 1998 to spearhead the reforms to the youth justice system. 154 multi-agency Youth Offending Teams (YOT) have been in operation across England and Wales since 1 April 2000, carrying out the reforms locally. Summaries of progress reports submitted by each individual YOT form the basis of this report. It shows the substantial achievements to date including: the transition to multi-agency working; meeting the Pledge to halve the time from arrest to sentence of persistent offenders; successful implementation of a range of new sentences supported by programmes designed to tackle individuals' offending behaviour, and innovative crime prevention measures in deprived areas.

World Cup (Licensing Hours)

Dr. Julian Lewis: To ask the Secretary of State for the Home Department what discussions he has had with chief constables on proposals by the Magistrates Association that public houses should be allowed to serve alcohol from 6 am to coincide with World Cup matches played by England in different time-zones. [13407]

Dr. Howells: I have been asked to reply.

None. The Magistrates' Association have made no such proposals. Normal licensing law will apply during the period of the World Cup in 2002. Extensions of permitted licensing hours may be granted by licensing justices but only after taking account of the views of the chief officer of police for the area concerned.

Anthrax

Dr. Julian Lewis: To ask the Secretary of State for the Home Department what discussions he has had with the Secretary of State for Health on precautions to be taken by *(a)* Government Departments and *(b)* the public in relation to the threat of anthrax attack. [13410]

Mr. Denham: The Home Office is working very closely with the Department of Health on precautionary guidance that should be followed in relation to biological and chemical threats received by post including anthrax. The Home Office initially provided updated guidance in the form of a supplement to 'Bombs: Protecting People and Property' which was made available via the Home Office website. Departmental Security Officers in Government Departments have been issued with appropriate guidance by the Cabinet Office Security Division.

Using the Home Office guidance as a starting point, the Health and Safety Executive (HSE) were asked to prepare expanded guidance for members of the public, employers and workers on: general mail handling; identification of a suspect package; steps that should be taken if a suspect package is received or if somebody comes into contact with a biological or chemical substance and what to do if you are an employer. This information is now available on the website of the News Co-ordination Centre http://www.co-ordination.gov.uk (part of the Cabinet Office Civil Contingencies Secretariat) and the HSE's own website. The guidance is also linked to other Government websites. The guidance will be kept under constant review in the light of developments worldwide.

Non-lethal Weapons

Judy Mallaber: To ask the Secretary of State for the Home Department what recent research his Department has undertaken on non-lethal weapons for use by the police in incidents involving *(a)* firearms and *(b)* other weapons as alternatives to firearms. [13260]

Mr. Denham: The Home Office, in conjunction with the Association of Chief Police Officers (ACPO) and the Northern Ireland Office, is currently reviewing, as a matter of priority, the range of "less lethal" technologies that might be appropriate for use by the police in situations of public disorder as alternatives to the baton round or, where the police are faced with an armed assailant, as an alternative to the use of firearms. In April we published a full account of the less lethal technologies available setting out the different kinds of equipment under examination. These include certain impact devices, long range chemical delivery devices, water cannon, electrical devices, disorientation devices, malodorants, and tranquillisers. Phase II of this work prioritising these less lethal technologies is nearing completion, and the results will be published shortly. Those alternatives selected for immediate further research will be subject to further testing and independent medical evaluation.

Where, however, the police are faced with a situation where there is an immediate threat to life from a person with a firearm, firearms officers will be deployed to the scene and a firearms response will remain a primary option, in line with existing ACPO guidance.

Trial Drugs Policy (Brixton)

Dr. Kumar: To ask the Secretary of State for the Home Department if he will make a statement on the trial drugs policy in Brixton; and what plans there are to adopt a similar approach in other parts of the UK. [16439]

Mr. Bob Ainsworth: I would refer my hon. Friend to the reply I gave to questions from my hon. Friend the Member for Cardiff, Central (Mr. Jones) on 29 October 2001, *Official Report*, column 500W.

Young Offender Institutions

Mr. Lidington: To ask the Secretary of State for the Home Department what assessment he has made of the quality of *(a)* care and *(b)* treatment being offered to (i) mentally and (ii) personality disordered prisoners held in young offender institutions; and if he will make a statement. [16342]

Beverley Hughes: Prison Service establishments, including young offender institutions, and the health authorities in which they are situated, have been jointly assessing prisoners' health needs, including their mental health needs, and identifying appropriate services to meet them and effective means of delivery. This process, which had been very largely completed by the end of March

2001, was designed to lead to improvements in service provision, through the implementation of individual prison health plans, commencing from April 2001.

The Department of Health's National Service Framework for Mental Health (1999) and the National Health Service (NHS) Plan (2000) make provision for improving mental health services to prisoners, in particular the development of community mental health teams working in prisons. Delivery of these commitments will require prisons and their local health partners to conduct specific mental health needs assessments and identify the services that will need to be put in place to meet any deficits.

Mr. Lidington: To ask the Secretary of State for the Home Department what targets he has set for mandatory drug testing at each young offender institution. [16343]

Beverley Hughes: The random mandatory drug testing targets for each male young offender institution and juvenile establishment are listed in the table.

Percentage

Establishment	*Mandatory drug testing target*
Ashfield	—
Aylesbury	12
Brinsford	19
Castington	13
Deerbolt	7.5
Dover	12.1
Feltham	22
Glen Parva	15
Hatfield	10.5
Hindley	14
Huntercombe	14
Lancaster Farms	6
Northallerton	12
Onley	5
Portland	8.5
Reading	18.5
Stoke Heath	8
Swinfen Hall	7.5
Thorn Cross	15
Werrington	10
Wetherby	8

Ashfield young offender institution is a private sector establishment. Financial penalties are incurred for each guilty adjudication following a positive random mandatory drug test.

Mr. Lidington: To ask the Secretary of State for the Home Department how many *(a)* suicides and *(b)* incidents of self-harm have taken place at each young offender institution in *(a)* 1996–97, *(b)* 1997–98, *(c)* 1998–99, *(d)* 1999–2000, *(e)* 2000–01 and *(f)* 2001–02 to date. [16341]

Beverley Hughes: The available figures for each male young offender institution and juvenile establishment are listed in the tables. I regret that figures on self-harm are not available for the financial years 1996–97 and 1997–98 as data were not recorded centrally until January 1998.

Numbers of suicides in young offender institutions by financial year

Establishment	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*[1]	*Total*
Aylesbury	1	1	—	3	2	—	7
Brinsford	1	—	—	4	2	1	8
Castington	—	—	—	2	—	—	2
Dover	—	1	—	—	—	—	1
Feltham	1	2	—	—	1	1	5
Glen Parva	3	—	2	1	2	—	8
Hindley	2	—	1	1	1	—	5
Northallerton	—	1	1	—	—	—	2
Onley	—	—	—	1	—	—	1
Portland	1	—	1	—	—	1	3
Reading	—	2	1	—	1	—	4
Stoke Heath	—	—	1	—	—	—	1
Swiffen Hall	3	—	—	—	—	—	3
Wetherby	—	—	—	1	1	1	3
Total	12	7	7	13	10	4	53

[1] To date

Numbers of self harm incidents in young offenders institutions by financial year

Establishment	*1998–99*	*1999–2000*	*2000–01*	*2001–02*[1]	*Total*
Ashfield	—	20	156	77	253
Aylesbury	4	121	84	5	214
Brinsford	37	43	43	14	139
Castington	34	67	89	46	238
Deerbolt	4	3	11	1	20
Dover	4	2	—	1	7
Feltham	64	30	38	13	145
Glen Parva	56	67	78	24	233
Hatfield	2	1	1	—	4
Hindley	12	7	3	5	27
Huntercombe	2	5	8	3	19
Lancaster Farms	29	26	20	9	87
Northallerton	25	27	43	14	111
Onley	—	—	5	24	29

Numbers of self harm incidents in young offenders institutions by financial year

Establishment	*1998–99*	*1999–2000*	*2000–01*	*2001–02*[1]	*Total*
Portland	7	15	29	13	65
Reading	36	12	2	13	71
Stoke Heath	23	12	19	11	72
Swiffen Hall	9	7	12	4	32
Thorn Cross	0	0	0	0	0
Werrington	5	2	2	—	17
Wetherby	3	3	10	9	25
Total	356	470	653	286	1,808

[1] To date

Drug Addiction Statistics

Mr. Lloyd: To ask the Secretary of State for the Home Department how many *(a)* registered addicts and *(b)* non-registered addicts of (i) cocaine and (ii) heroin there were in the UK in each of the last 10 years. [15538]

Mr. Bob Ainsworth: The term 'registered addict' has no generally agreed definition in the United Kingdom.

The Home Office previously collected and published information relating to individuals notified to the Addicts Index. Since the Addicts Index closed at the end of April 1997, there are no current figures from that source. However, the Department of Health publishes information on the number of persons presenting to drug misuse services for treatment in Great Britain who are reported to the Drug Misuse Databases; this includes persons with a main drug of misuse of heroin or cocaine. Figures are only available for the period April–September 1993 onwards, and are given in Table 1.

The number of addicts (including those not in treatment) is unknown. Traditionally, a multiplier method was used based on the Addicts Index. However, a more robust approach has been developed recently by a group of researchers. The findings are given in Table 2. Although there are estimates for problematic opiate use (which is mostly heroin-related), no information is presented for cocaine.

Table 1—Number of persons presenting for treatment at drug agencies, with heroin or cocaine reported as the main drug, during six-month periods ending 30 September 1993 to 30 September 2000, in Great Britain

	Main drug of misuse	
Six-month period ending	*Heroin*	*Cocaine*
30 September 1993	8,643	512
31 March 1994	9,746	737
30 September 1994	11,191	783
31 March 1995	12,282	903
30 September 1995	13,400	1,074
31 March 1996	14,488	1,015
30 September 1996	16,621	894
31 March 1997	18,285	1,053
30 September 1997	14,749	959
31 March 1998	16,390	1,178
30 September 1998	18,994	1,709
31 March 1999	20,027	1,693
30 September 1999	21,389	2,153
31 March 2000	23,824	2,121
30 September 2000	24,759	2,116

Source:

Department of Health series of Statistical Bulletins; the most recent is "Statistics from the Regional Drug Misuse Databases for six months ending September 2000".

Table 2—Summary of 1996 United Kingdom prevalence estimates for drug use based on multiplier methods and household survey data

Method	*Form of drug use*	*Estimate*
Multiple indicator method	Problematic drug users	268,253
Treatment demographic method	Problematic opiate users	162,544
Treatment coverage method	Problematic opiate users	243,820
HIV multiplier	Injecting drug users	161,200
Mortality multiplier	Drug users at risk of overdose related death	161,133
Household Survey data	Opiates+ users	251,000
Household Survey data	Injecting drug users	168,905
Government estimate	Severely dependent drug misusers	100,000–200,000

Source:

Table 5, Frischer M, Hickman M, Kraus L, Mariani F, and Wiessing L. (2001). 'A comparison of different methods for estimating the prevalence of problematic drug misuse in Great Britain'. Addiction, 96, 1465–1476.

Organised Crime (Russia)

Mr. Barker: To ask the Secretary of State for the Home Department what measures are in place to ensure regular Russian authority co-operation in helping to track Russian organised crime in the United Kingdom. [14726]

Mr. Denham: There has been close co-operation between law enforcement authorities in the United Kingdom and Russia in recent years, which has been valuable to both parties. The United Kingdom has two bilateral agreements with Russia, both inter-agency and intergovernmental. We have a joint fiscal, crime and drugs liaison officer based in Moscow who works closely with his counterparts in Russian law enforcement agencies. Senior United Kingdom law enforcement officials regularly visit to maintain links at the highest level. Both Russia and the United Kingdom are members of the G8 Lyon Group, which focuses on transnational serious and organised crime. The United Kingdom will continue to work closely with Russia through bilateral and

European initiatives to combat serious and organised crime originating in Russia and reduce its impact on the United Kingdom.

Crime Prevention Schemes (North-west)

Mr. Borrow: To ask the Secretary of State for the Home Department which local authorities in the north-west of England have not received funding for both CCTV and street warden schemes. [13648]

Mr. Denham: The Home Office Crime Reduction Programme Closed Circuit Television (CCTV) initiative is funding public area CCTV schemes to a potential value of £170 million across England and Wales. Bids have been assessed, using pre-formulated guidelines, to ensure they: meet national and local crime reduction priorities; are technically sound; have links to a wider package of crime reduction measures, and provide value for money. The table lists those local authority areas that submitted (as part of local crime and disorder reduction partnerships) unsuccessful bids. Some of these authorities also submitted successful bids.

The Street Warden Programme, funded by the Department for Transport, Local Government and the Regions (DTLR) and run through the Neighbourhood and Street Wardens Programme (a joint Home Office/DTLR unit based in DTLR), is to provide £25 million towards a pilot programme of Street Wardens schemes across England. The programme is funded solely by DTLR. The table lists those local authority areas that submitted (or from which another body such as a Housing Association submitted) unsuccessful bids. Again some of these authorities also submitted successful bids.

	CCTV bids		*Street wardens bids*	
Local authority	*Successful*	*Unsuccessful*	*Successful*	*Unsuccessful*
Allerdale		*		*
Blackburn and Darwen		*		*
Blackpool		*		*
Bolton	*	*		*
Burnley		*		
Carlisle	*	*		*
Cheshire		*		
Chester	*	*	*	*
Copeland	*	*		*
Crewe and Nantwich	*	*		
Cumbria				*
Eden				*
Ellesmere Port and Neston		*		
Fylde		*		*
Halton	*	*	*	*
Hyndburn		*		
Knowsley	*	*		*
Lancashire		*		
Liverpool	*	*	*	*
Macclesfield	*	*	*	*
Manchester	*	*	*	*
Oldham	*	*		*
Pendle and Burnley		*		
Rochdale	*	*		*
Rossendale		*		
Salford	*	*		
Sefton	*	*		*
South Ribble		*		*
St. Helens				*
Stockport		*		
Tameside	*	*		
Trafford		*		
Vale Royal	*	*		
Warrington		*		
West Lancashire				*
Wigan	*	*		*
Wirral				*

Dr. Ali Dizaei

Peter Bottomley: To ask the Secretary of State for the Home Department how many telephone conversations of Dr. Ali Dizaei, legal adviser to the National Black Police Association, were *(a)* recorded and *(b)* transcribed by the investigation team; and what proportion contained legally privileged information. [13706]

Mr. Denham: I would refer the hon. Member to my letter to him of 9 November, a copy of which is in the Library.

Peter Bottomley: To ask the Secretary of State for the Home Department if surveillance of Dr. Ali Dizaei included the recording of his telephone calls with members of the media. [13711]

Mr. Denham: I refer the hon. Member to my letter to him of 9 November, which indicates that the Metropolitan police have confirmed that the practice in relation to calls made by Superintendent Dizaei was that all calls made by him on the Metropolitan police service telephone network were recorded.

Sex Offenders (Buckinghamshire)

Mr. Bercow: To ask the Secretary of State for the Home Department how many convicted sex offenders are resident in the Buckingham constituency. [14206]

Beverley Hughes: Until recently data on the number of registered sex offenders were collated bi-annually on a national basis from the police national computer (PNC). The most recent national statistics concerning sex offender registration are shown in the table. However, this arrangement has been overtaken by guidance issued by the Home Office in respect of the statutory provisions in Section 67 of the Criminal Justice and Court Services Act 2000. The guidance requires information about the number of registered sex offenders in each police area to be published. This will take place from April 2002 and local systems are being put in place to deliver it. Until these systems are in place such information could only be obtained by a specific exercise by the particular police force concerned which would lead to disproportionate costs.

After April 2002 such figures will be available for each police authority area. However, this will not necessarily be the same as the Parliamentary constituency.

Sex offenders act 1997—Statistics[1]

	September 2000	*March 2001*	*Increase*	*Percentage change*
Number of offenders with a requirement to register	13,809	15,148	1,339	+9.7
Number registered	13,474	14,813	1,379	+10.3
Number not registered[2]	375 (2.7%)	335 (2.2%)	–40	–10.6
Compliance rate (percentage)	97.28	97.78	0.5	+0.5

[1] Statistics compiled by Association of Chief Police Officers (ACPO) from a PNC

[2] Percentages given in brackets are a fraction of the number of offenders with a registration document

Heroin

Paul Flynn: To ask the Secretary of State for the Home Department what his estimate is of the percentage of heroin imported into Britain that originates from *(a)* Taliban controlled Afghanistan, *(b)* Northern Alliance controlled Afghanistan, *(c)* Burma and *(d)* other countries. [13723]

Mr. Bob Ainsworth: In the years prior to the ban on opium production introduced by the Taliban in July 2000 about 95 per cent. of Afghanistan's annual opium production originated in Taliban controlled areas. We estimate that over 90 per cent. of heroin which was imported to the United Kingdom was made from opium produced in Afghanistan. The amounts originating from opium produced in other parts of the world in the same years was very small.

CCTV (Dudley)

Ross Cranston: To ask the Secretary of State for the Home Department what recent assessment he has made of the impact of CCTV on the level of crime in Dudley town centre and Sedgley. [13969]

Mr. Denham: Police operational experience and various other research studies show that Closed Circuit Television (CCTV) has considerable crime reduction and detection potential, particularly when used as part of a wider strategy.

Under round one of the Crime Reduction Programme CCTV Initiative, the Home Office funded a CCTV scheme in Sedgley town centre costing £25,450 and one in Stafford Street Car Park, Dudley town centre, costing £46,342. These came into operation in December 2000 and January 2001 respectively.

The Home Office has made no formal evaluation of the effectiveness of CCTV in either of these areas. However analysis by the local police suggests that CCTV has contributed to the reduction in recorded crime of 13.6 per cent. in Dudley and 22.8 per cent. in Sedgley between June 2000 and June 2001. There will be a more detailed review of the effectiveness of the Home Office funded schemes after the first full year of operation.

Salah Idris

Dr. Julian Lewis: To ask the Secretary of State for the Home Department if he will make a statement on the role of Salah Idris in security companies engaged at sensitive sites in the United Kingdom. [13678]

Mr. Denham: This issue was raised in another place on 9 October 2000 and 3 May this year. The position remains unchanged.

Firearms

Mr. Cox: To ask the Secretary of State for the Home Department how much he estimates has been payable under the firearms compensation scheme. [13930]

Mr. Denham: There were 72,000 claims received from 55,000 individuals who handed in 162,198 handguns and 700 tonnes of ammunition under the terms of the firearms compensation scheme.

Compensation payments currently stand at just over £90 million.

Vernon Coaker: To ask the Secretary of State for the Home Department what measures he will take to ensure that lessons can be learned from incidents involving the police use of firearms. [17028]

Mr. Denham: Under section 79 (1) of the Police Act 1996 I have requested the Police Complaints Authority to report to me on the lessons to be learned from recent incidents. The terms of reference of that review will be:

> To consider the lessons to be learned from investigations supervised by the Police Complaints Authority since January 1998 into incidents in which shootings by police occurred and which resulted in death or injury, with particular regard to:
>
> The planning, control and conduct of those operations;
>
> The way in which the concerns of the bereaved families were addressed, and how they were kept informed of the progress of the investigation;
>
> The training and skill needs of police officers involved in such operations, particularly at command level.

The Police Complaints Authority have already begun work on this review, and I have asked them to report within six months. The report will be laid before Parliament and published.

Mr. Liddell-Grainger: To ask the Secretary of State for the Home Department what statistics he collates on the time for applications for firearms and shotgun licences to be processed, from the time they are submitted to the time they are approved and returned to the applicant by firearms departments of police forces. [13457]

Mr. Denham: The Home Office statistical bulletin on firearm certificates provides information on the overall number of certificates on issue or refused. There is no routine collection of statistics on processing times. The collection of such management information is a matter for individual chief officers of police who are responsible for administering the certification process.

Mr. Liddell-Grainger: To ask the Secretary of State for the Home Department what guidelines he issues on the number of people employed in firearms departments of police forces; and what steps he takes to ensure that these are complied with. [13458]

Mr. Denham: None. It is for individual chief officers of police to determine how particular departments should be staffed.

Under the provision of the Local Government Act 1999 all forces are required to carry out a five year rolling programme of best value reviews of all areas of business. The outcome is examined by Her Majesty's Inspectorate of Constabulary in accordance with their inspection protocols and the results made available through the appropriate police authority.

Departmental Events

David Maclean: To ask the Secretary of State for the Home Department what *(a)* national and *(b)* international awareness events his Department has participated in since June 1997 in the form of (i) sponsorship, (ii) departmental attendance, (iii) similar departmental activities and (iv) a message of support. [50451]

Mr. Blunkett: Home Office Ministers and officials participate in a wide range of national and international events in support of Home Office policies, both in the United Kingdom and internationally. Our aim is to build a safe, just and tolerant society and the Home Office is involved in a wide range of initiatives to support this. To set out a full list of all these events would incur disproportionate cost, so I am providing an overview of Home Office activity to show how we are seeking to achieve this aim.

Examples of Home Office initiatives include participation by Ministers and officials in crime reduction initiatives and conferences, such as the Neighbourhood Watch annual conference; participation in criminal justice and policing conferences, such as the annual conferences of the Association of Chief Police Officers, Police Superintendents' Association and the Police Federation. The Home Office, in conjunction with community and voluntary sector organisations, is also leading the way to promote active communities in the United Kingdom. The Home Office has sponsored and attended a range of voluntary sector activities, such as the annual Philip Lawrence Awards, and the launch of Parents' Week in October 2001. An important area is promoting race equality and ministerial colleagues and I have supported and attended a number of conferences and events to underline the Government's commitment to racial equality and effective race relations. The Home Office also supported the 1997 European Year against Racism and the United Nations' World Conference on Racism in 2001.

On the international front, Home Office Ministers and officials regularly attend European Union Councils, working groups and other activities in the conduct of justice and home affairs business and promoted a range of events during the United Kingdom presidency of the European Union in 1998. Officials and police representatives are also engaged in a wide range of co-operation and training with other countries.

A key objective for the United Kingdom is to ensure that the accession of new member states to the European Union does not adversely affect the safety of our citizens. The Home Office is involved in "Twinning", a European Union-funded programme which enables experts from current and future European Union member states to work in partnership, sharing expertise and implementing the candidates' new European Union-compliant legislation. For example last year we successfully implemented a project to improve the quality of Poland's management of its eastern border and the effectiveness of its police force. Experts from the United Kingdom Forensic Science Service, National Criminal Intelligence Service and National Crime Squad worked with Dutch, French and German colleagues to deliver training and advice that will have a real and lasting effect.

The Home Office has led projects in the Czech Republic to improve relations with the Roma community and to help their authorities combat organised and financial crime. In conjunction with our law enforcement agencies, we are also leading projects in Hungary, Romania, Bulgaria and Lithuania.

In a major step towards stemming the flow of illegal immigrants to Europe, the first team of European Union immigration experts has started work in Sarajevo. The team, the majority British immigration officials, will work alongside colleagues from the Bosnian State Border Service, providing on-the-job training and advice.

In July 2000, the anti-drugs twinning project between the United Kingdom and Bulgaria (European Union Phare sponsored) was launched in Sofia and was attended by Home Office officials.

Credit Card Fraud

Mr. Rosindell: To ask the Secretary of State for the Home Department what steps the Government are taking to tackle debit and credit card fraud. [15124]

Mr. Denham: The Government take the problem of card fraud very seriously and are currently working closely with the finance and retail sectors and the police to establish and promote best practice in protecting cards and introduce ways of preventing this type of fraud.

One major initiative is the planned introduction of microchips into payment cards to help authentication and the introduction of cardholder verification system using a Personal Identification Number (PIN) code in place of signatures to confirm the user is genuine. This commitment to phase in Chip and PIN was given at the third Home Office seminar on reducing cheque and credit card fraud in July. The banking industry anticipates that the phasing in of Chip and PIN technology by the end of 2004 will eliminate more than 80 per cent. of plastic card fraud.

Another initiative currently being considered is the setting up of a pilot dedicated joint police and industry national cheque and plastic card fraud squad.

In addition to this a working group of police and officials has been set up to consider ways of improving the response to all types of fraud.

Data Retention

Brian White: To ask the Secretary of State for the Home Department if he will make a statement on the Horrocks report on data retention; and when it will be published. [13645]

Mr. Denham: I refer my hon. Friend to the reply I gave the hon. Member for Sheffield, Hallam (Mr. Allan) on 1 November 2000, *Official Report*, column 849W.

Women Prisoners (Pregnancies)

Mr. Allen: To ask the Secretary of State for the Home Department (1) how many women prisoners had a termination to a pregnancy during 2000; [15672]

(2) how many women prisoners had *(a)* stillborn babies and *(b)* miscarriages in each year since 1990. [15673]

Beverley Hughes: Information about stillbirths and miscarriages is not available. In 1998–99, the last year for which the relevant data were collected centrally, 17 women prisoners were reported as having been referred for a termination.

Metropolitan Police (Without Prejudice Payments)

Norman Baker: To ask the Secretary of State for the Home Department how much the Metropolitan police paid out, in the latest year for which figures are available, by way of without prejudice payments to individuals who had lodged a complaint against the force; how many individuals received payment; what was the highest payment made; and what was the average payment made. [15188]

Mr. Denham *[holding answer 15 November 2001]:* The Commissioner informs me that in 2000–01 £2,318,000 was paid by the Metropolitan Police Service as payments without prejudice in response to 220 civil actions or threatened actions against alleged police malpractice. As an action may involve more than one individual it is not possible to give the exact number of individuals that received payment. The highest payment was £200,000 and the average payment was £13,962.

Under-age Drinking/Antisocial Behaviour

Ross Cranston: To ask the Secretary of State for the Home Department what assessment he has made of the effect of the *(a)* Confiscation of Alcohol (Young Persons) Act 1997 and *(b)* Criminal Justice and Police Act 2001 on (i) under-age drinking and (ii) antisocial behaviour; and if he will make a statement. [15330]

Mr. Bob Ainsworth: The Confiscation of Alcohol (Young Persons) Act 1997 gives the police important powers to confiscate alcohol from under-age drinkers in public places. The view of the Association of Chief Police Officers is that these powers have proved to be effective in helping the police to combat disorder and nuisance arising from alcohol consumption by young people in public places. The law was further strengthened by the Licensing (Young Persons) Act 2000, which tightened the position relating to the sale and purchase of alcohol to or on behalf of persons under 18.

The Criminal Justice and Police Act 2001 includes important new provisions relating to under-age drinking. It will place a duty on retailers to take positive steps to ensure that customers are 18 or over, and it will give the police and trading standards officers the power to undertake test purchasing, using minors, to enforce the law against the sale of alcohol to under 18s. We expect these provisions, which we are planning to bring into effect on 1 December 2001, to go further in restricting young people's access to alcohol, which so often leads on to antisocial behaviour.

In addition, sections 12 to 16 of the 2001 Act, which came into effect on 1 September, provide local authorities with an adoptive power to designate public places where it will become an offence to continue to drink alcohol after being warned by a police officer not to do so. This adoptive power replaces, and builds on, the model Home Office byelaw which was adopted by 113 local authorities to restrict antisocial drinking in public places.

Drug Dealers (Seized Assets)

Mr. Cox: To ask the Secretary of State for the Home Department what the value was of the assets seized from convicted drug dealers in England and Wales in each of the last five years. [15838]

Mr. Bob Ainsworth: The receipts realised from confiscation orders in England and Wales made in respect of legislation for drug trafficking offences under the Drug Trafficking Act 1994 and the Drug Trafficking Offences Act 1986 for the last five years for which figures are available is as follows:

Year	*£*
1995–96	5,343,000
1996–97	7,415,000
1997–98	9,458,000
1998–99	10,476,000
1999–2000	9,333,000

Traffic Penalties

Mr. Lazarowicz: To ask the Secretary of State for the Home Department if he will make a statement on the outcome of his consultation on road traffic penalties. [14326]

Mr. Denham: I refer my hon. Friend to the reply I gave the hon. Member for Newbury (Mr. Rendel) on 31 October 2001, *Official Report*, column 728W.

Atomic Energy Police Force

Llew Smith: To ask the Secretary of State for the Home Department how many officers in the atomic energy constabulary are licensed to use firearms; and what conditions apply to their use of firearms beyond licensed nuclear facilities. [14689]

Mr. Wilson: I have been asked to reply.

The UKAEA Constabulary (UKAEAC) currently has 365 authorised firearms officers. UKAEAC adheres to national standards in the performance of its duties in relation to the carriage and use of firearms both on and off licensed nuclear facilities. Such standards are set out in the UKAEAC instruction manual on the use of firearms which complies fully with guidelines issued by the Association of Chief Police Officers of England and Wales, and Scotland.

HEALTH

IT Management

Mr. Burstow: To ask the Secretary of State for Health what was the total expenditure on IT management in the NHS Executive in each of the last five financial years. [9403]

Ms Blears *[holding answer 22 October 2001]:* The policy directorates of the national health service executive all had some interest in information technology management either for central data collection and processing or to support policy initiatives. The overall information management and technology policy was co-ordinated by the information policy unit and before that the information management group. The total expenditure however across the whole NHS executive was not separately collected.

Perinatal Services

Mr. Hendry: To ask the Secretary of State for Health how many intensive care perinatal beds there were in each health authority, in each of the past 10 years. [9767]

Ms Blears: Information on the overall number of critical care beds is available in the Library and is available on the Department's website: www.doh.gov.uk/hospitalactivity. Data on the number of perinatal intensive care beds are not collected.

Radiotherapy

Tim Loughton: To ask the Secretary of State for Health, pursuant to his answer of 17 October 2001, *Official Report*, column 1241W, how many hospitals have received new radiotherapy equipment in the last two years paid for out of direct NHS funds. [11062]

Mr. Hutton *[holding answer 29 October 2001]:* Information held centrally identifies 19 national health service trusts that have taken delivery of radiotherapy equipment (linear accelerators and simulators) over the past two years excluding those linear accelerators funded by the New Opportunities Fund. NHS trusts may purchase equipment through the NHS Purchasing and Supply Agency; however it is not mandatory for NHS trusts to use NHS PASA and the relevant purchasing information in these instances would not be captured. In addition to this, some NHS trusts will have purchased other radiotherapy equipment for which comprehensive information is not available centrally.

Between 2000 and 2003 the Treasury Capital Modernisation Fund will fund at least 40 treatment planning systems and 24 simulators for radiotherapy provision.

Cancer

Mr. Laws: To ask the Secretary of State for Health what recent assessment he has made of the difference in cancer survival rates between the UK and other European countries; and if he will make a statement. [10748]

Jacqui Smith *[holding answer 31 October 2001]:* The NHS Cancer Plan detailed that while other developed countries have broadly similar incidence of cancer, there is evidence to suggest that, for many cancers, survival rates for patients diagnosed a decade ago are lower in this country than in comparable European countries. The actions set out in the plan will mean that England will have the fastest improvement in cancer services across Europe over the next five years and eventually a reduction in the death rate from cancer among people aged under 75 years by at least 20 per cent. by 2010.

Dental Services

Dr. Evan Harris: To ask the Secretary of State for Health what percentage of those aged 18 years and over were registered with a general dental service dentist in *(a)* each health authority and *(b)* in total in England for the last two years for which figures are available. [13618]

Ms Blears: The percentage of the population aged 18 years and over registered with a general dental service dentist is given in the table for September 2000 and September 2001 by health authority in England. Registrations last for 15 months from the month in which a patient attends. They are renewed when a patient returns to the dentist. Patients attending occasionally are included only for 15 months after attendance.

Number of adult registrations as a percentage of adult population[1] at 30 September 2000 and 30 September 2001—England

Percentage

	30 September	
Health Authority within region	*2001*	*2000*
England	43.7	43.7
Northern and Yorkshire	49.4	49.3
Bradford	48.3	48.9
Calderdale and Kirklees	52.8	52.8
County Durham and Darlington	47.9	48.0
East Riding and Hull	42.4	41.9
Gateshead and South Tyneside	52.4	51.1
Leeds	47.2	47.8
Newcastle and North Tyneside	48.9	50.2
North Cumbria	47.2	46.0
North Yorkshire	49.5	49.3
Northumberland	49.5	48.8
Sunderland	48.5	47.3
Tees	57.7	57.0
Wakefield	50.8	51.5
Trent	49.3	48.8
Barnsley	50.7	50.6
Doncaster	55.9	55.0
Leicestershire	46.0	43.8
Lincolnshire	50.4	49.5
North Derbyshire	41.0	40.2
North Nottinghamshire	55.8	54.8
Nottingham	52.3	53.1
Rotherham	47.9	47.1
Sheffield	52.9	53.6
Southern Derbyshire	44.8	45.4
South Humber	49.6	48.9
West Midlands	42.8	42.8
Birmingham	46.3	46.7
Coventry	45.6	44.5
Dudley	46.1	46.1
Herefordshire	47.7	49.3
North Staffordshire	39.1	38.0
Sandwell	51.5	51.2
Shropshire	34.2	35.6
Solihull	34.1	35.0
South Staffordshire	40.3	40.9
Walsall	42.1	42.7
Warwickshire	39.1	37.2
Wolverhampton	47.8	48.0
Worcestershire	45.1	45.0

Number of adult registrations as a percentage of adult population[1] *at 30 September 2000 and 30 September 2001—England*

	Percentage	
	30 September	
Health Authority within region	*2001*	*2000*
North West	48.5	49.0
Bury and Rochdale	45.8	45.5
East Lancashire	41.2	46.3
Liverpool	47.1	47.6
Manchester	51.0	51.8
Morecambe Bay	48.4	47.4
North Cheshire	48.0	48.2
North West Lancashire	49.1	50.3
Salford and Trafford	47.4	49.3
Sefton	53.2	53.5
South Cheshire	47.9	46.5
South Lancashire	42.4	40.3
St Helens and Knowsley	47.2	46.8
Stockport	55.7	57.1
West Pennine	48.2	48.7
Wigan and Bolton	51.2	51.5
Wirral	56.4	55.7
Eastern	45.1	45.0
Bedfordshire	37.9	38.4
Cambridgeshire	40.7	39.6
Hertfordshire	46.2	46.4
Norfolk	48.1	46.7
North Essex	46.3	46.9
South Essex	41.1	41.5
Suffolk	52.8	53.0
London	38.0	38.2
Barking and Havering	38.8	38.8
Barnet, Enfield and Haringey	35.6	35.0
Bexley, Bromley and Greenwich	32.8	32.6
Brent and Harrow	44.0	44.1
Camden and Islington	45.6	46.6
Croydon	38.2	39.1
Ealing, Hammersmith and Hounslow	40.0	38.8
East London and The City	50.0	50.5
Hillingdon	31.8	33.1
Kensington, Chelsea and Westminster	28.7	30.5
Kingston and Richmond	26.7	28.0
Lambeth, Southwark and Lewisham	39.9	40.0
Merton, Sutton and Wandsworth	38.7	38.9
Redbridge and Waltham Forest	42.9	43.1
South East	38.1	38.3
Berkshire	29.1	31.9
Buckinghamshire	29.7	30.3
East Kent	38.9	38.2
East Surrey	35.0	35.6
East Sussex, Brighton and Hove	44.1	44.4
Isle of Wight, Portsmouth and SE Hampshire	39.4	40.0
North and Mid Hampshire	40.9	40.5
Northamptonshire	51.1	51.2
Oxfordshire	31.4	30.0
Southampton and South West Hampshire	44.5	45.2
West Kent	36.6	35.3
West Surrey	35.6	36.2
West Sussex	41.5	40.8
South and West	42.5	42.6
Avon	45.0	44.7
Cornwall and Isles of Scilly	38.2	37.0
Dorset	48.5	49.5
Gloucestershire	28.2	29.9
North and East Devon	49.1	48.8
Somerset	46.7	48.6
South and West Devon	44.1	42.6
Wiltshire	37.6	37.6

[1] Population figures used are Office for National Statistics 2000 mid-year population estimates.

Fiona Mactaggart: To ask the Secretary of State for Health (1) what plans he has to increase the number of (i) dental practices and (ii) dentists in *(a)* Berkshire and *(b)* Slough; [14319]

(2) how many NHS dentists there were in the Berkshire constituencies in *(a)* 1992, *(b)* 1997 and *(c)* 2001. [14318]

Ms Blears: The number of general dental service dentists in Berkshire health authority is shown in the table at 30 September for the years *(a)* 1992, *(b)* 1997 and *(c)* 2001. The figures cover dentists whose main work is in the Berkshire health authority area. Data by constituency are not available centrally.

September	*Number of GDS dentists*
1992	251
1997	280
2001	313

The number of general dental service dentists in the Berkshire health authority area has increased by 33 in the four years between September 1997 and September 2001. There were 125 general dental service practices in Berkshire on 30 September 2001 of which 45 were in Slough.

Berkshire health authority has developed an action plan for improving access to national health service dentistry in the county. The plan included proposals to encourage local dental practitioners to apply for additional dental care development funding. The health authority is also working with practitioners wishing to develop new or additional surgeries.

A personal dental service pilot is due to open in Slough shortly.

Dr. Kumar: To ask the Secretary of State for Health what proportion of people are registered for NHS dental care *(a)* in England and *(b)* in the Middlesbrough, South and Cleveland East, constituency. [16207]

Ms Blears *[holding answer 19 November 2001]:* 60 per cent. of the population in Tees Health Authority were registered with a general dental service dentist at the end of September 2001. The proportion in England was 47 per cent. Information is not available at constituency level.

Ambulance Services

Dr. Julian Lewis: To ask the Secretary of State for Health (1) if he will make a statement on the proposed merger of Hampshire and Surrey ambulance services; [13687]

(2) what representations he has received from community health councils about the proposed merger of Hampshire and Surrey ambulance services; [13688]

(3) if he will list the organisations other than community health councils which have made representations *(a)* in favour and *(b)* against the proposed merger of Hampshire and Surrey ambulance services. [13689]

Ms Blears *[holding answer 9 November 2001]:* There has been a public consultation on proposals to establish new ambulance trusts in the south-east region including one to establish a new trust serving Hampshire and Surrey.

The period of consultation ended on 7 September. There has been a large response to the proposals.

With regard to the proposals for Hampshire and Surrey, all 10 community health councils covering the area wrote jointly expressing their opposition to the proposals. Several also wrote individual letters of opposition.

A total of 34 organisations and individuals responded specifically to the proposals for Hampshire and Surrey, in addition to the CHCs. Of these, eight supported the proposals, 22 opposed them and four set out reservations, without opposing them. Copies of all written responses to the consultation will be placed in the Library.

Ministers are currently considering the responses. A decision on the review will be made taking account of the comments received.

Mr. Swayne: To ask the Secretary of State for Health what was the cost of the recent consultation on the future of Hampshire ambulance service. [15221]

Ms Blears *[holding answer 16 November 2001]:* The information requested is not available centrally.

Mr. Simmonds: To ask the Secretary of State for Health what plans he has to provide Government funding for the provision of air ambulance services in *(a)* rural areas across the United Kingdom and *(b)* Lincolnshire. [15600]

Ms Blears: Air ambulances can have a role in delivering emergency care in rural areas and where road access is a problem. However, in 1995, the Department commissioned Sheffield university to report on air ambulances. The report failed to show clinical or cost benefits which would justify national health service investment. Currently, no air ambulance service receives public funding, although, in most cases the NHS continues to provide fully trained paramedics to crew these aircraft when they respond to emergencies. In recognition of growing public interest in this subject, further research has been commissioned into the contribution of air ambulances to the care and transportation of seriously ill patients in a modern NHS.

The provision and funding of air ambulance services in Scotland, Wales and Northern Ireland are matters for the devolved Assemblies.

NHS Records

Mr. Burns: To ask the Secretary of State for Health if the timescale of the police investigation into the death of a patient due to a blocked oxygen pipe at Broomfield hospital, Chelmsford in July and other alleged related incidents within the NHS is affected by record keeping with regard to *(a)* off duty rota records, *(b)* the off duty book, *(c)* weekly staff timesheets, and *(d)* agency timesheets; and if he will make a statement. [15011]

Ms Blears *[holding answer 15 November 2001]:* The police are looking at staff duty records as part of the investigation into the death of a patient due to a blocked oxygen pipe.

The police acknowledge that this is a long and painstaking investigation which is likely to take some time.

The Department and the national health service are co-operating fully with the police in this matter.

NHS Catering

Mr. Burstow: To ask the Secretary of State for Health how much the NHS has spent on providing meals for patients; and how many meals were served in each of the last three years. [14936]

Ms Blears *[holding answer 15 November 2001]:* The national health service spent almost £366 million on the provision of meals for patients in 1999–2000, the first year when information was collected centrally. Data collection for 2000–01 is still in progress.

The NHS provides over 300 million meals each year, detailed data are not collected centrally.

Dr. Fox: To ask the Secretary of State for Health if he will list the applicants for the national franchise for NHS Catering; and if he will name the successful applicant. [15052]

Ms Blears *[holding answer 15 November 2001]:* The NHS Plan commits us to examining a franchise option by the end of this year. Any franchise arrangements will be subject to European Union regulation and will require open competition within the Community for any interested party.

Drug Deaths

Norman Baker: To ask the Secretary of State for Health how many persons died wholly or primarily as a result of the use of *(a)* alcohol, *(b)* tobacco, *(c)* cannabis, *(d)* heroin and *(e)* cocaine in the last year for which figures are available. [15287]

Ms Blears *[holding answer 15 November 2001]:* The information requested is as follows:

(a) Alcohol. Estimates range between 5,000 and 40,000 deaths per annum in England and Wales, reflecting the wide range of methods of calculation used in many studies.

(b) Tobacco. It is estimated that smoking causes 120,000 deaths in the United Kingdom each year.

Source:

"The UK Smoking Epidemic: Deaths in 1995" Health Education Authority.

(c) Cannabis, *(d)* heroin and *(e)* cocaine. Figures published by the Office for National Statistics indicate the number of times the substances are mentioned on death certificates. Figures for these substances are not on a comparable basis to those given for alcohol and tobacco, which are estimates. Figures are given in the table.

Number of deaths where selected substances were mentioned on the death certificate—England and Wales 1999

	All deaths with substance mentioned	*Deaths where substance was the only one mentioned*
Heroin/morphine[1]	754	575
Cocaine	87	31
Cannabis	7	0

[1] As heroin breaks down in the body into morphine, the latter may be detected at post mortem and recorded on the death certificate

Source:

"Death related to drug poisoning: England and Wales 1995–99" Health Statistics Quarterly 09, spring 2001, Office for National Statistics; ONS database of drug-related poisonings

NHS Direct

Dr. Cable: To ask the Secretary of State for Health what the monthly running costs are of NHS Direct. [15311]

Ms Blears: During the first six months of 2001–02, the average monthly running costs of NHS Direct sites was £6,341,000. A further £1,800,000 was spent each month on running costs to cover centrally procured services, national management and administrative posts, NHS Direct Online, NHS Direct Information Points and other developments and pilots.

Dr. Cable: To ask the Secretary of State for Health what plans he has to establish a system of recording the performance of NHS Direct. [15409]

Ms Blears: An NHS Direct performance management framework is being developed which encompasses the principles of continuous quality improvement and will include qualitative as well as quantitative indicators. This will be implemented following consultation with the National Audit Office.

The Department collects information on performance and finance from each NHS Direct site in England.

Dr. Cable: To ask the Secretary of State for Health how many members of staff are employed by NHS Direct; and if he will make a statement. [15310]

Ms Blears: As of September 2001, NHS Direct employed around 2,240 whole-time equivalent staff, 75 per cent. of whom have direct caller contact.

NHS Direct aims to provide patients and the public with the information and advice they need to look after themselves and their families. It gives people the confidence to look after themselves when it is safe to do so and directs them to the right level of service when they need professional help.

To date NHS Direct has handled over 8,000,000 calls and is currently handling around 100,000 calls per week. Regular satisfaction surveys indicate that over 95 per cent. of callers are satisfied or very satisfied with the service they receive.

Mobile Phone Masts

Mr. Oaten: To ask the Secretary of State for Health when he will publish the next set of research into safety of mobile phone masts. [15376]

Ms Blears *[holding answer 16 November 2001]:* In May 2000, the Stewart report on mobile phones and health concluded that there is no general risk to people living near base stations on the basis that exposures are expected to be small. A subsequent measurement programme undertaken by the Radiocommunications Agency (RA) of mobile masts on school premises has confirmed that exposures are a small fraction of the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines. Eighty measurements have now been completed and the results are available on the RA web site www.radio.gov.uk.

The Stewart report also recommended that a substantial research programme should be set up to investigate the potential health effects of mobile phone technology as a whole. This programme has been set up under the direction of an independent scientific management committee who have recently assessed a range of research proposals. The first group of projects is expected to start in the next few weeks. Information about the research is being made available at www.mthr.org.uk.

Nursing Accommodation

Mr. Burns: To ask the Secretary of State for Health what the average cost is per week of *(a)* keeping a person in hospital and *(b)* keeping that person in a nursing home. [15386]

Jacqui Smith: *[holding answer 19 November 2001]:* Based on final national health service trust accounts for 1999–2000, the latest published figures, the average cost of treating a patient in hospital is estimated to be £233 a day or £1,630 a week. Based on data provided by local councils for 1999–2000, the latest year for which data are available, the average gross cost of keeping an older person in a nursing home in England is estimated to be £319 a week.

Free Nursing Care (West Chelmsford)

Mr. Burns: To ask the Secretary of State for Health (1) when those people who were receiving nursing care in the West Chelmsford constituency on 1 October will have had assessments carried out for free nursing care; [14968]

(2) how many people on 1 October in the West Chelmsford parliamentary constituency were receiving nursing care; and how many of those receiving nursing care had by *(a)* 1 October and *(b)* 1 November been assessed to receive free nursing care. [14969]

Jacqui Smith: The information is not collected on a constituency basis. However, 68 self-funding nursing home residents have been identified within Chelmsford primary care group and 36 have been identified within Maldon and South Chelmsford primary care trust. Determinations of these residents' registered nursing care will be completed by 31 December 2001.

New Opportunities Fund

Mr. Bercow: To ask the Secretary of State for Health which targeted initiatives are receiving support from the £300 million provided by the New Opportunities Fund in January 1999. [15252]

Mr. Caborn: I am replying on behalf of my right hon. Friend the Secretary of State for Health, as my Department sponsors the New Opportunities Fund.

The £300 million Healthy Living Centre initiative is designed to tackle the underlying causes of ill health such as poor diet, lack of exercise, and lack of access to health and leisure facilities. The majority of applications have been from partnerships between voluntary and public sector organisations and grants have funded new services and, sometimes, new buildings.

Mr. Bercow: To ask the Secretary of State for Health (1) what proportion of the £300 million provided by the New Opportunities Fund in 1999 to support targeted health initiatives has been *(a)* allocated and *(b)* spent; [15253]

(2) what proportion of the £150 million provided by the New Opportunities Fund in September 1999 to support health projects has been *(a)* allocated and *(b)* spent. [15255]

Mr. Caborn: I am replying on behalf of my right hon. Friend the Secretary of State for Health, as my Department sponsors the New Opportunities Fund.

I have contacted the New Opportunities Fund to request the information required, and I will write to the hon. Member as soon as it is available, placing copies of my letter in the Libraries of both Houses.

Mr. Bercow: To ask the Secretary of State for Health what projects are being funded from the £150 million made available from the New Opportunities Fund in September 1999. [15254]

Mr. Caborn: I am replying on behalf of my right hon. Friend the Secretary of State for Health, as my Department sponsors the New Opportunities Fund.

The £150 million Living with Cancer initiative funds projects which aim to improve cancer prevention, detection, diagnosis, treatment and care. The initiative is intended to complement cancer service policy frameworks in each country.

Small Acute Hospitals (Emergency Admissions)

Andrew George: To ask the Secretary of State for Health what assessment he has made of the use of information technology and telemedicine links in the maintenance of small acute hospitals which take emergency admissions. [16458]

Jacqui Smith: A national programme of information and communication technology demonstrator projects was announced in 2000. Some of these projects are assessing telemedicine applications supporting smaller hospitals and minor injuries units. The projects are due to report in 2002.

Telemedicine

Andrew George: To ask the Secretary of State for Health what plans he has for the future commissioning and use of transmitted clinical images as binary code for the purpose of remote diagnosis by specialist consultants. [16454]

Jacqui Smith: "Information for Health", the information strategy for the national health service published in 1998, required each health authority to consider the potential for telemedicine as part of their annual health improvement programmes. The decision to deploy facilities such as picture and archiving systems would be a local one based on clinical need and cost effectiveness.

Andrew George: To ask the Secretary of State for Health what assessment he has made of the future uses of new technology to conduct clinical examinations remotely and to allow specialist consultants to consult with colleagues at another hospital. [16453]

Jacqui Smith: A national programme of information and communication technology demonstrator projects was announced in 2000. Many of these projects are assessing telemedicine applications in the context of clinical and cost effectiveness. The projects are due to report in June 2002.

EDUCATION AND SKILLS

University Staff

Mr. Rendel: To ask the Secretary of State for Education and Skills, pursuant to her answer of 11 July 2001, *Official Report*, column 554W, on university staff, (1) how many of the academic staff reported to have resigned from their universities were re-engaged by their universities *(a)* for the academic year until 30 September and *(b)* for a longer period; [16229]

(2) which universities transferred academic faculty members from a contract of employment to a contract of service between 1 January and 30 March indicating the faculties involved in each case. [16228]

Margaret Hodge: This information is not available.

Departmental Expenditure

Dr. Kumar: To ask the Secretary of State for Education and Skills if she will list for each *(a)* area based and *(b)* other regeneration-related initiative for which her Department is responsible (i) the amount budgeted and (ii) the total expenditure in each financial year for the planned lifetime of each initiative (1) nationally and (2) in the Middlesbrough, South and Cleveland, East constituency. [16213]

Mr. Ivan Lewis *[holding answer 19 November 2001]:* Department for Education and Skills' programmes contribute to the regeneration of all deprived neighbourhoods by raising the educational attainment, skills and aspirations of children, young people and adults. Levels of funding for the initiatives listed by the Cabinet Office Regional Co-ordination Unit as being the responsibility of the Department for Education and Skills are as follows:

£ million (rounded)

	1998–99	*1999–2000*	*2000–01*	*2001–02*[1]	*2002–03*[2]
Neighbourhood Support Fund[3]	—	3	11	19	19
Education Action Zones	10	24	57	—	—
Community Champions[4]	—	—	1	3	3
Healthy Schools Programme	—	—	6	6	—

[1] Estimated

[2] Plans

[3] Neighbourhood Support Fund expenditure for 2003–04 is planned to be £6,000,000

[4] The figures for Community Champions in 2001–02 and 2002–03 include £1 million from the Home Office Active Community Unit

Funding for Education Action Zones (EAZ) within the Middlesbrough, South and Cleveland, East constituency is:

East Cleveland EAZ: DfES grant £102,400 (1999–2000); £851,900 (2000–01).

Middlesbrough (East) EAZ: DfES grant £517,500 (1998–99); £866,700 (1999–2000); £803,100 (2000–01).

Funding for the Healthy Schools Programme in Middlesbrough was £26,761 (2001–02).

It is not possible to provide figures at constituency level for the Neighbourhood Support Fund or Community Champions.

The Excellence in Cities (EiC) programme is designed to transform secondary education in our cities. The budget is some £200 million in 2001–02. As the programme comes on stream across all the new EiC authority areas and across all strands this figure is expected to rise to up to £300 million by 2003–04. In addition, over the life of the programme £124 million of capital investment is being made available. Funding for the three main strands of EiC (learning mentors, learning support units and extended opportunities for gifted and talented children) in Middlesbrough is £1,300,000 (2001–02). In addition, they have received a capital allocation of £1,200,000 for the new City Learning Centre.

The Early Excellence Centres (EEC) programme is a national Beacon initiative aimed at developing and disseminating good practice in the provision of integrated early years education, child care and family services. The total investment in the programme from 1997 to 2004 is £45 million. There are currently no EECs in the Middlesbrough, South and Cleveland, East constituency.

My right hon. Friend the Secretary of State for Education and Skills is also responsible for the Children's Fund which is administered by the cross-departmental Children and Young People's unit and for which my right hon. Friend the Minister responsible for Young People has day to day responsibility. She is also responsible for Sure Start together with my hon. Friend the Minister for Public Health which is administered by the cross-departmental Sure Start Unit. The provisional budgeted figures for these programmes are:

£ million

	Children's fund	*Sure start*[1]
1998–99	—	—
1999–2000[2]	—	7
2000–01[3,4]	—	58
2001–02[4,5]	65	184
2002–03[4,5]	114	449

[1] The figure for Sure Start in 2000–01 is for estimated outturn. Outturn will be published later this year in line with audited reports

[2] Outturn

[3] Estimated Outturn

[4] From DfEE Departmental Report, published March 2001

[5] Plans

Figures are not available for the Children's Fund at the level of the Middlesbrough, South and Cleveland, East constituency. Funding allocation for the Sure Start programme in East Cleveland constituency is: £20,000 (1999–2000); £799,911 (2000–01); £570,950 (2000–02).

Literacy and Numeracy

Mr. Chope: To ask the Secretary of State for Education and Skills how many 11-year-olds failed to reach expected levels in *(a)* Maths and *(b)* English in the last 12 months for which figures are available. [16416]

Mr. Ivan Lewis: Provisional figures for the 2001 Key Stage 2 assessments show that 158,000 (25 per cent.) eligible pupils did not achieve a Level 4 or above in the 2001 English Key Stage 2 test. 185,000 (29 per cent.) eligible pupils did not achieve a Level 4 or above in the 2001 mathematics test.

Basic Skills

Mr. Chope: To ask the Secretary of State for Education and Skills how many adults have inadequate basic skills. [16415]

John Healey: Lord Moser's 1999 Report, "A Fresh Start", notes that perhaps as many as 7 million people (roughly one in five adults) in England have difficulties with functional literacy and numeracy. These adults have a wide range of needs, varying from those who cannot read and write or perform the simplest calculations, to those who simply need to brush up rusty skills. We are commissioning a new survey next year to provide an up-to-date assessment of the scale of basic skills need in England.

The Government have recognised the vital importance to individuals and the economy of improving adult basic skills. The national strategy for improving adult literacy and numeracy skills, "Skills for Life", was launched in March this year by the Prime Minister. Our target is to improve the literacy and numeracy skills of 750,000 adults by 2004.

Appointments

Mr. Collins: To ask the Secretary of State for Education and Skills how many appointments she has made to public bodies since 7 June; and how many are in her gift. [15484]

Mr. Ivan Lewis: Information about numbers of ministerial appointments to public bodies is included in the Cabinet Office's annual report, "Public Bodies". Copies of this are placed in the Library of the House and the report is published on the Cabinet Office's internet website. The next edition of "Public Bodies", which will include numbers of appointments at 31 March 2001, will be published around the end of the year.

Since 7 June 2001 my right hon. Friend the Secretary of State has made one appointment to Non-Departmental Public Bodies (NDPBs) sponsored by the Department. In total there are 194 NDPB appointments in my right hon. Friend's gift.

Scottish Devolution

Mrs. Lait: To ask the Secretary of State for Education and Skills what her policy is regarding consultations prior to the publication of proposals involving the transfer of powers to the Scottish Executive by *(a)* primary legislation and *(b)* Order in Council. [13821]

Mr. Ivan Lewis: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Scotland on 14 November 2001, *Official Report,* column 748W.

Children's Fund

Ms Buck: To ask the Secretary of State for Education and Skills if he will list those authorities receiving allocations this year under the Children's Fund, indicating the value of the allocation in each case. [13663]

Mr. Denham: The first 40 first wave Children's Fund areas were announced on 23 January 2001.

Following are the 40 first wave areas with their total allocation over three years.

Areas	*Million*
Blackburn	2.7
Blackpool	1.8
Birmingham	18
Bolton	3.6
Bradford	8.1
Bristol	4.2
Camden	2.4
Cornwall	4.8
Doncaster	3.9
Gateshead	2.4
Greenwich	3
Hartlepool	1.5
Hackney	4.2
Halton	1.8
Haringey	3.6
Islington	2.7
Kent	11.1
Kingston Upon Hull	4.5
Knowsley	3
Lancashire	12
Leeds	7.8
Leicester	4.8
Lincolnshire	5.1
Liverpool	8.4
Manchester	8.7
Middlesbrough	2.4
Newham	5.7
Newcastle upon Tyne	3.6
Norfolk	6.3
Nottingham	5.1
Oldham	3.3
Portsmouth	2.1
Rochdale	3.3
Salford	3.3
Sandwell	4.2
Sheffield	5.7
Southwark	3.6
Stockton-on-Tees	2.1
Sunderland	3.9
Tower Hamlets	5.1

In each area the local authority has identified a local partnership to manage and develop a Children's Fund proposal. Most of these proposals have now been approved and partnerships are now starting to implement these proposals.

Ms Buck: To ask the Secretary of State for Education and Skills what proportion of this year's Children's Fund allocation went to local authorities in London. [13662]

Mr. Denham: I am pleased to report that 16 per cent. of the first year's Children's Fund allocation went to Children's Fund partnerships in London. This amounts to £10.1 million in 2001–02.

The local partnerships that are responsible for planning and developing proposals have submitted plans for preventive services in these areas; most of these have been approved and partnerships are now starting to implement their proposals.

Departmental Publications

Mr. Bercow: To ask the Secretary of State for Education and Skills how many *(a)* circulars and *(b)* consultation documents were issued by her Department in each of the last four years. [11826]

Mr. Ivan Lewis: The numbers of consultation documents issued are:

Year	*Number*
1998	148
1999	185
2000	74
2001 (to November)	65

The Department has not issued any documents labelled as "circulars" since 1999. The figures include numbers for 2000 and 2001 for documents which would have previously fallen into the category of circulars.

Year	*Number*
1998	29
1999	48
2000	55
2001 (to November)	39

Secondary Education

Patrick Mercer: To ask the Secretary of State for Education and Skills what plans she has for secondary education in Retford. [16260]

Mr. Timms: Our White Paper "Schools Achieving Success", sets out an ambitious programme for the transformation of secondary education, building upon our success in the primary phase. We have also introduced the Key Stage 3 National Strategy aimed at raising standards for all 11 to 14-year-old children.

Turning specifically to Retford, I am aware that the local education authority is consulting upon proposals for the rationalisation of secondary schools in the town. The Government believe that decisions concerning the supply of school places are best taken locally—by the main partners in the provision of education who have a knowledge of local needs.

Student Loans

Dr. Kumar: To ask the Secretary of State for Education and Skills how many people have taken out student loans per year since their inception; what is *(a)* the average amount per loan, *(b)* the average amount loaned to each student, *(c)* the average time taken before repayments begin, *(d)* the running costs per year of the Student Loans Company and *(e)* the annual income from repayments of the Student Loans Company. [16216]

Margaret Hodge: Not all of the information requested is held centrally or readily available. The information that is available is shown in the following tables.

Student support provision: academic years 1990–91 to 2000–01

Academic years	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*[1]
Student loans (United Kingdom)[2,3]										
Number of loans (thousands)[4]	180.2	261.1	345.3	430.4	517.2	559.8	589.6	615.1	659.5	723.6
Value of loans (£ million)	69.9	139.2	226.5	316.7	538.8	700.8	877.2	941.0	1,233.5	1,823.0
Average value of loan (£)[5]	390	530	660	740	1,040	1,250	1,490	1,530	1,870	2,520
Eligible population (thousands)[6]	643.5	726.6	836.3	917.4	944.4	949.8	945.7	962.9	966.7	982.5
Take up of student loans (percentage)	28	36	41	47	55	59	62	64	68	74

[1] Provisional

[2] Student loans are available to eligible students normally domiciled in the United Kingdom.

[3] Student loans are available to most 'home' students on full-time undergraduate HE courses (and students on full-time and part-time postgraduate courses of initial teacher training) who are aged less than 50 at the start of their course. From 1999–2000, students aged between 50 to 54 at the start of their course (this includes students who started their course after September 1998) can apply for a student loan as long as they can demonstrate to their awarding authority that they plan to return to employment after finishing their course.

[4] Refers to loans advanced in the target year only, which include those to students in their first, second, third and any subsequent year of their course.

[5] Rounded to the nearest £10.

[6] Total number estimated to be eligible for loans. This includes eligible students attending courses entirely at overseas privately funded or NHS institutions. From 1996–97 nursing students on diploma course with fees paid by the Department of Health bursaries are excluded though some may be eligible for loans if their Department of Health bursaries are reduced through means-testing. Population estimates have been compiled from data provided by HESA, FEFC and from the Student Loans Company.

Notes:

1. New student support arrangements were introduced from academic year 1998–99. New students in 1998–99 apart from certain specified exceptions received support for maintenance expenditure through means-tested grants (comprising about a quarter of the support available) and non income-assessed student loans (comprising about three quarters of the support available). In 1999–2000 students who entered higher education from 1998–99 onwards received support for maintenance expenditure entirely through loans, of which approximately three quarters of the value was non income-assessed. Loans made under these arrangements are repayable on an income contingent basis. The ratio of support for existing loans, ie those who entered higher education up to 1997–98, was roughly 50 per cent. means-tested grant and 50 per cent. non means-tested loan repayable on a mortgage style basis.
2. Mandatory awards are awarded by local education authorities (LEAs) in England and Wales to eligible students normally domiciled in their area.
3. Includes placement year sandwich students.
4. Excludes placement year sandwich students.

Source:

Student Loans Company

The running costs per year of the Student Loans Company are shown in the table:

Academic year	*£ million* *Running costs*
1990–91	13.0
1991–92	13.7
1992–93	13.6
1993–94	18.3
1994–95	19.7
1995–96	21.3
1996–97	22.9
1997–98	27.7
1998–99	36.5
1999–2000	48.6

Source:

SLC Annual Reports

UK figures: mortgage style loan repayments received from SLC by financial year

Academic year	*£ million* *Running costs*
1990–91	0
1991–92	1
1992–93	5
1993–94	11
1994–95	25
1995–96	52
1996–97	83
1997–98	129
1998–99	132
1999–2000	131
2000–01	178

The SLC received payments from borrowers and returns them to the three funding authorities (DfES, Students Awards Agency for Scotland and Department of Education and Learning in Northern Ireland).

Prior to devolution, repayments were shared on an apportionment basis, derived from estimated student numbers.

Since June 2000, repayments have been returned to each funding authority on the basis of the borrower's domicile.

Threshold Allowance Awards

Mrs. Calton: To ask the Secretary of State for Education and Skills what action she will take to ensure that those teachers who crossed the payment threshold as a result of threshold allowance awards in the financial year 2001–02 will pay the same level of taxation on their increased salary as those who passed the payment threshold in the previous financial year. [16420]

Mr. Timms: Because the original timetable for threshold assessment was delayed by the judicial review initiated by the National Union of Teachers, some teachers did not receive their threshold pay rise before April 2001. These teachers will therefore receive both their 2000–01 threshold back pay and their 2001–02 threshold pay in the current financial year. In most cases this should not affect their tax position. However a minority might have to pay some higher rate tax as a result. For employees covered by PAYE income is taxable when it is received. This is a fundamental principle of the tax system that cannot be changed for teachers who might find themselves in this position. But we will do all we can to ensure that teachers who apply for threshold assessment this year receive their pay rise by March 2002.

Key Skills

Diana Organ: To ask the Secretary of State for Education and Skills (1) what measures she is putting into place to ensure that key skills are integrated into all programmes of study in *(a)* schools, *(b)* further education colleges and *(c)* higher education institutions; and what monitoring of these measures is being carried out; [16196]

(2) what progress her Department has made in the implementation of key skills in *(a)* schools, *(b)* further education colleges and *(c)* higher education institutions; [16193]

(3) if she will make a statement on the role of key skills in education. [16192]

Mr. Ivan Lewis: Key skills are important for everyone. They are an integral part of post-16 programmes in schools, colleges and the work-based route. Not only are they valuable in themselves but they also form the building blocks for successful further study and development. We are keen that all students have the opportunity to improve their key skills.

In schools and colleges, updated key skills qualifications were introduced in September 2000. In higher education institutions, Foundation Degrees and Graduate Apprenticeships have been introduced from this autumn; both include key skills.

(a) In schools, pre-16, the key skills are addressed through the National Curriculum subjects and GCSE qualifications in English, maths and ICT. Monitoring of achievement is through the National Curriculum assessments and the GCSE results. Post-16, the expectation is that where students have not already achieved A*-C grades in GCSE English, Maths, or ICT their programmes should lead to the formal acquisition of the level 2 key skills qualifications (or suitable proxies). Monitoring is through the achievement data collected by the awarding bodies and QCA.

(b) The same expectation holds in FE colleges. Monitoring is through the Learning and Skills Council's Individual Student Record and will be included in the Performance Indicators. Also, all achievements will be monitored in local LSC offices via the Provider Review process.

(c) We are working with the Higher Education Funding Council for England (HEFCE) and the Learning and Teaching Support Network (LTSN) on arrangements to embed work-related skills (including key skills) more widely across the HE system. Monitoring will be addressed as part of this process. Key skills are recognised in the revised UCAS tariff that is being used by students applying this year for entry to higher education in 2002. The tariff is subject to normal monitoring and review arrangements by UCAS.

Diana Organ: To ask the Secretary of State for Education and Skills how the new funding arrangements for *post-16 provision* reflects the Government's commitment to key skills. [16194]

Mr. Ivan Lewis: The Learning and Skills Council (LSC) has been asked to ensure that its funding regime supports a more tailored use of key skills, reflecting individual students' goals and needs. In work-based learning, the funding of key skills is included in the overall funding of the Modern Apprenticeship programme. In colleges, the level of funding available for key skills and the entitlement package is not affected by this improved flexibility; it is no longer dependent upon a fixed pattern of key skills provision and achievement. The LSC will take over post-16 funding of schools from April 2002.

PFI Schemes

Mr. Willis: To ask the Secretary of State for Education and Skills how many local education authorities have had PFI school schemes approved in the first four tranches; which ones are within their approved timed programme; and how many months of delay have elapsed for those which are behind schedule. [15551]

Mr. Timms: 72 local education authorities have now had a total of 80 PFI projects approved. This includes 36 projects which have already signed, 24 projects which have already been approved by the Treasury-chaired Project Review Group and 20 projects which have been approved provisionally by this Department.

We do not impose a timed programme on local education authorities, other than to indicate the financial year in which we expect contract signature to take place. Contract negotiations and building schedules are a matter for local education authorities and private contractors to determine. We are aware of no serious delays in opening PFI schools against locally agreed schedules.

Mr. Willis: To ask the Secretary of State for Education and Skills when she will publish the names of the successful local education authorities for PFI schemes in the next financial year. [15552]

Mr. Timms: Local education authorities that were successful in gaining provisional approval for projects expecting to sign in the next financial year, that is 2002–03, were announced in March 2001. The closing date for the submission of bids for projects hoping to sign in 2003–04 is 17 December 2001. All bids received by that date will be assessed against published criteria, and announcements on those successful in gaining provisional approval from this Department are expected to be made in March 2002.

Graduate Training Scheme

Mr. Willis: To ask the Secretary of State for Education and Skills how many of the schools which took part in the graduate training scheme for teachers had less than 25 per cent. gain five A* to C grades at GCSE in *(a)* 1998, *(b)* 1999, *(c)* 2000 and *(d)* 2001. [15558]

Mr. Ivan Lewis: This information is not collected centrally.

Tuition Fees

Ian Lucas: To ask the Secretary of State for Education and Skills if she will take steps to allow tuition fees to be deductible against tax. [12693]

Margaret Hodge *[holding answer 15 November 2001]:* In England, contributions towards tuition fees for home and EU full-time undergraduate students are income assessed. Around 50 per cent. of students are not required to make any contribution at all; 15 per cent. make a partial contribution, and 35 per cent. make the full contribution. The cost of higher education tuition is already heavily subsidised by the Government, both through the means testing system and because fees only meet a quarter of the average cost of a course. In these circumstances a further subsidy allowing tuition fee contributions to be deductible against tax would not be appropriate. Nevertheless, we have announced a review of student funding. A wide range of options is being considered and we will be consulting on any proposals that emerge.

Schools (Wycombe)

Mr. Goodman: To ask the Secretary of State for Education and Skills what proportion of pupils of each ethnic group in the Wycombe constituency attend *(a)* grammar and *(b)* upper schools. [14869]

Mr. Timms: The number and proportion of children in maintained secondary schools within Wycombe parliamentary constituency by each ethnic group is shown in the table.

Number and proportion of children in maintained secondary schools in Wycombe constituency by ethnic group, January 2001

Ethnic group	*Proportion of pupils in grammar schools (Percentage)*	*Proportion of pupils in other secondary schools (Percentage)*	*Total number of pupils in maintained secondary schools*
White	70.6	29.4	5,866
Black Caribbean heritage	18.8	81.3	192
Black African heritage	34.9	65.1	43
Black other	36.2	63.8	58
Indian	82.6	17.4	121
Pakistani	22.6	77.4	939
Bangladeshi	46.7	53.3	15
Chinese and any other minority ethnic group	51.9	48.1	374
Total number of pupils classified by ethnic origin	62.0	38.0	7,608

School Cleanliness

Mr. Blizzard: To ask the Secretary of State for Education and Skills, pursuant to her answer of 5 November 2001, *Official Report,* column 46W, on school cleanliness, what steps she will take to ensure that local education authorities and school governing bodies fulfil their responsibilities in maintaining cleanliness in schools. [13985]

Mr. Timms: None. I am content to leave this matter with the local education authorities and governing bodies responsible.

Public-private Partnership

Matthew Taylor: To ask the Secretary of State for Education and Skills if she will list the projects in her Department which have been considered as potential public-private partnerships since 1997 which have not been undertaken because the public sector comparator had a lower net present value than the public-private partnership proposed; and if she will make a statement. [13451]

Mr. Timms: I refer the hon. Member to the reply given by my right hon. Friend the Chief Secretary to the Treasury on 13 November 2001, *Official Report,* column 607W.

Schools PFI projects are not formally approved until a full Outline Business Case (OBC) has been submitted to the Treasury-chaired Project Review Group. This OBC must include a Public Sector Comparator (PSC) and it is a condition of approval that the proposed PFI solution must demonstrate better value for money than the PSC.

Ministerial Visit (Brazil)

Mr. Brady: To ask the Secretary of State for Education and Skills what was the *(a)* itinerary and *(b)* cost of the visit of the Schools Minister to Brazil on 6 and 7 December 2000. [10381]

Mr. Ivan Lewis: As the Schools Minister did not visit Brazil on 6th and 7th December 2000 or on any other date, there was no itinerary and no cost.

Class Sizes

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills how many infants are taught in classes with more than 30 pupils. [15383]

Mr. Timms *[holding answer 16 November 2001]:* For infant classes taught by one teacher in September 2001, an estimated 8,000 children (0.5 per cent.) were in classes of 31 or more children after allowing for additional pupils scheduled to enter school during the early part of the autumn.

Schools reported nearly 63,300 infant classes taught by one teacher in September 2001. Of these classes, just 239 contained 31 or more pupils. In January 1998 nearly 485,000 infants (29 per cent.) were in classes of 31 or more.

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what information she *(a)* routinely collects and *(b)* has collected since 1 September on infant class sizes. [15382]

Mr. Timms *[holding answer 16 November 2001]:* Information about class sizes has been collected from maintained primary and secondary schools as part of the

Annual Schools Census in January for over 20 years. In order to provide a true representation of the sizes of classes experienced by children, each school is randomly allocated a specific time on the census day at which class sizes should be reported. The current collection asks for the number of pupils, teachers and teaching assistants in the class at the appropriate time and also for its Key Stage and National Curriculum Year Group. The activity in which the class is engaged is also requested.

The September Class Size Count is a separate collection started in 1998, introduced to monitor class sizes at Key Stage one. The statistical method used is the same as in the January Census, but, in order to lessen the burden on schools, information is only collected from primary schools and about classes where the majority of children will reach the appropriate age during the school year. The information required about each class in September 2001 was the number of pupils, teachers and teaching assistants and the activity in which the class was engaged and, for classes of 31 or more, the number of excepted pupils.

Higher Education

Dr. Kumar: To ask the Secretary of State for Education and Skills if she will make a statement on the percentage of school leavers *(a)* nationally and *(b)* in the Middlesbrough, South and Cleveland, East constituency who have entered higher education in each of the last four years. [16212]

Margaret Hodge *[holding answer 19 November 2001]:* Figures for the number of school leavers who go on to higher education are not collated centrally on a constituency basis. The available figures for Great Britain, showing the proportion of under 21 year olds who enter higher education for the first time, are given in the table. There was an increase in the index in 1997–98 related partly to changes in the funding arrangements for higher education, with students choosing to enter HE rather than wait until 1998–99. There was a corresponding reduction in 1998–99 before the entry rates started to increase again in 1999–2000. Between 1997–98 and 2000–01, total HE students in English universities and colleges rose by 83,000.

Age participation index (API)[1] for Great Britain

Percentage

	API
1997–98	33
1998–99	31
1999–2000	32
2000–01[2]	32–34

[1] The API is defined as the number of GB domiciled initial entrants to full-time and sandwich undergraduate HE aged under 21, expressed as a percentage of the average number of 18 and 19 year olds in the population.

[2] Projected: final data on initial entrants are not yet available.

TREASURY

Tax Receipts

Mr. Jack: To ask the Chancellor of the Exchequer (1) if he will make a statement giving the reasons for not publishing monthly estimates of all forms of tax receipts; [16261]

(2) if he will publish the monthly breakdown of the tax receipts estimates contained in the most recent financial statement and Budget report. [16275]

Dawn Primarolo: I refer the right hon. Gentleman to my reply of 14 November 2001, *Official Report*, column 775W, the answer the Financial Secretary gave him on 20 July under cover of a letter and the letter which the Economic Secretary sent him on 27 September (copies of both of which have been placed in the Library of the House).

Fuel Smuggling

Mr. McNamara: To ask the Chancellor of the Exchequer if he will make a statement on the volume of motor fuel products smuggled into Northern Ireland in each year since 1997. [15540]

Mr. Boateng: HM Customs and Excise do not have estimates for the amount of fuel entering Northern Ireland as a result of cross-border smuggling. They have assessed the total revenue lost (excise and VAT) through cross-border shopping and smuggling of road fuels in Northern Ireland as about £100 million in 1998. Updated estimates will be presented in the forthcoming pre-Budget report.

Mr. McNamara: To ask the Chancellor of the Exchequer what meetings have been held between *(a)* Ministers and *(b)* officials and their Irish counterparts to discuss the smuggling of petroleum products into Northern Ireland since May; and if he will make a statement. [15544]

Mr. Boateng: I recently visited the Revenue Commissioner in the Republic of Ireland and, in the absence of the appropriate Minister, had a very productive meeting with the Chairman of the Revenue Commissioners.

UK Customs enjoy a very close relationship with the Revenue Commissioners and the Criminal Assets Bureau in the Republic of Ireland. UK Customs and the Revenue Commissioners of the Republic of Ireland have a Memorandum of Understanding designed to increase the effectiveness of the co-operation. Officials meet on a regular and very frequent basis at policy and operational levels.

Mr. McNamara: To ask the Chancellor of the Exchequer how many vehicles have been impounded by HM Customs in each year since 1997 for alleged smuggling of petroleum products; and what was the tonnage of fuel carried. [15541]

Mr. Boateng: Customs records of the number of vehicles seized do not disaggregate between the nature of the offences involved in each case. I regret, therefore, that this information is not available.

Mr. McNamara: To ask the Chancellor of the Exchequer what measures he is taking to tackle cross-border smuggling of petroleum products; and if he will make a statement. [15543]

Mr. Boateng: Customs believe the main risk from cross-border smuggling of petroleum products is across the land boundary between the Irish Republic and

Northern Ireland, and since September 2000 have increased their resources devoted to tackling oils fraud in Northern Ireland by a factor of four.

Customs believe that the threat from cross-border smuggling of petroleum products is limited on the mainland. This assessment has been regularly monitored by a series of joint exercises run by Customs and the police which to date have resulted in limited seizures of illicit fuel.

Mr. McNamara: To ask the Chancellor of the Exchequer how many successful prosecutions there have been in Northern Ireland in each year since 1997 for smuggling petroleum products into Northern Ireland. [15542]

Mr. Boateng: The number of successful prosecutions in Northern Ireland for oils smuggling is as follows:

Year	*Number*
1996–97	0
1997–98	1
1998–99	3
1999–2000	3
2000–01	1

Inland Revenue/ Customs and Excise Research Programme

Mr. Lidington: To ask the Chancellor of the Exchequer what are the *(a)* subjects and *(b)* terms of reference of the first two research studies undertaken by the Inland Revenue and HM Customs and Excise Joint Compliance Costs Research Programme. [16340]

Dawn Primarolo: The first two research studies undertaken by the Inland Revenue and HM Customs and Excise in the Joint Compliance Costs Research Programme are: (i) a study of the compliance costs of corporation tax for UK businesses; and (ii) a study of the compliance costs of VAT for UK businesses. The terms of reference of the studies were covered by the contract notice in the *Official Journal of the European Communities* (OJEC) submitted on 26 May 2000.

Railtrack

Michael Fabricant: To ask the Chancellor of the Exchequer, pursuant to the statement made by the Secretary of State for Transport, Local Government and the Regions in the House on 13 November 2001, *Official Report*, column 724, if he will list the dates, up to one month prior to 5 October, when he sent advice to the Secretary of State for Transport, Local Government and the Regions. [16277]

Mr. Andrew Smith: Treasury Ministers have discussions with a variety of people, including colleagues in other Departments, on a wide range of subjects on a regular basis.

Michael Fabricant: To ask the Chancellor of the Exchequer on which dates, up to one month prior to 5 October, he sent advice to the Secretary of State for Transport, Local Government and the Regions, that funds were not likely to be approved to maintain the *(a)* viability and *(b)* liquidity of Railtrack plc. [16278]

Mr. Andrew Smith: I refer the hon. Member to the answer given by the Minister for Transport, Department for Transport, Local Government and the Regions to the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) on 14 November 2001, *Official Report*, column 735W.

Matthew Taylor: To ask the Chancellor of the Exchequer on what date the Office for National Statistics was asked to examine the accounting treatment of the successor organisation to Railtrack; and if he will make a statement. [16593]

Mr. Andrew Smith: The Office for National Statistics was asked to examine the accounting treatment of a possible successor organisation to Railtrack on Wednesday 3 October.

Mr. Andrew Turner: To ask the Chancellor of the Exchequer if he will list the briefings his officials have given to newspapers on Railtrack in the last seven days. [15332]

Mr. Andrew Smith: The Department for Transport, Local Government and the Regions is responsible for railways policy.

Mr. Flight: To ask the Chancellor of the Exchequer if he authorised the payment of £162 million from the Strategic Rail Authority to Railtrack on 1 October. [16162]

Mr. Andrew Smith: The timing of payments to Railtrack via the SRA is a matter for the SRA and the Department for Transport, Local Government and the Regions.

Mr. Flight: To ask the Chancellor of the Exchequer what discussions he *(a)* has had and *(b)* plans to have with the Governor of the Bank of England on the effects of and matters arising from the administration of Railtrack. [15932]

Mr. Andrew Smith: Treasury Ministers have discussions with a wide variety of people on a wide range of subjects on a regular basis.

Corporation Tax

Mr. Flight: To ask the Chancellor of the Exchequer what the total corporation tax receipts were in the last financial year; and what receipts had been expected. [15929]

Dawn Primarolo: The information requested is set in the Office for National Statistics publication "Financial Statistics", a copy of which is in the Library. The latest forecasts were published in Budget 2000 and previously in the pre-Budget report 2000.

Consumer Debt

Mr. Flight: To ask the Chancellor of the Exchequer what the total amount of non-mortgage consumer debt was in real terms in each year since 1992. [15936]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Pullinger to Mr. Howard Flight, dated 20 November 2001:

The National Statistician has been asked to reply to your question about the total amount of non-mortgage consumer debt in real terms for each year since 1992. I am replying in his absence. (15936)

The table below shows non-mortgage consumer debt in nominal terms, which is published in Table 3.2B of Financial Statistics, a copy of which is available in the House of Commons library. The Office for National Statistics does not publish data on non-mortgage debt in real terms. Also included is a time series which shows nominal non-mortgage debt deflated by the retail price index excluding mortgage interest payments (RPIX).

Year	*Nominal non-mortgage consumer debt (VZRI) (£ million)*	*RPIX (CHMK)*	*'Real' non-mortgage consumer debt (£ million)*
1992	53,188	136.4	38,994
1993	52,974	140.5	37,704
1994	57,617	143.8	40,067
1995	67,624	147.9	45,723
1996	76,859	152.3	50,466
1997	87,497	156.5	55,909
1998	101,659	160.6	63,300
1999	114,872	164.3	69,916
2000	126,733	167.7	75,571

Census

Mr. Lidington: To ask the Chancellor of the Exchequer (1) if the Office for National Statistics authorised the use of Government-held personal records about *(a)* asylum seekers and *(b)* other categories of people during compilation of the 2001 census returns; [16336]

(2) what guidance was given by the Office for National Statistics to census enumerators about access to information held by the Government about individuals; [16338]

(3) what his policy is on the rules governing the access of census enumerators to individual personal information held by Government Departments. [16337]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. David Lidington, dated 20 November 2001:

As National Statistician and Registrar General for England and Wales, I have been asked to reply to your recent questions to the Chancellor of the Exchequer asking:

1. whether the Office for National Statistics authorised the case of government-held personal records held about (a) asylum seekers and (b) other categories of people during the compilation of the 2001 Census returns (16336);
2. what his policy on the rules governing the access of census enumerators to individual personal information held by government departments (16337); and
3. what guidance was given by the Office for National Statistics to census enumerators about access to information held by the Government about individuals (16338).

In response to the first question you will want to be aware that the Registrar General is authorised by the terms of the Census Act 1920 to conduct a census in England and Wales.

The Census Order 2000 (Statutory Instrument 2000 no. 744) made under Section 1 of the Census Act, prescribes the persons by whom and in respect of whom the returns are to be made. Returns were required to be made in respect to all persons who are usually resident in England and Wales. For the purpose of the 2001 Census a person was regarded as being 'usually resident' in England and Wales if he or she was present at an address in England and Wales on census night and had no other usual address in England and Wales or elsewhere. This would, therefore, generally include asylum seekers, and thus the Census Act imposed a duty on me to collect returns from such people.

The Census Regulations 2000 (Statutory Instrument 2000 no. 1473), made under section 3 of the Act, empowered the making of any such arrangements as the Registrar General thinks fit for the collection of the particulars prescribed by the Census Order to be stated in the returns.

For this purpose, the Registrar General was able to make arrangements where necessary to acquire information from official sources on the location of accommodation that housed asylum seekers and on other population sub-groups (such as rough sleepers), which would enable forms to be delivered and collected in respect of such people who might not otherwise be aware of their statutory duty to make a return or have access to the forms.

In all cases the provision of such information would have been a matter for the data custodian of that information. The subsequent uses of the information for Census purposes were within the terms of the requirements of the Data Protection Act 1998, and the strict confidentiality provisions of the Census Act as amended by the Census (Confidentiality) Act 1991.

In answer to your second and third questions, there were no provisions or arrangements made in the conduct of the 2001 Census for access to any individual personal information held by Government departments or agencies by census enumerators, and consequently no guidance given to enumerators on any such access.

Pensioners

Dr. Kumar: To ask the Chancellor of the Exchequer how many people of pensionable age there are in the Middlesbrough, South and Cleveland, East constituency. [16436]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Pullinger to Dr. Ashok Kumar, dated 20 November 2001:

The National Statistician has been asked to reply to your question concerning how many people of pensionable age there are in Middlesborough South and East Cleveland constituency. I am replying in his absence. (16436)

ONS does not produce population estimates on parliamentary constituency boundaries. The smallest area level for which we produce population estimates is for local authorities.

Mid 2000 estimates of the number of people of pensionable age in local authority areas are available in table 8 on the National Statistics website at: http://www.statistics.gov.uk/downloads/theme population/PENo3/PENo3 v3.pdf.

Fuel Taxation

Mr. Andrew Turner: To ask the Chancellor of the Exchequer what taxes and excise duty are payable on fuels used by providers of internal UK passenger services by *(a)* bus, *(b)* coach, *(c)* local train, electrically powered, *(d)* local train, diesel powered, *(e)* ferry, *(f)* hovercraft and *(g)* aeroplane. [14278]

Mr. Boateng *[holding answer 12 November 2001]:* The rates of excise duty on ultra-low sulphur diesel, liquid petroleum gas, gas oil aviation turbine fuel and aviation gasoline—the fuels generally used by providers of passenger services in the UK—are set out in the Hydrocarbon Oil Duties Act 1979.

As far as VAT is concerned, passenger transport provided in any vehicle, ship or aircraft that has 10 or more passenger seats, including the driver (or pilot, captain etc.) is zero-rated. Transport provided in such vehicles, ships or aircraft with fewer than 10 passengers, including the driver etc., is standard-rated.

Corporate Tax

Mr. Flight: To ask the Chancellor of the Exchequer what progress has been made in the review of corporate tax treatment of substantial shareholdings and intangible assets for large companies. [15922]

Dawn Primarolo: Good progress continues to be made on these reviews.

Company Leases

Matthew Taylor: To ask the Chancellor of the Exchequer for what reason there is not a public sector accounting counterpart to the Statement of Standard Accounting Practice 21 concerning the accounting treatment of leases that UK companies enter into; and if he will make a statement. [16076]

Mr. Andrew Smith: Public sector accounting standards require the application of Statement of Standard Accounting Practice (SSAP) 21.

Capital Assets

Matthew Taylor: To ask the Chancellor of the Exchequer if capital assets where the ownership at the end of the contract reverts to the public sector are taken into account when calculating public sector *(a)* net investment and *(b)* net worth; and if he will make a statement. [16078]

Mr. Andrew Smith: The treatment of this type of contract will depend on how it is classified by the Department's accountants and the National Audit Office. If it is classified as a finance lease, it is included in net investment and net worth. If it is classified as an operating lease, it will not be. The decision will depend on whether it is the private or public sector which bears most of the economic risks and rewards associated with the asset.

VAT

Mr. Flight: To ask the Chancellor of the Exchequer what the total VAT receipts from the corporate sector were for the last financial year; and what receipts had been anticipated. [15930]

Mr. Boateng: Total Value Added Tax receipts are shown in the Office for National Statistics publication "Financial Statistics". The forecast can be found in the "Financial Statement and Budget Report 2000".

Small and Medium Sized Enterprises

Mr. Flight: To ask the Chancellor of the Exchequer what assessment he has made of the impact of *(a)* debt investment and *(b)* equity investment in SMEs on growth in employment and output. [15938]

Mr. Boateng: Both debt and equity investment are essential for small firms if they are to grow and make a full contribution to the UK economy. The Government are stimulating growth in SME investment by reducing the tax burden for SMEs, and increasing the supply of finance through measures such as provision of small firms' loan guarantees and venture capital finance.

Climate Change Levy

Mr. Robathan: To ask the Chancellor of the Exchequer what plans he has to exempt coal mine methane generated power from the climate change levy. [15721]

Mr. Boateng: The Government are at present discussing with the Association of Coal Mine Methane Operators (ACMMO) the treatment of electricity generated from coal mine methane under the climate change levy there are currently no plans to exempt coal mine methane generated power but the Chancellor of the Exchequer makes these decisions on a Budget by Budget basis.

Mortgages

Mr. Flight: To ask the Chancellor of the Exchequer if the Bank of England has made representations to UK mortgage lenders on current average mortgage income multiples. [15928]

Ruth Kelly: Responsibility for the prudential regulation of banks and building societies now rests with the Financial Services Authority (FSA). In addition, the FSA is taking on responsibility for regulating mortgage lending. Both the Government and FSA consider it important that mortgage borrowers should not be exploited by lending in circumstances where they are self-evidently unable to repay through income but have no alternative repayment plans. The FSA is therefore setting rules in respect of responsible lending. Lenders will be required to show that they have taken account of a borrower's ability to repay the loan before entering into a regulated mortgage contract with him.

European Commission Proposals

Mr. Flight: To ask the Chancellor of the Exchequer what assessment he has made of the proposals outlined on 12 November by the President of the European Commission on *(a)* EU budgetary powers and *(b)* the growth and stability pact. [15931]

Ruth Kelly: Mr. Prodi's speech is part of the on-going debate on the future of Europe.

On budgetary issues the Government's position is clear. At ECOFIN on 10 July several Finance Ministers, including my right hon. Friend the Chancellor of the Exchequer, rejected ideas for a euro tax. It has been made clear that the Government do not support, and have no plans to impose, a harmonised tax on their citizens. Any proposal for a euro tax would have to be agreed unanimously by member states.

On fiscal policies in the EU, the Government will assess carefully any proposals for a further Code of Conduct one they are presented by the European Commission.

Small Businesses

Chris Grayling: To ask the Chancellor of the Exchequer what representations he has received on changes to insurance policies and premiums for small businesses since 11 September. [16175]

Ruth Kelly: We receive representations on a wide range of subjects from a variety of organisations and individuals.

Aggregates Levy

Mr. Cawsey: To ask the Chancellor of the Exchequer what assessment he has made of the effect of the aggregates levy on the rural economy. [16089]

Mr. Boateng *[holding answer 19 November 2001]:* The rural economy will benefit from the levy funded 0.1 percentage point reduction in employers' national insurance contributions and the new £35 million Sustainability Fund which deliver local environmental benefits to areas subject to the environmental costs of aggregates extraction.

Mr. Cawsey: To ask the Chancellor of the Exchequer what assistance he will provide to those whose employment is affected as a result of the aggregates levy. [16090]

Mr. Boateng *[holding answer 19 November 2001]:* The aggregates levy receipts will be returned to business, principally through a 0.1 percentage point reduction in employers' national insurance contributions, which will have a positive effect on employment, as will the £35 million levy funded Sustainability Fund.

Financial Services Compensation Scheme

Mr. Battle: To ask the Chancellor of the Exchequer if self-insurance by companies is specifically excluded from the financial services compensation scheme; and if claimants can be denied fall back compensation granted from the financial services compensation scheme where the employer and insurer are insolvent. [15959]

Ruth Kelly: The Financial Services Compensation Scheme (FSCS) is set up to provide compensation if an FSA regulated financial services firm—bank, building society, investment firm or insurer—collapses. The FSCS is funded by these firms. The FSCS does not, therefore, cover claims against insolvent employers who did not hold insurance with a regulated insurer.

Equitable Life

Mr. Chope: To ask the Chancellor of the Exchequer on what date he received the formal notice from the Parliamentary Ombudsman of his intention to inquire into the regulation of Equitable Life; when he responded; and if he will place the correspondence in the Library. [16283]

Ruth Kelly: The formal notice was received on 30 October and the Treasury will respond to it shortly.

Departments' responses to the Parliamentary Commissioner for Administration are an important preliminary to his investigations, which are conducted in private. It would not, therefore, be appropriate to place the correspondence concerned in the Library.

Correspondence

Sue Doughty: To ask the Chancellor of the Exchequer when he will reply to the letter of 12 October from the hon. Member for Guildford. [16599]

Mr. Boateng: I have done so.

Written Answers to Questions

Wednesday 21 November 2001

CHURCH COMMISSIONERS

Retired Clergy

Mr. Drew: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, if he will make a statement on housing provision for clergy on their retirement. [16295]

Mr. Bell: Clergy in office are provided with a house and are paid a stipend. In retirement, however, they must meet their own housing costs. The derivation of the formula for the pension and retirement lump sum takes this into account.

Actual arrangement of retirement housing is a matter for the individual, who may purchase a property (if necessary with the aid of a mortgage obtained in the market) or rent. The Church offers, through the Pensions Board and supported by investment capital provided by the Church Commissioners, a scheme of housing assistance which widens the choice available. Subject to the circumstances of the individual, a value-linked mortgage loan may be granted to enable accommodation to be purchased, or a property owned by the Board can be occupied in return for payment of maintenance contributions.

The Archbishops' Council has recently conducted a review of clergy stipends and the General Synod has agreed that the report should be sent to dioceses for consultation. A copy of the review group's report "Generosity and Sacrifice" (GS 1408) is available in the House of Commons Library. It includes the recommendation that the Pensions Board, the Church Commissioners, dioceses and clergy charities consider the possibility of finding sufficient capital for loans to clergy to enable them to make provision for retirement housing in advance of retirement by lending them the money for a deposit on a house, the mortgage for which could be funded by renting out the property. The Commissioners will give consideration to this in due course.

Ministers

Mr. Drew: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, how many *(a)* full-time, *(b)* part-time and *(c)* non-stipendiary ministers there are in each diocese. [16297]

Mr. Bell: This information is contained in Statistics of Licensed Ministers (GS Misc 638), a copy of which is in the House of Commons Library. For reference see the table.

Summary of licensed ministers in the dioceses, 2000
Provinces of Canterbury and York

	Full-time stipendiary clergy	*Part-time stipendiary clergy*	*Non-stipendiary ministers*	*Ordained local ministers*	*Readers*
1 Bath and Wells C	239	5	38		335
2 Birmingham C	203	7	29		224
3 Blackburn Y	239		26		251
4 Bradford Y	116	8	10		134
5 Bristol C	142	3	27	6	192
6 Canterbury C	178	3	44		174
7 Carlisle Y	153	4	27		174
8 Chelmsford C	415	1	72		388
9 Chester Y	275	3	33		495
10 Chichester C	338	1	62		299
11 Coventry C	147	6	26		205
12 Derby C	185		38		274
13 Durham Y	239	3	22		168
14 Ely C	154	5	28		167
15 Exeter C	251	3	47		228
16 Gloucester C	159	1	37	10	241
17 Guildford C	201	4	46	21	203
18 Hereford C	115	4	23	4	99
19 Leicester C	166	6	34		216
20 Lichfield C	350	8	29	15	416
21 Lincoln C	226	1	30	21	199
22 Liverpool Y	252	3	24	8	367
23 London C	557		127		232
24 Manchester Y	296	7	37	46	270
25 Newcastle Y	146	2	30	4	147
26 Norwich C	201	7	26	29	305
27 Oxford C	440	3	168	32	398
28 Peterborough C	168		16		133
29 Portsmouth C	117	4	56		136
30 Ripon and Leeds Y	145	2	10		121
31 Rochester C	219	11	33		376
32 St. Albans C	276	7	94		274
33 St. Edms and Ipswich	154	5	29	46	230
34 Salisbury C	229		60	23	235
35 Sheffield Y	187		18		270

Summary of licensed ministers in the dioceses, 2000
Provinces of Canterbury and York

	Full-time stipendiary clergy	*Part-time stipendiary clergy*	*Non-stipendiary ministers*	*Ordained local ministers*	*Readers*
36 Sodor and Man Y	20		7	3	24
37 Southwark C	370	8	95	32	349
38 Southwell Y	170	3	52	0	313
39 Truro C	130	1	25	10	117
40 Wakefield Y	179	2	28	1	199
41 Winchester C	239	1	59		245
42 Worcester	151	1	23		139
43 York Y	275	5	27		303
44 Europe C	126	—	—	—	43
Totals Province of Canterbury (C)	6,846	106	1,421	243	7,072
Totals Province of York (Y)	2,692	42	351	68	3,236
Totals Church of England	9,538	148	1,772	311	10,308

Notes:

1. The above figures include only those ministers who were working within the diocesan framework as at 31 December 2000.
2. The Archbishop of Canterbury and ordained members of his staff at Lambeth are classed as extra-diocesan and are not included in these figures
3. The figures for Readers include Readers with Permission to Officiate and active Emeriti.
4. One part-timer works for both Bradford and Wakefield. He has been counted into the Bradford figure.
5. Ordained clergy in Europe are all counted as full-time as it has not been possible to split them this year.

Churchwardens Measure

Mr. Drew: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, if he will make a statement on the Churchwardens Measure. [16296]

Mr. Bell: The Churchwardens Measure 2001 provides a comprehensive set of rules about the appointment of churchwardens and their tenure of office, building on earlier legislation. Most of the Measure has caused no controversy, and the draft provisions about which the Ecclesiastical Committee expressed concern, relating to the possible suspension of a churchwarden from exercising his or her duties, were deleted by the General Synod and form no part of the Measure.

The Measure will come into force on 1 January 2002, and will apply to the elections of churchwardens at the annual meetings held in parishes from 2002 onwards. A good deal of information about the new rules has already been published and more guidance will be issued before the Measure comes into force.

The new rule that a churchwarden may not serve for more than six years without a break is laid down in the Measure as the norm, but the parishioners of an individual parish will be free to decide that the rule is not to apply in their case. As the six years will not start to run until the Measure comes into force, there will be ample time for every parish to consider the matter and reach its own decision.

TRANSPORT, LOCAL GOVERNMENT AND THE REGIONS

Railtrack

Mr. Pickles: To ask the Secretary of State for Transport, Local Government and the Regions if his officials informed executives of Railtrack plc, at their meeting on 3 October, of the reasons the payment due to be paid by the Government to the company on 1 October has not been made. [11226]

Mr. Spellar: One payment was legally due on 1 October. This was for £337 million and it was paid in full on that date.

Mr. Clifton-Brown: To ask the Secretary of State for Transport, Local Government and the Regions if he will place in the Library the powers of the Railtrack administrator; when he expects to receive the administrator's report for approval; and who will decide what return the shareholders will receive. [16751]

Mr. Jamieson: The principal functions of the Administrator of Railtrack plc are set out in section 59 of the Railways Act 1993 and the Insolvency Act 1986, as applied by Schedule 6 to the Railways Act 1993. The timetable of the administration process is a matter for the Administrator. Once the administration process is complete, it will be clear what value is available for disbursement to its shareholder, Railtrack Group plc. Disbursement of Railtrack Group plc's assets is a matter for the Board of that company.

Mr. Clifton-Brown: To ask the Secretary of State for Transport, Local Government and the Regions what substantial investment projects Railtrack was planning; and what is *(a)* their current status, *(b)* the current timetable for their completion and *(c)* the current estimate of the cost. [16752]

Mr. Jamieson: Railtrack's May 2001 Network Management Statement identifies the projects on which the company was working and expected completion dates. Government have committed to provide the Administrator with access to sufficient funding to continue on a "business as usual" basis—including investment expenditure—during the administration period.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions what his estimate is of the cash needs of Railtrack plc in administration. [16381]

Mr. Spellar: The Administration process is at a very early stage and any estimate of the cash needs of Railtrack plc in administration would be purely speculative.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions what the average daily rate of *(a)* loss (PBT) and *(b)* cash outflow at Railtrack plc in administration has been since 5 October. [16360]

Mr. Spellar: This is a matter for the Administrator. The premature release of unaudited financial information may prejudice the Administrator's orderly release of commercially sensitive information in detailed discussions with potential bidders for Railtrack plc.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions what investment expenditure was planned for the period from the end of September to 31 March *(a)* 2002 and *(b)* 2002–03 by Railtrack plc prior to being placed in administration. [16359]

Mr. Spellar: Railtrack's investment plans were outlines in its Network Management Statement published in May 2001.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions if the *(a)* Board and *(b)* auditors of Railtrack sought a letter of comfort concerning payments to Railtrack Group and plc before the directors and auditors signed the accounts for 2000–01 on a going concern basis; and if the Government granted such a request. [16377]

Mr. Spellar: No such request was made.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions what money was budgeted to be given to Railtrack *(a)* Group and *(b)* plc in 2002–03 prior to the decision to place Railtrack plc in administration. [16363]

Mr. Spellar: The income to be received by Railtrack for its regulated business in 2002–03 was determined and set out in the October 2000 conclusions of the Rail Regulator's Periodic Review and in the 2 April agreement between the Government and Railtrack.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions how much Railtrack plc spent on investment in *(a)* 2000–01 and *(b)* between 1 April and being placed in administration. [16352]

Mr. Spellar: Railtrack's investment expenditure for 2000–01 is set out in its Annual Report and Accounts. My Department does not hold audited investment expenditure data for 2001–02.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions how much the Government have paid to Railtrack Group plc *(a)* directly and *(b)* via the SRA in 2001–02; and how much it planned to pay it over the balance of the year before the company was put into administration. [16382]

Mr. Spellar: The Government have made no payments to Railtrack Group plc. This company is not in administration.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions what money is available for the successor Railtrack company in *(a)* 2001–02, *(b)* 2002–03 and *(c)* 2003–04 from (i) Government and (ii) SRA sources. [16368]

Mr. Spellar: I refer the right hon. Member to the reply given by my right hon. Friend the Secretary of State to the hon. Member for Preston (Mr. Hendrick) on 23 October 2001, *Official Report,* column 195W.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions what his estimate is of the fees of the administrator for Railtrack plc. [16372]

Mr. Spellar: It is not possible at this stage to make an accurate estimate.

Matthew Taylor: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 13 November 2001, *Official Report,* column 614W, on Railtrack, for what reason he did not comment upon the advice that he has received on the extra cost to the Government of the successor company to Railtrack achieving a credit rating of lower than A/A2; and if he will make a statement. [16075]

Mr. Jamieson: On the basis of advice received, we consider a long-term credit rating of A/A2 or higher to be the most appropriate rating to target in order to finance the proposed Company Limited by Guarantee in an efficient and cost-effective manner. Lower ratings than those to be targeted are considered to be less efficient and less cost-effective.

Peter Bradley: To ask the Secretary of State for Transport, Local Government and the Regions how much a single share in Railtrack has earned in dividends and other payments from privatisation to 1 October. [16062]

Mr. Jamieson: A single share in Railtrack Group plc has received £1.40 in cash or equivalent dividends since its flotation on 20 May 1996.

Peter Bradley: To ask the Secretary of State for Transport, Local Government and the Regions what was the average value of one Railtrack share from privatisation to 1 October. [16061]

Mr. Jamieson: The average daily share price for Railtrack Group plc from privatisation to 1 October 2001 was 917 pence.

Public Appointments

Mr. Collins: To ask the Secretary of State for Transport, Local Government and the Regions how many appointments he has made to public bodies since 7 June; and how many are in his gift. [15491]

Ms Keeble: Information about numbers of ministerial appointments to public bodies is included in the Cabinet Office's annual report, "Public Bodies". Copies of this are placed in the Library of the House and the report is published on the Cabinet Office's internet website. The next edition of "Public Bodies", which will include numbers of appointments at 31 March 2001, will be published around the end of the year.

DTLR Ministers made nine appointments and eight reappointments to public bodies between 7 June and 31 October. In addition, one appointment has been made jointly with colleagues in the Department of Health and National Assembly for Wales and four further appointments made jointly with the National Assembly for Wales. This Department is responsible for making approximately 700 appointments.

Millennium Dome

Mr. Yeo: To ask the Secretary of State for Transport, Local Government and the Regions what has been the total cost to date to *(a)* the Treasury and *(b)* the National Lottery of the Millennium Dome. [14508]

Ms Keeble: English Partnerships, the Government's regeneration agency, which manages the Dome sale process and owns the site, is expecting to incur, from its normal budget, some £1.9 million in relation to care and maintenance[1] of the Dome, around £9.75 million for decommissioning works in preparation for the future use of the Dome and about £1.7 million on the current sale process, this year. In addition, English Partnerships spent £6.6 million on the previous competition, which began in March 1999 and ended at the beginning of 2001. These costs will be recovered from eventual sale proceeds.

In relation to the National Lottery cost, the Millennium Commission has approved a total grant of £628 million to the New Millennium Experience Company for the Millennium Experience at Greenwich and its associated national programme of events and activities.

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[1] Includes rates, utilities, security, maintenance and insurance.

Rail Services (Scotland)

John Barrett: To ask the Secretary of State for Transport, Local Government and the Regions how many miles of new track were laid in each year between 1992 and 1999 relating to new rail lines in Scotland. [15874]

Mr. Jamieson: I understand from Railtrack that between 1992 and 1999 a small but unquantified amount of freight-related new track has been laid.

John Barrett: To ask the Secretary of State for Transport, Local Government and the Regions how many miles of rail track were upgraded to allow for increased capacity in Scotland in each year between 1992 and 1999. [15876]

Mr. Jamieson: I understand from Railtrack that there has been no significant track capacity upgrade between 1992 and 1999. Improved signalling can also increase network capacity and signalling works have been undertaken at locations where increased demand has driven the need for such improvements.

John Barrett: To ask the Secretary of State for Transport, Local Government and the Regions how much was spent in support of rail services in Scotland in each year from 1992 to 1999. [15873]

Mr. Jamieson: I refer my hon. Friend to pages 102–103 of the Strategic Rail Authority Annual Report 2000–01, which show the support for rail services provided under the ScotRail franchise in the years since it commenced on 31 March 1997. Details of support for those services before that date are available.

Air Traffic Control

John Barrett: To ask the Secretary of State for Transport, Local Government and the Regions how many representations have been received by the Government on the privatisation of Air Traffic Control; and of these, how many were classed as *(a)* supportive of privatisation and *(b)* against privatisation. [15877]

Mr. Jamieson: No central record has been kept of the number of such representations.

Mr. Clifton-Brown: To ask the Secretary of State for Transport, Local Government and the Regions what protocols have been implemented between NATS and the MOD to ensure safety between civilian and military air traffic. [16757]

Mr. Jamieson: The system for air traffic control in UK airspace has long been based on a joint and integrated civil-military arrangement. The NATS public-private partnership provides for the continuance of this relationship and the Civil Aviation Authority is required to oversee the sustainment of efficient joint civil and military working. This oversight is carried out through the Joint Air Navigation Services Council that consists of senior representatives of NATS, Ministry of Defence and the CAA.

Mr. Clifton-Brown: To ask the Secretary of State for Transport, Local Government and the Regions (1) when the partners' investment will be committed to the NATS PPP; and how much it will be; [16755]

(2) when he expects to receive the proceeds from the NATS PPP. [16754]

Mr. Jamieson: The Government received proceeds totalling almost £770 million from the sale of a minority share in NATS to the chosen strategic partner, the Airline Group, on 26 July 2001. A further £35 million is due under the sale as deferred proceeds.

Mr. Clifton-Brown: To ask the Secretary of State for Transport, Local Government and the Regions what the timetable is for invitations to tender for *(a)* Prestwick and *(b)* West Drayton air traffic control centres; and how these centres will be involved with European proposals on air traffic control. [16768]

Mr. Jamieson: In regard to the new air traffic control centre at Prestwick, I refer the hon. Member to the answer given to the hon. Member for Edinburgh, West (John Barrett) on 7 November 2001, *Official Report*, column 288W.

The West Drayton air traffic control centre, which is the existing London Area and Control Centre (LATCC), is not subject to tender.

All civilian air traffic control centres in the European Union would be covered by the proposals to create the Single European Sky. As these proposals are still in draft form, it is too early to say what their impact might be on individual control centres.

Mr. Clifton-Brown: To ask the Secretary of State for Transport, Local Government and the Regions when EU clearance is expected for the NATS PPP. [16753]

Mr. Jamieson: EU merger clearance for the Airline Group's participation in the NATS PPP was obtained on 14 May 2001.

Mr. Clifton-Brown: To ask the Secretary of State for Transport, Local Government and the Regions how much the employees' share of the NATS PPP is expected to be; and when it will be available to them. [16756]

Mr. Jamieson: Under the public private partnership NATS employees are entitled to 5 per cent. of the total shareholding in NATS. The shares are held in an employee trust, the NATS Employee Share Trust Ltd. The initial allocation of shares to staff was made on 21 September and a second allocation is expected to be made by the trust early next year.

School Buses

Mr. Edwards: To ask the Secretary of State for Transport, Local Government and the Regions what powers *(a)* the Vehicle Inspectorate and *(b)* the Health and Safety Executive have to investigate passenger safety and overcrowding on (i) school contract bus services and (ii) scheduled bus services; and if he will make a statement. [15801]

Mr. Jamieson: The Vehicle Inspectorate is empowered under section 68 of the Road Traffic Act 1988, as amended by section 10 of the Road Traffic Act 1991, to inspect all buses in respect of both safety standards and overcrowding.

The Health and Safety at Work etc Act 1974 places a general duty on employers and the self-employed to conduct their undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in their employment are not exposed to risks to their health or safety. This duty would apply to passengers on buses.

However, it is the general policy of the Health and Safety Executive that they will not enforce health and safety at work law where it is overlapped by other legislation which adequately protects public and worker safety by more specific and detailed law enforced by another authority, as is the case here.

Mr. Edwards: To ask the Secretary of State for Transport, Local Government and the Regions what regulations govern seating, standing and the use of seat belts on *(a)* school contract bus services and *(b)* scheduled bus services. [15800]

Mr. Jamieson: The regulations that govern seating, standing on all buses are the Public Service Vehicles (Carrying Capacity) Regulations 1984, the Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981, as amended, and the Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990. There are no regulations governing the use of seat belts in buses.

Stagecoach

Mr. Edwards: To ask the Secretary of State for Transport, Local Government and the Regions what breaches of transport regulations have been committed by Stagecoach plc since 1997; and what action was taken by his Department against Stagecoach plc in each case. [15799]

Mr. Jamieson: Disproportionate cost would be involved in supplying an answer in the form requested owing to the number of companies owned by Stagecoach plc. If my hon. Friend would like to write to the Chief Executive of the Vehicle Inspectorate, specifying the company in which he has an interest, they will be able to assist him.

London Underground

Chris Grayling: To ask the Secretary of State for Transport, Local Government and the Regions who will be liable for any cost overruns incurred in modernising London Underground under PPP. [16190]

Mr. Jamieson: Under the Government's plans for a publicly run, privately built tube, the private sector infrastructure companies will be liable for all cost overruns that result from their acting in an uneconomic or inefficient manner.

Road Haulage Industry

Chris Grayling: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on skill shortages in the road haulage industry. [16189]

Mr. Jamieson: The road haulage industry is a wholly private sector enterprise. It is responsible for ensuring that it is able to recruit the personnel it needs. Government are helping through the Road Haulage Modernisation Fund which has earmarked £5 million for training, to help the industry meet its future labour and skills needs. A feasibility study looking at ways to protect employer investment in training will begin shortly. Two further schemes, to increase the number of young people joining the industry, are expected to begin in the spring next year.

Expenditure (Scotland)

Mrs. Lait: To ask the Secretary of State for Transport, Local Government and the Regions if he will list, in real terms, for each year since 1979 *(a)* the total sums of money spent directly by his Department in Scotland and *(b)* the total sums of money allocated by his Department for spending in Scotland through (i) the Scottish Office, (ii) the Scotland Office and (iii) the Scottish Executive. [16185]

Dr. Whitehead: The information requested is not readily available. However, an analysis by function and country of total managed expenditure for the years 1995–96 to 1999–2000 can be found in Chapter 8 of the "Public Expenditure Statistical Analyses 2001–02" (Cm 5101) published in April 2001 (a copy of which is available in the Library of the House) and figures for earlier years are available in previous PESA publications.

Strategic Rail Authority

Miss McIntosh: To ask the Secretary of State for Transport, Local Government and the Regions when he last met Sir Alastair Morton, Chairman of the Strategic Rail Authority. [R] [16029]

Mr. Byers: I had meetings with Sir Alastair on 26 June and 24 July this year. He was also present at the Rail Delivery Group, which I chaired, on 27 July.

Driving Test Centres

Patrick Mercer: To ask the Secretary of State for Transport, Local Government and the Regions what research his Department has commissioned into the connection between the closure of driving test centres and the number of unlicensed drivers on the road. [15945]

Mr. Jamieson: In 1999, the Department commissioned a three-year research project into the extent and effects of unlicensed driving. One of the research objectives was to identify reasons for unlicensed driving. The final report is expected in spring 2002. The research is not likely to identify a link between unlicensed driving and the closure of local driving test centres.

Silverlink

Mr. Page: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made of the impact that the PUG2 Agreement will have on the interests of South West Hertfordshire commuters who use Silverlink services into London. [15806]

Mr. Jamieson: The Strategic Rail Authority have established a Joint West Coast Forum with local authorities, user representatives and Rail Passenger Committees along the route to ensure the concerns of Silverlink County passengers are understood and taken into account during discussions about the outputs to be provided under PUG2. Earlier this year the Authority commissioned Booz, Allen and Hamilton to undertake a study to consider both the commercial and wider economic benefits of providing additional fast line capacity for use by non-Virgin services. The results have been reported to the Forum.

Railway Sleeper Services

Mr. Gordon Prentice: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made of the potential growth in demand for sleeper services between the north of England and *(a)* London and *(b)* the Continent. [16169]

Mr. Jamieson: No formal assessment has been made. We would expect the railway industry to come forward with proposals to meet demands for new services.

East Midlands Airport

Mr. Reed: To ask the Secretary of State for Transport, Local Government and the Regions (1) what recent representations he has received on night flights at East Midlands Airport; and if he will make a statement; [16082]

(2) for what reason he has not extended environmental powers under the Civil Aviation Act 1982 to East Midlands Airport. [16083]

Mr. Jamieson: I have recently received representations from or on behalf of: my hon. Friend the Member for North-West Leicestershire (David Taylor); People Against Intrusive Noise (PAIN); East Midlands Airport Ltd.; the Association of International Courier and Express Services (AICES); and North West Leicestershire district council. The district council and others have requested that the Secretary of State designate the airport under s.80 for the purposes of s.78 of the Civil Aviation Act 1982, under which he could impose certain operational noise controls (including night restrictions).

The Government's preference is for appropriate noise controls to be discussed and agreed locally, in consultation with representatives of local people and of airport users; but requests to designate are considered on their merits. The airport, the district council and other interested parties are, at my invitation, currently engaged in discussions on this issue. Following these discussions, the Secretary of State will decide whether to designate the airport for the purposes of s.78 of the 1982 Act.

Channel Tunnel Rail Link

Mr. Don Foster: To ask the Secretary of State for Transport, Local Government and the Regions what research his Department has *(a)* conducted and *(b)* commissioned concerning the (i) economic, (ii) social and (iii) environmental impact of the new Channel Tunnel Rail Link. [15735]

Mr. Jamieson: The Department conducted a study of the regeneration benefits of the Channel Tunnel Rail Link and, to supplement the extensive research carried out by the various promoters and opponents of the Channel Tunnel Rail Link, has commissioned some further research to assess:

(i) Economic impacts: Eurostar passenger and revenue forecasts

(ii) Social impacts: property consultants advised on the regeneration impact of the Link

(iii) Environmental impacts: research to determine the noise characteristics of Eurostar trains.

Mr. Don Foster: To ask the Secretary of State for Transport, Local Government and the Regions what assessment his Department has made of the likely effect the new Channel Tunnel Rail Link will have on *(a)* passenger numbers and *(b)* financial returns for (i) each train operating company and (ii) Eurostar. [15734]

Mr. Jamieson: The Strategic Rail Authority is assessing the passenger and financial returns of high speed domestic services on the Channel Tunnel Rail Link and the consequential impacts on Connex South Eastern services. Details depend on the service pattern assumed and will be the subject of commercial negotiations.

Consultants Booz Allen and Hamilton were employed by the Department to forecast passenger numbers and financial returns for Eurostar. These forecasts informed commercial negotiations undertaken earlier this year with Railtrack Group plc and LCR concerning Section 2 of the Link.

Mr. Don Foster: To ask the Secretary of State for Transport, Local Government and the Regions what track access charges will be paid by Eurostar for use of tracks *(a)* on the new Channel Tunnel Rail Link and *(b)* on tracks between Waterloo and the Channel Tunnel Rail Link, when the Channel Tunnel Rail Link becomes operational. [15736]

Mr. Jamieson: The Track Access Charges are set out in the Track Access Agreements between Railtrack, Eurostar, and London and Continental Railways. These agreements, between private companies, are commercially sensitive and cannot therefore be made public.

Chainsaws

Mr. Nigel Jones: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made of the impact on the environment of exhaust fumes produced by the use of chainsaws. [16148]

Mr. Jamieson: UK emissions modelling suggests that small petrol-powered off-road equipment accounts for 2.1 per cent. of UK hydrocarbon emissions with chainsaws accounting for only a small part of this. However, the European Commission estimates the significance of emissions from these machines to be much greater. The Commission estimates small off-road petrol engines to produce 6.5 per cent. of EU hydrocarbon emissions with chainsaws accounting for approximately half of this figure.

Hydrocarbons contribute to the formation of ground level ozone, which is harmful to human health and, in addition, certain hydrocarbons are carcinogenic. Despite the low significance of total hydrocarbon emissions from this sector of machinery, individual machines are high emitters. It is therefore desirable to reduce emissions from them as far as practical, not only to benefit the environment, but also to reduce operator exposure to carcinogenic emissions.

Mr. Nigel Jones: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made of draft EU regulations relating to catalytic converters on chainsaws; and if he will make a statement on the impact of such regulations on the arboricultural industry. [16149]

Mr. Jamieson: The amendment would regulate, for the first time, emissions from small, off-road petrol engines, such as those used in lawnmowers, chainsaws etc, by means of two stages of emissions limits. Compliance with the Stage 2 limits may require adoption of oxidation catalysts on two-stroke engines (typically used in handheld equipment such as chainsaws). Where machines must be compact and lightweight it may be difficult to accommodate catalysts; 'tree-service' or 'top-handled' chainsaws as used by arboriculturists are a case in point.

The UK has campaigned vigorously for derogations for these machines to give industry the time they need to develop alternative emissions control technology. At their first readings of the proposal, both the European Parliament and the Council adopted a clause requiring the Commission to review whether all applications of handheld engines could meet Stage 2 limits and, if not, set derogations of up to five years where appropriate. The Commission have made a written declarations that this review will specifically consider chainsaws.

Windfarms

Ms Walley: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to reduce the delay in planning affecting on-shore windfarms; and if he will make a statement. [15720]

Ms Keeble: We already promote a positive approach to planning for renewable energy as part of the UK's climate change strategy. Last year we initiated the preparation of regional assessments and targets for renewable energy provision (including on-shore windfarms) to encourage a more strategic approach to planning at regional and local levels. More positive planning at regional and local levels will contribute to greater public familiarity with, and acceptance of, prospective renewable energy developments and will help to facilitate planning permission for individual proposals. It remains important for operators to prepare the ground with local authorities, environmental groups and local people before submitting formal planning applications by developing proposals in consultation with them.

The forthcoming planning Green Paper will include proposals intended to speed up the planning process.

Brit Disc

Mr. Blizzard: To ask the Secretary of State for Transport, Local Government and the Regions when he expects to introduce the Brit disc for foreign trucks; and if he will make a statement. [16424]

Mr. Jamieson: The Government are continuing to look at the options for some form of user charging for lorries, and will make a statement in due course.

Aviation Emissions

Ross Cranston: To ask the Secretary of State for Transport, Local Government and the Regions if the United Kingdom's Government's policy for reducing emissions from international aviation was approved at the 33 International Civil Aviation Organisation Assembly; and if he will make a statement. [16269]

Mr. Jamieson: The Assembly endorsed further work to improve technology standards and operating procedures. It approved the goal of participating in an emission permit trading system, and it confirmed its policy on emissions charging. We are following up this outcome in consultation with our European partners, taking account of the impact of recent events on the aviation industry.

Waverley Line

David Hamilton: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the current status of the Waverley Line railway proposals between Edinburgh and Carlisle. [16521]

Mr. Jamieson: The "Waverley Line" or "Borders Line" as it is also known is a longer-term project which will have to be considered against competing priorities. However, it will be studied to see if it is a viable proposal and whether or not it offers value for money.

Special Advisers

Norman Lamb: To ask the Secretary of State for Transport, Local Government and the Regions what procedure is followed when concerns are communicated to his Department about the propriety of the conduct of his special advisers in respect of their professional relationship with civil servants. [16386]

Mr. Byers: In line with the Civil Service Code, the Department's staff handbook sets out the procedures to be followed in the event of any complaint, problem or grievance in relation to any employment-related matter.

Departmental Staff

Norman Lamb: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 22 October 2001, *Official Report*, columns 93–94W, on departmental staff (1) if he will list *(a)* the departments and *(b)* the Ministers that were consulted prior to the transfer of Mr. Alun Evans from his Department to the Cabinet Office; and if he will give the dates on which each of the consultations took place; [16525]

(2) if he will list the dates on which *(a)* Mr. Alun Evans' transfer from his Department was agreed with the Permanent Secretary McIntosh, *(b)* Mr. Alun Evans left his former post as Director of Communications in his Department and *(c)* Mr. Alun Evans commenced work in his current post. [16526]

Mr. Byers: Mr. Evans commenced work in his current post on 1 October 2001. He was DTLR's Director of Communication until that time.

The remaining issues are exempted from disclosure under Part 8 of Section II of the Code of Practice on Access to Government Information.

Statutory Off-road Notification

Dr. Murrison: To ask the Secretary of State for Transport, Local Government and the Regions how many fines have been imposed for failure to make a statutory off-road notification since the scheme's inception. [16310]

Mr. Jamieson: Since the agency started enforcement action for failing to make a statutory off-road notification declaration in April 1999, a total of 207,397 people have settled the matter out of court and a further 1,263 have been prosecuted at court. The total revenue paid in fines and penalties amounts to £6,071,847.

Dr. Murrison: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the performance of the statutory off-road notification scheme in reducing vehicle excise duty evasion. [16311]

Mr. Jamieson: Statutory off-road notification (SORN) came into force in 1998. Keepers who take their vehicles off the public road unlicensed are required to make a declaration to the Driver and Vehicle Licensing Agency and if the vehicle remains off the road to confirm its status each year. Failure to do so is a criminal offence which carries a maximum fine on conviction of £1,000. Offenders are given the opportunity to settle out of court on payment of a penalty.

Since introduction over 2.5 million SORN declarations have been received. Automated enforcement action has been introduced and over £6 million raised in fines and penalties. The indications are that the SORN procedures are fulfilling their objectives and achieving a higher compliance with the registration and licensing requirements.

Air Travel (Deep Vein Thrombosis)

Mr. John Smith: To ask the Secretary of State for Transport, Local Government and the Regions what contribution his Department will make to the World Health Organisation study into deep vein thrombosis and air travel. [16318]

Mr. Jamieson: My Department, in conjunction with the Department of Health, is planning to make a contribution to the World Health Organisation study in terms of financial support and the provision of advice, the details of which are presently under consideration.

Ordnance Survey

Mrs. Helen Clark: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the progress made by the Ordnance Survey towards anticipating and meeting the needs of customers through partnerships and adherence to service first principles. [16709]

Ms Keeble: As a Trading Fund, Ordnance Survey can sustain its business and fund its investments only if it meets the needs of its customers in a timely and effective way.

Ordnance Survey consults extensively with its customers and partners in a variety of ways, including:

one to one discussions at business and technical levels;
focus groups;
meeting with representative user bodies;
seminars, and;
market research.

Working with partners is a central element of the Ordnance Survey corporate strategy.

British Midlands Flights

Mr. Hoyle: To ask the Secretary of State for Transport, Local Government and the Regions what slots have been offered to British Midland to fly from Heathrow following the withdrawal of services by other carriers. [16729]

Mr. Jamieson: Slots at co-ordinated airports such as Heathrow are allocated to airlines under European Regulation 95/93. Bmi British Midland are entitled to apply to the airport co-ordinator for slots. No slots at Heathrow have been offered to them as a result of a withdrawal of service by other carriers.

Biodiesel

Mr. Russell Brown: To ask the Secretary of State for Transport, Local Government and the Regions what action he is taking to encourage the availability of biodiesel for motorists. [16281]

Mr. Jamieson *[holding answer 20 November 2001]:* In the November 2000 pre Budget report the Chancellor announced the Green Fuels Challenge, which invited industry and environmental groups to develop proposals for practical alternative fuels. More than 60 proposals were submitted covering a range of potential options. In response to the data submitted on biofuels the Chancellor announced, subject to EU agreement, a 20p per litre duty incentive on biodiesel would be introduced in Budget 2002.

Nitrogen Emissions

Mr. Sayeed: To ask the Secretary of State for Transport, Local Government and the Regions (1) what plans he has to fund research into using urea in diesel vehicles to reduce nitrogen emissions; [16733]

(2) what steps her Department is taking to back research into using urea in catalytic converters on diesel engines to reduce nitrogen emissions. [16737]

Mr. Jamieson: None. Research and development of exhaust after-treatment systems, including the possible use of urea, is already well under way on a commercial basis so that manufacturers will be in a position to meet mandatory EU NOx emission limits for heavy diesel vehicles which come into force from 2008.

M4 Bus Lane

Mr. Chaytor: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement about the M4 bus lane. [17730]

Mr. Spellar: The effectiveness of the bus lane is closely monitored by the Highways Agency. They report that it continues to alleviate peak congestion on this busy section of the motorway but they recommend that the scheme could be improved by raising the speed limit between junction 4 and the elevated section to 60mph and the use by motorcycles of the lane designated for buses and taxis. I have agreed that the Highways Agency should consult on these changes and this consultation will be launched today.

DEFENCE

Armed Forces (Retirement)

Mr. Hoyle: To ask the Secretary of State for Defence how many service men have retired from the armed forces in each of the last five years. [15165]

Mr. Ingram: For the last five financial years the trained outflow from UK regular forces (men and women) is as follows:

Trained outflow

	PVR[1]	*Retirements*[2]	*Other*[3]	*Total*
1996–97	9,953	6,447	10,279	26,679
1997–98	9,898	5,465	2,924	18,287
1998–99	10,312	5,541	3,012	18,865
1999–2000	9,640	5,105	3,145	17,890
2000–01	9,267	4,965	3,247	17,479

[1] For military service personnel figures are quoted for the number leaving early on Premature Voluntary Retirement (Officers), and Premature Voluntary Release (Other Ranks). This results from the open engagement system which means service men can serve for 22 years. As these are not engagement periods as such, those who leave earlier do so on Premature Voluntary Retirement/Release.

[2] Defined as personnel leaving at the end of an agreed period of service.

[3] All other outflow of trained personnel. This includes redundancy, medical, death, disciplinary and services no longer required.

Mineseeker

Mr. Gray: To ask the Secretary of State for Defence if he will meet the managing director of the Mineseeker organisation to discuss the removal of landmines. [15142]

Mr. Hoon *[holding answer 15 November 2001]:* I have no plans to do so at present. However, should the managing director of Mineseeker wish to discuss his organisation's activities with the Ministry of Defence, appropriate arrangements could be made.

Mr. Gray: To ask the Secretary of State for Defence when he will respond to the letter he received recently from the managing director of the Mineseeker organisation. [15130]

Mr. Hoon *[holding answer 15 November 2001]:* We have no record of having received this letter.

Mr. Gray: To ask the Secretary of State for Defence what discussions he has had on the Mineseeker operation with its patrons. [15222]

Mr. Hoon: None.

Defence Academy

Mr. Keith Simpson: To ask the Secretary of State for Defence what percentage of the Defence Academy's budget is allocated for administration. [15344]

Mr. Ingram *[holding answer 16 November 2001]:* The Head of the Defence Academy's budget will be established with effect from 1 April 2002. The precise size of the budget has yet to be determined, but the administrative element is expected to be about 23 per cent.

Gurkhas

Patrick Mercer: To ask the Secretary of State for Defence what plans he has to improve recruitment to Gurkha regiments. [16203]

Mr. Ingram: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Chorley (Mr. Hoyle) on 19 October 2001, *Official Report*, column 1371W. There is no requirement to improve recruiting levels to meet the numbers needed.

Afghanistan

Patrick Mercer: To ask the Secretary of State for Defence what plans he has for the roulement of the British forces deployed to Afghanistan. [15944]

Mr. Hoon: UK forces deployed to Afghanistan will remain there for as long as necessary. In the event that a roulement of the current force deployed is required, detailed plans will be made in co-ordination with our coalition allies and taking account of the political and security situation on the ground.

Mr. Drew: To ask the Secretary of State for Defence which United Kingdom ships are tasked to assist the international coalition in Afghanistan; and where they are situated. [16293]

Mr. Ingram: HMS Illustrious, HMS Fearless, HMS Cornwall, HMS Southampton and HMS Trafalgar and Royal Fleet Auxiliaries Sir Tristram, Sir Percival, Fort Victoria, Fort Rosalie, Brambleleaf and Diligence are tasked to assist the international coalition. All ships are currently operating in the Arabian Sea and Gulf of Oman.

Mr. Drew: To ask the Secretary of State for Defence how many sorties have been flown by aircraft of the international coalition in Afghanistan and for what purpose since the beginning of November. [16292]

Mr. Ingram: UK aircraft have flown over 150 sorties since the beginning of November. These have been for the purposes of air-to-air refuelling, reconnaissance and airborne early warning. I cannot provide details of other coalition members' sorties (either in total numbers flown or by purpose), which are a matter for them.

Ann Clwyd: To ask the Secretary of State for Defence if he will ensure that the UK military presence in Afghanistan includes women personnel. [16279]

Mr. Hoon: The composition of any forces deployed on Operation Veritas will be determined by the operational requirements. Depending on these requirements, women may be included in forces to be deployed.

Exercise Saif Sareea 2

Mr. Gray: To ask the Secretary of State for Defence what effects environmental conditions had on Army and Fleet Air Arm helicopters during Exercise Saif Sareea 2; and if he will make a statement. [16556]

Mr. Ingram: Equipment reliability and availability during Saif Sareea 2 was affected by the desert environment, particularly the hot temperatures and flying dust. A number of equipment enhancement measures were implemented, such as sand filters and polyurethane self-adhesive tape on rotor blades which, together with an upgraded maintenance programme, combined to ensure that the helicopter fleet performed well in the environment.

Electronic Data Services

Matthew Taylor: To ask the Secretary of State for Defence for what reason the contract between his Department and EDS for army payroll services was rewritten; and if he will make a statement. [16591]

Mr. Ingram: The contract between the Ministry of Defence and Electronic Data Services relates not only to Army payroll services, but includes the delivery of information systems and information technology in support of the personnel administration, and pay of all armed forces personnel. The reconstructed contract was signed on 29 June 2001.

Matthew Taylor: To ask the Secretary of State for Defence which risks that his Department considered transferred in the contract between his Department and EDS are disputed by EDS; and if he will make a statement. [16592]

Mr. Ingram: None of the risks transferred to Electronic Data Services under the reconstructed Armed Forces Personnel Administration Agency PFI contract signed on 29 June 2001 are a matter of dispute.

Warships

Mr. Gray: To ask the Secretary of State for Defence which *(a)* type 22 frigates, *(b)* type 42 destroyers, *(c)* type 23 frigates, *(d)* aircraft carriers and *(e)* fleet submarines are (i) operational, (ii) in refit and (iii) in maintenance or repair. [16550]

Mr. Ingram: The table shows, as at 19 November 2001, the vessels within each of the categories requested. Those vessels undergoing routine maintenance and repair (column iii) are within the operational control of the Royal Navy and can be made ready within agreed timescales.

	(i) Operational	*(ii) Refit*[1]	*(iii) Maintenance and repair*
(a) Type 22 Frigates	Chatham Cornwall Coventry	Cumberland[2]	Sheffield Cambeltown
(b) Type 42 Destroyers	Edinburgh Exeter Glasgow Nottingham Southampton Newcastle	Cardiff Liverpool Manchester	Gloucester York
(c) Type 23 Frigates	Argyll Kent Lancaster Marlborough Monmouth Montrose Norfolk Northumberland Portland Sutherland Westminster	Grafton Iron Duke Somerset	Richmond
(d) CVS	Illustrious Ark Royal	Invincible	—
(e) Fleet submarines	Splendid Superb Talent Trafalgar Triumph	Sceptre Spartan Torbay Trenchant Turbulent	Tireless Sovereign

[1] Including docking periods

[2] Undergoing post docking period sea trials

Joint Strike Fighter

Mr. Gray: To ask the Secretary of State for Defence when he expects to make a decision on the *(a)* STOVL and *(b)* CV variant of the Joint Strike Fighter; and if he will make a statement. [16557]

Dr. Moonie: We expect a decision on which variant of the Joint Strike Fighter, Carrier Version or Short Take Off and Vertical Landing, best meets our requirement for a Future Joint Combat Aircraft to be made by the autumn of next year.

Helicopters

Mr. Gray: To ask the Secretary of State for Defence which helicopters are under consideration for the SABR programme. [16551]

Dr. Moonie: The Support Amphibious and Battlefield Rotorcraft programme is in its concept stage. It is too early, therefore, to say with certainty which rotorcraft will be the principal contenders.

QinetiQ

Mr. Swayne: To ask the Secretary of State for Defence which firms are providing his Department with *(a)* expertise and *(b)* advice with respect to the flotation of QinetiQ. [16405]

Mr. Hoon: The Ministry of Defence is being advised on the QinetiQ transaction by PricewaterhouseCoopers and UBS Warburg (financial advice), Simmons & Simmons (legal), Arthur Andersen (reporting accountants) and Willis (insurance). QinetiQ also has its own advisers.

Mr. Swayne: To ask the Secretary of State for Defence what his Department's budget is for professional advice on the flotation of QinetiQ. [16406]

Mr. Hoon: There is no fixed budget for external advice in relation to the flotation of QinetiQ. Continuous scrutiny of costs ensures that the services of advisers offer value for money.

Defence Fire Service

Mr. Gray: To ask the Secretary of State for Defence what plans he has to employ more civilians in the Defence Fire Service; and if he will make a statement. [15137]

Dr. Moonie: The Ministry of Defence (MOD) has no immediate plans to change the normal process of recruitment for Defence Fire Service (DFS) firefighters at locations where a requirement to fill vacancies has been identified. Currently, vacancies are managed at unit level and are filled either by internal level transfer, or where this is not possible, by external recruitment. Although temporary recruitment restrictions may occur from time to time under certain circumstances, the MOD intends to continue recruiting as normal until the outcome of the Airfield Support Services Project (ASSP) is known. The matter will then be reviewed at that stage. I refer the hon. Member to the statement on the future of MOD Fire Services made by my right hon. Friend the Minister for the Armed Forces on 13 November 2001, *Official Report*, columns 231–34WH.

Fast-track NHS Treatment

Mr. Swayne: To ask the Secretary of State for Defence (1) if he will make a statement on the fast-tracking of treatment for service personnel within the NHS; [14279]

(2) how many armed forces personnel have had their treatment fast-tracked within the NHS in the last 12 months. [14280]

Dr. Moonie: There are no arrangements for the fast-tracking of clinical treatment for Service personnel within the NHS. However, special arrangements exist, principally with the NHS Trusts hosting our Ministry of Defence Hospital Units (MDHU), for Service personnel to receive expedited out-patient opinions within the NHS. These latter arrangements apply particularly, but not exclusively, to those required for operational deployments.

Our arrangements with the MDHU host Trusts also include financial arrangements to encourage the Trusts to achieve the waiting time targets, both for out-patient and in-patient appointments, set by the Defence Secondary Care Agency.

11 September

Mr. Vaz: To ask the Secretary of State for Defence what meetings he has had since 11 September with his counterparts in the EU. [17205]

Mr. Hoon: I have met my EU counterparts at an informal meeting of EU Defence Ministers on 11–12 October and at the EU Capabilities Improvement Conference on 19–20 November.

Future Aircraft Carrier

Vernon Coaker: To ask the Secretary of State for Defence what progress has been made with the Assessment Phase of the Future Aircraft Carrier procurement programme. [17400]

Mr. Hoon: Assessment work on the new carrier project began in November 1999 when contracts were awarded to two competing consortia headed by BAE Systems and Thales Naval Ltd. The first stage of the assessment was completed in June this year.

Since then officials have been working to determine the most efficient and cost effective way forward for the remainder of the Assessment Phase, taking into account the views of both consortia about the amount of work required to minimise the level of risk in the CVF programme.

On the basis of that work, contracts have been signed today for both BAE Systems and Thales Naval Ltd. to proceed to Stage 2 of the CVF Assessment Phase.

For the next 12 months, until November 2002, the competing consortiums will concentrate on refining their designs and on taking key trade-off decisions. During this period, there will be a continuous assessment of the two consortiums' work leading to an announcement of a single preferred prime contractor in early 2003.

The preferred consortium will then continue assessment work through the summer of 2003 in order to provide the robust cost, time and performance information needed to make the main investment decision. This will allow us to make a decision to place a formal build contract in early 2004. The selected prime contractor will be expected to maintain the time, cost and performance proposals agreed at the end of the Assessment phase. Following the announcement of a preferred contractor, there will be maximum competition at the sub-contractor level to ensure that robust prices are achieved.

This approach reflects a sensible revision to the original procurement approach envisaged for the future carrier project. By applying Smart Procurement principles, it will help to ensure the maximum potential for competition throughout the remainder of the Assessment Phase. It will ensure that we achieve best value for money for the taxpayer. As part of the new approach, we will make around a further £20 million available to the contractors during the Assessment Phase.

The In Service Dates of the two new carriers remain unchanged at 2012 and 2015.

Both BAE Systems and Thales have welcomed this new approach which demonstrates innovative thinking to deliver value for money. It re-affirms in the strongest possible terms this Government's commitment to ensuring that our armed forces are equipped with battle-winning equipment. Combined with the Future Joint Combat Aircraft, the carriers will provide the UK with a formidable force projection capability.

EU Capabilities Improvement Conference

Vernon Coaker: To ask the Secretary of State for Defence whether he attended the EU Capabilities Improvement Conference in Brussels on 19 November; and if he will make a statement. [17398]

Mr. Hoon: My right hon. Friend the Minister for the Armed Forces and I attended the Capabilities Improvement Conference along with colleagues from other EU nations.

Good progress has been made towards the Headline Goal target for a European pool of forces. Offers were made by EU member states at last year's Capability Commitments Conference for 94 of the 144 identified capability areas underpinning the Headline Goal. The new offers made on Monday enhance our capabilities in a number of these areas and provide solutions for a further 10. We also agreed an Action Plan to address the remaining shortfalls: there are already identified initiatives addressing 20 of the 21 most significant capability areas. This process also reinforces NATO's Defence Capabilities Initiative.

EU nations have offered substantial contributions, as set out in the Compendium of national Contributions prepared by the EU Presidency. In addition to the UK commitments made at last year's conference, I have identified further capabilities targeted specifically at the remaining shortfall areas. Some will be available before 2003 for the Headline Goal target; others later.

I will place a copy of the Compendium in the Library of the House.

Defence Housing Executive

Vernon Coaker: To ask the Secretary of State for Defence what Key Targets have been set for the Defence Housing Executive for the financial year 2001–02. [17399]

Dr. Moonie: The following Key Targets have been set for the Defence Housing Executive for 2001–02.

Key Target 1—To house at least 72 per cent. of families in accommodation that matches their entitlement by posting date or on return to GB from overseas, and at least 93 per cent. within 28 days of their required date.

Key Target 2—Less than 5 per cent. of occupants should experience significant defects within 14 days of moving in.

Key Target 3—To complete the planned upgrade of 2,400 properties by 31 March 2002.

Key Target 4—To complete:

At least 95 per cent. of emergency repairs within 24 hours of notification;

At least 90 per cent. of urgent repairs within five working days of notification;

At least 95 per cent. of routine repairs within two months of notification.

Key Target 5—To reduce the management margin progressively towards 10 per cent. by November 2005, to better balance supply and demand while delivering other key targets. (The DHE's interim target for 31 March 2002 is to have a management margin of 12.8 per cent.).

Copies of the DHE's Corporate Plan will be placed in the Library of the House.

Parliamentary Questions

Mr. Burns: To ask the Secretary of State for Defence, what proportion of those named day parliamentary written questions to his Department that received a holding answer between 15 October and 5 November received the substantive answer *(a)* within three parliamentary days, *(b)* within seven parliamentary days, *(c)* within 10 parliamentary days, *(d)* within 15 parliamentary days and *(e)* over 15 parliamentary days after the holding answer was issued. [13330]

Mr. Ingram *[pursuant to his reply, 16 November 2001, c. 958W]*: The information contained in the table was incorrect. The questions which received a substantive reply, or where an undertaking to write to hon. Members was given, is set out in the table:

Number of parliamentary days	*Answers*
Within 3	51
Between 4 and 7	1
Between 8 and 10	0
Between 11 and 15	0
Over 15	1

TRADE AND INDUSTRY

Older People (Discrimination)

Ms Atherton: To ask the Secretary of State for Trade and Industry what action her Department has taken to tackle discrimination against older people. [16326]

Ms Hewitt: We shall introduce legislation to combat age discrimination in employment and training by 2006. That is the deadline set out in the EU's Employment Directive, and it will give us the necessary time to resolve the complexities surrounding this issue. We shall be issuing a consultation document shortly. This will cover key questions to be considered on discrimination on grounds of age, along with the other grounds covered by the Directive: sexual orientation, religion, disability and race. We expect to bring forward a second consultation on age in 2002.

Methane

Mr. Robathan: To ask the Secretary of State for Trade and Industry what recent estimate she has made of the potential benefits of the use of coalmine methane to generate energy. [15722]

Mr. Wilson: It is recognised that there are significant environmental benefits from using coal mine methane for power generation and the Department is currently working with the Association of Coal Mine Methane Operators to quantify more precisely the benefits to be gained from using this fuel.

Public Appointments

Mr. Collins: To ask the Secretary of State for Trade and Industry how many appointments she has made to public bodies since 7 June; and how many are in her gift. [15485]

Ms Hewitt: Information about numbers of ministerial appointments to public bodies is included in the Cabinet Office annual report, "Public Bodies". Copies of this are placed in the Libraries of the Houses and the report is published on the Cabinet Office internet website. The next edition of "Public Bodies", which will include numbers of appointments at 31 March 2001, will be published around the end of the year.

In the period between 7 June and 31 October 2001 a total of 154 ministerial appointments were made to DTI public bodies of which 90 were re-appointments of serving members. The total number of ministerial appointments for which I am responsible is 3,279.

Tropical Fruit

Mr. Dalyell: To ask the Secretary of State for Trade and Industry what discussions she had with the Philippines authorities *(a)* at the last World Trade Organisation Conference and *(b)* recently elsewhere on encouraging trade between Muslim areas of Central Mindanao and the UK, with particular reference to tropical fruit. [14282]

Ms Hewitt: I refer to my answer during the debate in the House on 15 November 2001 about the World Trade Organisation Ministerial Conference, *Official Report*, column 996–1008.

Regional Development Agencies

Dr. Kumar: To ask the Secretary of State for Trade and Industry what plans she has to link more closely the work of the RDAs and that of the Government offices, with particular reference to the Government Office of the north-east. [16448]

Alan Johnson *[holding answer 20 November 2001]:* The Government Office for the north-east and the regional development agency, One North-East, already work very closely together on a wide range of issues and I have no plans to change that. The implementation of the new Single Programme Budget for RDAs next year is likely to lead to even closer working, with the Government office having a key role in monitoring One North-East's performance against the demanding targets for that budget. The Government office was fully involved in the production of the Regional Strategy, and will be working closely with One North-East in the coming months on the review of the Agency's Regional Strategy for the North East which is now under way.

Miners' Compensation (Amber Valley)

Judy Mallaber: To ask the Secretary of State for Trade and Industry how many former miners in Amber Valley have *(a)* claimed and *(b)* received payments in compensation for chronic bronchitis and emphysema. [15815]

Mr. Wilson: To date, IRISC, the Department's claims handlers, have registered 1,583 claims in respect of respiratory disease in the constituency of Amber Valley. 516 individual payments have been made in this region totalling £2.0 million.

Constituency statistics will shortly be available on the Department's website, www.dti.gov.uk/coalhealth.

Judy Mallaber: To ask the Secretary of State for Trade and Industry how many former miners in Amber Valley have *(a)* claimed and *(b)* received payments in compensation for vibration white finger. [15816]

Mr. Wilson: To date, IRISC, the Department's claims handlers, have registered 1,026 claims in respect of vibration white finger in the constituency of Amber Valley. 507 individual payments have been made in this region, totalling £2.7 million.

Constituency statistics will shortly be available on the Department's website, www.dti.gov.uk/coalhealth.

Petrol Retailers

Ms Walley: To ask the Secretary of State for Trade and Industry when she last met representatives of the Petrol Retailers Association to discuss wholesaler and retailer relations; what the outcome was of the meeting; and if she will make a statement. [13254]

Mr. Wilson: My officials and I meet representatives of the Petrol Retailers Association from time to time. Most recently I met the association on 19 September 2001 and my officials met them on 1 and 13 November 2001. We have had a useful discussion of developments in petrol retailing and the implication for small petrol retailers.

Freedom of Information Act

Matthew Taylor: To ask the Secretary of State for Trade and Industry on what date her Department established a working group of officials to prepare her Department for the implementation of the Freedom of Information Act 2000; and on what dates this committee has met since it was set up. [14765]

Ms Hewitt: My Department has not established a working group of officials to prepare for implementation of the FOI Act. However, the task of preparing the Department has been assigned to the Open Government and Data Protection Unit, with particular responsibilities assigned to relevant officials within the Department. We already have in place a network of Open Government Liaison Officers to support our preparations for and eventual administration of the Act. Arrangements we are setting in place are overseen by the Departmental Board.

Equal Pay

Julie Morgan: To ask the Secretary of State for Trade and Industry what progress *(a)* her Department, *(b)* its agencies and *(c)* its sponsored bodies have made with the production of equal pay action plans. [16139]

Ms Hewitt: The Department itself, its agencies and sponsored bodies are at various stages of reviewing their pay systems. Some have recently designed pay systems with equal pay issues in mind. In a number of cases equal pay action plans have already been developed and initial action has been taken. In others, action plans will be produced to address equal pay issues that emerge.

Julie Morgan: To ask the Secretary of State for Trade and Industry how many like work equal pay cases have been considered by employment tribunals in the period between 1995 and 2000; and what was the outcome of each case. [16138]

Alan Johnson: The table sets out the information requested.

Equal pay cases

Year	*Number of cases registered*	*Settled by ACAS*	*Withdrawn*	*Successful at hearing*	*Dismissed at hearing (out of scope)*	*Dismissed at hearing (other)*	*Disposed of (other)*	*Total number disposed of*
1995–96	1,482	128	456	36	15	31	28	694
1996–97	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
1997–98	1,845	253	1069	18	73	70	1,483	—
1998–99	5,018	517	650	7	309	47	1,530	—
1999–2000	2,391	229	233	9	26	75	18	590
2000–01	6,586	208	936	11	9	35	89	1,288

[1] Due to changes to the database system of the ETS in 1996, statistics for 1996–97 are not available.

Note:

The figures for 1997–2001 include a large proportion of part-time worker pension cases that are extant.

Source:

Employment Tribunals Service

Ukraine

Mr. Alan Simpson: To ask the Secretary of State for Trade and Industry if the Government carry any liability for potential damage in respect of investments they support in Ukraine. [16323]

Ms Hewitt: ECGD has not provided Overseas Investment Insurance cover for any investments in the Ukraine.

Mr. Alan Simpson: To ask the Secretary of State for Trade and Industry if Ukraine is off cover for official UK export credits. [16322]

Ms Hewitt: ECGDs website advertises the Ukraine as a country for which it is only able to consider export credit cover on a case-by-case basis.

Mr. Alan Simpson: To ask the Secretary of State for Trade and Industry if the UK has indicated to the European Bank for Reconstruction and Development that it is interested in the financing of a nuclear power station in Ukraine. [16325]

Ms Hewitt: Under the terms of the 1995 Memorandum of Understanding aimed at bringing about the closure of the Chernobyl Nuclear facility, the EU and G7 Governments agreed to work on the provision of loan finance to complete the Ukrainian nuclear plants known as K2/R4. The EBRD was nominated to lead in arranging a US$1.4 billion package of loans which, it was indicated, could include UK export credits for up to £20 million.

Mr. Alan Simpson: To ask the Secretary of State for Trade and Industry what applications have been received for export credit support in respect of the KZR4 nuclear power station in Ukraine; and if she will provide details. [16324]

Ms Hewitt: The Export Credits Guarantee Department has received an outline application in respect of the K2R4 project. For reasons of commercial confidentiality, under Exemption 13—Third Party's commercial confidences—of the Code of Practice on Access to Government Information, it is unable to disclose details of the application.

Renewable Energy

Mr. Stunell: To ask the Secretary of State for Trade and Industry what was the total level of Government financial support to the renewable energy sector in each year since 1990, broken down by *(a)* research grants, *(b)* renewables obligation, *(c)* non-fossil fuel levy and *(d)* other sources. [12790]

Mr. Wilson *[holding answer 7 November 2001]:* The information is set out in the table.

The new Renewables Obligation, to be introduced next year, together with the exemption of renewables from the Climate Change Levy, will create a long-term market for renewables which will be worth over £1 billion per year by 2010.

The obligation will be underpinned by direct Government funding for renewables worth over £260 million between 2001 and 2004. This will include an extensive capital grants programme for the early development of offshore wind and energy crops, the initial stage of a major photovoltaics demonstration programme and a boost for research and development.

Support for the renewables sector

£ million

Year *Research grants*[1]	*(a)* *Renewables obligation*[2]	*(b)* *Non fossil fuel levy*[3]	*(c)* *Other (capital grants)*[4]	*(d)*
1990–91	21.3	—	6.1	—
1991–92	24.8	—	11.7	—
1992–93	26.6	—	28.9	—
1993–94	26.8	—	68.1	—
1994–95	20.5	—	96.4	—
1995–96	21.6	—	94.5	—
1996–97	18.5	—	112.8	—
1997–98	15.9	—	126.5	—
1998–99	14.4	—	127.0	—
1999–2000	14.9	—	[6]56.4	—
2000–01	15.9	—	[6]64.9	—
2001–02	[5]24.0	—	[6,7]54.7	—
2002–03[5]	27.6	[2]282.0	[8]—	[4]60
2003–04[5]	29.0	[2]405.0	[8]—	[4]131

[1] Direct Government funding for research and development on renewable energy through the DTI's own Sustainable Energy Programme and through the Research Councils via the Science Budget.

[2] Estimated maximum payments available under the Renewables Obligation for England and Wales and the corresponding Renewables Obligation (Scotland). Actual payments will depend on how much renewable energy capacity comes forward at any time. The costs will be met by licensed electricity suppliers who are expected to pass them on to consumers. Proposals for introducing the Obligation are shortly to be placed before Parliament. There

may be some payments under the Obligation in the last quarter of 2001–02 depending on the precise date of implementation of the Obligation.

[3] Expenditure through NFFO, SRO and NI-NFFO funded by the electricity consumer through the Fossil Fuel Levy in Great Britain and variant arrangements in Northern Ireland.

[4] Provisional commitment profile for capital grants for offshore wind, energy crops and other areas highlighted in the Prime Minister's announcement of 5 November 2001. Actual spend will depend on the rate at which capacity comes forward.

[5] Estimates.

[6] Expenditure through NFFO falls from 1999–2000 on because NFFO 1 and 2 contracts came to an end in December 1998.

[7] Actual to 30 September 2001.

[8] Up to date estimates not available. Non Fossil Fuel Levy spend in future years is highly dependent on the impact of the introduction of Renewables obligation and of proposed new NFFO flexibility provisions. We anticipate that the costs of the Fossil Fuel Levy following the introduction of the Renewables Obligation will decline substantially.

Note:

Renewable energy also benefits from exemption from the Climate Change Levy which came into force from April 2001.

Ministerial Meetings

Matthew Taylor: To ask the Secretary of State for Trade and Industry on what date her Department began to record the basic facts of meetings between Ministers in her Department and outside interest groups as required under paragraph 63 of the Ministerial Code of Conduct and Guidance on procedures for Ministers; and in what form this information is recorded. [14746]

Ms Hewitt: DTI Ministers meet a wide range of outside interest groups and individuals in the course of their official duties and I can confirm that the facts of such meetings are recorded in accordance with the Ministerial Code. This is a long established practice.

Employment Tribunals

Mr. Whittingdale: To ask the Secretary of State for Trade and Industry how many cases were heard by employment tribunals in each of the last 10 years. [16656]

Ms Hewitt: The table shows the information requested.

Number of cases heard by employment tribunals 1991–2001[1]

Year	*Number*
1991–92	13,778
1992–93	17,836
1993–94	23,327
1994–95	21,749
1995–96	21,484
1996–97	[2]—
1997–98	20,067
1998–99	20,924
1999–2000	21,049
2000–01	25,106

[1] Defined as a case which was either successful or dismissed at a hearing (either for being out of scope or other reasons).

[2] Due to changes to the ETS database of case records, no statistical information is available for this period.

Note:

Cases with multiple jurisdictions are only counted once.

Source:

Employment Tribunals Service

Mr. Whittingdale: To ask the Secretary of State for Trade and Industry how many cases are awaiting a hearing before an employment tribunal. [16655]

Ms Hewitt: Due to the different ways in which tribunal applications proceed through the system, it is not possible to determine at any one time how many cases are waiting for a hearing date.

Mr. Whittingdale: To ask the Secretary of State for Trade and Industry what is the average time before a case is heard by an employment tribunal over the last 12 months. [16635]

Ms Hewitt: The Employment Tribunals Service, the government agency that provides the administrative support to the Employment Tribunals, seeks to ensure that 75 per cent. of single tribunal applications reach a first hearing within 26 weeks of receipt. However, due to the complexity of individual cases and the need to ensure proper judicial consideration it is not possible to ensure specific periods of time are achieved in individual cases if justice is to be done.

In previous years, the ETS target was 85 per cent. and this was exceeded in 1998–99 and 1999–2000. The ETS achieved 77 per cent. in 2000–01.

INTERNATIONAL DEVELOPMENT

Heavily Indebted Poor Countries

8. **Angela Watkinson:** To ask the Secretary of State for International Development if she will make a statement on the progress of the Heavily Indebted Poor Countries Initiative. [14153]

Clare Short: Twenty-four counties have now qualified for relief under the Heavily Indebted Poor Countries (HIPC) Initiative, the latest being Ethiopia which qualified last week. Three countries have completed the process. More than $54 billion of debt relief has been agreed for those countries, which together owe about $75 billion, so a major part of their debt has been written off. The money released is being spent on poverty reduction. Social expenditure in these countries is projected to rise by some $1.7 billion per year, on average.

Sierra Leone

9. **Dr. Julian Lewis:** To ask the Secretary of State for International Development if she will make a statement on her Department's work in Sierra Leone. [14154]

Clare Short: In Sierra Leone the UK is the leading player in providing humanitarian aid and help to reconstruct the institutions of government. We are supporting a wide range of reforms including better policing, the anti-corruption commission and preparations for elections due in May 2002.

Expatriate Remittances

10. **Mr. Heath:** To ask the Secretary of State for International Development what recent assessment she has made of the *(a)* actual and *(b)* potential value of remittances from expatriates working in the UK as a contribution to aid to developing countries. [14155]

Clare Short: Figures from the Office for National Statistics show that declared remittances from expatriates in the UK to developing countries in 2000 were £1.25 billion. This represents an increase of about 50 per cent. on 1996 figures.

World Trade Organisation

11. **Hugh Bayley:** To ask the Secretary of State for International Development if she will make a statement on the World Trade Organisation's response to the proposal in paragraph 229 of her White Paper, "Eliminating World Poverty: making globalisation work for the poor". [14156]

Clare Short: The ministerial declaration from the WTO meeting in Doha made strong commitments to the interests of developing countries. The ministerial declaration resulted in agreement on the need to reduce subsidies and barriers to trade in agriculture, manufacturing and services, which could potentially produce enormous benefits for developing countries. The agreement on TRIPS recognised the need for a flexible interpretation of TRIPS to enable developing countries to protect public health. The challenge now is to ensure that these commitments become a reality.

12. **Kevin Brennan:** To ask the Secretary of State for International Development if she will make a statement on her priorities in the latest WTO round regarding the reduction of world poverty. [14157]

Clare Short: Our priorities were set out in the White Paper "Eliminating World Poverty: making globalisation work for the poor". Many of these were fulfilled, in particular:

Agreement on TRIPS and public health, recognising the need for a flexible interpretation of TRIPS to enable developing countries to protect public health.

Action on some 50 measures form the developing countries' Implementation agenda from the Uruguay Round.

On agriculture, commitment to real progress on market access and action on export subsidies.

Continuing negotiations on services, which offer real prospects for developing countries to make substantial benefits through liberalisation and economic growth.

Commitment to tackle tariff peaks, high tariffs and tariff escalation as well as non-tariff barriers.

A commitment to a work programme on trade, debt and finance.

Systematic attention throughout the text to the issue of capacity building.

A comprehensive set of commitments on the particular needs of the least-developed countries, including a commitment to the objective of duty and quota free market access plus a commitment to make their accession process faster.

A review of Special and Differential treatment—across all WTO business areas—to strengthen these provisions and make them more precise, operational and effective.

14. **Mr. Carmichael:** To ask the Secretary of State for International Development if she will make a statement on the implications of the outcome of the WTO 4 ministerial conference for developing countries. [14159]

Clare Short: The UK is committed to negotiations which bring real benefits to developing countries. The ministerial declaration includes a number of commitments in areas of vital importance to developing countries including, agricultural liberalisation and action on tariff peaks for industrial goods. Of particular importance is the agreement on TRIPS and public health.

The ministerial declaration also places a heavy requirement on donor countries to meet the trade-related technical assistance requirements, both in terms of financial resources but also to ensure effective delivery. This will require changes in working practices by both bilateral and multilateral agencies. The UK has taken the lead in this area and has pledged £20 million over the next three years for trade-related technical assistance. We hope other countries will make corresponding pledges.

17. **Tony Cunningham:** To ask the Secretary of State for International Development what steps she is taking to implement resolutions of the WTO meeting at Doha to promote fairer terms of trade for developing countries. [14162]

Clare Short: The UK has been working for many years to support a round which will benefit developing countries. The ministerial declaration includes a number of commitments in areas of vital importance to developing countries including, for example, agricultural liberalisation and action on tariff peaks for industrial goods. Of particular importance is the agreement on TRIPS and public health.

The ministerial declaration also places a heavy requirement on donor countries to meet the trade-related technical assistance requirements, both in terms of financial resources but also to ensure effective delivery. This will require changes in working practices by both bilateral and multilateral agencies. The UK has taken the lead in this area and has pledged £20 million over the next three years for trade-related technical assistance. We hope other donor countries will make corresponding pledges.

30. **Mr. Win Griffiths:** To ask the Secretary of State for International Development if she will make a statement on the implications of the Doha ministerial meeting on trade for her Department. [14175]

Clare Short: The ministerial declaration represents a welcome development agenda for multilateral trade talks for which we have worked for a number of years. But this is only the beginning of negotiations. To achieve Development round we will continue to work to try to ensure that these commitments become a reality.

East and Central Africa

13. **Mr. Ben Chapman:** To ask the Secretary of State for International Development if she will make a statement on UK aid to east and central Africa. [14158]

Clare Short: The purpose of UK development assistance is to help the countries of the region to reduce poverty and achieve the Millennium Development Goals. Where possible we support countries' own poverty reduction strategies, for example by financing work to help them to design and implement pro-poor economic and social policies, improve the quality of governance and tackle HIV/AIDS. In countries affected by conflict we support initiatives to reduce the threat and impact of conflict, and provide emergency and rehabilitation assistance. Total UK assistance to the region in

2000–01 amounted to £516 million. Figures for the UK share of multilateral assistance are not yet available, but in 1999 this totalled £75 million.

Serbia

15. **Mrs. Betty Williams:** To ask the Secretary of State for International Development what steps her Department is taking to promote development and poverty reduction in Serbia. [14160]

Clare Short: Following the resumption of our bilateral programme in October 2000, we moved quickly to support economic and social reform in Serbia, and to help safeguard the well-being of the poorest people in Serbia. During the winter of 2000 we provided £10 million of emergency aid. We also provided a grant totalling £8.4 million to pay arrears of welfare benefits for the poorest families. We are assisting the Serbian authorities to make key economic, social and governance reforms that are necessary for sustainable and equitable development and poverty reduction. We have supported the development of strategies for reform in privatisation, banking rehabilitation and health care. We have worked closely with the World Bank, with whom we are discussing a joint programme of support to social policy reform. We are funding the work of the Serbian Development Aid Coordination Unit, which is helping the government and donors to use aid effectively.

Our share of the EU's programme in Serbia in 2001 is £25 million. This is additional to the EU emergency programme, started before the fall of Milosevic, of which our share was £20 million.

We will shortly publish a Country Strategy Paper for the Federal Republic of Yugoslavia, which describes our future plans for Serbia and Montenegro.

Afghanistan

16. **Andrew George:** To ask the Secretary of State for International Development what assistance her Department is giving to the UN to enable the co-ordination of humanitarian relief to Afghanistan. [14161]

Clare Short: We have set aside £40 million to respond to the current crisis affecting Afghans in Afghanistan and in neighbouring countries. About £37 million has already been allocated to agencies for their work in the region to fulfil their humanitarian goals. This includes £24 million to UN agencies. Our financial assistance is complemented by the provision of technical personnel, logistical, material and other practical support.

Co-ordination of humanitarian assistance is the responsibility of the United Nations Office for the Co-ordination of Humanitarian Affairs (OCHA), which has appointed a Regional Humanitarian Co-ordinator based in Islamabad. We have allocated £2 million to OCHA in response to the current crisis to support these efforts. This includes the provision of technical personnel who have set up a humanitarian information centre (HIC) to collate and communicate humanitarian information on the needs and programmes to all concerned agencies. This contribution is also being used to increase the capacity of the offices of the UN resident co-ordinators in Turkmenistan, Uzbekistan, Iran, Pakistan and Tajikistan; and to deploy personnel and equipment to support the UN in re-establishing its presence in Afghanistan.

We have also provided £1 million to support the work of Mr. Lakhdar Brahimi as the UN Secretary-General's Special Representative for Afghanistan, who is working to develop a consensus among Afghans and the international community on the future governance of Afghanistan.

19. **Mr. Lloyd:** To ask the Secretary of State for International Development if she will make a statement on the humanitarian situation in Afghanistan. [14164]

Clare Short: The humanitarian situation remains fragile. However, UN agencies, particularly the World Food Programme, and the Red Cross Movement continue to make good and steady progress in the delivery of humanitarian assistance into Afghanistan.

The World Food Programme met its target for October of delivering 53,000 tonnes of food into Afghanistan and Afghan staff have managed to keep supplies moving inside the country. The situation inside Afghanistan is changing rapidly. We will work with the World Food Programme to try to ensure that supplies continue to be delivered into Afghanistan and within the country.

26. **John Robertson:** To ask the Secretary of State for International Development what action her Department is taking to ensure that aid going to Afghanistan is reaching Afghan refugees. [14171]

Clare Short: My Department is channelling its humanitarian assistance to Afghans through international humanitarian organisations and non-governmental organisations with experience in the region and a track record to deliver. Our best assessment, based on information from a range of humanitarian agencies suggests that distribution systems inside Afghanistan have by and large continued to deliver to those in need.

There are good prospects for opening additional routes into the country, particularly with the changing political situation. We hope that the international organisations, particularly the UN and Red Cross, will be able to improve delivery of food, healthcare, and other assistance and that some of the internally displaced will be able to return home before the winter gets worse. Plans are now being made for their international staff to return as soon as possible. In addition, we hope that it will be possible to accelerate deliveries so that winter stockpiles can be built closer to the people who need them. However, such progress is dependant on improved security.

27. **Mr. Dalyell:** To ask the Secretary of State for International Development pursuant to her oral statement of 1 November 2001, *Official Report*, column 1100, what proposals she has for the collection of unexploded cluster bomb ordnance by *(a)* the Halo Trust and *(b)* other organisations in the next 10 years. [14172]

Clare Short: I announced an allocation of £2 million for immediate humanitarian mine action assistance to Afghanistan on 15 November. We expect this to include the clearance of unexploded cluster bomb ordnance. Our assistance will be channelled through the United Nations Mine Action Service (UNMAS) with whom we will discuss appropriate requirements including projects with UK demining organisations, including the Halo Trust.

29. **Julie Morgan:** To ask the Secretary of State for International Development what support the Government are planning to provide to de-mining operations in Afghanistan. [14174]

Clare Short: I announced an allocation of £2 million for immediate humanitarian mine action assistance to Afghanistan on 15 November. Our assistance will be channelled through the United Nations Mine Action Service (UNMAS) with whom we will discuss appropriate requirements.

Poor Counties

18. **Mr. Robathan:** To ask the Secretary of State for International Development what recent assessment she has made of the connection between poverty and poor governance. [14163]

Clare Short: Poor countries frequently suffer weak administrative systems, badly managed security sectors, corruption and weak economic management.

Without effective government, poor countries will not be able to achieve the millennium development goals. This argument is set out in our White Paper "Making Globalisation Work for the Poor" and has recently been elaborated in a strategy paper, "Making Government Work for Poor People". This describes the governance capabilities developing and transitional countries require to reduce poverty. Copies are available in the House of Commons Library and on DFID's website.

Ministerial Meeting

20. **Mr. Peter Duncan:** To ask the Secretary of State for International Development if she will make a statement on her recent meeting with the presidents of Uganda and Rwanda. [14165]

Clare Short: I refer the hon. Member to my oral answer earlier today to the question asked by the hon. Member for Eddisbury (Mr. O'Brien) at columns 305-6.

UN Humanitarian Aid

21. **Tony Baldry:** To ask the Secretary of State for International Development when she next expects to meet the Secretary-General of the UN to discuss the effectiveness of UN humanitarian aid. [14166]

Clare Short: I have no specific plans at the moment to meet the Secretary-General of the United Nations, but expect our paths will cross at one of the many forthcoming high level meetings. My Department is in regular contact with colleagues at the United Nations on a wide range of issues, including the effectiveness of UN humanitarian aid.

Infant Mortality

22. **Mr. David Stewart:** To ask the Secretary of State for International Development what steps her Department is taking to tackle high levels of infant mortality in poorer countries. [14167]

Clare Short: We are strongly committed to mobilising the international development system to meet the Millennium Development Goal of reducing child and infant mortality by two thirds by 2015. Two million child deaths could be averted by improving routine immunisation coverage and introducing appropriate new vaccines in poor countries. We are providing substantial support to this work through the Global Alliance for Vaccines and Immunisations (GAVI) and work closely in partnership with the World Health Organisation (WHO) and UNICEF. This must be underpinned by strengthened health systems, better health worker skills and better caring practices within the home and community, and we have committed over £1 billion since 1997 to help governments with this task.

As two thirds of all infant deaths occur in the first month of life, DFID is taking an active role in promoting newborn and maternal health as a priority within the international health agenda. We work in a range of sectors, in particular water and sanitation and female education which also impact on mortality rates.

EU Aid

23. **Mr. Baron:** To ask the Secretary of State for International Development what action her Department is taking to improve the quality and transparency of EU aid programmes. [14168]

Clare Short: We have worked hard, and with some success, to promote reform of the Community's aid programmes and policies. There have been a number of important steps forward, in particular a new Development Policy focused on the overall objective of poverty elimination and the Commission's management reforms. Early next year the Commission will publish the first Annual Report on Community External Assistance. While the content of this report is likely to reflect the weaknesses of existing programmes, we believe this improved transparency and accountability will help all concerned to drive forward the implementation of the reform agenda.

Aid Budget

24. **Mr. Austin Mitchell:** To ask the Secretary of State for International Development how much of her Department's spending on humanitarian and other reliefs in Afghanistan and Pakistan is *(a)* new additional spending and *(b)* diverted from other budgets. [14169]

Clare Short: Since 11 September, we have set aside £40 million in additional funds for immediate humanitarian assistance to Afghans in Afghanistan and neighbouring countries. £25 million came from DFID's reserve and £15 million from the Treasury central reserve.

I have also allocated an additional £26 million for Pakistan, which is supplementary to the annual £15 million programme for poverty reduction in Pakistan. £4 million was allocated from my department's Asia performance fund, £7 million came from DFID's reserve, and £15 million came from Treasury central reserve.

Funding has not been diverted from other DFID programmes.

Trade (Developing Countries)

25. **Dr. Iddon:** To ask the Secretary of State for International Development what measures her Department is taking to enhance developing countries' capacity to trade. [14170]

Clare Short: We are at the forefront of efforts to enhance developing countries' capacity to trade. In the White Paper on Globalisation we undertook to double our commitment over the next three years. We have recently pledged a £20 million package of trade related capacity building which will take us towards this goal. The capacity of developing countries to trade can be enhanced through five distinct forms of support: policy research and trade strategy development, participatory policy formulation processes, co-ordination of trade policy with national development strategies, participation in international trade negotiations and implementation of trade agreements.

We are providing trade related technical assistance through three main channels. The first is institutional support—for example, the advisory centre on WTO law, which provides legal support to developing countries pursuing cases in the dispute settlement mechanism. The second is support through multilateral institutions—for example, working with the World Bank, United Nations Conference on Trade and Development, United Nations Development Programme, World Trade Organisation and International Trade Centre to prioritise trade within development programmes and strategies. The third is bilateral and regional support, for example, DFID's Africa Trade and Poverty programme which aims to help developing countries analyse the linkages between trade, poverty and sustainable economic and social development.

Subsidised Food Dumping

28. **Mr. Alan Simpson:** To ask the Secretary of State for International Development which developing countries' domestic agricultural systems are threatened by subsidised food dumping from the industrial world; which countries bear responsibility for such dumping; and what representations she has made on this matter. [14173]

Clare Short: Many developing countries suffer from subsidised food being dumped on their markets. Owing to the complexity of subsidies and the widespread use of subsidies in industrialised nations, it is difficult to determine exactly which developing countries are being harmed by dumped subsidised food and to what extent. However, the EU is one of the principal users of subsidies. For this and other reasons the Government are strongly committed to fundamental reform of the CAP.

CULTURE, MEDIA AND SPORT

Departmental Sponsorship

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport when she last met representatives of *(a)* each of the national museums and galleries sponsored by her Department, *(b)* the British Hospitality Association, *(c)* the Football Association, *(d)* the Rugby Football Union, *(e)* the British Weight Lifters' Association, *(f)* the Lawn Tennis Association, *(g)* Theatres in Trust, *(h)* Equity, *(i)* PACT, *(j)* regional arts boards, *(k)* regional tourist boards, *(l)* the BBC, *(m)* ITV, *(n)* ITN, *(o)* the British Tourist Authority, *(p)* the English Tourism Council, *(q)* the Football Foundation, *(r)* the New Opportunities Fund, *(s)* English Heritage, *(t)* the Communities Fund, *(u)* UK Sport, *(v)* Sport England, *(w)* the Arts Council for England, *(x)* the Film Council, *(y)* Wembley National Stadium Ltd., *(z)* the National Campaign for the Arts and *(aa)* Sky Television. [7566]

Tessa Jowell *[holding answer 15 October 2001]:* My ministerial team and I have met representatives of virtually all the organisations listed here, at meetings at the Department or elsewhere.

Those I have met in person and at the Department are *(a)* each of the national museums and galleries sponsored by my Department (18 July), *(b)* the British Hospitality Association (10 October), *(c)* the Football Association (25 September), *(j)* regional arts boards (16 June), *(k)* regional tourist boards (10 October), *(l)* the BBC (13 September), *(n)* ITN Network (30 October), *(o)* the British Tourist Authority (10 October), *(p)* the English Tourism Council (10 October), *(r)* the New Opportunities Fund (21 June), *(t)* the Communities Fund (21 June), *(u)* UK Sport (31 October), *(v)* Sport England (4 October), *(w)* the Arts Council for England (19 June), *(x)* The Film Council (28 June) and *(aa)* Sky Television (23 July).

Other Ministers in my Department have also met many of these organisations on various occasions. They have also met representatives of the other organisations listed. In addition I have met representatives of many of these bodies at events outside my Department.

Public Appointments

Mr. Collins: To ask the Secretary of State for Culture, Media and Sport how many appointments she has made to public bodies since 7 June; and how many are in her gift. [15492]

Tessa Jowell: Information about the number of ministerial appointments to public bodies is included in the Cabinet Office's annual report, "Public Bodies". Copies of this are placed in the Library of the House and the report is published on the Cabinet Office's Internet website. The next edition of "Public Bodies", which will include numbers of appointments at 31 March 2001, will be published around the end of the year.

I am directly responsible for 395 appointments to public bodies. Since 7 June, I have made 60 such appointments. These figures do not include those appointments to public bodies sponsored by my Department where my role is to advise on appointments made by the Prime Minister or through him by Her Majesty The Queen.

Tourism

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the funds made available by *(a)* her Department and *(b)* other agencies for the marketing of England as a tourist destination. [15754]

Dr. Howells: No provision was made in the Public Expenditure Plans for the marketing of England as a tourist destination by any agency. We did, however, provide £3.8 million of additional resources to the English Tourism Council this spring to provide information services and promotion to British people about England as a tourism destination. This was part of the Government's response to the Foot and Mouth outbreak. £2.6 million of this money was spent on marketing and promotion at England or regional level.

£49.7 million in total has been provided to the British Tourist Authority this year to market Britain, including England, abroad to tourists. Regional Development Agencies and local government also direct public funding towards marketing their parts of England.

World Athletics Championships

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport which Minister in her Department has Ministerial responsibility for the hosting of the 2005 World Athletics Championships. [16650]

Tessa Jowell: As Secretary of State, I have overall responsibility for the hosting of the 2005 World Athletics Championships and I am supported in this by my right hon. Friend the Minister for Sport.

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport (1) what venues were considered by her Department as possible venues for the hosting of the 2005 World Athletics Championships after the decision was taken not to host the games at Lee Valley; [16653]

(2) on what date the right hon. Member for Sheffield, Central (Mr. Caborn), was removed from decision-making regarding the staging of the 2005 World Athletics Championships; and if she will make a statement on the nature of that removal; [16649]

(3) on what date Sheffield became a potential contender for hosting the 2005 World Athletics Championships. [16648]

Tessa Jowell: Patrick Carter's report on the Lee Valley Stadium project identified the Don Valley Stadium in Sheffield and the Commonwealth Games Stadium in Manchester as the two most promising alternative venues for hosting the 2005 World Athletics Championships.

When I received and read Patrick Carter's report I issued an instruction that my right hon. Friend the Minister for Sport should not see the report and any associated papers in view of the fact that Patrick Carter discussed Sheffield as a possible alternative venue and my right hon. Friend's possible constituency interest. I agreed with my right hon. Friend that once a decision had been made on the future of the Lee Valley project or, if the decision was not to proceed, a decision had been taken on an alternative venue for the World Athletics Championships, that he would be brought into the discussions and papers would be circulated to him in the normal way. An instruction to this effect was issued in accordance with the Ministerial code on 3 September.

An evaluation of the Sheffield and Manchester options was carried out by Sport England and my officials following my meeting with Trevor Brooking, Chairman of Sport England, on 24 September to discuss the Lee Valley project and Patrick Carter's report.

Girls' Rugby and Football Teams

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport what action she has taken to encourage schools to set up girls' rugby and football teams with trained coaches. [16266]

Mr. Caborn: The Government have initiated a number of programmes aimed at encouraging and enabling schools to offer a wider range of sporting opportunities for their pupils. They give all pupils the opportunity to achieve high standards and those with the greatest potential the opportunity to excel at their chosen sport. The 1,000 School Sport Co-ordinators who will be in place by 2004 will have funding for, among other things, bringing sport specific coaches into schools to coach pupils and for building school-club links. Also, Specialist Sports Colleges are funded to provide the lead in innovative practice sharing resources and expertise to achieve high standards. Coaching for Teachers is a joint initiative funded by Sport England and coordinated by sports coach UK, it provides teachers involved in out-of-school-hours activities with low-cost coaching courses. Coaching for Teachers delivers governing body courses in both rugby union and football. Awards for All is a lottery-funded programme focused at four priority groups, one of those being girls and women and provides awards of up to £5,000. These awards can be used to develop out-of-hour learning opportunities, eg training courses for coaches or the hiring of coaches, in schools that preferably link with the local community.

Stadium Projects Review

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport (1) if she will publish the dates of all telephone conversations her Department has had with Patrick Carter since 1 January; and if she will state the nature of what was discussed and place a note of each conversation in the Library; [16668]

(2) if she will publish the dates of all written communication her Department has had with Patrick Carter since 1 January; what the nature of the communication was; and if she will place a copy of each communication in the Library; [16669]

(3) when her Department had meetings with Patrick Carter since 1 January; and if she will state the nature of what was discussed; and if she will place a note of each meeting in the Library; [16667]

(4) if she will publish the *(a)* instructions and *(b)* guidelines that she has given to (i) Patrick Carter and (ii) others about aspects of his reviews into (A) the National Stadium project and (B) the Lee Valley National Athletics Centre. [16670]

Tessa Jowell *[holding answer 20 November 2001]*: The terms of reference for Patrick Carter's review of the English National Stadium were published on 25 June 2001, *Official Report*, column 37W. They were:

> "In the light of the FA's announcement on 1 May 2001 about the project to develop a new English National Stadium at Wembley for Football and Rugby League, to examine if the project can be funded and managed at Wembley, or if that proved impractical, at another location in England. The review should report to the Government within eight weeks."

The terms of reference for the review which Patrick Carter carried out for Sport England into the Lee Valley Stadium were published on 2 July 2001, *Official Report*, columns 79–80W. They were:

> "In light of the Government's manifesto commitment to ensure that a first-class athletics stadium is available for the World Athletics Championships in 2005, Sport England needs to assess whether the Lee Valley National Athletics Centre project can be funded and managed in its current format and if not, what alternatives might be feasible. The review should report its findings within seven weeks."

Following the receipt of Patrick Carter's report of his initial work on the National Stadium I asked him to undertake follow-up discussions with the Football Association about the options which he had examined in his report. That work continues.

Patrick Carter has been assisted in his reviews by officials from my Department as well as others and has therefore had frequent contact with them since the English National Stadium and Lee Valley National Athletics Centre reviews began. He has also been in contact with Ministers and Sport England on a number of occasions during the course of his work. The disclosure of the nature and content of discussions and meetings with Ministers, officials and Sport England, would fall within the exemptions on internal discussion and advice and commercial confidences that are set out in Part ii of the Code of Practice on Access to Government Information.

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport (1) if she will publish the criteria by which Patrick Carter's appointment to conduct a review of *(a)* the National Stadium project and *(b)* the Lee Valley National Athletics Centre was made; [16672]

(2) how many names were considered at each stage of the process to find a person to conduct a review of *(a)* the National Stadium project and *(b)* the Lee Valley National Athletics Centre. [16671]

Tessa Jowell *[holding answer 20 November 2001]:* The Government announced on 8 May that Patrick Carter had been asked to lead a review of the National Stadium project. That decision was taken in the light of his thorough review of the Commonwealth Games which Ministers had recently considered. No other candidates were considered to lead such a review.

The decision to appoint Patrick Carter to carry out a review of the Lee Valley project was taken by Sport England and endorsed by me.

Supporters Direct

Helen Jones: To ask the Secretary of State for Culture, Media and Sport if she will extend Government funding to Supporters Direct to enable them to assist supporters of Rugby League clubs; and if she will make a statement. [16289]

Mr. Caborn: I met the Chairman of Supporters Direct on 4 September to discuss a range of issues including possible assistance to supporters of Rugby League clubs. Discussions are continuing.

Gaming Board

Mr. McCabe: To ask the Secretary of State for Culture, Media and Sport what steps she will take to implement the recommendations by the Gaming Board for Great Britain on the maximum stakes and prizes in gaming machines. [17357]

Mr. Caborn: My right hon. Friend the Secretary of State and I have considered the Board's recommendations very carefully. We are grateful to them and to the industry associations for the work which has gone into their proposals.

We have also had to bear in mind the report of the Gambling Review, chaired by Sir Alan Budd, which has also made recommendations about the maximum stakes and prizes in gaming machines. These recommendations of the Gambling Review differed from those made by the Gaming Board in a number of important respects.

Having considered both sets of recommendations in detail—and in the light of the period of public consultation on the Gambling Review, which ended on 31 October—we have decided to place before Parliament an Order under the Gaming Act 1968 which would increase the maximum prize from an all-cash Amusements with Prizes gaming machine to £25 and the maximum prize from a jackpot gaming machine in a casino to £2,000. That Order will be laid before both Houses shortly.

We have decided to propose no further changes to the stakes and prizes in gaming machines for the present.

The changes which we are proposing are supported both by the Gaming Board and the report of the Gambling Review. The Review concluded however that increases in the amounts which can be paid out by gaming machines should be accompanied by changes in the law to make it an offence for people under 18 to play them or to allow people under 18 to play them. It also recommended significant strengthening of industry agreements on preventing under-age play.

We shall be considering possible changes to the law. In the meantime, we look to the industry to play the fullest and most active part in improving the present arrangements to prevent under-age play of gaming machines. I am asking the Gaming Board for Great Britain to assess whether there are practical improvements in this area, and we will take close account of their conclusions before reaching any conclusions as to further changes in the regulation of gaming machines.

Cultural Exchanges (Argentina)

Mr. Cox: To ask the Secretary of State for Culture, Media and Sport what recent discussions her Department has had to develop cultural exchanges between the United Kingdom and Argentina; and if she will make a statement. [15857]

Mr. MacShane: I have been asked to reply.

Under the Cultural Convention of 1990 with Argentina the British Council is designated as the principal agent of HMG for pursuing bilateral cultural relations. In the last year it has organised arts events mostly through partnerships with local managers, helping major festivals to identify artists from the United Kingdom; it has helped United Kingdom educational providers to exploit opportunities in Argentina, in particular for MBA courses; it has reached out to young audiences through the Buenos Aires Book Fair and book and poster exhibitions and it is developing information services via the internet. It is developing its programme of partnerships between schools in the United Kingdom and Argentina.

The next meeting of the regular Anglo-Argentina Mixed Commission to decide on the next phase of implementation of the Cultural Convention is scheduled for March 2002.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Foot and Mouth

Mr. George Osborne: To ask the Secretary of State for Environment, Food and Rural Affairs what plans the Government have to compensate farmers whose cattle reached over 30 months of age as a direct result of the restriction on cattle movements imposed during the foot and mouth crisis. [11075]

Mr. Morley: The Government have considered very carefully whether it would be appropriate to pay compensation for losses incurred on cattle which went beyond the 30 month age limit because of movement restrictions imposed during the earlier part of the foot and mouth disease (FMD) outbreak. We have concluded that it would not. Statutory compensation for losses incurred as a result of the FMD outbreak is only paid on animals which have been slaughtered as a result of FMD, or on property, including animals which have been seized and destroyed in order to prevent the spread of FMD. The Government do not compensate farmers, or businesses, for other, indirect losses.

Illegal Waste Dumping

Mr. Todd: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of the problem of illegal waste dumping; and what co-ordination there is with the National Assembly of Wales on controlling illegal waste dumping. [12064]

Mr. Meacher: The most recent assessment of the levels of the illegal disposal of waste was carried out by the Tidy Britain Group. The report, "Effects Of Landfill Tax: Reduced Disposal of Inert Waste To Landfill", explored the impact of the landfill tax on fly-tipping, and it confirmed that the type of waste most frequently fly-tipped is household waste. The Fly-tipping Stakeholder's Forum is also currently conducting a study on the scale of fly-tipping on agricultural land.

My Department maintains close contact with the National Assembly of Wales on all relevant policy issues including on fly-tipping. The National Assembly voted additional funds to support the Environment Agency's targeted waste enforcement project in Wales, now in its second year. This has resulted in an increase in successful prosecutions of offenders.

Scottish Devolution

Mrs. Lait: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is regarding consultations prior to the publication of proposals involving the transfer of powers to the Scottish Executive by *(a)* primary legislation and *(b)* Order in Council. [13825]

Mr. Morley: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Scotland (Mrs. Liddell) on 14 November 2001, *Official Report*, column 748W.

Smog Levels

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the recent European Environment Agency analysis of smog levels in Europe; and if she will make a statement. [13909]

Mr. Meacher: Peak ozone levels in episodes of "summer smog" are declining as a result of significant emission reductions of ozone precursors in the UK and Europe over the past ten years or so. Peak ozone levels should continue to decline as a result of the further measures which the UK and other European countries will take in accordance with the EC National Emission Ceilings Directive and the UNECE Gothenburg Protocol. There has not been as yet a decline in average ozone levels. The significance of this for public health is still under investigation.

Pollution

Mr. Willis: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to introduce comprehensive pollution inventories. [14528]

Mr. Meacher: The Government are strongly committed to the public's right to know about polluting emissions. The Environment Agency has a comprehensive Pollution Inventory that provides easy access to annual emissions data on 150 pollutants from over 2,000 of the most potentially polluting industrial processes in England and Wales. The public can access this information through the Environment Agency's website www.environmentagency.gov.uk and from local Environment Agency offices (general line: 0845 9333 111).

The Environment Agency is working on improving the scope of the Inventory. This year the Inventory has been expanded to include emissions from nuclear sites and large sewage treatment works. Over the next year more sectors will be added including major landfill sites, more sewage treatment works, and radioactive emissions from non-nuclear sites.

The number of sites reporting will increase to around 7,000 in 2003 as a result of the implementation of the European Union Directive on Integrated Pollution Prevention and Control (IPPC). The IPPC Directive requires member states to report emission levels to the European Commission so that an inventory of principal emissions and their sources, known as the European Pollutant Emissions Register (EPER), can be produced. The EPER will initially require reporting on 50 pollutants released to air and water every three years with the first year of reporting commencing in 2003.

Departmental Staff

Mr. Luff: To ask the Secretary of State for Environment, Food and Rural Affairs how many staff at her Department's office in Worcester performing comparable duties are on different rates of pay; what is the reason for such discrepancy; and if she will make a statement. [15633]

Mr. Morley: There are around 300 permanent and casual staff working at my Department's offices in Worcester. Some of these staff have transferred to the newly created Rural Payments Agency but have retained their existing terms and conditions. All permanent staff are employed under the same pay arrangements and conditions of employment. Variations in individual levels of pay of staff doing work of equal value occur because of a number of factors but principally because pay is linked to individual performance.

The foot and mouth disease (FMD) emergency has necessitated staff from other Government Departments being temporarily seconded to DEFRA. These staff have retained the pay, terms and conditions of their parent department. During the FMD emergency, others at Worcester have been employed temporarily on specific contractual terms (ie fee-paid temporary veterinary inspectors, consultants).

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs how many of the employees in *(a)* her Department and *(b)* agencies sponsored by her Department work in (i) London, (ii) areas benefiting from EU Objective 1 status, (iii) areas with Objective 2 status and (iv) other areas. [16105]

Mr. Morley *[holding answer 19 November 2001]:* The number of permanent civil servants employed by DEFRA and its agencies as at 1 October 2001 is given below. The figure for DEFRA includes staff who were in the process of transferring to the Rural Payments Agency. The information on the number of staff working in areas benefiting from EU Objective 1 and Objective 2 status is unavailable due to the disproportionate cost of collection.

	London	*Elsewhere*	*Total*
DEFRA	2,535	6,092	8,627
Agencies	0	2,642	2,642
Total	2,535	8,734	11,269

Organic Farms

Dr. Kumar: To ask the Secretary of State for Environment, Food and Rural Affairs if she will publish a comprehensive breakdown of the numbers of certified organic farms by *(a)* county and *(b)* borough in England and Wales, in the last four years; and if she will make a statement. [16046]

Mr. Morley: The information is not available in the form requested, but I shall make available to my hon. Friend lists of organic producers and processors of organic food registered with organic certifiers.

White Goods Disposal

Mr. Blizzard: To ask the Secretary of State for Environment, Food and Rural Affairs what arrangements she has made for the disposal of unwanted fridges and freezers from 1 January 2002 under European Directive 2037/2000. [15595]

Mr. Meacher: EC Regulation No. 2037/2000 on Ozone Depleting Substances will require "controlled substances" (including CFCs) in coolants and in insulating foam to be removed before recycling or reclamation of refrigeration units. Although the UK does not currently have facilities capable of extracting ozone depleting substances, including CFCs, from insulation foam, it is anticipated that some plant may come on-line as early as spring 2002. My Department is finalising measures to manage waste refrigeration equipment in the interim. Advice on storage of waste refrigeration equipment will issue shortly. We are currently considering funding options for local authorities.

Food Borrowing

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the level of borrowing in the agricultural industry. [16039]

Mr. Morley: The latest available information is that published in Agriculture in the United Kingdom 2000 and is given in the table. Estimates for 2000 will be published in March 2002.

Total liabilities of UK agriculture

£ million at current prices

Liabilities	*1995*	*1996*	*1997*	*1998*	*1999*[1]
Long and medium term:					
AMC, SASC, and LIC	1,168	1,215	1,288	1,321	1,381
Building Societies and Institutions	255	317	305	370	365
Bank loans	1,602	1,859	1,882	2,268	2,199
Family loans	326	357	326	409	461
Other	157	167	185	210	143
Total long and medium term	3,508	3,914	3,986	4,579	4,550
Short term:					
Hire purchase	656	744	662	546	457
Leasing	265	195	179	186	136
Trade Credit	1,283	1,378	1,175	1,214	1,155
Bank overdrafts	2,591	2,408	2,598	2,787	2,923
Other	137	152	166	176	146
Total short term	4,932	4,876	4,780	4,910	4,819
Total Liabilities	8,440	8,790	8,767	9,488	9,368

[1] Provisional

Source:

Agriculture in the United Kingdom 2000

Waste Recycling

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what measures she is taking to improve co-ordination between public bodies with special reference to local councils, over meeting the Government's waste recycling targets. [15523]

Margaret Beckett *[holding answer 16 November 2000]:* We provided guidance to local authorities on producing Municipal Waste Management Strategies published in March this year, which encouraged partnership working, as a key means for delivering the statutory targets on recycling.

Today, we are publishing a Consultation Paper on the distribution of £140 million of additional funding for local authority waste minimisation and recycling. In that Paper we suggest that partnership working between authorities to deliver higher recycling might be one of the funding priorities.

The Consultation Paper also consults on a mechanism for allowing local authorities to 'pool' their statutory performance standards for recycling and composting of household waste. In doing so we are responding to those local authorities who have told us that this will help to deliver partnership working.

Copies of the consultation paper are available in Libraries of the House.

Rural White Paper

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what measures are being used to assess the programme of protecting and enhancing the countryside as set out in Objective 11 of Table 14.1 of the Rural White Paper in relation to *(a)* biodiversity, *(b)* tranquillity, *(c)* heritage and *(d)* landscape character. [15911]

Alun Michael: The Department is working with the Countryside Agency, English Nature, English Heritage and the Natural Environment Research Council's Centre for Ecology and Hydrology to develop proposals for an indicator of change in countryside quality. Further research to develop the indicator is currently being commissioned. The research will use existing national datasets about changing countryside character, including agriculture, forestry and land use change statistics and, from Countryside Survey 2000, information on landscape features and biodiversity. New data on traditional farm buildings are being collated by English Heritage and the Countryside Agency. The research will consider tranquillity as an aspect of countryside character. It is intended that the indicator will be available for publication in 2004.

In addition we have an extensive programme for monitoring the effects of our agri-environment schemes, on biodiversity in particular.

Farm Incomes

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what the *(a)* total income from farming and *(b)* total off-farming income was in rural areas in the United Kingdom in (i) 1996, (ii) 1997, (iii) 1998, (iv) 1999, (v) 2000 and (vi) 2001. [15910]

Alun Michael: The table provides total income from farming for the years 1996 to 2000 in real terms at 2000 prices in absolute terms and on a per head basis.

Year	*UK total income from farming (TIFF) (£ million)*	*UK total income from farming per whole time person equivalent (£)*
1996	5,612	23,279
1997	3,434	14,352
1998	2,510	10,612
1999	2,578	11,274
2000[1]	2,578	8,492

[1] Provisional.

The forecast of UK total income from farming for 2001 will be published on 29 November 2001.

The table shows the United Kingdom off-farm income for farms where off-farm income covers income from employment or self employment away from the farm, and unearned income from investments, pensions and social payments.

Year	*Total off-farm income (£ million)*	*Total off-farm income (£ per farm)*
1996	659	5,100
1997	630	4,900
1998	669	5,300
1999	624	5,000

Note:

Figures for 2000 and 2001 are not yet available.

Rural Parishes

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs on the latest date for which figures are available, what proportion of parishes in the countryside were classified as *(a)* vibrant, *(b)* active, *(c)* barely active and *(d)* sleeping, stating in each case the measures used. [15912]

Alun Michael: The Countryside Agency's State of the Countryside Report 2001 set out indicators for community vibrancy using a selection of community activities such as contested parish council elections and annual events. Building on from this information preliminary work to re-evaluate the full database of parishes suggests that: 27 per cent. of parishes were vibrant, 38 per cent. active, 26 per cent. barely active and 9 per cent. sleeping.

Rural Deprivation

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of people living in rural wards in the United Kingdom were in low income bands compared to the national average in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000 and *(f)* 2001. [15906]

Alun Michael: The Countryside Agency is planning to establish a baseline for low incomes for the 2002 State of the Countryside Report. This will use the 1998 classification of rural wards and from late 2002 will use data on low income from the Office for National Statistics (this is the first time that data of this nature will be available). Reliable time series data for low income bands are not available for wards.

Business Start-Ups

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs how many new business start-ups there were in rural areas in the United Kingdom in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000 and *(f)* 2001. [15909]

Alun Michael: Data on business start-ups in rural areas are not readily available. Information on VAT registrations for the year ending April 2000 indicates that there were 41,540 registrations in rural England. Information on earlier years is not available.

Rural Crime

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs how many cases of reported crime by category there were in rural areas in the United Kingdom in *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000 and *(e)* 2001. [15903]

Alun Michael: Home Office data on recorded crime in rural England for the 12 months to March 2001 are taken from the Crime Reduction Partnership Areas linked to all local authorities. Data collected in previous years cannot be directly compared as they used Basic Command Units (Police Force Administration Units) whose boundaries do not all coincide with local authority ones.

Population weighted figures—number of offences per 1,000 population were: violence 6.54, sexual 0.45, robbery 0.31, burglary (dwelling) 4.06, theft of vehicle 2.91, theft from vehicle 7.61.

Local Education Authorities

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs which local education authorities in England and Wales are classified as rural. [15904]

Alun Michael: There is no classification of local education authorities. Most local education authorities which cover rural areas also contain urban areas.

Rural Employment

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of people between 16 and 60 years old in rural areas in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000 and *(f)* 2001 were active in (i) full-time, (ii) part-time and (iii) seasonal work. [15902]

Alun Michael: The percentage of people aged 16 and over in rural areas in England in full-time and part-time employment was as follows:

Year	*Full-time*	*Part-time*
1996	73.11	28.02
1997	73.58	26.96
1998	73.49	27.31
1999	73.44	27.67
2000	72.99	27.79
2001	73.13	28.16

Reliable information on seasonal employment is not readily available.

Market Towns

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of market towns are classified as *(a)* thriving, *(b)* stable and *(c)* declining at the latest date for which figures are available, stating in each case the measures used. [15901]

Alun Michael: No classification is available at present. However, The Countryside Agency has embarked on a research project to look into the health and viability of Market Towns. The project will inform on the development economic and social indicators. It is expected to report by February 2003.

Civic Amenities

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of households in the United Kingdom were within 4 km of *(a)* food shops, *(b)* post offices, *(c)* cash points, *(d)* child nurseries, *(e)* primary schools and *(f)* GP surgeries in (i) 2000 and (ii) for the latest date for which figures are available. [15905]

Alun Michael: In 2000 the percentage of rural households in England living within 4 km of services was as follows:

Foodshops (supermarkets) 79 per cent., post offices 99 per cent., cash points 79 per cent., primary schools 99 per cent., GP surgeries 86 per cent. Data are not available for child nurseries.

It should be noted that 22 per cent. of rural settlement have a general store (selling a range of household goods including basic foodstuffs) and 28 per cent. have a small village shop (a sole shop selling mainly food).

This is the latest date for which figures are available. The figures for 2001 will be reported on by the Countryside Agency in April 2002. They have a research project for child care in preparation.

Fishing

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of the progress of the hake recovery programme in *(a)* area VII and *(b)* area VIII. [15871]

Mr. Morley: The European Commission adopted an emergency Regulation in June for a hake recovery plan. Some of these measures came into force on 30 June and others on 1 September. It is too early to assess their effectiveness.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs (1) when she expects to introduce a shellfish licensing scheme for those fishing areas under her authority; [15745]

(2) what assessment she has made of responses to her Department's proposed shellfish licensing scheme. [15746]

Mr. Morley: The vast majority of the 250 English and Welsh responses to the Department's consultation document supported the proposed UK restrictive licensing scheme for certain vulnerable species of shellfish, but there was a great diversity of views on its practical implementation. In the light of this, DEFRA officials are currently discussing the various elements with the other Fisheries Departments in the UK, with a view to an announcement on an appropriate way forward before the end of the year.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of *(a)* fishing stock health and viability and *(b)* indicative quota for 2002 by (i) species and (ii) fishing area or zone. [15867]

Mr. Morley: In October the Advisory Committee on Fisheries Management (ACFM) of the International Council for the Exploration of the Sea (ICES) produced its latest assessment of the state of fish stocks in the north east Atlantic. A summary of the assessment and its possible implications for quota levels for 2002 of stocks of interest to the United Kingdom follows:

DEFRA interpretation of ACFM advice for TACs for 2002

Stock (species and ICES area) *a*	*2001 TAC (tonnes)* *b*	*2002 TAC*[1] *c*	*TAC change from 2001 to 2002 (percentage)* *d*
Sandeels IIa NS	1,020,000	No advice	—
Herring I, II	851,500	853,000	+0.2
Herring IVa, b	265,000	265,000 to 303,000	Rollover to +14.3
Herring IVc, VIId	—	—	—
Herring Vb, VIaN, VIb	36,360	30,000	−17.5
Herring VIa (Clyde)	1,000	1,000	Rollover
Herring VIIa	6,900	6,500	−5.8
Herring VIIe, f	1,000	No advice	—
Herring VIIg-k	20,000	[2]6,000	[2]-40.0
Herring IIa NS Ind. by-catch	36,000	23,000 to 50,000	−36.1 to +38.9
Cod IIa, NS	48,600	LPL	—
Cod Vb, VI, XII, XIV	3,700	LPL	—
Cod VIIa	2,100	LPL	—
Cod VIIb-k, VIII, IX, X	10,500	7,300	−30.5
Megrim IIa NS	2,700	No advice	—
Megrim Vb, VI, XII, XIV	4,360	4,360	Rollover
Megrim VII	15,000	13,000	−13.3
Dab and Flounder IIa NS	27,060	No advice	—
Anglers IIa NS	14,130	10,000	−51.3
Anglers Vb, VI, XII, XIV	6,400	—	—
Anglers VII	21,700	15,520	−28.5
Haddock IIa, IV	61,000	112,000	+83.6
Haddock Vb, VI, XII, XIV	13,900	15,400	+10.8
Haddock VII, VIII, IX, X	12,000	8,000	−33.3
Haddock VIIa	2,700	1,200	−55.6
Whiting IIa, NS	29,700	45,000	+51.5
Whiting Vb, VI, XII, XIV	4,000	2,000	−50.0
Whiting VIIa	1,390	LPL	—
Whiting VIIb-k	21,000	32,200	+53.3
Hake IIa, NS	870	LPL	—
Hake Vb, VI, VII, XII, XIV	13,920	LPL	—
Blue whiting IIa NS	90,000	[3]—	—
Blue whiting Vb, VI, VII, XII, XIV	407,000	—	—
Blue whiting VIIIabde	26,500	—	—
Lemon sole and witch IIa NS	10,800	No advice	
Nephrops IIa, NS	15,480	18,470	+19.3
Nephrops Vb, VI	11,340	11,300	−0.4
Nephrops VII	18,900	17,790	−5.9
Northern prawn IIa, NS	6,504	No advice	—
Plaice IIa, NS	78,000	77,000	−1.3
Plaice Vb, VI, XII, XIV	1,920	No advice	—
Plaice VIIa	2,000	2,800	−40.0
Plaice VIId, e	6,000	6,690	+11.5
Plaice VIIf, g	760	680	−10.5
Plaice VIIh, j, k	1,215	No advice	—
Pollack Vb, VI, XII, XIV	1,100	No advice	—
Pollack VII	17,000	No advice	—
Saithe IIa, IIIb, c, d, NS	87,000	135,000	+55.2
Saithe Vb, VI, XII, XIV	9,000	13,000	+44.4
Saithe VII, VIII, IX, X	5,600	No advice	—
Turbot and brill IIa NS	7,200	No advice	—
Skate and rays IIa NS	4,848	No advice	—
Mackerel IIa(EC), III, IV	625,000	652,000	+4.3
Mackerel IIa (nonEC), Vb, VI, VII, VIIIabde, XII, XIV	—	—	[2]DIV/0
Sole II, NS	19,000	14,300	−24.7
Sole Vb, VI, XII, VIX	140	No advice	—
Sole VIIa	1,100	1,100	Rollover
Sole VIId	4,600	5,200	+13.0
Sole VIIe	600	450	−25.0

DEFRA interpretation of ACFM advice for TACs for 2002

Stock (species and ICES area) a	2001 TAC (tonnes) b	2002 TAC[1] c	TAC change from 2001 to 2002 (percentage) d
Sole VIIf, g	1,020	1,000	–2.0
Sole VIIh, j, k	650	No advice	—
Sprat IIa, NS	232,000	225,000	-3.0
Sprat VIId, e	12,000	12,000	Rollover
Spurdog IIa, NS	9,070	No advice	—
Horse mackerel IIa, NS	51,000	18,000	–64.7
Horse mackerel Vb, VI, VII, VIIIa, b, d, e, XII, XIV	240,000	98,000	–59.2

[1] As recommended by ACFM (tonnes)

[2] TAC recommendation for first half of 2002 only. ICES will provide a

[3] Closure until a rebuilding plan is agreed

Note:

LPL—Lowest Possible Limit

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of progress in meeting the objectives of the cod recovery programme in the North sea. [15870]

Mr. Morley: Good progress has been made. Commission Regulation 259/2001 established areas which are closed to most types of fishing between 14 February and 30 April 2001 to allow the maximum possible number of cod to spawn. We will not be able to asses how successful this has been before spring 2003 when the cod spawned should be large enough to be found in significant numbers in ground fish surveys.

The second part of the cod recovery plan puts in place a package of longer term technical conservation measures to promote recovery of North sea cod. These measures come into effect on 1 January 2002.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to extend the work of the *(a)* Irish Sea Management Committee, *(b)* cod recovery programme and *(c)* hake recovery programme. [15868]

Mr. Morley: We are not aware of an Irish Sea Management Committee. Fisheries are managed at European Union level under the Common Fisheries Policy (CFP).

The Government, with UK fishermen, played a significant role in reaching agreement within the EU on packages of measures to promote recovery of Irish sea, North sea and West of Scotland cod and Northern hake.

We expect proposals shortly from the Commission for further measures on recovery of hake and cod and stand ready to play a full part in negotiating them.

Rural Task Force

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the remit of the Rural Task Force. [16527]

Alun Michael: The Prime Minister gave the Task Force the following terms of reference when it was established in March 2001.

> "To consider the implications of outbreak of foot and mouth disease for rural economy, both immediately and in the longer term, and to report to the Prime Minister on appropriate measures. In particular to:
>
> identify the problems that the FMD outbreak is causing for the wider rural economy;
>
> draw up specific guidance for the public and businesses in accordance with veterinary advice;
>
> identify any initiatives—eg from the Rural White Paper—whose implementation might be brought forward to help those caught up in the crises;
>
> identify potential new actions which would help to kick-start the rural economy again once the outbreak had been eradicated."

These remain unchanged.

Supermarkets

Mr. Luff: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 7 November 2001, *Official Report*, column 306W, if she will make it her policy to send a copy of the Code of Practice on relationships between supermarkets and suppliers to all farmers and growers in Worcestershire after the agreement of the four major retailers to the code has been obtained. [16244]

Mr. Morley: As I noted in my reply to the hon. Gentleman on 7 November 2001, *Official Report*, column 306W, the Code of Practice is available on the DTI website. Copies may also be obtained from the Department of Trade and Industry, 1 Victoria Street, London, SW1H 0ET. We have no plans to send copies to all farmers and growers in Worcestershire, relatively few of whom are likely to sell their produce directly to the supermarkets who will be bound by it.

Dangerous Wild Animals Act

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what recent guidance she has issued to local authorities in respect of their powers and duties under the Dangerous Wild Animals Act 1976; [15391]

(2) what recent assessment he has made of the *(a)* effectiveness and *(b)* use by the local authorities of the Dangerous Wild Animals Act 1976 in relation to the sale of animals subject to the Act. [15392]

Mr. Meacher *[holding answer 19 November 2001]:* No recent guidance has been issued to local authorities in respect of their powers under the Dangerous Wild Animals Act 1976. However, my Department recently commissioned an independent review of the Act.

A copy of the review report is on the Department's website and comments on it have been invited by 31 January 2002. Once this consultation exercise has been completed, we will publish a paper setting out how we intend to take forward the report's recommendations, which include proposals that additional guidance should be provided for local authorities, and that it should be an offence to sell, give or otherwise transfer responsibility for a dangerous wild animal to an unlicensed keeper.

Combined Heat and Power

Joan Ruddock: To ask the Secretary of State for Environment, Food and Rural Affairs when the Government's CHP strategy will be published. [5186]

Mrs. Helen Clark: To ask the Secretary of State for Environment, Food and Rural Affairs when the Government's CHP strategy will be published. [5765]

Mr. Meacher *[holding answer 19 July 2001]:* We will be issuing a draft Government strategy for consultation by the end of this year.

UK Fuel Poverty Strategy

David Taylor: To ask the Secretary of State for Environment, Food and Rural Affairs when the final version of the UK Fuel Poverty Strategy will be published. [17432]

Mr. Meacher: The UK Fuel Poverty Strategy has been published today and copies are being placed in the Library of the House.

Rural Bus Services

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what plans the Government have to provide door-to-door public transport services for those unable to walk to rural bus stops. [16584]

Ms Keeble: I have been asked to reply.

The Government are specifically supporting the development of demand responsive, door-to-door transport services in rural areas, especially through DTLR's Rural Bus Challenge and the Countryside Agency's Rural Transport Partnership programme. The Rural White Paper published last year announced £92 million would be made available over the next three years to fund these two initiatives. Many of these services will also benefit as a result of the Government's intention to extend eligibility to receive fuel duty rebate to a wide range of community transport services. Following consultation earlier this year, regulations implementing this change will be introduced later this financial year.

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of households in rural areas lived within 10 minutes walk of at least hourly bus services in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000 and *(f)* 2001. [15908]

Ms Keeb[illegible] have been asked to reply.

The proportion of households in rural areas within Great Britain living within about 10 minutes walk of a bus stop with at least an hourly service was:

Year	*Percentage*
1992–94	44
1995–97	41
1998–2000	50

Trends should be treated with caution as sample sizes for rural areas are small, despite aggregation of data over a three year period.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs how many letters he has received from residents of the Buckingham constituency *(a)* supporting and *(b)* opposing military action in Afghanistan. [16168]

Mr. Bradshaw: Since 11 September the Foreign and Commonwealth Office has received over 6,000 letters about the terrorist attacks against the US and the subsequent situation in Afghanistan. Of these some 400 letters were addressed to the Foreign Secretary. The letters have addressed a wide range of different themes related to the current crisis. Each letter has received a reply.

It is not possible to provide a breakdown by constituency without incurring disproportionate cost.

European Union

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his policy towards the establishment of a pan-Union referendum following the next Intergovernmental Conference. [14807]

Peter Hain: Treaty change is a matter for member states to decide by unanimity in accordance with their own constitutional requirements. In the United Kingdom, this involves a ratification procedure requiring legislation. It is right that Parliament should decide on the results the Government achieve at Intergovernmental Conferences.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from the European Women's Lobby concerning *(a)* its campaign and *(b)* receiving EU funding. [14817]

Peter Hain: I have not received representations from the European Women's Lobby.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his policy towards a second chamber of the European Parliament. [14820]

Peter Hain: The Prime Minister has proposed that representatives of national parliaments be more involved in European matters through a Second Chamber of the

European Parliament which could review the EU's work and provide democratic oversight at a European level of the Common Foreign and Security Policy.

The role of national parliaments in the European architecture is one of the agenda items for the next Intergovernmental Conference in 2004.

Freedom of Information Act

Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs on what date his Department established a working group of officials to prepare his Department for the implementation of the Freedom of Information Act 2000; and on what dates this committee has met since it was set up. [14768]

Mr. MacShane: A steering group of senior officials was set up in August 2000 to oversee implementation of the FOI Act and a dedicated unit has been working on preparations to implement the Act.

FCO officials meet regularly to review progress.

Biological Weapons

Mr. Keetch: To ask the Secretary of State for Foreign and Commonwealth Affairs under what powers individuals can be *(a)* prosecuted and *(b)* extradited for activities involving biological weapons. [13954]

Mr. Bradshaw *[holding answer 14 November 2001]:* Individuals can be prosecuted under Section 1 of the Biological Weapons Act 1974. It is an offence for any person to develop, produce, stockpile, acquire or retain any biological agent or toxin where there is no justification for prophylactic, protective or other peaceful purposes. A person in possession of a biological weapon for terrorist purposes would also commit an offence under section 57 of the Terrorism Act 2000. The United Kingdom has extradition arrangements with well over 100 countries. In most cases, a crime is extraditable if the available prison sentence in the United Kingdom and in the requesting jurisdiction is 12 months or more.

EU Documents (Security Classification)

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the requirements for EU documents to receive security classification, broken down by security grade. [15172]

Peter Hain: EU information may be classified at the following levels:

TRES SECRET UE/EU TOP SECRET
SECRET UE
CONFIDENTIEL UE
RESTREINT UE.

The criteria for classification are laid down in the Council Decision concerning the adoption of the Council Security Regulations (Council Decision No. 2001/264/EU adopted on 19 March 2001).

The criteria are:

1. TRES SECRET UE/EU TOP SECRET: This classification shall be applied only to information and material the unauthorised disclosure of which could cause exceptionally grave prejudice to the essential interests of the European Union or of one or more of its member states.
2. SECRET UE: This classification shall be applied only to information and material the unauthorised disclosure of which could seriously harm the essential interests of the European Union or of one or more of its member states.
3. CONFIDENTIEL UE: This classification shall be applied to information and material the unauthorised disclosure of which could harm the essential interests of the European Union or of one or more of its member states.
4. RESTREINT UE: This classification shall be applied to information and material the unauthorised disclosure of which could be disadvantageous to the interests of the European Union or of one or more of its member states.

Macedonia

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made regarding the role of an elite police unit in Trebos, Macedonia, during its recent deployment. [15609]

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received concerning the deaths of three Macedonian soldiers near the village of Trebos, Macedonia, on 11 November. [15405]

Mr. MacShane: Three Macedonian policemen were killed near Trebos, Macedonia, on 11 November. This incident shows that the security situation remains delicate. We continue to urge all parties to show restraint, not to return to violence, and to co-ordinate and co-operate fully with the OSCE and NATO to ensure successful and peaceful redeployment of Macedonian security forces.

International War Crimes Tribunal

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people have been charged with offences before the International War Crimes Tribunal; and how many have been *(a)* convicted and *(b)* acquitted. [15335]

Peter Hain: There are two International Criminal Tribunals, that for former Yugoslavia in The Hague (ICTY), and that for Rwanda in Arusha, Tanzania (ICTR).

At ICTY, 61 indictees have appeared in proceedings before the tribunal. Twenty-five have been convicted, two acquitted, three have had convictions overturned on appeal, 17 are at pre-trial stage, seven on trial, three awaiting sentencing judgment and one awaiting judgment.

At ICTR, 52 indictees have appeared in proceedings before the tribunal. Nine have been convicted, none have been acquitted or had convictions overturned on appeal, 26 are at the pre-trial stage and 17 currently on trial.

These statistics and further information are available on the Tribunals' websites at www.un.org.icty and www.ictr.org.

The United Kingdom ratified the Rome Statute of the International Criminal Court, in New York, on 4 October 2001, being the 42nd state to do so. Forty-six states have now ratified. The court will be established immediately following the 60th ratification. It will not have retrospective jurisdiction.

Solomon Islands

Mr. Nigel Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of preparations for the forthcoming elections in the Solomon Islands; and if he will make a statement on relations with the Solomon Islands. [15603]

Mr. MacShane: Preparations for the elections scheduled for 5 December are being co-ordinated by the Solomon Islands Electoral Commission and are progressing well. International donors (UK, Australia, New Zealand, Taiwan, Japan and the EU) have contributed SI$18.2 million towards the costs of holding the elections, of which the UK has provided £60,000. Our contribution has included providing a co-ordinator to assist the Electoral Commission, deploying international peace monitors/observers, and funding an educational group to tour the country to explain voting procedures. After the election we plan to fund parliamentary workshops for the new MPs.

Bilateral relations with the Solomon Islands are good. In addition to electoral assistance, the Foreign and Commonwealth Office assistance to the Solomon Islands has included projects to strengthen the judiciary, the police, promote good governance, and protect the environment.

Tuvalu

Mr. Nigel Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current situation in Tuvalu. [15605]

Mr. MacShane: The Pacific Island state of Tuvalu has been an independent realm within the Commonwealth since October 1978. Our relations with Tuvalu, which stretch back well over a hundred years, are warm and friendly.

Tuvalu consists of a small group of low-lying coral atolls. Potential rises in sea-levels around the world are therefore of considerable concern to the people of Tuvalu.

The United Kingdom shares Tuvalu's concerns about climate change and the effect that this is having on sea levels. We have played a leading role in encouraging a global response to climate change, and final agreement was reached on 10 November in Marrakech on a set of detailed rules for implementing the Kyoto Protocol. This gives countries the certainty they need to ratify Kyoto, and start making real reductions in emissions of greenhouse gases.

EU Enlargement

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent progress has been made by *(a)* Hungary, *(b)* Poland, *(c)* the Czech Republic, *(d)* Cyprus, *(e)* Slovenia, *(f)* Malta, *(g)* Lithuania, *(h)* Estonia, *(i)* Latvia, *(j)* Slovakia, *(k)* Romania and *(l)* Bulgaria in their respective accession processes to the European Union. [15396]

Peter Hain: All candidates in negotiations have made steady progress towards accession. Of the 31 chapters into which the acquis are divided, Cyprus has closed the most (23) and Romania the least (8). Overall, since the beginning of the year, the candidates in negotiations have provisionally closed 74 chapters. This year's Commission Regular Reports, detailing the candidates' progress towards meeting the obligations of EU membership, were published on 13 November. They can be accessed at http://europa.eu.int/comm/enlargement/index.htm.

Conflict Diamonds (al-Qaeda)

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on links between Osama bin Laden, al-Qaeda and the conflict diamonds trade in Sub-Saharan Africa. [15406]

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the role of al-Qaeda in the illicit trade in diamonds in Sierra Leone. [16232]

Peter Hain: Two stories have recently appeared in the media alleging links between Osama Bin Laden and the trade in illicit diamonds. There is little doubt that terrorist organisations, like other criminal groups, have over the years, traded in illicit diamonds to generate funds for their activities. The Kimberley Process was designed to devise a way to break the link between the illicit diamond trade and armed conflict. Urgent completion of its work on an international certification scheme for rough diamonds would also help curb other illegal sales, including those which fund terrorists.

11 September (British Victims)

Mr. Allen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list known British victims of the terrorist attacks of 11 September. [15664]

Mr. Bradshaw: To date, four British nationals, and one foreign national with a close connection to the United Kingdom, have been positively identified as among the dead.

A further 72 people are on our list of possible victims of the terrorist attacks. This number includes 54 British nationals, five dual nationals and 13 foreign nationals with close links to the United Kingdom. The police are checking meticulously all reports of missing people and the final number of victims could still change.

It would be an unwarranted invasion of the privacy of the families of the victims to list the names here. We must respect the wish of the families for privacy in their time of grief.

Tanzania

Mr. Nigel Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the *(a)* number and *(b)* impact of refugees from Rwanda, Burundi and the Democratic Republic of Congo on the situation in Tanzania. [16154]

Mr. Bradshaw: At the end of October, the number of refugees in camps in Tanzania under the aegis of UNHCR totalled 481,000. Of these 346,000 were from Burundi; 110,000 from the Democratic Republic of Congo; and 25,000 from Rwanda. A further 170,000 Burundian refugees are assimilated into the local community and living in villages in Tanzania.

The main impact on Tanzania of these refugees has been instability and increased criminality in border areas (where most of the camps are located), increased pressure on Tanzania's infrastructure and resources, and environmental degradation (especially deforestation).

Sudan

Rev. Martin Smyth: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to encourage the Government of Sudan to promote human rights for all its citizens. [15855]

Mr. Bradshaw: We remain concerned about the human rights of all in Sudan and we regularly urge all sides in the civil war to respect and promote human rights and fundamental freedoms. The promotion of human rights remains one of our priorities in Sudan and our Embassy in Khartoum is in constant touch with the Government of Sudan. We make representations about our human rights concerns both bilaterally and with our EU colleagues through the renewed EU/Sudan dialogue. The dialogue provides a forum for strong criticism of the Sudanese Government, and allows for a co-ordinated EU assessment of the human rights situation. We also work with our EU colleagues in the UN fora to keep our concerns on the international agenda. For example, the EU sponsored a resolution on Sudan at this year's UN Commission on Human Rights.

Entry Clearance

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the case of Mrs. Nawani, Bombay, case reference AP/01/05/158. [16043]

Mr. Bradshaw: I understand that the Joint Entry Clearance Unit wrote to my hon. Friend on 9 November.

British Dependent Territories

Mr. Chidgey: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 14 November 2001, *Official Report*, column 744W, if he will list the British Dependent Territories whose citizens *(a)* already enjoy the grant of British citizenship, *(b)* qualify to enjoy the grant of British citizenship and also enjoy the rights to reside and work in the United Kingdom and *(c)* do not qualify for the grant of British citizenship; and what the population of each of the British Dependent Overseas Territories is. [16750]

Mr. Bradshaw: British Dependent Territories citizens (BDTCs) of the Falkland Islands (pop. 2,200) have already been granted British citizenship, and those of Gibraltar (pop. 27,200) have the right to apply for British citizenship. The British Overseas Territories Bill will not affect the position of Falkland Islanders. It will make automatic the grant of British citizenship to BDTCs from Gibraltar.

The Bill will confer British citizenship on all other BDTCs except those who owe their status solely to their connection with the Sovereign Base Areas on Cyprus. Apart from the Falkland Islands and Gibraltar, the qualifying Territories are Anguilla (pop. 11,900), Bermuda (pop. 61,500) British Antarctic Territory (no permanent population), British Indian Ocean Territory (no permanent population), British Virgin Islands (pop. 19,100), Cayman Islands (pop. 36,600), Montserrat (pop. 4,500), Pitcairn Islands (pop. 54), South Georgia and the South Sandwich Islands (no permanent population), St. Helena and Dependencies (pop. 6,400), Turks and Caicos Islands (pop. 20,000). All those who become British citizens under the provisions of the Bill will enjoy the rights of abode and employment in the United Kingdom which flow from British citizenship.

All population figures taken from the 1999 White Paper "Partnership for Progress and Prosperity".

Trade Liberalisation

Mr. Alan Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs what work has been undertaken by Government officials with the LOTIS Committee and the LOTIS Group on NGO objections to the liberalisation of trade in services. [15653]

Nigel Griffiths: I have been asked to reply.

The LOTIS Committee of International Financial Services, London, an independent private sector body, earlier this year produced a public response to NGO concerns about liberalisation of trade in services and the WTO General Agreement on Trade in Services. Government officials, in their capacity as invited observers, offered the Committee comments, as they have to other NGOs on their work on this and other issues.

PRIME MINISTER

Performance and Innovation Unit

Mr. Michael Jabez Foster: To ask the Prime Minister what additional projects are planned for the Performance and Innovation Unit; and if he will make a statement. [17163]

The Prime Minister: The Performance and Innovation Unit will be working with DEFRA and other Departments to review the Government's strategy for waste. My right hon. Friend the Secretary of State for the Environment, Food and Rural Affairs will be the Sponsor Minister. The study will commence in December this year and report in the summer of 2002.

Public Appointments

Mr. Collins: To ask the Prime Minister how many appointments to public bodies he has made *(a)* between 1 May 1997 and 7 June 2001 and *(b)* since 7 June 2001; and how many are in his gift. [15478]

The Prime Minister: Information about numbers of ministerial appointments to public bodies is included in the Cabinet Office's annual report, "Public Bodies". Copies of this are in the Library of the House and the report is published on the Cabinet Office's internet website. The next edition of "Public Bodies" which will include numbers of appointments at 31 March 2001, will be published around the end of the year.

Between 1 May 1997 and 7 June 2001 I made 249 appointments, including re-appointments, to public bodies. Since 7 June 2001 I have made 12 appointments, including re-appointments, to public bodies.

There are approximately 315 appointments within the Prime Minister's gift to public bodies.

Chemical Weapons

Ms Walley: To ask the Prime Minister what representations he has made to *(a)* India, *(b)* Russia, *(c)* South Korea and *(d)* the USA on reducing their declared stockpiles of chemical weapons. [16688]

The Prime Minister: The Chemical Weapons Convention requires states which have declared possession of chemical weapons to submit plans on ratification for the total destruction of their stockpiles, by 29 April 2007, in accordance with Article 3 of the convention. These plans are subject to review and approval by the Executive Council of the Organisation for the Prohibition of Chemical Weapons (OPCW), of which the UK is a member. The UK takes every opportunity, both through the OPCW Executive Council and on a bilateral basis, to maintain pressure on the declared possessors to meet their CW destruction obligations.

Lord Birt and Lord Levy

Norman Baker: To ask the Prime Minister what steps he intends to take to improve the public accountability of *(a)* Lord Birt and *(b)* Lord Levy; if he will take steps to enable them to answer parliamentary questions in relation to their duties; and if he will make a statement. [15887]

The Prime Minister: For details of Lord Birt's role, I refer the hon. Member to the answer I gave to the hon. Member for Worthing, West (Peter Bottomley) on 25 October 2001, *Official Report,* columns 313–14W. For details of Lord Levy's role, I refer the hon. Member to the answer my right hon. Friend the Foreign Secretary gave to my hon. Friend the Member for Stockport (Ms Coffey) on 9 July 2001, *Official Report,* column 350W. Both advisers are accountable to Ministers who are accountable to Parliament. I have no plans to change this practice.

Delivery Unit

Mrs. Brooke: To ask the Prime Minister if he will list the targets selected from current departmental public service agreements which are being monitored by the Delivery Unit in *(a)* health, *(b)* education, *(c)* transport and *(d)* law and order, stating in each case (i) relevant performance measures and (ii) the date by which the target is to be met. [15136]

The Prime Minister: The Delivery Unit works closely with HMT to help Departments deliver PSAs on crime, health, education and transport which are already in the public domain.

DEPUTY PRIME MINISTER

British-Irish Council

Mr. Lazarowicz: To ask the Deputy Prime Minister how many meetings of the British-Irish Council there have been since December 1999, broken down by meeting format; and what subjects were discussed at each meeting. [14525]

The Deputy Prime Minister: British-Irish Council meetings have taken placed on the following occasions:

17 December 1999, British-Irish Council Summit, London

2 October 2000, British-Irish Council ministerial meeting on the environment, London

6 October 2000, officials meeting on drugs, Dublin

16 November 2000, officials meeting on social inclusion, London

16 November 2000, officials meeting on the knowledge economy

4 December 2000, officials meeting on transport, Belfast

19 December 2000, British-Irish Council ministerial meeting on transport, Belfast

23 January 2001, officials meeting on the environment (climate change), London

28–29 March 2001, officials meeting on the environment (climate change), Oxford

29 March 2001, officials meeting on the knowledge economy, Jersey

13 September, officials meeting on drugs, Dublin.

Ministerial meetings

The inaugural summit adopted an initial list of issues which would be suitable for the council to work together. These were provided on 12 January 2000, *Official Report,* columns 200–01W.

The meeting of Environment Ministers on 2 October 2000 discussed ways in which the administrations could work together on environmental issues. The council considered the conclusions of the OSPAR Regional Quality Status Report on the Celtic Seas and reviewed the arrangements already in place for inter-governmental action to follow up those conclusions.

The meeting of Transport Ministers on 19 December 2000 had a wide-ranging discussion covering various aspects of transport. The council identified a list of transport issues where members of the council could share their knowledge and experience, including public-private partnerships, the size and pattern of future transport demand, the development of sustainable transport policies, and programmes to improve road and rail safety. The on-going review of the implementation of the Transport Trans European Network was also identified as an area where they could work together. They also considered practical measures which could be taken to increase co-operation in relation to the road transport industry.

Officials' meetings

The officials' meetings dealt with the substantive business in relevant sectoral areas for forthcoming ministerial meetings including drafting papers and pursuing individual work topics. In addition senior officials form all of the Administrations have met from time to time to discuss British-Irish Council progress and procedures.

Special Advisers and Press Officers

Mr. Salmond: To ask the Deputy Prime Minister how many *(a)* special advisers and *(b)* press officers were employed (i) full-time, (ii) part-time and (iii) on a contract basis by his Department in each year since 1992. [6905]

Mr. Leslie: The information is not held in the form requested and can be provided only at disproportionate cost.

All special advisers are appointed under the terms of the model contract for special advisers. At 1 November 2001, there were 81 special advisers in post across all Departments. Figures for the years since 1995–96 are as follows:

Year	Number
1995–96	38
1996–97	38
1997–98	70
1998–99	74
1999–2000	78
2000–01	79

Information about the number of press officers working in the Cabinet Office Press Office for the period from 1996–97 to 1998–99 is contained in Appendix 10 of the Report on the Government Information and Communication Service by the Public Administration Select Committee dated 29 July 1998. Copies of the report are available in the Libraries of the House. On 1 January 2000, there were 20 press officers in the Cabinet Office Press Office; at 1 January 2001, there were 16, and there are currently 18.

EDUCATION AND SKILLS

Children and Young People Strategy

Mr. Miliband: To ask the Secretary of State for Education and Skills when she will publish the consultation document on the Government's new strategy for children and young people. [16829]

Mr. Denham: When the Prime Minister set up the Children and Young People's Unit last year he asked it to develop and articulate a new overarching strategy for all children and young people.

Today, the Government are launching "Building a Strategy for Children and Young People: A consultation document" which sets out the Government's plans for a new vision and principles for the development of services for all children and young people, on which future Government investments will be based.

Full copies of the consultation pack are available in the Library.

Investors in People (Buckingham)

Mr. Bercow: To ask the Secretary of State for Education and Skills which companies located in the Buckingham constituency received Investors in People awards in *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–2000 and *(d)* 2000–01. [14909]

John Healey: The information requested is not collected on a constituency basis.

Companies recognised as Investors in People in the town of Buckingham are as follows.

Year	*Company*
1997–98	Royal Latin School Hempton Fields, Nursing Home
1998–99	Fraser Associates plc Buckingham Middle School Buckingham School (London Road)
1999–2000	Assembly Technology and Test Ltd. Royal Latin School Hempton Fields, Nursing Home
2000–01	Page Hall Infants School

Class Sizes

Mr. Bercow: To ask the Secretary of State for Education and Skills if she will make a statement on average class sizes in secondary schools in Buckinghamshire local education authority in *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–2000 and *(d)* 2000–01. [15768]

Mr. Timms: The information requested is shown in the table.

Average class sizes[1]*: maintained secondary schools*

	Average class size	
January each year	*Buckinghamshire LEA*	*England*
1998	21.0	21.7
1999	21.6	21.9
2000	22.2	22.0
2001	21.6	22.0

[1] Classes taught by one teacher.

The average size of a secondary class in Buckinghamshire is below the national average and improved in January 2001 after rising for the last two years.

Statemented Pupils

Mr. Steinberg: To ask the Secretary of State for Education and Skills what the expenditure on statemented pupils in the last five years was in *(a)* Durham and *(b)* England excluding pupils in special schools. [16257]

Mr. Timms: The information requested is not collected centrally.

Specialist Schools

Mr. Stinchcombe: To ask the Secretary of State for Education and Skills when she will publish the guidance for schools advising them how to apply for specialist school status in maths and computing; and what the core aims at such specialist schools will be. [16561]

Mr. Timms: Guidance setting out the criteria for specialist school applications in mathematics and computing has been published and is available to interested schools on request or by accessing the DfES website at http://www.dfee.gov.uk/specschl/. As for other specialist schools, the aims of Mathematics and Computing Colleges are to: raise standards of achievement, particularly in the specialist subjects, for all pupils; extend the range of opportunities available to students which best meet their needs and interests; raise standards of teaching and learning in the specialist subjects; develop within the schools characteristics which signal their changed ethos; benefit other schools and the wider community and strengthen the links between schools and private or charitable sector sponsors.

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what the *(a)* name, *(b)* character, *(c)* date of designation, *(d)* agreed targets for each year within the period of designation and *(e)* unmet targets to date are of each designated specialist school or college in (i) West Berkshire, (ii) Hounslow, (iii) Oxfordshire, (iv) Wandsworth, (v) Hillingdon, (vi) Cornwall, (vii) Camden, (viii) Milton Keynes, (ix) Wokingham, (x) Hackney, (xi) Dorset and (xii) Bournemouth. [16759]

Mr. Timms: The information on the names of specialist schools, their character and the year in which they were designated as specialist schools in each of the named authorities is given in the following table. Information on the targets agreed with each school and targets which have not been met cannot be provided except at disproportionate cost.

Specialist schools in specified local education authorities as at 20 November 2001

LEA/name	*Specialism*	*Character*	*Designated September*
(i) West Berkshire			
Denefield School	Technology	Foundation	1994
Kennet School	Technology	Community	2000
Park House School	Sports	Community	1998
Theale Green Community School	Arts	Community	1997
Trinity School	Arts	Community	2001
Willink School (The)	Language	Community	1996
(ii) Hounslow, London borough of			
Cranford Community High School	Language	Community	1997
St. Mark's Catholic School	Technology	Voluntary Aided	1998
(iii) Oxfordshire			
Bicester Community College	Technology	Community	1998
Didcot Girls' High School	Language	Community	1997
Henry Box School (The)	Language	Community	2001
King Alfred's School	Sports	Community	1999
Lord Williams's School	Sports	Voluntary Controlled	2001
Peers School	Technology	Community	1995
St. Birinus School	Technology	Community	1997
Wheatley Park School	Arts	Community	2000
(iv) Wandsworth			
Chestnut Grove School	Arts	Community	1997
Elliott School	Language	Foundation	1997
Ernest Bevin School	Sports	Community	2000
Graveney School	Technology	Foundation	1995
Southfields Community College	Sports	Foundation	2000
(v) Hillingdon			
Bishopshalt School	Arts	Foundation	1998
Haydon School	Language	Foundation	1997
Queensmead School	Technology	Foundation	1999
(vi) Cornwall			
Callington School	Sports	Community	2000
Fowey Community School	Technology	Community	1996
Hayle Community School	Language	Community	2001
Helston School and Community College	Technology	Community	2001
Launceston College	Technology	Community	1998
Newquay Tretherras School	Technology	Community	1997
Penrice Community School	Language	Community	1997
Penryn College	Sports	Community	1998
Poltair Community School	Sports	Community	1997
Redruth Comprehensive School	Technology	Community	1996
Richard Lander School	Technology	Community	1998
St. Ives School	Technology	Community	2001
(vii) Camden, London borough of			
Acland Burghley School	Arts	Community	2000
Hampstead School	Technology	Community	1997
Parliament Hill School	Technology	Community	1999
William Ellis School	Language	Voluntary Aided	1997

Specialist schools in specified local education authorities as at 20 November 2001

LEA/name	*Specialism*	*Character*	*Designated September*
(viii) Milton Keynes			
Denbigh School	Technology	Foundation	1997
Leon School	Sports	Community	1998
Lord Grey School	Language	Foundation	1998
Stantonbury Campus North	Arts	Foundation	1998
(ix) Wokingham			
Holt School (The)	Language	Community	1999
Piggott School (The)	Language	Voluntary Controlled	2001
(x) Hackney, London borough of			
Clapton Girls' Technology College	Technology	Community	1999
Haggerston School	Technology	Community	1998
Homerton College of Technology	Technology	Community	1997
Our Lady's Convent High School	Language	Voluntary Aided	1999
Stoke Newington School	Arts	Community	2001
(xi) Dorset			
Beaminster School	Technology	Community	2001
Budmouth Technology College	Technology	Foundation	1995
Highcliffe School	Language	Foundation	2000
Lytchett Minister School	Arts	Community	2001
Shaftesbury School	Sports	Voluntary Controlled	1999
Sir John Colfox School	Language	Community	1999
Twynham School	Technology	Community	1996
Westfield School	Technology	Foundation Special	2000
(xii) Bournemouth			
Bournemouth School	Language	Foundation	2000
Oakmead School	Technology	Community	2001
St. Peter's School	Arts	Voluntary Aided	2000

Early Years Excellence

Mr. Chope: To ask the Secretary of State for Education and Skills, (1) pursuant to her answer of 12 November 2001, *Official Report*, column 539W, what criteria were used in deciding which new early excellence centres should be designated; [16600]

(2) pursuant to her answer of 12 November 2001, *Official Report*, column 539W, if she will consider the proposal from Somerford Infant School as part of the next batch of early excellence centres designated; [16601]

(3) pursuant to her answer of 12 November 2001, *Official Report*, column 539W, if she will list those applicants who have been invited to develop their plans further; [16602]

(4) pursuant to her answer of 12 November 2001, *Official Report*, column 539W, on early years excellence, on what grounds the proposal for a centre at Somerford Infant School was considered not yet ready to join the programme; and if he will place in the Library a copy of the Government's response to the proposal and details of its invitation to the school to develop its plans further; [16603]

(5) pursuant to her answer of 12 November 2001, *Official Report*, column 539W, on early years excellence, how many expressions of interest there were in joining the early excellence centres programme. [16604]

Mr. Timms *[holding answer 20 November 2001]:* Criteria and detailed requirements for joining the Early Excellence Centre (EEC) programme are set out in guidance issued by the Department. Guidance issued in February provided the framework for designations made so far this year. Additional guidance was issued on 5 October. The core activities of the programme which all centres are expected to deliver, or have well advanced and convincing plans to develop, remain unchanged and are as follows:

good quality integrated early education and daycare for children 0 to five requiring centre-based extended-day and extended-year provision;

parental and carer involvement in the education and care of children, eg schemes for family learning, developing parenting skills, raising parents' expectations and in other ways;

support services for children and parents and carers of children, eg health, counselling and information services, home support, drop-in facilities;

effective early identification and intervention for children in need and children with special educational needs, with a view to improving children's prospects and, wherever appropriate, achieving inclusion in mainstream provision;

access to adult education and training by parents of young children and other adults, including those seeking skills and qualifications for employment;

raising standards of integrated early years provision among other early years providers, including voluntary and private providers, childminders and other carers, by contributing to the training and development strategy of the Early Years Development and Childcare Partnership and through the development and dissemination of good practice.

Decisions on designations also take into account links with other Government programmes, geographical coverage, support of key partners, especially the local Early Years and Childcare Development Partnership (EYCDP), and commitment to multi-agency working.

The Department received 135 expressions of interest following the issue of the February guidance and 14 new centres were announced on 1 October. Officials are continuing to work closely with a further nine centres in Devon, Cornwall, Somerset, Wigan, Peterborough, Norfolk, Oxfordshire, Bedfordshire and Bury, on the basis of expressions of interest received in response to the February guidance. A further 93 expressions of interest in joining the programme have been received since additional guidance was issued in October.

Somerford Infant School's expression of interest in the EEC programme was submitted in response to the guidance issued in February. It was closely linked to emerging local proposals for the development of a Neighbourhood Nursery, but did not meet the requirements set out in the guidance for joint Neighbourhood Nursery/Early Excellence Centre schemes. Neither did it provide sufficient coverage of the core activities or relate them sufficiently well to the wider strategy of the EYCDP.

The Department wrote to the school inviting it to develop its plans further. I have placed a copy of that letter in the Library. The additional guidance issued in October indicates that those invited to do further development work should submit a fresh expression of interest taking into account feedback received. The guidance included full contact details for relevant officials at the Department and encouraged partners to make contact with them for further information.

The Department has not received a further expression of interest from Somerford Infant School. To continue to develop its interest in the programme the school should contact officials at the Department who will be most willing to discuss it with them.

Fast-Track Teacher Recruitment

Mr. Willis: To ask the Secretary of State for Education and Skills which company was awarded the contract to run the Fast-Track Teacher Recruitment Scheme; what the cost and duration of the contract is; what the agreed recruitment targets for each year of the contract were; how the company was chosen; and what the criteria are for success and best value. [16698]

Mr. Timms: Following a competitive tender exercise the contract for assessing Fast-Track applicants was let to a consortium headed by Interactive Skills on 2 October 2000. The cost of the contract in Financial Year 2000–01 was £2,375,081. The contract covers a three-year period, with an option for a two-year extension. Selection is done against standards and not to quota. Main criteria for success are delivery to time and within budget of: (i) a high quality multi-stage selection process which will successfully identify those applicants who meet the competencies and values laid down in the Education (School Teachers' Pay and Conditions) (No.7) Order 2001; (ii) relevant application brochures, website, forms and guidance to a high professional standard; (iii) a cycle of continuous review and improvement in efficiency and effectiveness of the activities of the consortium.

Mr. Willis: To ask the Secretary of State for Education and Skills what the total cost was for each existing fast-track student of recruiting them to the Fast-Track Teacher Recruitment scheme; and what the total cost was for students recruited through the programme. [16697]

Mr. Timms: The Department for Education and Skills spent £4.6 million on the Fast-Track Programme in the last financial year 2000–01, the first year of its existence. This long-term investment supported (i) a national recruitment campaign which raised public awareness of the programme, established a credible presence at the upper end of the highly competitive graduate recruitment market, and attracted 1,574 applications; (ii) the design, development and implementation of a very high quality assessment and selection process which resulted in the offer of 135 places in the first round to potential future leaders of the profession; and (iii) the initial cost of setting-up enhanced Fast-Track Initial Teacher Training.

Online Centres

Mrs. Anne Campbell: To ask the Secretary of State for Education and Skills (1) how many UK online centres in each constituency are to be funded by level 3 Capital Modernisation Fund; [10757]

(2) when she will provide an answer to the question tabled by the hon. Member for Cambridge on 24 October about the number of UK online centres in each constituency. [16838]

John Healey: A table showing the UK online centres to be funded by the third phase of the Capital Modernisation Fund by constituency has been placed in the Library.

The total of UK online centres funded by the third phase will produce a further 1,116 centres across England, covering 63 per cent. of constituencies throughout England.

WORK AND PENSIONS

Attendance Allowance

Annabelle Ewing: To ask the Secretary of State for Work and Pensions what discussions he has held with the Scottish Executive concerning continued payment of attendance allowance to those recipients who will become eligible for free personal care in Scotland from April 2002. [9742]

Maria Eagle: My right hon. Friend discussed this matter with the Scottish First Minister on a number of occasions.

ONE Pilot Scheme

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will estimate the number of cases of violence against staff working in the ONE pilot offices. [14039]

Mr. Nicholas Brown: From June 1999 to date, there were five cases of physical assault on members of our staff.

Child Support Agency

Mr. Andrew Turner: To ask the Secretary of State for Work and Pensions how many payments by absent parents have been written off as irrecoverable in the last 12 months; what the average and upper decile value of such payments are; and how many payments are in the upper decile. [14360]

Malcolm Wicks: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member.

Letter from Doug Smith to Mr. Andrew Turner, dated 20 November 2001:

I am replying to your Parliamentary Questions to the Secretary of State for Work and Pensions about the Child Support Agency.

Mr. Smith is unavailable and therefore I am writing to you on his behalf.

You asked how many payments by Non resident parents have been written off as irrecoverable by the Child Support Agency in the last 12 months.

The Child Support Agency does not write off child support maintenance debt. Section 30 of the Child Support Act 1991 allows the Secretary of State to decide when and how to collect and enforce maintenance but it does not allow him to dissolve that debt.

I hope this is helpful.

Pension Credit

Mr. Willetts: To ask the Secretary of State for Work and Pensions which organisations have responded to the consultation documents on *(a)* the pension credit and *(b)* invalid care allowance. [15145]

Mr. McCartney: Over 400 responses were received to the Pension Credit formal consultation exercise "The Pension Credit: a consultation paper", Cm4900, November 2000, many welcoming our proposals. We continue to consider views and work closely with groups representing older people to deliver a modernised and dedicated service to meet pensioner needs. We will be announcing our response to the Pension Credit consultation in due course.

40 responses were received to the formal consultation exercise on Invalid Care Allowance which took place between 23 July and 15 October. The majority welcomed our proposals. A summary of the responses will be published on our website and the cabinet office website at the same time as the proposals are introduced into Parliament for Scrutiny.

Pensions (British Citizens Overseas)

Mr. Cox: To ask the Secretary of State for Work and Pensions how many British citizens living abroad are in receipt of the British state retirement pension. [15338]

Mr. McCartney: There are about 866,300 pensioners living abroad in receipt of a UK state retirement pension.

Notes:

1. 5 per cent. sample from the Pension Strategy Computer System at 31 March 2001
2. Figures have been rounded to nearest hundred.
3. Figure is not confined to British nationals. UK retirement pension is paid to those who satisfy the relevant conditions

Departmental Funding

Mr. Burstow: To ask the Secretary of State for Work and Pensions if he will estimate the total unallocated funds within his departmental expenditure limit *(a)* in the start of the financial year and *(b)* to date. [16764]

Mr. Nicholas Brown: At the start of the financial year the Department for Work and Pensions Departmental Expenditure Limit included £322 million awaiting allocation from the Welfare Modernisation Fund and a Departmental Unallocated Provision of £56.088 million. To date there has been no change to these unallocated amounts.

SCOTLAND

Proceeds of Crime Bill

Mr. Weir: To ask the Secretary of State for Scotland what discussions she has had with the Scottish Executive on putting before the Scottish Parliament the changes proposed in the confiscation provisions of the Proceeds of Crime Bill in so far as they relate to Scotland. [16789]

Mr. Foulkes: None. This is a matter for the Scottish Executive.

Mr. Weir: To ask the Secretary of State for Scotland what discussions she has had with the Scottish Executive on proposed changes to the Proceeds of Crime Bill. [16787]

Mr. Foulkes: I have liaised with the Deputy First Minister and the Lord Advocate on the Scottish provisions in the Bill, including the changes being considered for Part III.

Mr. Weir: To ask the Secretary of State for Scotland what steps have been taken by her Department to ascertain the views of the Scottish Parliament on the changes proposed to the confiscation provisions of the Proceeds of Crime Bill in so far as they relate to Scotland. [16788]

Mr. Foulkes: We have liaised closely with the Scottish Executive Ministers and officials, but liaison with the Scottish Parliament is clearly a matter for the Scottish Executive to consider.

HOME DEPARTMENT

GHB

Mr. Ben Chapman: To ask the Secretary of State for the Home Department what plans he has to reclassify gamma hydroxy butyrate as a drug; and what recent representations he has received on this issue. [14289]

Mr. Bob Ainsworth: Following the decision of the United Nations to control gamma hydroxy butyrate (GHB) under Schedule IV of the 1971 UN Convention on Psychotropic Substances, the Advisory Council on the Misuse of Drugs (ACMD) met on 8 November to consider the drug's classification under the Misuse of Drugs Act 1971. I await their advice.

I have received a number of letters from members of the public, and some from hon. Members, expressing concern about the misuse of GHB.

Sex Offences

Mr. Simon Thomas: To ask the Secretary of State for the Home Department what his timetable is for the implementation of the recommendations of his Department's consultation paper entitled, "Setting the boundaries: Reforming the law on sex offences". [14453]

Mr. Keith Bradley: The recommendations of the Sex Offences Review to Government on reforming the law on sex offences were published in "Setting the Boundaries" in July 2000. We are currently considering the recommendations in the light of the over 700 responses to that consultation document. We will announce our conclusions and proposals for legislation once we have completed our consideration.

Passports (Confiscation)

Mr. Dismore: To ask the Secretary of State for the Home Department, pursuant to his answer of 7 November 2001, *Official Report*, column 315W, on passports, whether clear evidence of a proposed intention to go to Afghanistan to fight for the Taliban or al-Qaeda is sufficient to demonstrate the undesirability of the grant or continued enjoyment of passport facilities on grounds of public interest; and if he will make a statement. [14818]

Angela Eagle: As indicated in my answer of 7 November, a passport may be withdrawn from a person whose past or proposed activities are so demonstrably undesirable that the grant or continued enjoyment of passport facilities would be contrary to the public interest. On the face of it, a clearly stated intention to fight directly against British interests would justify withdrawal of passport facilities on public interest grounds. Any case would be carefully considered on its individual merits.

Gulf War (Detentions)

Mr. Mullin: To ask the Secretary of State for the Home Department how many *(a)* Iraqis and *(b)* other persons of middle eastern origin were detained during the Gulf war as potential threats to national security; and how many were subsequently (i) deported, (ii) charged with any offence, (iii) released without charge and (iv) compensated. [14296]

Angela Eagle *[holding answer 13 November 2001]:* Sixty-eight Iraqis and nine Palestinians were detained as threats to national security during the Gulf war. No Iraqis or "people of middle-eastern origin" were deported, although a number of Iraqis left of their own accord on receipt of the Home Secretary's notice of intention to deport. None was charged with an offence. All were released without charge following the conclusion of the war.

Riot Policing

Mr. Rosindell: To ask the Secretary of State for the Home Department what progress has been made on establishing closer co-operation across the European Union in the field of riot policing. [15158]

Mr. Bob Ainsworth: During the Belgian Presidency, officials of European Union member states (EU), including the European Police Chiefs Task Force, have held meetings to take forward the Conclusions of the Special Justice and Home Affairs Council on 13 July. This Council had considered security at European Summits and other major European Union events, following the disorder at the Gothenburg European Summit.

Discussions centred around building on existing police and judicial co-operation in this area, through the establishment of national contact points, to ensure enhanced exchange of information and effective co-operation before major events at which public order problems are anticipated.

Asylum Seekers

Mr. Allan: To ask the Secretary of State for the Home Department what procedures are being followed in respect of awarding the contract for smart cards for asylum seekers. [16054]

Angela Eagle: There is no new contract for the Application Registration Card application. This will be an expansion of the existing Immigration and Asylum Fingerprint System as allowed under the original terms of the associated Official Journal of the European Community (OJEC) Notice of 30 November 1999. Compatibility with this system is essential, as existing equipment will be used to check the cards. Procurement will be effected by way of a Change Control Notice to the existing contract.

Mr. Allan: To ask the Secretary of State for the Home Department what estimate he has made of the value of the contract for providing smart cards for asylum seekers. [16053]

Angela Eagle: The price for changing the existing Immigration and Asylum Fingerprint System contract has yet to be fixed. Budgetary estimates do exist but these could not be published without compromising our negotiating position with suppliers.

It is not normal practice to place budgetary estimates in the public domain.

Norman Baker: To ask the Secretary of State for the Home Department how many failed asylum seekers have been returned to the Democratic Republic of Congo since 1 May 1997. [15821]

Angela Eagle *[holding answer 19 November 2001]:* The available information relates to the nationality of persons removed. Published statistics show that 60 nationals of the Democratic Republic of Congo who had sought asylum at some stage were removed from the United Kingdom in 1997 and 20 in 1998. A breakdown of the nationality of persons removed in 1999 to 2001 is not available due to data recording problems; these problems are being investigated and it is hoped that nationality information will be available at some stage in the future.

Mr. Cox: To ask the Secretary of State for the Home Department how many applications for political asylum were waiting to be heard on 1 February 2000. [15749]

Angela Eagle: There were 121,700 asylum applications awaiting an initial decision on 31 January 2000. This figure has been revised from 103,495 after a manual count of all asylum cases, and is rounded to the nearest hundred. A physical count was ordered by my right hon. Friend the Home Secretary to ensure the reliability of the statistics. Problems with the backlog figures had arisen from an accumulation of errors since the last manual count of outstanding asylum applications in 1996. The comparable figure for 31 August 2001 was 43,100.

Information on the number of cases awaiting an initial decision is published regularly on the Home Office website at: http://www.homeoffice.gov.uk/rds/immigration1.htm.

Heroin

Mr. Cameron: To ask the Secretary of State for the Home Department how many places are available in *(a)* residential and *(b)* other centres for the treatment of heroin addiction. [16022]

Mr. Bob Ainsworth: There are approximately 3,100 residential places available across England for those requiring treatment for substance misuse problems. Although the majority of these places will be taken up by opiate users, they are also for those addicted to other drugs. It is therefore not possible to estimate how many of these places are taken up by heroin addicts.

As far as non-residential centres are concerned there are approximately 450 drug services across the country. As these centres respond to different levels of demand at different times it is not possible to put a figure on the number of places they provide.

Mr. Cameron: To ask the Secretary of State for the Home Department how many addicts are receiving methadone replacement treatment for heroin addiction. [16023]

Mr. Bob Ainsworth: Since the Home Office Addicts Index closed in 1997, the Regional Drug Misuse Databases (RDMDs) have been the main source of information on people presenting to drug treatment services with a drug problem. During the six month period ending 30 September 2000, around 21,200 people were reported to the RDMDs in England as presenting for treatment with heroin recorded as their main drug of misuse. Around 6,200 of these people were reported as being prescribed methadone for treatment at the time they presented; other heroin users may subsequently have been prescribed methadone.

Mr. Cameron: To ask the Secretary of State for the Home Department what his latest estimate is of the number of heroin users in the UK. [16202]

Mr. Bob Ainsworth: Drug misuse databases (DMDs) are the main source of information on the number of heroin users. These databases report on the number of persons presenting to drug treatment services. Data are not available for the whole of the United Kingdom, but separate figures for Great Britain and Northern Ireland are provided here. In addition, the British Crime Survey (BCS) 2000 calculated a population estimate for 16 to 24-year-old heroin users in England and Wales. There has also been a recent research report published by academics that estimates the number of problematic opiate users in the United Kingdom.

The table provides a summary of estimates from different parts of the United Kingdom by various methods.

Figures on the number of heroin users by area and data source

Area	*Year*	*Data source*	*Estimate*
Great Britain	2000	DMD[1]	25,000 new episodes of treatment in 6 months
Northern Ireland	2000–01	DMD[2]	47 users reporting to agencies in 12 months
Northern Ireland	2000	Addicts Index[3]	233 users registered
England and Wales	2000	BCS[4]	46,000 users in the past year and 18,000 in the last month (by 16-to 24-year-olds)
United Kingdom	1996	Research report[5]	162, 544 to 243, 820 problematic users

[1] Statistics from the Regional Drug Misuse Databases for six months ending September 2000. National Statistics/Department of Health Statistical Bulletin 2001 18 June.

[2] Northern Ireland Drug Misuse Database. Progress Report and Initial Findings 2000–01. Drug and Alcohol Information and Research Unit, September 2001.

[3] Northern Ireland Drug Addicts' Statistical Information Bulletin, 31 December 2000.

[4] Drug misuse declared in 2000: results from the British Crime Survey. Home Office Research Study 224.

[5] Frishcer M, Hickman M, Kraus L, Mariani F and Wiessing L (2001) A comparison of different methods for estimating the prevalence of problematic drug misuse in Great Britain. Addiction, 96, 1465–1476.

Overseas Adoption

Mr. Cox: To ask the Secretary of State for the Home Department if he will list the countries from which young children up to the age of five years were allowed entry into the United Kingdom for legal adoption by citizens of the United Kingdom in the last three years. [15750]

Angela Eagle: Information on the number of children admitted to the United Kingdom from overseas countries for adoption is not currently available.

The information that is available covers the number of children up to the age of five years given indefinite leave to remain in the United Kingdom on the basis of adoption. This number excludes those children given limited leave to remain and who are subsequently adopted through the United Kingdom courts, becoming British citizens on the date that the final adoption order is made.

A total of around 20 adopted children up to the age of five were given indefinite leave to remain in 2000. The corresponding totals for 1999 and 1998 were 10 and 20 respectively. The nationalities of the children were:

Brazil
Chile
China
Guatemala
Hong Kong
India
Jamaica
Kenya
Lebanon
Nigeria
Pakistan
St. Lucia

South Africa
Trinidad and Tobago
Ukraine
United States of America
Vietnam
Zimbabwe.

There were fewer than 10 cases for each nationality.

Correspondence

Mr. Colman: To ask the Secretary of State for the Home Department when he will reply to the letter of 25 September from the hon. Member for Putney with regard to his constituent Mrs. Kulsoom Begum Gill (Refs. G339000 and B523773). [14938]

Angela Eagle *[holding answer 19 November 2001]:* I wrote to my hon. Friend on 21 November 2001. I am sorry I did not send an earlier reply.

Mr. Lloyd: To ask the Secretary of State for the Home Department if he will take steps to secure a substantive reply from the National Asylum Support Service reference IMG/01247/1385/587 in relation to the letters of 18 October and 8 November from the hon. Member for Manchester, Central regarding his constituent Mrs. H. A. F. [16317]

Angela Eagle: An official from the National Asylum Support Service responded to my hon. Friend on 16 November.

Aylesbury Young Offenders Institution

Mr. Lidington: To ask the Secretary of State for the Home Department if he will make a statement on progress with work on the perimeter fencing at Aylesbury Young Offenders Institution. [16316]

Beverley Hughes: The latest position is that the work is scheduled to begin in March 2002, and will take approximately one year to complete. In the meantime, young prisoners requiring the highest level of physical security are not being held at Aylesbury.

Mr. Lidington: To ask the Secretary of State for the Home Department if he will make a statement on the future of the healthcare centre at Aylesbury Young Offenders Institution. [16312]

Beverley Hughes: The health care centre is under used because of the success of the strategy for treating prisoners on the wings. The Governor is examining a range of options for converting part of the health care centre for other accommodation or activity uses.

Mr. Lidington: To ask the Secretary of State for the Home Department if he will make a statement on his response to the annual report for 2000–01 of the board of visitors of Aylesbury Young Offenders Institution. [16314]

Beverley Hughes: I replied to the Chair of the Board on 13 November 2001 and I am placing a copy of my reply in the Library.

Sentencing Review

Stephen Hesford: To ask the Secretary of State for the Home Department if he will publish the results of the public consultation on the review of sentencing. [15021]

Mr. Keith Bradley: "Making Punishments Work", the report of a review of the sentencing framework undertaken by John Halliday—and known as the Halliday report—was published on 5 July and responses were invited by 31 October. The report was sent to a large number of individuals and organisations and a series of meetings were held with members of the public and representatives of the judiciary and other bodies to encourage consideration of the report and obtain views.

In order to encourage wider public involvement in the debate, my right hon. Friend the Home Secretary, launched the Fairer Sentencing website which contained a quiz, a facility to e-mail views and an on-line debating provision. In addition debate was stimulated in local, regional and national media and hon. Members were encouraged to initiate discussion in their constituencies. A number of conferences have also been convened.

The level of interest and response has been considerable. Over 120 detailed responses have been received from individuals or organisations with connections to the criminal justice system and even more from members of the public by letter or e-mail or through the debating channel. In addition, the website received 33,482 page hits, the home page was visited 5,831 times, 2,839 copies of the layman's summary of the Halliday review were downloaded, 1,171 copies of the Home Secretary's speech on sentencing reform were downloaded and 1,226 people completed the quiz on the website. This has been a unique opportunity to hold a public consultation on the point of sentencing and many members of the public have offered their own suggestions and alternatives.

There has been almost unanimous support for the need for change to the present sentencing framework, accompanied by a strong message that the change should be done well, properly resourced and then allowed to stand the test of time. There has also been broad support for the general thrust of the proposals, in particular the need for radical changes in the approach to short prison sentences. There is widespread recognition that it is unacceptable to have no supervision for an individual leaving a short prison sentence and that there are many opportunities for improving the effectiveness of both a prison sentence and a community sentence.

There has also been considerable support for greater transparency in sentencing.

There has been mixed support for the greater involvement of the courts in the management of sentences through review hearings. Many commentators have seen the strength of the arguments in terms of principle but have expressed doubts about whether the enormous practical difficulties could be overcome sufficiently well to justify that intervention in every case.

Officials are now analysing the responses in greater detail and a summary of the responses will be published, with copies in the Library, towards the end of January 2002. I then anticipate publishing a White Paper in spring 2002.

Fireworks

Mr. Weir: To ask the Secretary of State for the Home Department (1) how many reported incidents of injuries to *(a)* domestic pets and *(b)* other animals due to the sale of fireworks have been reported (i) prior to 5 November,

(ii) on 5 November and (iii) after 5 November in each of the last five years in (A) Scotland and (B) the United Kingdom; [13179]

(2) how many reported incidents of damage to property with fireworks in each of the last five years have involved *(a)* minors and *(b)* adults as alleged perpetrators of the incidents in (i) Scotland and (ii) the UK; [13191]

(3) how many incidents of damage to property with fireworks in the last five years have occurred *(a)* prior to 5 November, *(b)* on 5 November and *(c)* after 5 November in each year in (i) Scotland and (ii) the UK; [13192]

(4) how many incidents of injuries to *(a)* domestic pets and *(b)* other animals have been reported due to the sale of fireworks in each of the last five years in (i) Scotland and (ii) the United Kingdom. [13183]

Ms Hewitt *[holding answers 8 November 2001]:* I have been asked to reply because of my Department's responsibility for consumer and product safety which includes fireworks.

I regret that the information requested is not held by my Department.

Royal Parks Constabulary

Peter Bottomley: To ask the Secretary of State for the Home Department how many civilian and uniformed staff of the Royal Parks constabulary have left employment in police service on grounds of ill health or disability in the last five years. [15654]

Dr. Howells: I have been asked to reply.

Responsibility for the subject of this question has been delegated to the Royal Parks Agency and I have asked its Chief Executive, William Weston, to reply.

Letter from William Weston to Mr. Peter Bottomley, dated 21 November 2001:

I have been asked by the Secretary of State for Culture, Media and Sport to reply to your Parliamentary Question about the number of RPC officers who have left on health grounds, because this is an operational matter which is the responsibility of the Royal Parks Agency.

Fifteen civilian and uniformed staff of the Royal Parks Constabulary have left employment in police service on the grounds of ill health or disability in the last five years.

TREASURY

VAT

Mr. Lidington: To ask the Chancellor of the Exchequer if he will list for the financial years *(a)* 1999–2000, *(b)* 2000–01 and *(c)* 2001–02 to the most recent date for which information is available to him (i) the number of VAT returns received by HM Customs and Excise, (ii) the number of trader visits made by Her Majesty's Customs and Excise and (iii) the additional net tax found on visits. [11372]

Mr. Boateng: The information is as follows.

	1999–2000	*2000–01*	*2001–02*[1]
Number of VAT Returns	7,330,747	7,344,453	3,566,462
Number of visits made	170,718	166,305	82,653
Additional tax found (£ billion)	1.9	2.3	1.0

[1] September 2001

Regulation

Mr. Bercow: To ask the Chancellor of the Exchequer how many regulations were introduced by his Department in each year since May 1997. [14427]

Dawn Primarolo: Regulatory Impact Assessments (Compliance Cost Assessments for measures introduced before August 1998) have been completed in respect of all measures which have significantly imposed or reduced costs on businesses, charities or voluntary bodies. These are available from the House Libraries.

Stamp Duty

Mr. Flight: To ask the Chancellor of the Exchequer what progress has been made in introducing zero rates of stamp duty in deprived areas. [15942]

Mr. Boateng: The Government have been considering how best to implement this exemption and an announcement will be made shortly.

Mr. Flight: To ask the Chancellor of the Exchequer what plans he has to reform stamp duty on shares. [15920]

Ruth Kelly: The Government keep the whole tax system under regular review in order to meet their objectives for a fair and efficient tax system.

Mr. Flight: To ask the Chancellor of the Exchequer what estimate he has made of the impact of stamp duty on shares on financial exclusion. [15921]

Ruth Kelly: There is no evidence that stamp duty on shares has any impact on financial exclusion.

Financial Services and Markets Act

Mr. Flight: To ask the Chancellor of the Exchequer if he will make a statement on the impact on the status of friendly societies of the coming into force of the Financial Services and Markets Act 2000. [15916]

Ruth Kelly: The constitutional status of friendly societies as member-owned mutual societies will be unchanged by the Financial Services and Markets Act 2000 (FSMA). That Act will harmonise the regulation of friendly societies and other insurance business under a single regulator, the Financial Services Authority (FSA).

EU Moneys (Scotland)

Mrs. Lait: To ask the Chancellor of the Exchequer if he will list for each year since 1979 in *(a)* cash terms, *(b)* real terms and *(c)* as a percentage of the UK total, the total value of EU moneys spent in Scotland. [16178]

Mr. Andrew Smith: Details of all EC receipts which have been paid in Scotland are not held centrally for this period. However, table 14d of the Departmental Report of the Chancellor of the Exchequer's Departments (Cm 5116) contains information on receipts from the EC budget, by Department, and fund, since 1995–96 including for the Scottish Office (now Scottish Executive) (the UK's EAGGF Guarantee receipts are shown in the table under the Intervention Board). Similar information for earlier years was published in previous reports.

Armed Forces Personnel Administration Agency

Matthew Taylor: To ask the Chancellor of the Exchequer what involvement his Department has had with the renegotiation of the Ministry of Defence contract with EDS for the Armed Forces Personnel Administration Agency; and if he will make a statement. [16590]

Mr. Andrew Smith: The Ministry of Defence was responsible for the reconstruction of the Armed Forces Personnel and Administration Agency (AFPAA) contract with EDS and HM Treasury was not involved. The Ministry of Defence required my approval as Chief Secretary to the Treasury to proceed with reconstructing the contract. This approval was given following discussions between the Ministry of Defence and the Office of Government Commerce, who are represented on the AFPAA Owner's Board.

Departmental Staff

Mr. Andrew Turner: To ask the Chancellor of the Exchequer how many employees of *(a)* his Department and *(b)* agencies sponsored by his Department work in (i) London, (ii) areas benefiting from EU objective 1 status, (iii) areas with objective 2 status and (iv) other areas. [16112]

Ruth Kelly *[holding answer 19 November 2001]:* The information is as follows:

Department/Agency	*London*	*Objective 1*	*Objective 2*	*Other*
HM Treasury	1,049	0	0	0
Office for National Statistics	919	614	1,026	911
Customs and Excise	5,984	2,837	1,941	12,694
Inland Revenue	6,517	8,134	36,885	16,519
Valuation Office Agency	766	194	1,197	2,000
Royal Mint	10	1,007	0	0
National Savings	101	0	15	0
Government Actuary's Department	104	0	0	0
Total	15,450	12,786	41,064	32,124

Earnings Statistics

Julie Morgan: To ask the Chancellor of the Exchequer what were the hourly earnings of women as a proportion of the earnings of men for graduates who graduated in the years *(a)* 1990, *(b)* 1991, *(c)* 1992, *(d)* 1993, *(e)* 1994 and *(f)* 1995 at the latest available date. [16136]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Pullinger to Julie Morgan, dated 21 November 2001:

The National Statistician has been asked to reply to your recent Parliamentary Question about the hourly earnings of graduates by year of graduation. I am replying in his absence (16136).

The Labour Force Survey (LFS) provides estimates of average gross hourly earnings for graduates of working age, ie men aged 16–64 and women aged 16–59. However, the LFS does not ask people what year they graduated. Therefore, it does not provide estimates of graduates' earnings by year of graduation.

Railtrack

Mr. Flight: To ask the Chancellor of the Exchequer what has been the average loss to private shareholders as a result of the administration of Railtrack. [16027]

Mr. Jamieson: I have been asked to reply.

The administrator will be seeking to obtain the best value he can for the assets in Railtrack plc. If there is a surplus value, net of liabilities, this will be made available to Railtrack Group plc and its shareholders.

International Tax Recoveries

Mr. Gray: To ask the Chancellor of the Exchequer, pursuant to his answer of 25 October 2001, *Official Report*, column 374W, on international tax recoveries, if the two recoveries of over £100 million were from companies linked as sisters or subsidiaries; if they were over £200 million; and what the largest sum recovered was. [15135]

Dawn Primarolo *[holding answer 20 November 2001]:* The two cases involving recoveries in excess of £100 million in the year 2000 are unrelated. The amount recovered from each taxpayer exceeded £200 million. Because of the Inland Revenue's duty to maintain taxpayer confidentiality it is not possible to disclose precisely how much was recovered from any single taxpayer.

Clergy (Working Families Tax Credit)

Mr. Drew: To ask the Chancellor of the Exchequer what estimate he has made of the number of clergy claiming working families tax credits. [16294]

Dawn Primarolo: The Working Families Tax Credit Quarterly Enquiry shows the number of recipient families in which the main earner has a professional occupation. It is not known how many of these main earners are clergy.

BCCI

Mr. Vaz: To ask the Chancellor of the Exchequer (1) what proposals have been made for the settlement of the BCCI action against the Bank of England; [15915]

(2) what the cost is of the litigation by the liquidators of BCCI against the Bank of England. [15913]

Mr. Andrew Smith: The Government are not a party to this litigation.

Special Purpose Vehicles

Mr. Pickles: To ask the Chancellor of the Exchequer how many special purpose vehicles to facilitate public-private finance the Treasury has approved in the last 12 months. [15803]

Mr. Andrew Smith: The Treasury does not approve individual special purpose vehicles.

The term special purpose vehicle is often used to describe the corporate body created when private sector companies join together to provide services under a specific public-private partnership. It will be the contractual counterparty to the public sector partner.

Individual Departments will evaluate special purpose vehicles bidding for contracts against standards set for capability, technical capacity, and financial and economic standing. Departments may also have concerns about changes in the special purpose vehicle's shareholders during the life of the contract. Office of Government Commerce guidance on Standardisation of PFI contracts contains advice to Departments on this subject.

Friendly Societies

Mr. Flight: To ask the Chancellor of the Exchequer if changes in the status of friendly societies arising from the coming into force of the Financial Services and Markets Act 2000 will affect the liability of friendly societies for particular taxes; and if he will estimate for each particular tax liability change the impact on revenues which will arise over the first year in which the changes are implemented. [15917]

Mr. Andrew Smith: There are no changes to the tax liabilities of friendly societies as a result of the coming into force of the Financial Services and Markets Act 2000.

Inland Revenue

Mr. Nicholas Winterton: To ask the Chancellor of the Exchequer what representations he has received from the Public and Commercial Services Union on his Department's proposal to privatise the Inland Revenue's distraint work in England and Wales; for what reasons his Department has introduced the proposal; and if he will make a statement. [16355]

Dawn Primarolo: I have received a number of representations from members of the Public and Commercial Services Union, and will be taking into account their comments as further consideration is given to this proposal.

Mr. Nicholas Winterton: To ask the Chancellor of the Exchequer what assessment he has made of the impact on the quality of public service which would result from the privatisation of the Inland Revenue's distraint work in England and Wales; what plans he has to introduce a regulatory framework for bailiffs working on behalf of the Inland Revenue; and if he will make a statement. [16356]

Dawn Primarolo: The implications of the proposed change are still under consideration.

HEALTH

Coronary Heart Disease

Adam Price: To ask the Secretary of State for Health what the incidence of coronary heart disease among women and men, broken down by UK standard region, was *(a)* in the last 12 months and *(b)* (i) 10, (ii) 20 and (iii) 30 years ago. [9853]

Jacqui Smith: Figures for the incidence of coronary heart disease across the United Kingdom are not available on a consistent basis over 30 years.

The table shows the number of finished consultant episodes for hospital in-patients in England (this is not the same as incidence data) where the main diagnosis was ischaemic heart disease. Hospital episode statistics (HES) data only go back as 1989–90. Prior to this, information is not available in the format requested. Until 1985, data were collected via the hospital in-patient inquiry, which is not directly comparable with HES data due to a number of changes in the methods of collection. Changes in the boundaries between regional health authorities which existed in 1989–90 and the regional offices which are in place now mean it is not possible to make direct comparisons by region over the 10 years.

Finished consultant episodes where the main diagnosis was ischaemic heart disease, by Regional Office (Regional Health Authority) area of residence NHS Hospitals, England 1989–90 and 1999–2000

	Male	*Female*	*Not known/ not specified*
1999–2000			
Northern & Yorkshire Region	32,951	20,455	8
Trent Regional Office	26,693	16,420	2
West Midlands Regional Office	24,125	12,855	8
North West Regional Office	35,639	22,098	2
Eastern Regional Office	25,423	12,492	8
London Regional Office	28,432	14,039	28
South East Regional Office	34,698	18,039	130
South West Regional Office	23,815	12,690	5
Other	3,238	1,309	1
Not known	221	79	0
Total	235,235	130,494	192
1989–90			
Northern RHA	10,348	6.647	0
Yorkshire RHA	12,862	7,610	0
Trent RHA	14,647	8,373	0
East Anglian RHA	5,711	2,538	0
North West Thames RHA	11,069	5,090	2
North East Thames RHA	13,236	6,926	11
South East Thames RHA	11,723	5,681	0
South West Thames RHA	7,703	3,976	0
Wessex RHA	6,950	3,733	2
Oxford RHA	6,292	2,988	9
South Western RHA	8,959	4,658	0
West Midlands RHA	14,612	7,593	0
Mersey RHA	8,235	5,324	1
North Western RHA	14,468	9,529	1
Other	5,496	2,510	4
Not known	3,431	1,812	0
Total	155,742	84,988	30

Note:

1. An FCE is defined as a period of patient care under one consultant in one health care provider. The figures do not represent the number of patients, as one person may have several episodes within the year.

2. The main diagnosis is the first of seven diagnosis fields in the HES data set, and provides the main reason why the patient was in hospital.

3. Regional Health Authority/Regional office boundaries have changed since 1989–90, but the HES database system does not have the facility to present earlier years in terms of 1999–2000 RO boundaries.

4. Data for 1989–90 are adjusted for both coverage and unknown/invalid clinical data, 1999–2000 figures are not yet adjusted for shortfalls.

Source:

Hospital Episode Statistics (HES), Department of Health.

Fire-safe Cigarettes

Mr. Bercow: To ask the Secretary of State for Health what assessment he has made of fire-safe cigarettes. [11864]

Jacqui Smith: Officials have had discussions with representatives of the main manufacturers in the United Kingdom on the possible effects of certain additives on the burning rates of cigarettes.

One manufacturer is engaged on the development of a cigarette paper modified to control the burn rate.

Officials are aware of the development of standards governing ignition propensity and at least one branch conforming to these standards has been introduced in the United States.

Fluoride

Mr. Blizzard: To ask the Secretary of State for Health what assessment he has made of whether proposals to raise the level of fluoride in drinking water involve the use of hexafluorosilic acid. [13685]

Jacqui Smith: Hexaflurosilicic acid (also called hydrofluorosilicic acid) is approved for use in artificial fluoridation schemes under the Water Industry Act 1991 and is subject to compliance with a Code of Practice on the Technical Aspects of the Fluoridation of Water Supplies published by the Department of the Environment, Food and Rural Affairs.

The code covers the design, construction, operation and maintenance of fluoridation plant to ensure that the correct level of fluoride is added and there are fail-safe precautions against overdosing. The code includes a detailed specification for added chemicals with advice to water companies on how to check the purity of the chemicals against the specification.

All substances used in the treatment of water supplies are approved by the Drinking Water Inspectorate, acting on behalf of my right hon. Friend the Secretary of State for DEFRA.

Social Workers (North-East)

Mr. Hepburn: To ask the Secretary of State for Health what action the Government are taking to recruit additional *(a)* psychiatric and *(b)* approved social workers in the north-east. [15024]

Jacqui Smith: On 19 October 2001, my right hon. Friend the Secretary of State for Health announced a £1.5 million recruitment campaign, which is designed to increase the number of people interested in careers in social work and social care work. As well as this action to tackle recruitment problems, the Department is also working with the Local Government Association and the Association of Directors of Social Services to help employers implement policies to improve recruitment and retention of staff.

Children At Risk

Mr. Burstow: To ask the Secretary of State for Health if he will list the reasons that children's names are removed from the at risk register; and if he will make a statement. [16760]

Jacqui Smith: A child's name may be removed from the register if:

> It is judged that the child is no longer at continuing risk of significant harm requiring safeguarding by means of a child protection plan (for example, the risk of harm has been reduced by action taken through the child protection plan; the child and family's circumstances have changed; or re-assessment of the child and family indicates that a child protection plan is not necessary). Under these circumstances, only a child protection review conference can decide that registration is no longer necessary;
>
> The child and family have moved permanently to another local authority area. In such cases, the receiving local authority should convene a child protection conference within 15 days of being notified of the move, only after which event may de-registration take place in respect of the original local authority's child protection register;
>
> The child has reached 18 years of age, has died or has permanently left the United Kingdom.

Mr. Burstow: To ask the Secretary of State for Health what assessment he has made of the reduction in the number of children added to the at risk register between 31 March 2000 and 31 March 2001. [16761]

Jacqui Smith: The number of additions and deletions to child protection registers during the years ending 31 March 2000 and 2001 are given in the table:

Registrations to and de-registrations from child protection registers during the years ending 31 March 2000 and 2001, and children on registers at 31 March of each years

England *Numbers*

	All children[1]	Boys	Girls
On the register at 31 March			
2000	30,300	15,400	14,600
2001	26,800	13,700	12,900
Registrations			
2000	29,300	14,500	13,900
2001	27,000	13,300	12,700
De-registrations			
2000	30,500	15,300	15,100
2001	30,200	15,400	14,700

[1] Includes unborn children

The decrease in the number of registrations during 2000–01 (and the consequent fall in numbers on the registers at 31 March 2001) is largely due to the majority of local councils excluding temporary registrations from their figures (children who are on the register in one authority but located in another and are simultaneously on the register of both councils). The year ending 31 March 2001 was the first year in which the Department of Health has requested that only the council with the original responsibility for the child should include the child in its figures until the receiving council has held a child protection conference to determine whether the child should instead be registered by that council. There has been some element of double counting of these children in previous years.

Bed Blocking

Dr. Fox: To ask the Secretary of State for Health what changes have been made to the calculation of bed blocking since 1997. [15319]

Jacqui Smith: A blocked bed occurs when a patient is ready for transfer from an acute hospital bed but is still occupying that bed. That definition has not altered since 1997. Until recently, published statistics have been based on the number of beds occupied by people aged 75 years or more. Current and future statistics on bed blocking will include all blocked beds.

Cane Hill Secure Unit

Richard Ottaway: To ask the Secretary of State for Health what steps he is taking to improve the security at the disused Medium Secure Unit at Cane Hill, Coulsdon, Croydon; and if he will make a statement. [15494]

Jacqui Smith: As a result of recent incidents on the Cane Hill site a range of additional security measures have been agreed. These include the erection of steel palisade fencing around all redundant buildings and an increased security presence.

Nursing Accommodation

Mr. Burns: To ask the Secretary of State for Health how many people are in hospital in England awaiting nursing accommodation at the latest available time. [15385]

Jacqui Smith *[holding answer 19 November 2001]:* Information on delayed discharges of patients of all ages in England is collected centrally on a quarterly basis. Information on delays of patients awaiting nursing home placements is not separately identified.

In September 2001 the number of all patients whose discharge was delayed due to awaiting nursing and residential placement was 1,442.

LORD CHANCELLOR'S DEPARTMENT

Freedom of Information Act

Matthew Taylor: To ask the Parliamentary Secretary, Lord Chancellor's Department on what date his Department established a working group of officials to prepare his Department for the implementation of the Freedom of Information Act 2000; and on what dates this committee has met since it was set up. [14770]

Mr. Wills: My noble and learned Friend the Lord Chancellor announced on 13 November that the publication scheme provisions of the Freedom of Information Act will be implemented for central Government in November 2002 at the start of a rolling programme across the public sector and that the right of access provisions of the Act will be implemented for all public authorities in January 2005.

No such working group has yet been set up. We have a project plan outlining how FOI will be successfully implemented throughout the Department. We have already appointed an FOI champion at Board level and a full-time implementation project manager. Awareness training has already been held and more is planned. As part of the plan we will be setting up a working group of key officials and a network of staff to consider and advise on implementation issues for the Department.

Asset-freezing Order

Mr. Flight: To ask the Parliamentary Secretary, Lord Chancellor's Department how many requests for legal aid have been received from persons disputing through the courts an asset-freezing order relating to the terrorist activities; and, what assessment she has made of the likely sums involved. [16025]

Ms Rosie Winterton: The Legal Services Commission's Special Cases Unit, which would receive any request for funding in cases involving asset-freezing orders based on allegations of terrorist activities, has no record of receiving any such requests.

Written Answers to Questions

Thursday 22 November 2001

DEFENCE

Overseas Entertainment

Mr. Jenkin: To ask the Secretary of State for Defence what provision has been made for UK forces' overseas entertainment in the current financial year; and if he will give equivalent figures for each of the past five financial years. [16205]

Mr. Ingram *[holding answer 19 November 2001]:* I refer the hon. Member to the answer I gave on 12 November 2001, *Official Report,* columns 525–26W.

"Rapid Effects"

Mr. Swayne: To ask the Secretary of State for Defence if he will place a copy of the Director of Land Warfare's "Rapid Effects" paper in the Library. [15514]

Mr. Ingram *[holding answer 16 November 2001]:* The paper "A Rapid Effect Capability for the Future Army" was produced for internal discussion purposes. It has been used subsequently to inform wider force development work. It has also contributed to other work to determine the optimum balance of future United Kingdom land forces.

A version of the paper, which omits sensitive material, has been prepared and I will arrange for copies to be placed in the Library of the House.

RAF Bases

Mr. Gray: To ask the Secretary of State for Defence how many service personnel are based at *(a)* RAF Lyneham and *(b)* RAF Brize Norton. [17042]

Mr. Ingram: On 1 November there were 2,469 RAF personnel based at RAF Lyneham and 3,113 RAF personnel based at RAF Brize Norton.

RAF Lyneham

Mr. Gray: To ask the Secretary of State for Defence (1) if he will guarantee the long-term future of RAF Lyneham; and if he will make a statement; [17155]

(2) if he will provide an assurance that he has no plans to close RAF Lyneham. [15228]

Mr. Ingram: There are currently no plans to close RAF Lyneham. The hon. Member is aware however that a study has been commissioned as part of the Ministry of Defence's normal planning process, to consider the future roles of RAF Lyneham, RAF Brize Norton and RAF St. Mawgan.

Mr. Gray: To ask the Secretary of State for Defence how many medically downgraded personnel are serving at RAF Lyneham; if they may be deployed in the Falklands; and how that policy of deployment differs from that of the *(a)* Army and *(b)* Royal Navy. [15232]

Mr. Hoon: There are 818 medically downgraded personnel serving at RAF Lyneham. Of these, 238 are fit for detachment to the Falkland Islands. The policy for deployment of service personnel to the Falkland Islands is centrally set by the Surgeon General's Department. It is designed to prevent risk to individuals with pre-existing medical conditions. Royal Naval personnel who are graded fit for service worldwide but subject to a specific medical condition may be deployed to the Falkland Islands if their condition permits. Army personnel must be employable on full combatant duties. RAF personnel must be fit for the full ground duties of their branch or trade, including all general service duties.

Helicopters

Mr. Gray: To ask the Secretary of State for Defence when the Army's Lynx AH7 helicopters will be withdrawn from service. [16555]

Mr. Ingram: Under current plans the majority of the Lynx AH7 fleet will reach the end of their service life towards the end of this decade.

Mr. Gray: To ask the Secretary of State for Defence when the Army's Gazelle helicopters will be withdrawn from service. [16554]

Mr. Ingram: Under current plans the Army's Gazelle fleet will be withdrawn from service towards the end of the next decade.

Mr. Gray: To ask the Secretary of State for Defence what are the oldest airframes of the *(a)* Sea King HC4, *(b)* Sea King HAR3 and *(c)* Puma HC1 operational with Her Majesty's forces. [16552]

Mr. Ingram: The information requested is in the table.

Helicopter	*Serial number*	*Entered service*
Sea King HC Mk4	ZA291	1979
Sea King HAR 3	XZ585	1978
Puma HC 1	XW198 and XW199	1971

Warship Deployment (Caribbean)

Mr. Gray: To ask the Secretary of State for Defence which warships will be in the Caribbean on anti-drugs patrol from mid-November to mid-February. [16549]

Mr. Ingram: Counter-drugs patrols in the Caribbean theatre of operation are undertaken by the RN as one task of the Atlantic Patrol Task (North) duty ship.

As is standard operating procedure, no RN ship will be deployed to the Caribbean between mid-November and mid-February although a ship will be held in the UK on reduced notice to deploy to the Caribbean area of operations. Royal Fleet Auxiliary Gold Rover will, however, remain in the region throughout this period and will provide additional presence and assistance to ships of other nations int he Caribbean involved in the counter-drugs effort.

HMS Cromer

Mr. Gray: To ask the Secretary of State for Defence for what reasons HMS Cromer has been decommissioned; and what plans there are to dispose of her. [16548]

Dr. Moonie: The decision to decommission HMS Cromer on 23 November 2001 was taken as a result of the policy-led Strategic Defence Review. The Review recognised the reduced requirement for mine clearance in home waters and concluded that a balanced force of 22 Sandown and Hunt class minehunters would be sufficient to meet envisaged levels of threat, operational tasking and commitments rather than the 23 previously planned. Plans for her disposal, including alternative Ministry of Defence use or sale, are currently under consideration.

Racial Discrimination

Mr. Vaz: To ask the Secretary of State for Defence how many cases of racial discrimination have been brought against the *(a)* Army, *(b)* RAF and *(c)* Navy in the last 12 months. [17204]

Mr. Ingram: The numbers of formal complaints of racial discrimination from Service personnel in the last 12 months are shown in the table.

Year/Service	*Number of formal complaintsof racial discrimination*
1 November 2000–31 October 2001	
Naval Service	0
Army	10
1 November 2000–30 September 2001	
RAF[1]	3

[1] RAF figure for October is not yet available

Medical Downgrading

Mr. Swayne: To ask the Secretary of State for Defence how many service personnel who have been medically downgraded *(a)* have continued to be and *(b)* have subsequently been employed in operational areas in the last 12 months. [14269]

Dr. Moonie *[holding answer 21 November 2001]:* This information is not held centrally and could be provided only at disproportionate cost.

Mr. Swayne: To ask the Secretary of State for Defence how many service personnel were medically downgraded in each service in each month of the last 12 months. [14268]

Dr. Moonie *[holding answer 21 November 2001]:* The information requested is given in the table for the Army and RAF. The figures requested are not available for naval personnel. As at 20 November 2001, there were 3,678 trained naval personnel in a medically downgraded category.

Date	*Army*[1]	*RAF*[2]
November 2000	9,284	3,772
December 2000	9,369	3,801
January 2001	9,431	3,813
February 2001	9,529	3,907
March 2001	9,595	3,860
April 2001	9,365	3,888
May 2001	9,674	3,893
June 2001	9,675	3,869
July 2001	9,700	3,873
August 2001	9,718	3,871
September 2001	9,788	3,867
October 2001	9,837	3,888

[1] The figures for medically downgraded Army personnel comprise personnel at all levels of medical downgrading below fully fit. Of these, some two thirds are able to be deployed on military operations but not at the front line. The figures comprise trained personnel only.

[2] The figures for medically downgraded RAF personnel comprise personnel who are considered unfit for any type of deployment. The figures comprise trained and untrained personnel.

Hercules Aircraft

Mr. Gray: To ask the Secretary of State for Defence how many air-to-air refuelling probes have been purchased for the C130J; and how many aeroplanes will be operational by 1 January 2002. [15141]

Dr. Moonie: Nineteen air-to-air refuelling probes have been purchased for the C130J fleet. Full operational air-to-air refuelling capability is planned for late 2002. This will be achieved incrementally in accordance with an agreed Flight Clearance programme

Mr. Gray: To ask the Secretary of State for Defence what assessment he has made of the Defensive Aids Suite capabilities on the C130K Hercules aircraft; how it compares with the US equivalent; and what plans he has to install it on the C130J. [15223]

Dr. Moonie: The capability of the C130K Defensive Aids Suite was assessed as part of the installation development and acceptance programme, based on system requirements arising from detailed threat and countermeasure evaluation. The C130K Defensive Aids Suite will not be fitted to the C130J as Lockheed Martin is currently working to finalise an installation concept for a higher performance defensive system.

The capabilities of systems operated on US aircraft are a matter for the US authorities.

Mr. Gray: To ask the Secretary of State for Defence what plans he has to acquire a secure communications system for the C130J. [15224]

Dr. Moonie: The operational advantages of secure communications systems are well recognised and the capability is already fitted to some aircraft and others are due to be fitted. As with any defence equipment capability, decisions have to be made about priorities. A secure communications capability is not currently planned to be fitted to the Hercules C130J aircraft as we have higher operational priorities

Mr. Gray: To ask the Secretary of State for Defence what assessment he has made of *(a)* the fulfilment by Lockheed Martin of the terms and conditions of the contract for the supply of C130J spares and *(b)* the likelihood that the terms of that contract provide sufficient spares support to achieve 80 per cent. serviceability of the aircraft once fully trained crews are available. [15225]

Dr. Moonie: Lockheed Martin is currently meeting the terms and conditions of the contract for the supply of C130J spares.

The generation of serviceable C130J aircraft is not solely dependent on spares supplied by Lockheed Martin but also on the provision of spares from other sources and a number of other factors.

Mr. Gray: To ask the Secretary of State for Defence until what date a Defensive Aid Suite was designated as essential for deployments of Hercules aircraft in the middle east; and for what reason this designation was downgraded to desirable. [15226]

Mr. Ingram: I am withholding details about the defensive measures associated with aircraft deployments in accordance with Exemption 1a of the Code of Practice on Access to Government Information.

Mr. Gray: To ask the Secretary of State for Defence when 16 Air Assault Brigade last exercised with Hercules aircraft; and if he will make a statement. [15230]

Mr. Ingram: 16 Air Assault Brigade last exercised with Hercules aircraft during Exercise Eagles Eye—an aviation battlegroup exercise that took place between 29 October and 9 November 2001. One Hercules aircraft supported the exercise on the morning of Friday 2 November 2001.

Mr. Gray: To ask the Secretary of State for Defence how many *(a)* personnel and *(b)* tonnes of freight have been carried by Hercules aircraft from RAF Lyneham in the last 12 months. [15140]

Mr. Ingram: In the last 12 months Hercules aircraft have carried *(a)* 38,721 personnel and *(b)* 10,144 tonnes of freight to and from RAF Lyneham.

Mr. Gray: To ask the Secretary of State for Defence if he will list the operations upon which Hercules aircraft have been deployed over the last 12 months; and what assessment he has made of the performance of *(a)* the aircraft and *(b)* service personnel of RAF Lyneham. [15139]

Mr. Ingram: The operations upon which Hercules aircraft have been deployed over the last 12 months are: Operation Agricola, Operation Banner, Operation Basilica, Operation Bolton, Operation Deliberate Forge, Operation Palatine, Operation Warden, Operation Engadine, Operation Silkman, Operation Contravene, Operation Resinate North, Operation Resinate South, Falkland Islands, Operation Bessemer and Operation Veritas. Both the Hercules C130J and C130K have consistently met operational requirements. Personnel at RAF Lyneham have continued to perform to the very high standards typical of the armed services.

Mr. Gray: To ask the Secretary of State for Defence what the serviceability in percentage terms is of the RAF fleet of Hercules *(a)* C130Hon. and *(b)* C130J; and if he will make a statement outlining the restricting factors on performance. [15138]

Mr. Ingram: In answering this question it has been assumed that C130H should read C130K.

In performance terms, the operational performance, or operability, of the C130J, when compared to the C130K, is as follows:

Range (without external fuel tanks): 15 per cent. further

Operating ceiling: 20 per cent. higher

Normal speed: 13 per cent. faster

Fuel economy at operating ceiling: 20 per cent. better

Field length at take off: 30 per cent. less required

Field length at landing: 10 per cent. less required

Much reduced running costs.

Although in all other respects the two aircraft have similar levels of performance, there are at present certain temporary limitations on the C130J's operation. These issues are being addressed and operational clearances will proceed incrementally. Full clearance is planned by the end of 2002.

Defence Medical Services

Mr. Swayne: To ask the Secretary of State for Defence how many clinicians have *(a)* joined and *(b)* left the Defence Medical Services in each of the last 10 years. [14304]

Dr. Moonie: The numbers of trained medical and dental officers joining and leaving the Defence Medical Services (DMS) in the last nine financial years are provided in the table. No figures are available before financial year 1992–93. Trained medical officers have completed a medical degree, finished a year as a pre-registered medical practitioner and undertaken their initial officer training.

Trained dental officers have completed a dental degree and their initial officer training. The intake figures include those who have completed their medical or dental training under DMS sponsorship.

	Medical officers			*Dental officers*		
Year	*Intake*	*Trained outflow*	*Net difference*	*Intake*	*Trained outflow*	*Net difference*
2000–01	68	59	9	22	17	5
1999–2000	76	71	5	19	26	–7
1998–99	71	75	–4	30	25	5
1997–98	62	83	–21	16	23	–7
1996–97	86	160	–74	19	39	–20
1995–96	64	170	–106	14	37	–23
1994–95	51	120	–69	13	37	–24
1993–94	35	78	–43	19	34	–15
1992–93	72	80	–8	25	31	–6

Notes:

1. The figures in the table include transfers between the services, re-entrants and transfers from medical specialties to dentistry.
2. It is not possible to identify the exact intake dates of army medical and dental officers. The Army intake figures included in the table have been calculated by taking the difference in strengths at the beginning and the end of the year plus the outflow.
3. The intake figures comprise former medical and dental cadets and, in the RAF, former bursars plus direct entrant qualified doctors and dentists.

Territorial Army

Mr. Swayne: To ask the Secretary of State for Defence if he will make a statement on the changes he is making to the advertising account for the Territorial Army. [R] [17079]

Dr. Moonie: Following a restructuring of the external marketing operations of the Army Training and Recruiting Agency's recruiting division, the decision has been taken to seek a re-tender for the national advertising contract for both the Territorial and the Regular Armies. The requirement will be re-tendered over the next few weeks and it is hoped to identify the successful tenderer in mid-December.

Mr. Swayne: To ask the Secretary of State for Defence, pursuant to his answer of 7 November 2001, *Official Report*, column 250W, on the Territorial Army, if he will make a statement about the reasons for which those members of the Territorial Army unfit for role have been so categorised. [14377]

Dr. Moonie: The Ministry of Defence does not specifically categorise members of the Territorial Army (TA) as unfit for role.

As I explained in my answer to the hon. Member on 7 November 2001, *Official Report*, column 250W, members of the TA are considered fit for role when they have completed two phases of training which will vary in length depending on an individual's role and trade. Given that the fit for role numbers are based on 100 per cent. of deployable establishments, the majority of those who have not yet achieved fit for role status are undergoing their required training.

The Strategic Defence Review concluded that, in the light of the likely warning time for any large deployment, just over half the TA strength should be fit for role at any one time and as I explained in my answer on 26 October 2001, *Official Report*, columns 403–04W, to the hon. Member for Hereford (Mr. Keetch) the TA is very close to meeting that requirement.

Unlike the Regular Army, the TA holds its untrained soldier strength against its deployable establishment and in order to replace the TA wastage of 25–30 per cent. per year, equivalent numbers of personnel must be recruited and trained to the required standard.

Military Exercises

Mr. Gray: To ask the Secretary of State for Defence how many exercises involving tactical air transport have been *(a)* cancelled and *(b)* reduced over the last five years; and if he will make a statement. [15229]

Mr. Ingram: Since 1 April 2000 when records on the cancellation of exercises involving the tactical air transport element began, 10 exercises have been cancelled. Records were not maintained before this date. The cancellation of these exercises has had no impact on our ability to conduct operations. Records of exercise reduction are not maintained.

Mr. Swayne: To ask the Secretary of State for Defence if he will list the military exercises that have been cancelled in the last 24 months together with the reason for cancellation. [14470]

Mr. Ingram: The table covers those exercises from the Ministry of Defence's Defence Exercise Programme (which lists some 350 exercises each year), the exercise programmes of the Front Line Commands, the Permanent Joint HQ and the Defence Logistic Organisation HQ which have been cancelled in the last 24 months. It does not include unit-organised exercises, details of which are not held centrally and which could be provided only at disproportionate cost.

Exercise name (a)	*Dates (b)*	*Location (c)*	*Reason for cancellation (d)*
Tartan Eagle	January–September 2000	UK/USA	Americans reduced annual commitment to one reciprocal exercise a year. Two exercises, one in the UK and one in the USA, were cancelled as a result.
Aswex 00	10–21 January 2000	South western approaches	Lack of funding
Winter Deployment 00	January–March 2000	Norway	Lack of funding
Hairspring 00	March 2000	Norway	Lack of funding
JTFEX 1/00	3–15 April 2000	USA	UK assets withdrawn and re-programmed to another exercise
Dynamic Mix 00	20 May–10 June 2000	Med	Operational commitments (Sierra Leone)
Sharem 133	11–18 June 2000	Med	Operational commitments (Sierra Leone)
Entgrou 2/00	25 September–5 October 2000	France	UK assets withdrawn and re-programmed to another exercise
Unified Spirit 00	5–27 October 2000	USA	Operational commitments (Sierra Leone)
Niriis 00	20–30 November 2000	Greece	UK assets withdrawn and re-programmed to another exercise
Joint Winter 01	5–16 March 2001	Norway	Foot and mouth disease restrictions
Hairspring 01	5–18 March 2001	Norway	Foot and mouth disease restrictions
Tradewinds 01	1 April–31 May 2001	Caribbean	Lack of funding
Rolling Deep 01	8–21 May 2001	UK	Foot and mouth disease restrictions
Dynamic Mix 00	20 May–10 June 2000	Med	Operational commitments (Sierra Leone)
Burmese Chase 01	June–July 2001	USA	RAF Air Transport unavailable due to other operational and exercise tasking
Final Nail	July 2001	UK	Foot and mouth disease restrictions
Joint Spirit	1–30 September 2001	USA	Events of September 11*
Tartan Eagle	September 2001	USA	Operational commitments (Sierra Leone)
Sea Dagger	September 2001	UAE	Events of September 11*
Ursa Minor 01	October 2001	Bulgaria	RAF Air Transport unavailable due to other other operational and exercise tasking

Exercise name *(a)*	*Dates* *(b)*	*Location* *(c)*	*Reason for cancellation* *(d)*
Spirochaete	8–26 October 2001	UK	UK assets withdrawn and re-programmed to another exercise
Highport	10 May 2001	Scotland	Foot and mouth disease restrictions
Lonestar	31 May 2001	Scotland	Foot and mouth disease restrictions
Lion Sun 15/99	October/November 1999	Cyprus	Lack of funding
Ferro Ariete/Iron Ram	November 1999	UK/Italy	Operational commitments (Kosovo)
Cossak Steppe	November 1999	Poland	Operational commitments (Kosovo)
Winged Star	December 1999	UK	Operational commitments (Kosovo)
Gobi Dust	November 1999	USA	Operational commitments (Kosovo)
Druids Dance 8/99	November/December 1999	UK	Operational commitments (Kosovo)
Rhino Charge	6–22 January 2001	Germany	Foot and mouth disease restrictions
Snow Shoe	January–March 2000	Canada	To reduce unit commitment
Thor/Odin	Two 2-week reciprocal exercises March-December 2000	Denmark	Cancelled by Host Nation
Ferro Ariete/Iron Ram	March 2000	UK/Italy	Operational commitments (Kosovo)
Marble Tor 2/00	29 April–13 May 2000	Gibraltar	RAF Air Transport unavailable due to other operational and exercise tasking
Ponte Vehio 00	Two weeks April–November 2000	Italy	Cancelled by Host Nation
Asterix Sapper	Two weeks April–November 2000	France	Cancelled by Host Nation
Gaulish Star 2/00	May 2000	France	Operational commitments (Kosovo)
Pond Jump West 2/00	11 July–23 August 2000	Canada	Operational commitments (Kosovo)
Lion Sun 03/01	4 February–4 March 2001	Cyprus	RAF Air Transport unavailable due to other operational and exercise tasking
Lion Sun 3/01	5 February–5 March 2001	Cyprus	RAF Air Transport unavailable due to other operational and exercise tasking
Ponte Vecchio/Tower Bridge 00	Never confirmed	Italy	Cancelled by host nation
Ponte Vecchio/Tower Bridge 01	Never confirmed	Italy	Cancelled by host nation
Iron Ram/Ferro Arriete 01	Never confirmed	Italy	Cancelled by host nation
Roman Eagle 01	Never confirmed	Italy	Cancelled by host nation
Arrcade Guard	March 2001	GE	Foot and mouth disease restrictions
Adventure Express 01	March 2001	Albania	Cancelled due to concerns over force protection
Swabian Crusade	12–20 March 2001	Germany	Foot and mouth disease restrictions
Premier Link	19 March–1 April 2001	Germany	Foot and mouth disease restrictions
Thor/Odin	Two reciprocal exercises March-December 2001	Denmark	UK assets withdrawn and re-programmed to another exercise
Arrcade Guard 01	18–30 March 2001	Germany	Foot and mouth disease restrictions
Artful Image	12–16 March 2001	Germany	Foot and mouth disease restrictions
Gobidust/Steerspike	n/a	USA	Cancelled by host nation
Pacific Kukuri 1/01	2 April–7 May 2001	Hawaii	Cancelled by host nation
Cobb Ring	1–23 April 2001	USA	RAF Air Transport unavailable due to other operational and exercise tasking
Cygnet Vine	April/May 2001	Cyprus	RAF Air Transport unavailable due to other operational and exercise tasking
Medicine Man 1	22 April–16 May 2001	Canada	Operational commitments (Bosnia)
Rhino Charge	April 2001	Germany	Foot and mouth disease restrictions
Ardent Ground 01	15 April–18 May 2001	Poland	Cancelled by host nation
Druids Dance 3/01	14 May–3 June 2001	UK	Foot and mouth disease restrictions
Active Improvement	7–18	Germany	Foot and mouth disease restrictions
Cygnet Virgin	May/June 2001	British Virgin Islands	RAF Air Transport unavailable due to other operational and exercise tasking
Gaulish 3	21 May–3 June 2001	France	Foot and mouth disease restrictions
Asterix 3	21 May–3 June 2001	France	Foot and mouth disease restrictions
Pondjump West 1/01	30 May–11 July 2001	Canada	Operational commitments (Kosovo)
Gloworm/Rattlesnake	9–23 June 2001	USA	Foot and mouth disease restrictions
Mulberry Tree/Prickly Pear	2–15 June 2001	USA	Foot and mouth disease restrictions
Orient Express 1/02	30 June–13 July 2001	Belgium	Foot and mouth disease restrictions
Paper Chase	19–30 July 2001	Germany	Cancelled by host nation
Rhino Spear 01	1–15 July 2001	Germany	Foot and mouth disease restrictions
Orient Express 2/02	14–28 July 2001	Belgium	Foot and mouth disease restrictions
Lion Sun 10/01	23 July–20 August 2001	Cyprus	Operational commitments (Bosnia)
Asterix 4	July 2001	France	Cancelled by host nation
Lion Sun 12/01	20 August–17 September 2001	Cyprus	Operational commitments (Bosnia)
Wet Gap	1–15 October 2001	Germany	Foot and mouth disease restrictions
Britannia Way/Iberian Focus 01	15–26 October 2001	Spain	Cancelled by host nation
Hard Flint	13 May–8 June 2000	Canada	Operational commitments (Sierra Leone)
Collective Training 00	27 September–5 October 2000	UK	National fuel crisis-uncertainty of impact on fuel reserves prevented deploying forces to exercise area

Exercise name (a)	*Dates (b)*	*Location (c)*	*Reason for cancellation (d)*
Snow Falcon	25 September–6 October 2000	Norway	Operational commitments (Sierra Leone)
Jagged Corse	16–27 October 2000	Corsica	Operational commitments (Sierra Leone)
Sqn Bilat 5/00	30 October–3 November 2000	Slovakia	Operational commitments (Sierra Leone)
Ample Train	March 2001	Europe	RAF Air Transport unavailable due to other operational and exercise tasking
Collective Training 01	12–24 May 2001	UK	Foot and mouth disease restrictions
Chef de Mission	24 September–5 October 2001	France	Operational commitments (Veritas)

Combat Effectiveness

Mr. Swayne: To ask the Secretary of State for Defence what physical tests were included in the combat effectiveness gender study; and if he will publish the *(a)* male and *(b)* female failure rates. [14471]

Mr. Hoon: I refer the hon. Member to the answer I gave him on 1 November 2001, *Official Report,* column 767W.

Somme Battlefields

Mr. Boswell: To ask the Secretary of State for Defence what information he has collated on proposals to exhume British and Commonwealth war dead and clear cemeteries in the Somme battlefields in connection with major construction proposals. [16819]

Dr. Moonie: The Commonwealth War Graves Commission is responsible for the care and maintenance of the graves of all British and Commonwealth war dead who fell in the two World Wars and the memorials to those who have no known grave. Neither the Ministry of Defence nor the Commission have received proposals about major construction projects on the Somme which could require the exhumation and relocation of war graves.

Air-to-Air Refuelling

Mr. Gray: To ask the Secretary of State for Defence what plans he has to bring in air-to-air fuel replenishment for special forces helicopters. [15231]

Mr. Ingram: The hon. Member will be aware that it is our long-standing policy not to comment on matters relating to the operational capability of the UK special forces. I am therefore withholding this information under Exemption 1 of the Code of Practice on Access to Government Information, which covers information whose disclosure would be harmful to national security, defence or international relations.

Tactical Air Transport

Mr. Gray: To ask the Secretary of State for Defence what is the annual allocation of hours for tactical air transport training; and what is the actual number of hours training achieved in the last 12 months. [15227]

Mr. Ingram: From 1 November 2000 to 31 October 2001, 3,827 hours were allocated for tactical air transport training. Of these, 2,910, or 76 per cent. were achieved. This type of training is very dependent on weather conditions. Restrictions imposed by foot and mouth disease and additional operational tasking also contributed to the shortfall in training hours. Despite, this, crews have met their Basic Training Requirements.

Absence

Mr. Swayne: To ask the Secretary of State for Defence how many service personnel have been absent without leave in each of the last 10 years, broken down by service. [14376]

Mr. Ingram: The numbers of service personnel recorded as being absent without leave, by individual service, during each of the last 10 years up to 31 December 2000, are shown in the table.

Service year	*Royal Navy*	*Royal Marines*	*Army*[1]	*Royal Air Force*	*Total*
1991	74	16	2,228	125	2,443
1992	75	23	2,093	95	2,286
1993	53	15	1,776	72	1,916
1994	57	25	1,548	35	1,665
1995	37	12	1,211	36	1,296
1996	45	10	1,189	36	1,280
1997	32	10	1,181	23	1,246
1998	29	6	1,385	26	1,446
1999	34	9	1,537	34	1,614
2000	57	[2]10	1,917	27	2,011

[1] Army personnel can be formally reported as absent without leave immediately, the Royal Navy and RAF only initiate formal reporting procedures after the seventh day of absence

[2] Figure includes two Army personnel serving with the Royal Marines

Reservists

Mr. Swayne: To ask the Secretary of State for Defence if he will publish the most recent figures, by service, for those reservists on full-time reserve service. [14469]

Dr. Moonie: The most recent figures, by service, for those reservists on full-time reserve service as at 1 October are:

Naval service (inc. RM): 619

Army: 812

RAF: 284.

These figures are contained in Tri-Service Publication 2 (Tri-Service Personnel Strengths and Trained Requirements), a copy of which is in the Library of the House. The publication can also be viewed on the internet at www.dasa.mod.uk.

C-17s

Mr. Gray: To ask the Secretary of State for Defence what recent discussions he has had about the effectiveness of the C-17; whether he has considered buying the four C-17s which are leased; what plans he has to expand 99 Squadron, using further C-17s; and if he will make a statement. [16262]

Dr. Moonie: The C-17s, which achieved their in-service date three months ahead of schedule, have fully met our expectations and performed well in Operation Essential Harvest and Exercise Saif Sareea 2. We have no current plans to purchase the leased C-17 aircraft or to expand 99 Squadron using further C-17s. The current arrangements meet the Short Term Strategic Airlift requirement and are expected to continue until the A400M enters service.

F35

Mr. Gray: To ask the Secretary of State for Defence what plans he has to sponsor trials of the F35 in connection with developing UK requirements; what trials of the aircraft will take place in the UK; and if he will make a statement. [16558]

Dr. Moonie: In order to avoid unnecessary duplication and cost, a dingle integrated Future Joint Combat Aircraft/F35 test programme with our US partner is being considered. Under this strategy, the work would be undertaken primarily in the US. UK Test and Evaluation personnel from the Ministry of Defence and QinetiQ would be integrated into the joint test activities.

Examination of test programme options reflects best practice under Smart Acquisition in delivering defence programmes to performance, time and cost.

In any event, the Joint Strike Fighter prime contractor will be required to demonstrate that the aircraft is compatible with UK aircraft carriers and support infrastructure. This may involve UK based trials.

Afghanistan

Mr. Drew: To ask the Secretary of State for Defence if he will list the countries, and the number of troops they have promised, as part of their commitment to the international coalition's actions in Afghanistan. [15823]

Mr. Hoon *[holding answer 20 November 2001]*: The following countries have promised military assets as part of their commitment to the international coalition against terrorism: Australia, Belgium, Canada, Czech Republic, Denmark, France, Germany, Italy, Japan, Jordan, Republic of Korea, New Zealand, Netherlands, Norway, Romania, Singapore, Spain, Sweden and Turkey.

The Ministry of Defence does not hold records of the number of personnel that each country has offered.

SS Somali

Mr. Beith: To ask the Secretary of State for Defence if diving operations have been *(a)* carried out and *(b)* authorised by the Ministry on the wreck of the SS Somali since 1971; and if he will give details of the purpose and results of any such operation. [16860]

Dr. Moonie: The SS Somali was a British merchant ship and as such is not the responsibility of the Ministry of Defence. Responsibility for merchant vessels lies with the Department for Transport, Local Government and the Regions.

MOD Police

Mr. Kidney: To ask the Secretary of State for Defence what statutory powers govern the operation of the Ministry of Defence Police Service's Police Committee. [16830]

Dr. Moonie: The Ministry of Defence Police Act 1987 provides the statutory basis for the Ministry of Defence Police Committee.

Mr. Swayne: To ask the Secretary of State for Defence what plans he has to ensure that the MOD police receive training in dealing with members of the public. [17077]

Dr. Moonie: The Ministry of Defence police undertake the same basic recruitment and continuation training as their Home Department police colleagues.

Mr. Swayne: To ask the Secretary of State for Defence what is *(a)* the establishment and *(b)* the current strength of the MOD police. [17080]

Dr. Moonie: On 31 October 2001 the total authorised complement of the Ministry of Defence police was 3,437 and the strength 3,354, including 63 officers currently serving overseas.

Mr. Swayne: To ask the Secretary of State for Defence what mechanisms exist for measuring the efficiency and performance of the MOD police. [17078]

Dr. Moonie: The Ministry of Defence police (MDP) is subject to efficiency and performance targets set by MOD. As with all next steps agencies, the MDP are set annual key targets which are published in the House of Commons *Official Report*. The chief constable's accounts are audited by the National Audit Office and published in his annual report which is laid before Parliament. Her Majesty's Inspectorate of Constabulary undertakes periodic inspections of the MDP. The MOD Police Committee, during its quarterly meetings, review aspects of MDP performance.

NATO

Angus Robertson: To ask the Secretary of State for Defence how much the UK pays to NATO as its share of NATO's overall costs, broken down into budget headings. [16778]

Mr. Hoon: In financial year 2000–01, the Ministry of Defence contributed £42.915 million (net of receipts) to the capital costs covered by the NATO Security Investment Programme. It also contributed £58.301 million to the Military Budget which funds NATO's military command structure and its associated programmes. Finally, £15.600 million (£15.404 million from the Foreign and Commonwealth Office and £0.196 million from the Ministry of Defence) was paid to NATO's Civil Budget which funds NATO's Headquarters and associated programmes.

Osama bin Laden

Dr. Julian Lewis: To ask the Secretary of State for Defence if he will make a statement on the recent discovery of notes for the design of nuclear weapons in houses captured from al-Qaeda in Kabul. [16422]

Mr. Bradshaw: I have been asked to reply.

There is no evidence of a specific nuclear threat. We know that Osama bin Laden has sought to acquire weapons of mass destruction, but we do not believe that he has the capability to deliver them. We have no doubt that Osama bin Laden would have no moral compunction about using weapons of mass destruction, including nuclear weapons, if he could.

TRANSPORT, LOCAL GOVERNMENT AND THE REGIONS

Train Operating Companies

Chris Grayling: To ask the Secretary of State for Transport, Local Government and the Regions what representations have been received from train operating companies about the conditions imposed by rolling stock manufacturers on holders of short-term franchises. [12741]

Mr. Jamieson: I am aware that representations have been made by one train operator for which a franchise extension is being considered. The Strategic Rail Authority is not aware that any proposal to enter into a lease has been refused. In the event of such difficulty, the Authority has powers available to assist with procurement arrangements.

Rail Freight

Chris Grayling: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 1 November 2001, *Official Report*, column 782W, on rail freight, if the Draft Directions and Guidance to the Strategic Rail Authority specifically mention the 50 per cent. target for freight. [14679]

Mr. Jamieson: No, because the target is 80 per cent.

London Underground

Tom Brake: To ask the Secretary of State for Transport, Local Government and the Regions which members of the London Transport or London Underground boards have at any time within the period since 1990 *(a)* served on the board of, *(b)* been employed by and *(c)* had a material connection to any of the companies which make up the consortiums which have been accorded preferred bidder status for the Public-Private Partnership for London Underground. [14591]

Mr. Jamieson *[holding answer 13 November 2001]:* Balfour Beatty is a member of the Metronet consortium, which has preferred bidder status for the Bakerloo, Central and Victoria lines infrastructure contract (BCV) and the sub-surface lines infrastructure contract (SSL). Sir Malcolm Bates served on the board of BICC plc (as a non-executive director) from 8 July 1997 to 31 January 1999, at which time Balfour Beatty was a wholly owned subsidiary of BICC plc. At no time did Sir Malcolm have a material connection with Balfour Beatty. Sir Malcolm resigned his appointment as a non-executive director of BICC plc immediately prior to accepting the office of Chairman of London Transport which he took up on 11 February 1999.

Ms Bridget Prentice: To ask the Secretary of State for Transport, Local Government and the Regions how many escalators on the London Underground system are out of service; where they are located; and for how long they have been non-operational. [15568]

Mr. Jamieson: This is an operational matter for London Underground, who have provided the table. They point out that escalators out of service include those subject to planned replacement or refurbishment programmes, and that the table represents a snapshot in time, reflecting the situation on 15 November 2001. The escalator situation can change rapidly.

Escalators out of service at 15 November 2001

Station	*Escalator reference number*	*Date taken out of service*
Manor House	2	6 April 2001
Embankment	7	21 May 2001
Charing Cross	11	26 May 2001
Bond Street	4	28 May 2001
Marble Arch	3	3 June 2001
Euston	2	2 July 2001
Rotherhithe	1	12 July 2001
Heathrow 1, 2, 3	6	19 August 2001
Notting Hill Gate	1	30 August 2001
Holborn	6	10 September 2001
Liverpool Street	8 and 9	3 October 2001
Kilburn Park	1	7 October 2001
Heathrow 1, 2, 3	5	9 October 2001
Bank	2	15 October 2001
Kings Cross	5	27 October 2001
Kings Cross	4	29 October 2001
Bethnal Green	3	6 November 2001
Clapham South	3	9 November 2001
Holborn	5	14 November 2001
Earl's Court	1 and 2	23 November 2001
Tottenham Court Road	4	16 December 2001

Standards Board for England

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions if he will place in the Library copies of all guidance so far issued by the Standards Board for England. [14544]

Mr. Byers *[holding answer 13 November 2001]:* The Standards Board has published the following guidance:

Guide to Part III of the Local Government Act 2000: Local Authorities;

Guide to Part III of the Local Government Act 2000: Police, Fire, National Parks and other authorities;

Guide to Part III of the Local Government Act 2000: Parish and Town councils.

I have placed copies of these documents in the Library.

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions if he will publish the criteria by which he selected people to be appointed members of the Standards Board for England. [14551]

Mr. Byers *[holding answer 13 November 2001]:* The Board members were appointed by Ministers of the then Department of Environment, Transport and the Regions on the 7 February 2001, 22 March 2001 and on the 3 May 2001. I refer the hon. Member to the answers given by my hon. Friend the then Under-Secretary of State on 7 February 2001, *Official Report*, column 535W; on

22 March 2001, *Official Report,* column 292W; and the answer given on 3 May 2001, *Official Report,* column 753W.

The published criteria were:

commitment to the value of local democracy;

unimpeachable integrity

significant achievement in any field;

tact and discretion;

the ability to act as a team member;

proven strategic and communication skills commensurate with the board of a national body.

candidates must not be holders of national elected office.

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions what *(a)* remuneration and *(b)* superannuation is paid to board members of the Standards Board for England. [14552]

Mr. Byers: I refer the hon. Member to the answers given by the then Under-Secretary of State on 22 March 2001, *Official Report,* column 292W and on 3 May 2001, *Official Report,* column 753W.

The Chair is paid £50,000 a year for working two and a half days per week. The Deputy Chair is paid £7,500 a year for working two days a month. The Members of the Board are paid £6,800 a year for working two days a month.

None of the posts is pensionable.

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions what was the cost of the establishment of the Standards Board for England; and what is its continuing operating cost. [14553]

Mr. Byers *[holding answer 13 November 2001]:* My Department spent £111,234 on recruitment exercises for the board members and chief executive. Preparatory work for the establishment of the Standards Board for England was also carried out by officials in my Department.

Since the establishment of the Board in March 2001, it has been paid a further £935,384 in grant-in-aid to fund its establishment and running costs.

The allocation made for the Standards Board for England for this year in the Department's request for resources was £7.5 million.

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions if he will publish the Code of Conduct signed by the board members of the Standards Board for England, giving the dates on which each board member signed it. [14548]

Mr. Byers *[holding answer 13 November 2001]:* I have today placed in the Library, the Code of Conduct adopted by the Members of the Standards Board for England. This code was adopted by all board members on 8 August 2001. It is based on the draft Model Code of Conduct for Councillors, adapted to reflect the differing nature of the Board and the local authorities for which the model code was designed.

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions who are the board members of the Standards Board for England; and what are their relevant *(a)* experience and *(b)* qualifications. [14549]

Mr. Byers *[holding answer 13 November 2001]:* I refer the hon. Member to the answers given by the then Under-Secretary of State on 22 March 2001, *Official Report,* column 292W and on 3 May 2001, *Official Report,* column 753W.

Tony Holland, a solicitor, was Principal Ombudsman to the Personal Investment Authority Ombudsman Bureau Ltd., 1997-2000. In 2000 he was appointed to the Criminal Injuries Compensation Appeals Panel and made Chairman of the Northern Ireland Parades Commission.

Patricia Hughes was Chief Executive of the London borough of Sutton from 1990 until February 2001. From 1987 to 1990 she was deputy Chief Executive and Borough Solicitor to the London borough of Islington.

Alan Doig is Professor of Fraud Management at Teeside Business School. He is author of numerous publications on ethics, conflict of interest, fraud and corruption. He works with a number of bodies involved with ethics and public office both in the UK and overseas, including the Council on Europe.

John Bowers QC is a barrister specialising in employment law, human rights and pensions. He is author of books on whistleblowing, human rights and employment law.

Margaret Pratt is a management consultant in local and central Government and district, metropolitan and county councils. A past president of the Chartered Institute of Public Finance and Accountancy (CIPFA), she sits on the Audit Committee of University College, Northampton.

Roger Taylor is a solicitor and was Chief Executive of Manchester City council from 1984 to 1988 and Chief Executive of Birmingham City council from 1988 to 1994. He is currently Managing Director of JSSPinnacle Consulting, a Government Research, PFS/PPP and non-health consultancy.

Paul Sabapathy OBE is Pro Chancellor and Deputy Chairman of University of Central England. A past President of Walsall Chamber of Industry and Commerce, he has served on the boards of both the Black County Development Corporation and Birmingham Heartlands Development Corporation.

Celia Cameron CBE is leader of Norfolk county council and has been Leader of the Labour Group on Norfolk county council since 1990. Since November 1999 she has been Chair of the county council's Cabinet and the Executive, Services Development and Investment Committees.

Peter Chalke CBE is Leader of Wiltshire county council. He has been a county councillor since 1982 and Leader of the Conservative Group on Wiltshire county council since 1986. He is also Deputy Leader of the LGA Conservative Group and the LGA Conservative Education Spokesman.

Rail Services (Scotland)

John Barrett: To ask the Secretary of State for Transport, Local Government and the Regions how many railway stations were opened in Scotland in each year between 1992 and 1999. [15875]

Mr. Jamieson: The new stations opened in Scotland between 1992 and 1999 include those shown in the table.

Year	*Station*
1999	Drumfrochar
1998	Dalgety Bay
1994	Prestwick International
1994	Camelon
1994	Sanquhar
1994	Wallyford
1993	Maryhill
1993	Summerston
1993	Lambhill
1993	Possilpark and Parkhouse
1993	Ashfield
1993	Kirkwood
1993	Baillieston
1993	Mount Vernon
1993	Carmyle
1992	Whifflet
1992	Glenrothes with Thornton
1992	Bentley

Route Management Strategies

Mr. Don Foster: To ask the Secretary of State for Transport, Local Government and the Regions if he will list *(a)* route management strategies under way and *(b)* those which are planned to commence. [15730]

Mr. Jamieson: The following route management strategies are under way:

A1 (London to Peterborough)
A1 (Peterborough to Blyth)
A168/A19 (A1 Dishforth to Gateshead)
A35/A31/A30 (Southampton to Exeter)
A417/A419 (Swindon to Gloucester)
A421/A428 (M1 to Cambridge)
A49 (A40 to A5)
A64 (A1 to Scarborough)
A69 (Newcastle to Carlisle)
M180/A180/A160 (M18 to Grimsby)
M20/M26/A20 (London to Dover)
M4 (J1–15) (London to Swindon)
M5 (J21–31) (Weston to Exeter excluding Junction 21)
M53/A55/A483 (Birkenhead to Welsh Border)
M55 (Blackpool to M6)
M6 (Junction 20–44)/A74 (Warrington to Scottish Border)
M6/A45 and M45/A46/A5 (M1 to Birmingham Corridor)
M62/A63/A1033 (Liverpool-Hull).

The following route management strategies have yet to commence:

A1 (Blyth to South of Gateshead (A194M))
A11 (M11 to Norwich)
A120 (Bishops Stortford to A12)
A13 (London to Tilbury)
A19/A194M (South of Gateshead to North of Newcastle)
A2/M2 (London to Dover)
A21 (London to Hastings)
A249 (M2 to Sheppey)
A27/A259/M27(J4–12) (Southampton to Folkestone)
A3/A3M (London to Portsmouth)
A30 (Penzance to Exeter)
A303/A30 (M3 to Honiton)
A34 (M3 Junction 9 to M40 Junction 9)
A38 (Exeter to Bodmin)
A404/A404(M) (Windsor to Beaconsfield)
A43/A45 (Bicester to Thrapston)
A46 (M5 Junction 9 to A45 at Coventry)
A46 (Leicester to Lincoln)
A47/A12 (Peterborough to Lowestoft)
A5 (Dunstable to M1 Junction 18)
A50/A500 (Nottingham to Stoke)
A52/A453 (Derby to A1)
A590 (Barrow to M6)
A66/A174/A595 (Middlesbrough to West Cumbria)
M1/M10 (London to M6)
M1 Junctions 19–30
M1 Junctions 30–42
M1-A1 Link
M11 (London to Cambridge)
M18 (M1 to M62)
M23/A23 (London to Brighton)
M25 London Orbital North
M25 London Orbital South
M3(J1–13)/M27(J4–1)/M271 London to Southampton
M4/M32/M48/M49 (Swindon to South Wales)
M40 (London to Birmingham)
M42/M5/M6 Birmingham Box (including M6 to Junction 10a)
M5 Junctions 4a-15 (Birmingham to Bristol excluding Junction 15)
M5 Junctions 15–21 (Bristol–Weston including Junctions 15 and 21)
M50/A40 (M5 to Welsh Border)
M54/A5/A483/A458/A449/A5 (M6 to Welsh Border)
M56/A5117/A550 (Manchester to Welsh Border)
M57/M58/A5036 (M6 to Liverpool to M62)
M6 Junctions 10a–20
M60/M502/A663/A627(M) Manchester Ring Road
M61 (M6 to Manchester)
M65/A56/M66 (M6 to Burnley to M62)
M67/A628/A616 (Manchester to M1)
M69 and M42/A42 (Birmingham–Nottingham) and A38 (Birmingham–M1).

The Highways Agency intends to have a route management strategy in place by March 2004 for each of the routes comprising the core trunk road network. The agency is currently revising the timing and boundaries of individual route management strategies yet to commence, to ensure that they dovetail with the multi-modal and roads-based studies.

Roads (Surrey)

Chris Grayling: To ask the Secretary of State for Transport, Local Government and the Regions how much his Department has spent on roads in Surrey in each of the past seven years. [16174]

Mr. Jamieson: The provision made for capital expenditure on local major road schemes and maintenance of local roads and bridges in Surrey in the period 1995–96 to 2001–02 is set out in the table:

Type of road spend

£ million

Year	*Capital maintenance of roads and bridges*	*Major road schemes*[1]	*Totals*
1995–96	7.619	17.164	24.783
1996–97	4.114	9.680	13.794
1997–98	4.580	3.500	8.080
1998–99	4.400	0.800	5.200
1999–2000	5.742	1.500	7.242
2000–01	6.972	0	6.972
2001–02	11.763	0	11.763

[1] Individual schemes with a gross cost in excess of £2 million (£5 million since 2000–01)

The revenue funding provided for structural and routine maintenance of non-principal roads and routine maintenance of principal roads in Surrey in that period is set out in the table.

Structural and routine maintenance

Year	*£ million*
1995–96	42.07
1996–97	41.11
1997–98	39.93
1998–99	40.76
1999–2000	41.67
2000–01	43.33
2001–02	44.56

Surrey county council may also have chosen to make additional amounts of capital and revenue available for expenditure on roads and road related schemes. Information on expenditure on the trunk road network is not readily available and could be provided only at disproportionate cost.

Urban Bus Challenge

Dr. Kumar: To ask the Secretary of State for Transport, Local Government and the Regions when he will announce the criteria and timetable for the Urban Bus Challenge; and if he will make a statement. [16050]

Ms Keeble: The first Urban Bus Challenge competition was held earlier this year. Criteria were sent to local authorities in June with a closing date for bids of 31 August. The criteria are available on my Department's website. The outcome of the competition was announced on 2 November 2001, *Official Report*, columns 921–22W. It is envisaged that the timetable for next year's Urban Bus Challenge competition will be similar.

GNER

Miss McIntosh: To ask the Secretary of State for Transport, Local Government and the Regions for what reason he rejected the advice of the SRA to grant a 20 year franchise to GNER. [R] [16032]

Mr. Jamieson: The SRA may only award a franchise to a person who has submitted a tender in response to an invitation to tender under section 26 of the Railways Act 1993 unless the Secretary of State otherwise directs. Such a direction is required if the SRA plans to replace a franchise before its expiry.

When considering whether to grant a direction, the Secretary of State has to decide whether the benefits offered outweigh the desirability of a franchise being subject to the tendering process under sections 26 to 26C.

The Secretary of State did not give a direction in relation to the Inter City East Coast franchise. He noted that better terms were more likely to be achieved nearer the expiry of the current franchise when the infrastructure upgrade for the East Coast Main Line would be better defined.

Railtrack

Mr. Pickles: To ask the Secretary of State for Transport, Local Government and the Regions what is the *(a)* procedure and *(b)* timetable for consideration of the bids for Railtrack; and what is the cut-off date for bids to be considered. [15802]

Mr. Spellar: These are matters for the Administrator to determine.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions what financial guarantees the Administrator of Railtrack plc has sought from the Government concerning new investment projects. [16366]

Mr. Spellar: The Government's Loan Agreement with the Administrator, copies of which have been placed in the House Library, means that Government will provide sufficient funding to continue on a 'business as usual' basis—including investment expenditure decisions—during the administration period.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on *(a)* voluntary and *(b)* compulsory redundancies planned by Railtrack in administration. [16361]

Mr. S[illegible]r: There are no plans for redundancies as a result of Administration.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions how much of the financial guarantee to Railtrack in administration represents cash spent; and how much remains as a facility to draw down. [16379]

Mr. Spellar: The £800 million loan instalment has been fully drawn down. It represents part of the loan agreement entered into with the Administrator—copies of which have been placed in the House Library—in order to enable Railtrack plc (in administration) to continue trading and to repay financial creditors as they become due. The loan is to be repaid either as or before Railtrack plc moves out of administration.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the investment projects over £5 million in value awaiting decision by the administrator of Railtrack plc. [16357]

Mr. Spellar: All planned investment projects by Railtrack were outlined in its Network Management Statement published in May 2001. Government have committed to provide the Administrator with access to sufficient funding to continue on a 'business as usual' basis—including investment expenditure decisions—during the administration period.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions how many separate rail investment projects are awaiting decision by the administrator of Railtrack; and what their combined value is. [16358]

Mr. Spellar: All planned investment projects by Railtrack were outlined in its Network Management Statement published in May 2001.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions which *(a)* creditors and *(b)* contractors of Railtrack plc have approached the Government for (i) letters of comfort and (ii) guidance concerning payments for work done for Railtrack. [16367]

Mr. Spellar: No. For the Government's intentions with regard to creditors I refer the right hon. Member to the reply given to him by my right hon. Friend, the Secretary of State, on 31 October 2001, *Official Report,* column 671W.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions what his estimate is of the time Railtrack plc will stay in administration. [16380]

Mr. Spellar: This is a matter for the Administrator.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions which investment projects have been approved by the administrator since taking over Railtrack plc. [16365]

Mr. Spellar: This is a matter for the Administrator. Government have committed to provide the Administrator with access to sufficient funding to continue on a 'business as usual' basis—including investment expenditure decisions—during the administration period.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions when bids will close for the *(a)* assets and *(b)* liabilities of Railtrack plc in administration. [16370]

Mr. Spellar: This is a matter for the Administrator.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions what action he has taken with respect to the plan to cut costs at Railtrack plc drawn up by the board before the company was put into administration. [16371]

Mr. Spellar: The running of the company during administration is a matter for the Administrator.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions what the forecast is of the investment expenditure of Railtrack in administration and its successor for *(a)* the period from being placed in administration to 31 March 2002 and *(b)* the 2002–03 financial year. [16362]

Mr. Spellar: While Railtrack plc is in railway administration, the day-to-day expenditure decisions are a matter for the Administrator. The Government's Loan Agreement with the Administrator, copies of which have been placed in the House Library, means that Government will provide sufficient funding to continue on a 'business as usual' basis during the administration period. Investment decisions in future years will be a matter for the successor company to Railtrack plc.

Railways (Consultants)

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the external *(a)* consultants and *(b)* advisers which the Government have used in the last year on railway matters. [16374]

Mr. Spellar: My Department has, over the last year, used the following consultants and advisers on national railway matters:

AEA Technology Rail
Allen and Overy
AON
Arthur Andersen
Booz Allen and Hamilton
Clifford Chance
CMS Cameron McKenna
Deloitte and Touche
Ernst and Young
Eversheds
KPMG
MDS Transmodal
Mercers Management Consulting
Mott Parsons Gibb
NERA
Oscar Faber
Peter Davidson Consultancy
PricewaterhouseCoopers
Saunders and Dolleymore
Saxton Bampfylde Hever
Schroder Salomon Smith Barney
SEMA Group UK
United Kingdom Accreditation Service.

Aviation Industry

Mr. Pickles: To ask the Secretary of State for Transport, Local Government and the Regions what discussions he has had since 11 September with the European Commission on state aid to airlines to compensate for *(a)* the four day closure of United States' air space and *(b)* insurance cover premiums. [15805]

Mr. Jamieson: The European Commission set out guidelines on emergency aid measures in its Communication on the repercussions of the terrorist attacks in the United States on the air transport industry, which was endorsed by the EU Transport Council on 16 October. The Government are considering whether to provide compensation to UK airlines for the four days closure of US airspace, and will notify the Commission if any such aid is forthcoming. In relation to insurance premiums, we have informed the Commission of the arrangements made to provide temporary third party war risk insurance cover for UK airlines and ground service providers. We introduced our scheme on 24 September, for 30 days in the first instance. On 22 October HM Treasury announced that the scheme would continue for a further 30 days until midnight on 24 November. A further announcement will be made shortly on the future operation of the scheme. We are also participating in the Commission's Ad Hoc Insurance Group that has been established to discuss a common approach to resolving the present difficulties in the light of the Council Conclusions on state aid agreed on 16 October.

Evergreen Hedges

Mr. Chope: To ask the Secretary of State for Transport, Local Government and the Regions (1) what action the Government proposes to take in response to the final report of the Building Research Establishment and Tree Advice Trust on evergreen hedges; and if he will make a statement; [16413]

(2) if he will place in the Library a copy of the final report of the Building Research Establishment and Tree Advice Trust about evergreen hedges. [16414]

Ms Keeble: The Building Research Establishment (BRE) and Tree Advice Trust were commissioned by my Department to develop an objective method for assessing whether high evergreen hedges block too much daylight and sunlight to adjoining properties, and to provide guidance on hedge heights to alleviate these problems.

We expect to publish the final report of their work shortly and will ensure that copies are then placed in the Libraries of both Houses.

We will also be considering what is the best way of presenting this information to the public, so that people are encouraged to apply the formula to their problem hedge and to use the results to try to settle matters with their neighbours amicably.

Health and Safety Laboratory

Mr. Borrow: To ask the Secretary of State for Transport, Local Government and the Regions when the Health and Safety Laboratory intends to publish its annual report and accounts for 2000–01. [17389]

Dr. Whitehead: The Health and Safety Laboratory has published the 2000–01 annual report and accounts, and copies have been placed in the Libraries of the House.

Birmingham Northern Relief Road

Michael Fabricant: To ask the Secretary of State for Transport, Local Government and the Regions when the Birmingham Northern Relief Road will be opened to the public; and what toll charges will be made for its use. [16823]

Mr. Jamieson: The Birmingham Northern Relief Road is expected to be open to traffic in January 2004. The level of tolls to be charged for the use of the road is a matter for the concessionaire, Midland Expressway Ltd. I understand that they have yet to decide on the toll levels but expect to do so closer to the opening date.

Local and Regional Airports (Security)

Dr. Kumar: To ask the Secretary of State for Transport, Local Government and the Regions what additional security measures have been *(a)* implemented at and *(b)* recommended to local and regional airports since 11 September. [17126]

Mr. Jamieson: My Department lays down the security requirements for the operators of public transport aircraft, both passenger-carrying and all-cargo, and the managers of the aerodromes they operate from. Following the attacks of September 11 these requirements have increased and their scope extended to general aviation. To divulge details of them would undermine their effectiveness. DTLR inspectors monitor compliance.

Dibden Bay

Dr. Julian Lewis: To ask the Secretary of State for Transport, Local Government and the Regions how many representations have been made to his Department *(a)* in favour of and *(b)* in opposition to the building of a container port at Dibden Bay. [R] [17097]

Mr. Jamieson: In response to the advertisements placed by Associated British Ports Ltd. in respect of their proposal, the Secretary of State received 175 representations in favour of the proposal and 6,189 opposed.

Dr. Julian Lewis: To ask the Secretary of State for Transport, Local Government and the Regions what action his Department intends to take in respect of the petition to Parliament from residents of the New Forest, East constituency concerning the Dibden Bay Public Inquiry venue. [R] [17098]

Mr. Jamieson: We will respond to the petition in due course.

Dr. Julian Lewis: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the proposal to hold the public inquiry into the application for permission to build a container port at Dibden Bay *(a)* in premises owned by the applicant company and *(b)* outside the area which would primarily be affected by the building of such a port. [R] [17095]

Mr. Jamieson: In the circumstances following the withdrawal of the original venue for the inquiry we considered all the representations made to us about a new venue and accepted the offer from Associated British Ports of the use of the Ferry Terminal Building at Southampton Port. Alternative venues considered were either unsuitable for staging an inquiry of the size and length that the Dibden inquiry is likely to be or would result in too long a delay in getting an inquiry under way.

We have recognised the concerns of local residents about the choice of venue and have asked the inquiry Secretariat to hold the first week's session in Hythe and to arrange for some further sessions to be held in the local area provided suitable locations can be found.

Dr. Julian Lewis: To ask the Secretary of State for Transport, Local Government and the Regions if he will require the public inquiry into the application for permission to build a container port at Dibden Bay to be held on premises within the area which would primarily be affected by the building of such a port. [R] [17096]

Mr. Jamieson: The Dibden Bay public inquiry will be held at the Ferry Terminal at Southampton Port. The first week's proceedings will be held at the Appledore Centre, Hythe and the inquiry Secretariat have been asked to arrange some other sessions at venues in the local area, provided suitable venues can be found.

Gas Explosion (Newton Heath)

Mr. Lloyd: To ask the Secretary of State for Transport, Local Government and the Regions what representations he has received on the promptness of the response of the Health and Safety Executive following the gas explosion in Newton Heath, Manchester on Saturday 17 November; and if he will make a statement. [17148]

Dr. Whitehead: None.

TRADE AND INDUSTRY

Consignia

Geraldine Smith: To ask the Secretary of State for Trade and Industry what percentage of Consignia's profits will be paid to the Government this financial year. [13732]

Mr. Alexander: No decision has been taken.

Nuclear Industry

Llew Smith: To ask the Secretary of State for Trade and Industry how much BNFL paid the UK Atomic Energy Authority Constabulary for the police it provided to protect the MOX fuel exported to Japan. [15852]

Mr. Wilson: The costs of security arrangements associated with transporting MOX, including the costs associated with the role of the UK Atomic Energy Authority Constabulary, are a commercial matter for the companies involved.

Hartlepool Nuclear Power Station

Dr. Kumar: To ask the Secretary of State for Trade and Industry what steps she has taken since 11 September to guard against a terrorist attack on the Hartlepool AGR nuclear power station; and if she will make a statement. [16186]

Mr. Wilson: Robust security arrangements were already in place at Hartlepool power station before the events of 11 September. The UK's civil nuclear sites apply stringent security measures regulated by the Office for Civil Nuclear Security (OCNS), the security regulator. The security regulator works closely with the Health and Safety Executive, the safety regulator, which provides advice on the safety implications of events, including external hazards such as plane crashes, at nuclear installations.

Security and safety precautions at nuclear sites are kept under regular review. Both regulators are reviewing all relevant precautions in the light of the recent terrorist attacks in the USA. It is not Government policy to disclose details of security measures taken at civil nuclear sites.

Miners' Compensation

Adam Price: To ask the Secretary of State for Trade and Industry what is the total amount of interest paid to sick miners and their dependants who have experienced delays in the payments of the amounts awarded them under the terms of the respiratory disease scheme; and whether the *(a)* Department and *(b)* the appointed claims handlers will be responsible for these interest payments. [16660]

Mr. Wilson: Under the claims handling agreement, signed by the Department and the solicitors acting for the claimants, interest on general damages is payable by the Department from the date of the receipt of the letter of claim. On special damages, interest is payable from either the date the loss occurred, or in some cases the date of receipt of the letter of claim. Loss of earnings are calculated at the appropriate court rate, and other heads of special damages are calculated at a reduced rate, reflecting the fact that they are assessed at present day values. Since interest runs to the date an offer is accepted and forms part of the offer, a separate figure is not recorded by the claims handlers.

Mr. Heath: To ask the Secretary of State for Trade and Industry how many former miners from the north Somerset coalfield have *(a)* applied for and *(b)* received compensation awards. [16321]

Mr. Wilson: In relation to respiratory disease, in the constituency of Somerton and Frome, IRISC, the Department's claims handlers, have registered 25 claims. Nine individual payments have been made to date, amounting to £33,139.

With regard to vibration white finger, there are two claimants in this region, of whom one has received a payment of £3,113.

Miners' Pension Schemes

Adam Price: To ask the Secretary of State for Trade and Industry what percentage increases have been awarded annually to pensioner beneficiaries under the *(a)* mineworkers' pension scheme and *(b)* British Coal staff superannuation scheme; and what has been their total value annually at constant prices. [16662]

Mr. Wilson: Since 1994 MPS and BCSSS members have received around a 30 per cent. increase by way of valuation surplus bonuses. This is made up of:

MPS: 20 per cent. from 1997 and approximately 9 per cent. from 2000

BCSSS: 6.7 per cent. from 1996, 10.8 per cent. from 1998, and 11 per cent. this year.

Payments of bonus increases to pensioners have been provided by the trustees and are as follows (excludes the 11 per cent. BCSSS increase for which figures are not yet available).

£ million

Year	*MPS*[1]	*BCSSS*[2]
1997–97	23	29
1997–98	69	29
1998–99	76	66
1999–2000	82	78
2000–01	119	76
Total	369	278

[1] Year to end September

[2] Year to end March

In addition to these bonuses, MPS and BCSSS members have also received annual inflation-linked increases to maintain the real level of their pension.

	Percentage	
Year	*MPS*	*BCSSS*
1995	3.5	2.6
1996	2.1	3.1
1997	2.9	2.7
1998	3.7	3.7
1999	1.3	3.0
2000	3.3	1.4
2001	1.9	3.2

Fuel Cells

Mr. Sayeed: To ask the Secretary of State for Trade and Industry what incentives the Government are providing for the expansion of energy generation from fuel cells; and if she will make a statement. [16741]

Mr. Wilson: The Department has been supporting fuel cells research and development for many years, through the DTI Sustainable Energy Programme and the Engineering and Physical Science Research Council. Since 1992 the DTI has supported 147 fuel cell projects with a total DTI spend of £11.8 million. The current DTI Programme is spending about £2 million per annum, with the Engineering and Physical Sciences Research Council (EPSRC) spending about the same on basic research related to fuel cells.

The DTI is currently supporting the first UK demonstration of a 200 kW fuel cell combined heat and power unit at Woking borough council. Although there are a number of different fuel cell technologies, significant cost reductions will be necessary before they will be fully commercial for electricity generation.

Mr. Sayeed: To ask the Secretary of State for Trade and Industry what targets she has set for the use of fuel cells. [16742]

Mr. Wilson: Fuel cells are not yet fully commercial for electricity generation, and I have not yet set any targets for their use. The Energy Review presently being conducted by the Performance and Innovation Unit is considering the role of new technologies including fuel cells, in conjunction with other energy matters, as part of its review of strategic issues surrounding energy policy. It is due to report to my right hon. Friend the Prime Minister by the end of the year.

Fuel cells may also be used to replace or supplement the internal combustion engine in vehicles. The Government will shortly be issuing a consultation draft of their "Powering Future Vehicles" strategy for promoting the development, introduction and take-up of hybrid, fuel cell and other low-carbon vehicle technologies.

Renewable Energy

Mr. Sayeed: To ask the Secretary of State for Trade and Industry what assessment she has made of the effectiveness of the NETA in assisting the suppliers of renewable energy; and if she will make a statement. [16725]

Mr. Wilson: On 1 November 2001, I issued a consultation document in response to Ofgem's reports "The New Electricity Trading Arrangements—Review of the First Three Months" and "Report to the DTI on the Review of the Initial Impact of NETA on Smaller Generators" of 31 August 2001. I have placed copies of the consultation document in the Libraries of the Houses.

The Government recognise the issues faced by smaller generators, including renewables, under NETA and are committed to ensuring that our renewables targets are not prejudiced. The Government's key proposals are, broadly,

To ensure imbalance prices are genuinely cost reflective; and

To ensure that effective consolidation services emerge.

The Government are also inviting views on other proposals put forward by industry.

The Government believe that in some circumstances consolidation services are vital in order to establish and foster smaller generation plant, including assisting suppliers of renewable energy. While consolidation services are now starting to emerge in the market, the Government believe action may be necessary to address the lack of consolidation services to date. The Government have proposed establishing a working group of smaller generators, the National Grid Company, BSC (Balancing and Settlement Code) participants, Ofgem, the DTI and DEFRA to look urgently at possible structural or regulatory obstacles to consolidation, including the likely timescale on which competitive consolidation services will emerge. The Government will ask this group to provide an interim report by 24 December 2001, and a final report by 31 January 2001.

The consultation document is available at www.dti.gov.uk/consultations/. The consultation closes on 1 December 2001.

Departmental Review

Mr. Lammy: To ask the Secretary of State for Trade and Industry what progress has been made on the review of her Department. [17451]

Ms Hewitt: I am announcing today a series of reforms to the structure and operation of my Department to improve the way it serves business, employees and consumers. The DTI has a vital part to play in helping to drive up UK competitiveness and productivity (including resource as well as labour productivity) and I want it to fulfil that role as effectively as possible.

The changes will clarify my Department's role and strategy to focus sharply on customer needs. They will also simplify the support the Department provides for business and make that support easier to identify and to access. The Department's strategic priorities—reflected in its new structure—will be to promote innovation, spur enterprise and build competitive frameworks, including support for workplace standards and partnership.

The changes will also include the creation of a new strategy board and other boards involving Ministers, senior officials and non-executive directors; significantly greater involvement of business-people and others in the Department's strategy development and greater interchange between the Department and the private and social enterprise sectors. We will maintain an emphasis on better regulation, particularly for small businesses; deliver more consistent, streamlined advice for consumers; and have clearer roles for the Department's work in the English regions.

NORTHERN IRELAND

Plastic Baton Round

Mr. McNamara: To ask the Secretary of State for Northern Ireland what progress has been made in phase II of the research programme to find alternatives to the plastic baton round; what the estimated cost is of phase II; if he will place its findings in the Library; and at what stage he intends to open out to competitive tender or introduce an independent element into the research programme. [7112]

Jane Kennedy: Phase II of the research programme has now been completed and I will shortly place a copy of the Steering Group's report in the Library of the House. The report will outline our priorities for further research. To date costings for the research programme are approaching £1 million. Arrangements will be made to ensure close liaison between the Policing Board and the Steering Group leading the research programme.

Abortion

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland (1) how many organisations made submissions to the Northern Ireland Human Rights Commission calling for the right to access to abortion to be included in a Bill of Rights; and what assessment he has made of how many people each of those organisations represent; [11987]

(2) how many individuals made submissions to the Northern Ireland Human Rights Commission calling for the right to access to abortion to be included in a Bill of Rights; [11988]

(3) how many organisations made submissions to the Northern Ireland Human Rights Commission calling for the protection of the right to life for the unborn child to be included in a Bill of Rights; and what assessment he has made of how many people each of these organisations represents; [11989]

(4) how many individuals made submissions to the Northern Ireland Human Rights Commission calling for the protection of the right to life for the unborn to be included in a Bill of Rights. [11990]

Mr. Browne: These are matters for the Northern Ireland Human Rights Commission. The Chief Commissioner has been asked to write to the hon. Member. A copy of his letter will be placed in the Library.

Northern Ireland Human Rights Commission

Phil Sawford: To ask the Secretary of State for Northern Ireland when he will announce the new appointments to the Northern Ireland Human Rights Commission; and when he will announce whether or not the existing commissioners are to be re-appointed. [17453]

Mr. Browne: The Secretary of State announced today the appointment of four new Commissioners following an open competition:

Lady (Christine) Eames;
Dr Christopher McGimpsey;
Mr. Kevin McLaughlin; and
Mr. Patrick Yu.

The new Commissioners will take up their appointments on 1 December.

The Secretary of State also confirmed the reappointment of eight of the existing Commissioners, including the Commission's chair, Professor Brice Dickson. The remaining member of the existing Commission, Professor Christine Bell, is currently on maternity leave. A decision on her position has, at her request, been deferred until after she returns to work.

Departmental Events

David Maclean: To ask the Secretary of State for Northern Ireland what *(a)* national and *(b)* international awareness events his Department has participated in since June 1997 in the form of (i) sponsorship, (ii) departmental attendance, (iii) similar departmental activities and (iv) a message of support. [5038]

Dr. John Reid: This information is not collected centrally and could be provided only at disproportionate cost.

CULTURE, MEDIA AND SPORT

Heritage Lottery Fund

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport how many churches in the Buckingham constituency have *(a)* applied for and *(b)* received awards from the Heritage Lottery Fund in each year since the National Lottery began. [16165]

Dr. Howells: Five churches in the Buckingham constituency have sought funding from the Heritage Lottery Fund since the National Lottery began.

In 1995 three churches applied and one—All Saints, Middle Claydon—was awarded a grant for bell repairs. One church applied in each of the years 1997 and 1998 but in both cases the application was unsuccessful. No subsequent application has been made. Since 1999 the Heritage Lottery Fund's published policy for the Joint Places of Worship scheme has been to give priority to economically and socially disadvantaged areas.

Ageism

Ms Atherton: To ask the Secretary of State for Culture, Media and Sport what action her Department has taken to tackle discrimination against older people. [16329]

Dr. Howells: The Department for Culture, Media and Sport's equal opportunities policy proscribes discrimination based on age as well as that based on gender, marital status, race, colour, nationality, ethnic origin, religion, disability or sexual orientation. A number of DCMS policies are specifically aimed at ensuring older people enjoy equality of access to the nation's cultural and sporting heritage. These include an entitlement to a free television licence for everyone over the age of 75; significantly higher statutory targets for subtitling provision on digital terrestrial commercial television; the training of around 8,000 older people to be coaches, administrators, officials, leaders and mentors to youngsters through the Volunteering in Sport project; the People's Network Initiative, linking all public libraries to the internet and, as part of the UK Online programme, increasing the use of information and communication technology leisure and lifelong learning by elderly people. In addition, DCMS is represented on the Inter-Ministerial Group on Older People, which is designed to develop a joined-up approach to older people's issues and co-ordinate Government policy for older people.

English Tourism Council

Mr. Flook: To ask the Secretary of State for Culture, Media and Sport how much the English Tourism Council spent on marketing when it harmonised the grading standards in 1999. [16383]

Dr. Howells: The budget for marketing and promotion of the new quality assurance scheme in the financial year 1999–2000 was £250,000 and this was spent on a variety of activities, including: media and industry launches, promotion to the industry at travel fairs and via videos and presentations, mailings to the travel trade, distribution of consumer leaflets and promotion to the media via fact packs.

The Government remain firmly committed to the voluntary scheme and have encouraged the ETC to identify some funds for consumer promotion. This is now likely to take place next financial year, when the ETC's baseline budget will have been increased by 20 per cent. and taking measures to improve quality in the tourism industry is one of its core priorities.

Film Council

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport when the Film Council will be made subject to the *(a)* rules and *(b)* methods of accountability of the civil service. [16647]

Dr. Howells: The Film Council is already a non-departmental public body, accountable to Parliament and my Department. The Chief Executive of the Film Council is appointed as accounting officer by my Department's Permanent Secretary, and acts in accordance with Treasury requirements to ensure propriety and high standards of financial management. The Chair and Board appointments are made by my right hon. Friend the Secretary of State for Culture, Media and Sport. The Department's relationship with the Film Council is governed by a financial memorandum which allows the National Audit Office to inspect the Film Council's accounts, and a funding agreement which identifies what the Council must deliver in return for the funding it receives. Expenditure of lottery money is subject to policy and financial directions issued by my Department.

Press Complaints Commission

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport what plans she has to assess the operation of the Press Complaints Commission. [17202]

Dr. Howells: The Government support an effective system of self-regulation for the newspaper industry, with a Code of Practice overseen by the Press Complaints Commission (PCC). We recognise that, as with any regulatory system, there is always room for improvement. My Department, therefore, continues to monitor the effectiveness of the industry's self-regulatory system, both in terms of the provisions contained in the Code of Practice and the PCC's operations, and my ministerial colleagues and I have no hesitation in suggesting improvements to the industry, as and when appropriate.

Television Licences (Residential Homes)

Mr. Dawson: To ask the Secretary of State for Culture, Media and Sport when she intends to amend the regulations governing the Accommodation for Residential Care Concessionary Television Licence Scheme to preserve the rights of beneficiaries of the concessionary scheme who remain in a sheltered housing complex or residential home provided or managed by a local authority, a housing association or a development corporation when the social mix or the level of warden cover change. [16875]

Dr. Howells: Consultations between officials and the BBC about the necessary amendments to the television licence fee regulations are currently under way. We intend to bring forward these amendments as soon as we can but it is important that in doing so we do not create any new anomalies or unnecessary administrative burdens.

Sports Administration

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport what the objectives are of *(a)* the regional Sport England bodies and *(b)* the regional New Opportunities Fund for Sport bodies; and if she will make a statement. [16870]

Mr. Caborn: The role of Sport England's nine regional offices is to deliver, in partnership with a range of statutory, voluntary and commercial agencies concerned with sport and recreation, Sport England's national programmes for the development and promotion of sport.

The New Opportunities Fund is the body designated in the National Lottery Act 1998 to distribute Lottery funds to initiatives concerned with health, education and the environment. The role of the New Opportunities Fund's regional representatives is to help deliver the overall objectives of the fund. The vision for the new opportunities for PE and the sport in schools programme is laid out in the fund's recently published document "Building for Tomorrow".

PUBLIC ACCOUNTS COMMISSION

National Audit Office

Mr. Todd: To ask the Chairman of the Public Accounts Commission what resources of the NAO are directed to the follow-up of qualifications to *(a)* agency and *(b)* departmental accounts; and if he will make a statement. [15246]

Mr. Alan Williams: It is the responsibility of the management of the Department or agency whose accounts have been qualified to take the necessary corrective action. The NAO will provide appropriate advice and assistance to support the body in this regard. The nature of the support and the resources directed will depend on the underlying reason for qualification in each case. For example, the Comptroller and Auditor General qualified his audit opinion on the Child Support Agency's Client Funds Account for 2000–01 for the seventh consecutive year in the light of high error rates in maintenance assessments made by the agency. The National Audit Office plans to spend some £120,000 on its audit of the 2001–02 account. The examination will check a sample of maintenance assessments to estimate the effect of any errors on outstanding maintenance balances.

The National Audit Office will also monitor the agency's progress towards its target of implementing the new assessment system from April 2002. This system of child support was introduced by legislation in 2000 and is aimed at simplifying the rules for maintenance assessments. This is closely linked with modernisation of the Agency's operational processes and the introduction of a new computer system. This is intended to promote increased accuracy in maintenance awards and improved payment compliance. In evaluating progress the National Audit Office will assess the evidence from its own audit work, and a range of other sources including reviews by the internal audit service of the Department for Work and Pensions. The Comptroller and Auditor General will report his findings with the 2001–02 account.

FOREIGN AND COMMONWEALTH AFFAIRS

FCO Advice

Mr. Keetch: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will introduce legislation to ensure that British companies seeking to send workers abroad inform employees of relevant Foreign and Commonwealth Office advice; and if he will make a statement. [16962]

Mr. Bradshaw: Foreign and Commonwealth Office travel advice is already widely accessible to employers as well as the general public by telephone (020 7008 0232/0233) and the FCO website www.fco.gov.uk.

Employment legislation is a matter for the Department of Trade and Industry.

Northern Cyprus

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Turkish Government regarding recent statements by the Turkish Prime Minister, and the Foreign Minister, relating to the occupied area of northern Cyprus and EU admission. [15331]

Peter Hain: The suggestion that Turkey might "annex" north Cyprus, in the event of Cyprus joining the EU before a settlement, is not new. While it is difficult to predict what Turkey might do if a divided island were to join the EU, we believe that the "annexation" of northern Cyprus would severely compromise Turkey's relations with the EU, and contravene her obligations under the Treaty of Guarantee. However, our aim continues to be a settlement before Cyprus joins the EU, though we stand by the Helsinki Council Conclusions that it is not a precondition for enlargement. To that end we urge all concerned to engage constructively in the current UN process.

Treaty of Nice

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs how many letters he has received from residents of the Buckingham constituency *(a)* supporting and *(b)* opposing the Treaty of Nice. [16167]

Peter Hain: Since January we have received and replied to 3,000 letters on the European Union. The letters have addressed a wide range of different themes related to the EU.

It is not possible to provide a breakdown by constituency without incurring disproportionate cost. We do not keep records of letters from members of the public by constituency.

Entry Clearance

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what the backlog of cases is for each group in *(a)* Islamabad, *(b)* Karachi, *(c)* Lahore, *(d)* Bombay, *(e)* New Delhi, *(f)* Colombo, and *(g)* Dhaka. [16044]

Mr. Bradshaw: The statistics requested are as follows. The number of cases awaiting interview at the end of October is:

Post/settlement queue	*Application number in queue*	*Length of queue (weeks)*
Bombay		
Q1	0	0
Q2	477	7
Q3	108	7
Q4	29	7
Colombo[1]	129	13
Dhaka		
Q1	533	14
Q2	3,339	14
Q3	44	16
Q4	784	39
New Delhi		
Q1	41	0
Q2	41	11
Q3	152	14
Q4	69	14

[1] The visa sections in Lahore, Karachi and Colombo have a standard single queue for all settlement applications.

The three visa issuing posts in Pakistan remain open but are offering a restricted service at present. Islamabad and Karachi continue to accept applications for settlement.

Post	*Non-settlement number in queue*	*Applications length of queue (days)*
Bombay	16	0
Colombo	0	3
Dhaka	869	15
Islamabad	0	0
Karachi	0	0
Lahore	0	0
New Delhi	0	0

Poland

Ms Walley: To ask the Secretary of State for Foreign and Commonwealth Affairs what action the Government have taken to facilitate the entry of Poland into the European Union; and if he will make a statement. [15718]

Peter Hain: As the Prime Minister said in Warsaw in October last year,

> "there are no guaranteed places. Reform is the only entry ticket. But, we want Poland, and as many others as are ready, in the EU as soon as possible".

This support is backed by practical assistance, through a bilateral Action Plan (consisting of projects to help Poland's reform: available on www.britishembassy.pl), and eight British civil servants currently seconded to the Polish government through the EU twinning scheme. We have also discussed with Polish ministers and officials progress on closing the chapters of the acquis communitaire, necessary for accession.

Ms Walley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the parliamentary election in Poland on 23 September. [15719]

Peter Hain: The Polish elections resulted in a governing coalition comprising the Democratic Left (SLD), Labour Union and Peasants' Party. We look forward to working closely with the new government. My right hon. Friends the Prime Minister and Foreign Secretary have already met their new opposite numbers from Poland, and I will be meeting the new Europe Minister in the next few days.

Subcontinent

Mr. Alan Duncan: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans there are for a future meeting between the Indian Prime Minister and the Pakistani President as a follow up to their meeting in Agra earlier this year. [16564]

Mr. Bradshaw: During the Agra Summit, Prime Minister Vajpayee accepted President Musharraf's invitation to visit Pakistan. We understand that dates have not yet been arranged. However we hope that a further meeting will take place soon.

Mr. Alan Duncan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the content of his discussions on *(a)* nuclear safety, *(b)* stability in Kashmir and *(c)* the future make-up of a Government for Afghanistan during his meeting with (i) the Indian Prime Minister and (ii) the Pakistani President. [16565]

Mr. Bradshaw: The Secretary of State for Foreign and Commonwealth Affairs has held several meetings recently with Indian and Pakistani interlocutors. The contents of these discussions are confidential under Exemption 1c of the Code of Practice on Access to Government Information. We continue to work with both the Indian and Pakistan Governments on a range of regional and global issues.

Afghanistan

David Hamilton: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans there are to extend the military action in Afghanistan to other countries. [16665]

Mr. Bradshaw: Our military action is focused on the al-Qaeda network and the Taliban regime in Afghanistan.

Al-Qaeda

Dr. Julian Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the role of states other than Afghanistan in having assisted Osama bin Laden and al-Qaeda; and if he will list those states. [16421]

Mr. Bradshaw: The Government are not speculating about the involvement of anyone other than UBL and al-Qaeda in the 11 September attacks. Al-Qaeda is a network of individuals and resources concerned with terrorism and operating covertly in many countries in Central, South and South-East Asia, the Middle East, North Africa, Europe and North America. There is no evidence that any states beyond Afghanistan are supporting the terrorist activities of al-Qaeda.

EU Constitution

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Government are opposed in principle to an EU constitution; and if he will make a statement. [16407]

Mr. Bradshaw: I refer the hon. Member to the answer I gave to the hon. Member for Isle of Wight (Mr. Turner) on 15 October 2001, *Official Report*, column 976W.

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had about the inclusion of a possible EU constitution in the forthcoming Laeken declaration on the future of Europe. [16408]

Peter Hain: It was agreed at Nice that there should be a wide and deep debate on the future of Europe before the next IGC in 2004. The Laeken European Council in December will decide on how to take that debate forward.

Departmental Staff

Mr. Andrew Turner: To ask the Secretary of State for Foreign and Commonwealth Affairs how many employees of *(a)* his Department and *(b)* agencies sponsored by his Department work in (i) London, (ii) areas benefiting from EU objective 1 status, (iii) areas with objective 2 status, and (iv) other areas. [16107]

Mr. Bradshaw *[holding answer 19 November 2001]:* The Foreign and Commonwealth Office (FCO) and its agency (Wiston House, Wilton park, Steyning, West Sussex), employs staff in four separate locations. The number of staff in each are as follows, listed in the four categories requested:

	Number
(i) London	2,231
(ii) EU objective 1 status	0
(iii) EU objective 2 status	0
(iv) Other	
Milton Keynes	716
Croydon	136
West Sussex	61

Chechnya Murders

Mr. Keetch: To ask the Secretary of State for Foreign and Commonwealth Affairs what evidence he has received about the involvement of Osama bin Laden in the deaths of three UK citizens in Chechnya in 1998; and if he will make a statement. [16963]

Mr. Bradshaw: We first became aware of the allegation that bin Laden/the Taleban ordered the deaths of the four men last year, when it appeared in an official Russian publication called "Chechnya: The White Paper". A similar article appeared in the Russian newspaper "Gazeta" on 24 October 2001. To date, we have been unable to verify the story, although we have been in contact with the Russian authorities and the author of the "Gazeta" article.

Mr. Keetch: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will ask the Commissioner of Police of the Metropolis to reopen his inquiries concerning the deaths of three UK citizens in Chechnya in 1998; and if he will make a statement. [16964]

Mr. Bradshaw: The British police have no general remit to conduct a criminal investigation into the murder of British nationals overseas. This is a matter for the local law enforcement agencies. We will continue to press the Russian authorities for details of the progress of their investigation.

The Metropolitan Police Service did carry out certain inquiries in support of the Coroner's Inquest into the men's deaths. But their role was limited to providing enough information to the coroner so that he could reach a verdict as to the cause of death and judge whether it was lawful or otherwise.

Mr. Keetch: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps his Department took to ensure that Foreign and Commonwealth Office advice given to Granger Telecom and BT in 1998 on travel to Chechnya was passed onto three UK citizens in Chechnya; and if he will make a statement. [16965]

Mr. Bradshaw: The FCO cannot interfere in a company's personnel operations, but we do expect UK employers to take the FCO travel advice into account when planning to send their employees overseas. FCO travel advice was first drawn to the attention of Granger Telecom in July 1998, when we first learned of their activities in Chechnya. Our advice was clear and unambiguous:

> "We strongly advise against travel to the Chechen Republic . . . because of the unstable security situation. Visitors have been kidnapped in these areas recently".

We wrote to Granger Telecom in mid-August 1998 pointing out the dangers of working in Chechnya and handed over a copy of the travel advice during a meeting with them at the FCO on 21 August. We also reminded Granger of our travel advice by phone on 22 and 23 September 1998.

Zimbabwe

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made on Zimbabwean farmers and President Mugabe's decree amending the Land Acquisition Act. [16815]

Mr. Bradshaw: We continue to urge the Zimbabwean Government to honour its commitments, under the Abuja Agreement of 6 September, to implement a land reform programme in a fair, just and sustainable manner in the interest of all the people of Zimbabwe. We hope that the Government will engage constructively with the UNDP in pursuing such a programme, on the basis of the UNDP proposals of December 2000.

Extradition

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those countries which have made extradition requests to the UK in respect of their nationals who are alleged members of Islamic groups who are living here. [11183]

Mr. Bob Ainsworth: I have been asked to reply.

There are currently nine requests outstanding for the extradition of fugitives accused of involvement in Islamic terrorist activity. Six of those requests had been received before the events of 11 September. The requesting jurisdictions in these cases are as follows:

Requesting jurisdiction	*Number of requests*
United States of America	5
France	2
Italy	1
Algeria	1

Save in relation to the request from Algeria, none of the other fugitives involved is a national of those countries. All of them are in extradition custody.

SCOTLAND

Island Transport

Mr. Andrew Turner: To ask the Secretary of State for Scotland how much was expended by the Government in the last three years prior to the introduction of devolution for Scotland on the maintenance of transport links between the Scottish mainland and her offshore islands. [7197]

Mrs. Liddell *[holding answer 15 October 2001]:* Relevant information held by the Scottish Executive is in the table. Elements of this programme expenditure relate to services of benefit to remote mainland areas. It is not practical to disaggregate the recorded expenditure in order to provide figures for support to services linking the islands and the mainland. Footnotes have been provided to give guidance on the figures supplied for each programme.

£ million

Programme	*1996–97*	*1997–98*	*1998–99*
P&O Ferries/Tariff Rebate Subside[1]	8.674	11.533	14.289
Piers and Harbours Grants[2]	2.901	1.434	1.613
Caledonian MacBrayne Ferries[3]	13.646	20.178	23.450
Lifeline Air Services[4]	0.210	0.346	0.365
Highlands and Islands Airports Limited[5]	7.180	7.000	6.179
Skye Bridge[6]	0.096	0.284	0.732

[1] Spending subsidies scheduled passenger and accompanied car services to Orkney and Shetland. Tariff Rebate Subsidy is paid to eligible shipping operators carrying specified goods. The scheme aims to reduce the cost of imports and exports in the island and seaboard areas of the Highlands and Islands.

[2] Grant payments to local authorities, CalMac and Independent Harbour Trusts schemes to support the development and upgrading of piers and harbours.

[3] Deficit grant, capital grants, loans and repayments to CalMac to maintain affordable sea links to the island communities, to protect fares and levels of service.

[4] Subsidy scheme supports and safeguards lifeline passenger air services between Glasgow and Campbeltown, Tiree and Barra.

[5] Deficit grant, capital grant, loans and repayments to HIAL to deliver safe, affordable, efficient and cost-effective airport services at HIAL's 10 airports across the Highlands and Islands.

[6] Payments under PFI contract agreement with Skye Bridge Limited, and associated costs. Figures include payments following introduction of frequent user toll discount scheme from January 1998.

Skye Bridge

Mr. Weir: To ask the Secretary of State for Scotland (1) if she will publish the full details of the agreement between the Government and the Bank of America in relation to the Skye bridge; [6645]

(2) if the figure quoted in the assignation statement in relation to the A87 Toll Order for the construction of the Skye bridge was index-linked; and if the full cost of the Skye bridge has been met. [6622]

Mrs. Liddell: Issues related to the Skye bridge project are a devolved matter for the Scottish Executive.

Fair Trade

Mr. Weir: To ask the Secretary of State for Scotland what her Department's policy is in relation to departmental spending for supplies concerning the purchase of fair trade goods. [15213]

Mrs. Liddell *[holding answer 16 November 2001]:* My Department takes opportunities to promote fair trade products but has very limited requirements for goods which are subject to fair trade schemes. Departmental procurement seeks best value for money, in the interest of the taxpayer.

London Allowances

Pete Wishart: To ask the Secretary of State for Scotland if she will estimate the total value of London weightings and London living allowances for her Department; and if she will make a statement. [6806]

Mrs. Liddell: Staff of my Department in London, below senior civil service level, receive a London pay supplement. The value of the supplements at 1 April 2001 was £65,000.

Departmental Staff

Pete Wishart: To ask the Secretary of State for Scotland if she will estimate total staff costs for her Department and its agencies by nation and region of the UK; and if she will make a statement. [6805]

Mrs. Liddell: The total civil service staff costs for my Department in the current financial year are estimated to be £2.1 million in Scotland and £1.1 million in London.

Pete Wishart: To ask the Secretary of State for Scotland how many and what proportion of each civil service grade in her Department is located in each region and nation of the UK, what the average salary is for each grade; and if she will make a statement. [6808]

Mrs. Liddell: A breakdown of Scotland Office staff numbers by grade and location, at 1 April 2000, is shown in the tables together with the average salary for each grade.

Number of staff by grade level and region

Full-time equivalent

	Government Office Region		
Level	*London*	*Scotland*	*Total*
SCS	4	5	9
G6/7	5	17	22
SEO/HEO	6	7	13
EO	4	1	5
AO-AA	19	14	33
Others	1	3	4
Total	39	47	86

Percentage of staff by grade level and region

Level	*London*	*Scotland*	*Total*
SCS	4.7	5.8	10.5
G6/7	5.8	19.8	25.6
SEO/HEO	7.0	8.1	15.1
EO	4.7	1.2	5.8
AO-AA	22.1	16.3	38.4
Others grades	1.2	3.5	4.7
Total	45	55	100

£

Grade level	*Average salary*
SCS	65,459
G6/7	35,133
SEO/HEO	22,440
EO	20,319
AO-AA	15,719
Others	29,761

Fuel Prices (Rural Scotland)

Pete Wishart: To ask the Secretary of State for Scotland what assessment she has made of the impact of the level of fuel prices on the economy of rural Scotland. [7066]

Mrs. Liddell: In November 2000, the Scotland Office published a survey, commissioned from independent consultants, of the cost of motoring in Scotland as compared with other parts of Europe. The survey looked at the total cost of motoring in 15 European countries. It concluded that the overall cost of motoring in rural Scotland is similar to the UK's average, and significantly less than some of our European neighbours. Fuel costs have declined since then.

Pete Wishart: To ask the Secretary of State for Scotland when she last discussed with the Chancellor of the Exchequer the impact of fuel taxes on the economy of rural Scotland. [7065]

Mrs. Liddell: I have regular discussions with my right hon. Friend the Chancellor of the Exchequer on a wide range of issues, including the state of the Scottish economy.

The Chancellor, in his Budget of 2001, announced a package of measures to encourage cleaner transport, including reductions to the main road fuels. The Budget also included the abolition of VED on agricultural vehicles. The package will benefit up to 20,000 agricultural businesses in Scotland and, taken together, represents the equivalent of a 4p per litre cut in fuel duty to motorists and a 7p per litre duty cut to hauliers.

These changes have brought significant benefit to the people of Scotland, which I am sure have been especially welcome to rural communities.

Scotland Week

Mr. Lazarowicz: To ask the Secretary of State for Scotland which organisations she met during her participation in Scotland Week in Brussels. [16560]

Mrs. Liddell: I took part in two Scotland Week events during my visit to Brussels in October, a fashion show at HM Ambassador's residence to promote Harris Tweed, and a seminar on the Future of Europe. At the Harris Tweed promotion event I spoke to a large gathering of people, and met representatives of the following organisations who each contributed towards sponsoring the event: Scotland Europa, Western Isles Enterprise, The Harris Tweed Authority and Western Isles Council..

Representatives of many organisations, both Scottish and others, were present at the Future of Europe seminar, at which I also gave a speech. I met representatives of those organising the event, Scotland Europa and the Scottish Executive. I also held other meetings in relation to Government duties.

Proceeds of Crime Bill

Mr. Weir: To ask the Secretary of State for Scotland if she will give an undertaking that the confiscation provisions of the Proceeds of Crime Bill in so far as they relate to Scotland will not be implemented until the views of the Scottish Parliament have been obtained. [16810]

Mr. Foulkes: No. We will continue to liaise closely with Scottish Executive Ministers and officials. It will be for Scottish Ministers to decide whether they wish to obtain further views from the Scottish Parliament.

Mr. Weir: To ask the Secretary of State for Scotland what discussions she has had with the Home Office regarding putting before the Scottish Parliament the changes proposed in confiscation provisions of the Proceeds of Crime Bill in so far as they relate to Scotland. [16809]

Mr. Foulkes: None. This is a matter for the Scottish Executive to consider.

HEALTH

Smallpox Vaccine

Mr. Robert Jackson: To ask the Secretary of State for Health what steps the Government are taking to ensure that every United Kingdom citizen has access to a vaccine against smallpox to protect against possible bio-terrorist attack; and if additional stocks will need to be purchased to achieve this level of coverage. [13144]

Jacqui Smith: There is no specific threat of a smallpox attack against the United Kingdom. There are strategic supplies of vaccines and antibiotics for use as appropriate to the incident; and we have got substantial stocks of smallpox vaccine which could be rapidly deployed to contain an outbreak.

The UK policy on future smallpox vaccine manufacture is currently under development. The Department is pursuing other sources of vaccine supply at the Swiss Serum Centre which holds stocks of vaccine left over from the World Health Organisation's eradication programme and is also working closely with the Ministry of Defence in determining the UK's vaccine needs. We are also in discussions with the United States of America and other Governments about stocks of vaccine.

Hospital Trusts (Rating System)

Dr. Murrison: To ask the Secretary of State for Health what assessment he has made of the usefulness of the star rating system for hospital trusts; and if he will make a statement. [14042]

Mr. Hutton: Performance ratings for acute non-specialist national health service trusts were published on 25 September. This is the first time that hospital trusts have been publicly classified according to their performance, with more freedom and rewards for the best and more help for the poorest. This approach is a decisive break with the past.

In the trusts that were awarded no stars, action plans are being drawn up and implemented. These will improve the areas of significant under performance and bring them up to the standard the public and patients have the right to expect.

Overseas Doctors

Dr. Fox: To ask the Secretary of State for Health (1) how many doctors since 1 May 1999 have been entitled to participate in induction courses for overseas doctors; and how many have done so; [15326]

(2) what proportion of overseas doctors working on the wards in UK hospitals have participated in induction courses at the latest available date. [15327]

Mr. Hutton: We expect all doctors, whether from abroad or the United Kingdom, to get the induction they need from their national health service employers when they take up post. We do not hold information centrally on the number of doctors who have participated in local induction.

In addition to the induction offered by NHS trusts to their employees, the Department is actively promoting good induction practice by funding an induction scheme for doctors from outside the UK. This is run via postgraduate deaneries in association with NHS professionals. Postgraduate deaneries ran a formal pilot of the induction courses in 1999, and we began funding the scheme in 2000. So far approximately 600 foreign doctors have been taken through the overseas doctors induction scheme.

Mr. Heald: To ask the Secretary of State for Health what steps he intends to take to change the residence requirements for funding of GP training for overseas doctors; and if he will make a statement. [13852]

Mr. Hutton *[holding answer 12 November 2001]:* We have today changed these requirements. Overseas doctors are now eligible for National Health Service funding for general practitioner training.

This move will support our drive to increase GP numbers. We know that there are overseas doctors—some currently working in the United Kingdom—who are keen to train for a career in general practice. Out-of-date restrictions have previously excluded such doctors from NHS funding. We have now removed these restrictions and are taking immediate steps to recruit more doctors into GP training.

Health Funding (Essex)

Mr. Rosindell: To ask the Secretary of State for Health what plans he has to provide new resources for *(a)* Barking, Havering and Redbridge Hospitals and *(b)* the Havering Primary Care NHS Trust; and if he will make a statement. [14801]

Mr. Hutton: Barking and Havering Health Authority, which is served by Barking, Havering and Redbridge Hospitals National Health Service Trust, received an initial £24 million (8.56 per cent.) increase in allocation in 2001–02.

The health authority has also received the following in-year allocations:

£1.1 million to support NHS Plan implementation

£0.2 million for HIV/AIDS services

£0.3 million modernisation fund for dentists

£0.3 million for winter preparations

£0.4 million for primary care practice based incentive scheme

£0.3 million to address long waiting times.

Recent announcements have allocated the following additional funding:

£50 million nationally to support the development of the emergency care strategy, of which Barking, Havering and Redbridge Hospitals NHS Trust is receiving £0.8 million.

£50 million nationally to tackle occupancy, cancelled operations and accident and emergency delays of which Barking, Havering and Redbridge Hospitals NHS Trust is receiving £0.5 million.

Havering Primary Care Trust will take on more responsibility for commissioning services in the future and will be allocated the resources to do so. From 2003–04, subject to legislation, revenue allocations will go directly to PCTs instead of through health authorities.

Private Finance Initiative

Mr. Bercow: To ask the Secretary of State for Health (1) if he will make a statement on the expected saving to public funds from the private finance initiative schemes in *(a)* Carlisle, *(b)* Dartford and Gravesham and *(c)* South Buckinghamshire; [15256]

(2) what the anticipated saving is to public funds from the 100 PFI hospital schemes provided for in the NHS plan by 2010; [15247]

(3) if he will make a statement on the anticipated savings to public funds from the private finance initiative schemes due to become operational in 2001. [15257]

Mr. Hutton: The table shows a list of all major private finance initiative contracts which have reached financial close since May 1997 listing net present costs of private finance versus public sector comparator option. The projected savings on each scheme over the lifetime of the contracts are in column 4 and are presented in net present value terms.

Net present costs of private finance initiatives versus public sector comparator option

NHS Trust	*PFI (£000)*	*Public (£000)*	*Savings in net present value terms (£000)*	*Difference (Percentage)*
Calderdale Healthcare	1,341,787	1,362,155	20,368	1.5
Bromley Hospitals	1,166,326	1,179,431	13,105	1.11
Barnet and Chase Farm Hospitals	193,170	198,203	5,033	2.54
Greenwich Healthcare	1,409,522	1,427,202	17,680	1.24
Worcester Acute Hospital	1,095,465	1,098,331	2,866	0.26
South Durham Healthcare	672,230	675,190	2,960	0.44
South Tees Acute Hospitals	210,796	226,995	16,199	7.14
Swindon and Marlborough	1,313,831	1,323,329	9,498	0.72
Hereford Hospitals	689,250	693,700	4,450	0.64
Dartford and Gravesham[1]	938,800	943,900	5,000	0.54
Norfolk and Norwich	1,642,278	1,681,834	39,556	2.35
South Buckinghamshire	161,685	169,243	7,558	4.47
North Durham Healthcare	177,037	180,910	3,873	2.14
Carlisle Hospitals	167,045	172,903	5,858	3.39
South Manchester University Hospitals	2,124,000	2,126,000	2,000	0.09
West Middlesex University Hospitals	1,082,900	1,088,000	5,100	0.47
University College London Hospitals	423,300	435,200	11,900	2.73
Dudley Group of Hospitals	1,829,382	1,834,901	5,519	0.30
Hull and East Yorkshire Hospitals	240,600	241,613	1,013	0.42

Net present costs of private finance initiatives versus public sector comparator option

NHS Trust	*PFI (£000)*	*Public (£000)*	*Savings in net present value terms (£000)*	*Difference (Percentage)*
St. George's Hospitals	565,565	565,768	203	0.04
King's Healthcare	2,952,700	2,959,800	7,100	0.24
West Berkshire Priority Care	273,245	282,228	8,983	3.18
Leeds Community and Mental Health Services[2]	420,800	431,700	10,900	2.52
Total projected savings	—	—	223,000,000	—

[1] At financial close in July 1997 the figures for the PSC and PFI were 922,600 and 943,900 respectively, producing a projected saving of £21,300,000. An error in the PSC was uncovered by the NAO during the course of the work for their report on this scheme in 1999. As a result the projected saving was revised downwards to £5.1 million.

[2] Figures only taken as at FBC

Notes:

The table does not allow direct comparisons between the difference schemes. Investment appraisal conventions allow different approaches to counting costs. For example, provided the conventions are consistently applied in each appraisal, costs common to both alternatives can be either included or excluded and differences in costs can be scored rather than actual costs.

The table includes the expected savings on the schemes at Carlisle, Dartford and Gravesham and South Buckinghamshire. Greenwich, North Durham, Calderdale, South Manchester and Norfolk and Norwich all became operational in 2001. No further major schemes are scheduled to open in 2001.

The 23 major schemes in the table contribute to the target of over 100 new PFI hospital schemes by 2010 in the NHS plan. The target comprises a minimum of 64 major hospital schemes (capital value over £20 million) and a minimum of 36 medium-sized hospital schemes (capital value £10-£20 million), of which 17 have already reached financial close. Information on the projected savings of medium-sized hospital schemes is not held centrally.

Value for money in PFI is assessed on a case by case basis upon presentation of the full business case (FBC). None of the other 60 major and medium-sized hospital schemes comprising the NHS plan target have yet to reach this stage so it is not possible to anticipate the savings to public funds for these schemes.

The total projected savings in net present value terms to the national health service and the taxpayer for these first 23 major PFI schemes to reach financial close is £223,000,000.

Andrew George: To ask the Secretary of State for Health (1) what guidance he has issued to those hospital trusts making strategic outhouse case bids for PFIs; and what scoring criteria will be used to measure *(a)* value for money, *(b)* existing social need, *(c)* existing medical service shortfalls, *(d)* innovation and *(e)* other factors; [15863]

(2) which initial PFI offers to acute trusts made in the last three years were *(a)* in response to a comprehensive and costed strategic outline case or plan and *(b)* following a general plan; [15849]

(3) which acute trusts have indicated an intention to complete a strategic outline cost for a PFI investment in the current year; [15848]

(4) how many PFI offers have been agreed between his Department and acute trusts in each of the last three years. [15850]

Mr. Hutton: The most recent guidance for the preparation of strategic outline cases (SOCs) was issued to the national health service last year. The purpose of the SOC is to provide Ministers (advised by the Capital Prioritisation Advisory Group (CPAG)) with the necessary information to assess the national priority of major capital investment schemes with a capital value of £20 million or over.

The guidance states that Ministers have made it clear that the main criterion by which schemes are prioritised is health service need, but that other factors such as deliverability and affordability are also important.

Under the private finance initiative procurement process, initial offers by bidders are made in response to the invitation to negotiate which an NHS trust sends to bidders selected from those who responded to the Official Journal of the European Community notice. All major schemes which are prioritised on the basis of the SOC then have to prepare an outline business case (OBC) which identifies and develops a fully costed preferred option for the proposed scheme. It is at this OBC stage that the final decision is taken on whether to test for private finance; the assessment will take into account a number of value for money factors. If approved to proceed under the PFI route, the NHS trust will first place a contract notice in OJEC which potential bidders will respond to.

The decision to develop an SOC must be supported and agreed to by all the key local stakeholders, principally the Department of Health regional office, health authorities and primary care trusts. Local authorities and regional offices of Government/Department for Transport, Local Government and the Regions will also need to be aware if major construction works are envisaged. Only following such agreement will the Department of Health be formally notified and a decision taken on the best way of taking it forward. No such notifications have been received to date in the current year.

SOCs for major capital projects are normally accepted in specific rounds by CPAG, which advises Ministers on each scheme's viability. Ministers can consider cases outside of specific prioritisation rounds where there is an urgent need. The eventual treatment of such cases will depend on the progress and priority of those schemes already approved to commence their procurements, and the number of schemes waiting to go to tender, so as to ensure optimal value for money.

The following major acute PFI schemes have reached financial close (signed contracts) and started construction in the past three years:

1999:

Hereford

Worcester

Barnet and Chase Farm

Swindon and Marlborough

King's Healthcare

South Tees

South Durham

2000:

Hull and East Yorkshire

St George's

University College London Hospital

2001:

West Middlesex

Dudley.

Personal Injury Cases

Mr. Fallon: To ask the Secretary of State for Health if he has estimated the potential cost to the NHS of the Lord Chancellor's decision to reduce the discount rate to 2.5 per cent. for damages in personal injury cases. [15475]

Mr. Hutton: The Lord Chancellor's Department is carrying out a full assessment of the impact of the new discount rate, which is being prepared and will be published in due course.

Waiting Lists

Mr. Burstow: To ask the Secretary of State for Health if he will list in *(a)* rank and *(b)* alphabetical order of NHS trust in each region the (i) proportion and (ii) number of patients waiting (A) over 12 months and (B) over 18 months or more for in-patient treatment (1) at the latest available date, (2) in March 1997 and (3) in June 1997. [16805]

Mr. Hutton: The number and proportion of patients waiting over 12 and 18 months at March 1997, June 1997 and September 2001 have been placed in the Library.

In line with the NHS plan, in-patient waiting times will fall on a staged basis from 18 months now through to 15,12, nine and down to six months by 2005. As a first step towards this, the maximum waiting time for an in-patient appointment will be 15 months by the end of March 2002.

Dr. Fox: To ask the Secretary of State for Health (1) how many patients there were on in-patient waiting lists waiting over 12 months for the quarter ended *(a)* March 1997 and *(b)* September 2001; [16403]

(2) if he will list the percentage of patients on in-patient waiting lists waiting over 12 months for the quarter ended *(a)* March 1997 and *(b)* September 2001. [16402]

Mr. Hutton: The information requested is shown in the table.

	March 1997	*September 2001*
Number of patients waiting over 12 months	30,245	43,873
Percentage of total waiting list	2.67	4.29

Note:

Figures are health authority based and are sourced from the QF01 waiting times return.

National Institute for Clinical Excellence

Mr. Burstow: To ask the Secretary of State for Health what assessment his Department has made of the balance in the work programme of the National Institute for Clinical Excellence between *(a)* technology appraisals and *(b)* treatment guidelines. [15968]

Mr. Hutton *[holding answer 20 November 2001]:* The work programme of the National Institute is set by Health Ministers in England and Wales. The Department and National Assembly for Wales have also approved the institute's current business plan.

Mr. Burstow: To ask the Secretary of State for Health if he will set out for each technology appraisal undertaken by the National Institute for Clinical Excellence the *(a)* final recommendation and *(b)* cost effectiveness as measured in terms of QALYs. [15967]

Mr. Hutton *[holding answer 20 November 2001]:* Details of each completed appraisal can be found on the National Institute's website at www.nice.org.uk. The final appraisal determination contains the estimated cost per quality adjusted life year (QALY) for those cases where the National Institute of Clinical Excellence has quoted a specific figure. The Institute's judgments are based on a range of factors which include available information on cost per QALY.

Mr. Burstow: To ask the Secretary of State for Health what plans he has to undertake a review of the National Institute for Clinical Excellence. [15965]

Mr. Hutton *[holding answer 20 November 2001]:* The report of the Bristol Royal Infirmary Inquiry makes some far-reaching recommendations on the National Institute for Clinical Excellence (NICE). We are considering how these will affect any review of NICE's work. We expect to make an announcement shortly.

National Blood Service

Mr. Havard: To ask the Secretary of State for Health which experts from outside the National Blood Service Appropriate Use of Blood Working Group is consulting. [16347]

Mr. Hutton *[holding answer 20 November 2001]:* The Appropriate Use of Blood Working Group has experts from outside the National Blood Service as members. They are:

Dr. Paula Bolton-Maggs: Consultant haematologist, Alder Hey Hospital

Carol Cantwell: Chief biomedical scientist, St. Mary's Hospital, London

Jan Gordon: Transfusion nurse, Chelsea and Westminster Hospital

Charles McCollum: Professor of surgery, Manchester

Prof. Paul McMaster: Hepatobiliary and transplant surgeon, Birmingham

Dr. Dafydd Thomas: Consultant, Morriston Hospital

John Thompson: Royal Devon and Exeter Hospital.

Blood Use (Overseas Hospitals)

Mr. Havard: To ask the Secretary of State for Health what discussions he has had about the use of blood and blood transfusions for NHS patients who take up treatment in overseas hospitals with Ministers from those countries. [16349]

Mr. Hutton *[holding answer 20 November 2001]:* The Department recognises that commissioning care overseas raises a number of particular issues, including the use of blood and blood transfusions. The three pilot sites currently working to send patients to mainland Europe are discussing these issues with potential providers.

Relenza

Helen Jones: To ask the Secretary of State for Health (1) how many health authorities in the north-west region have drawn up patient group directions for Relenza; [16290]

(2) what advice he has given to health authorities on drawing up patient group directions for Relenza and other drugs. [16291]

Jacqui Smith *[holding answer 21 November 2001]:* The information requested is not collected centrally.

Health Service Circular 2000/026 containing guidance on Patient Group Directions was issued to the national health service (England) on 9 August 2000. Additional guidance on the supply and administration of Relenza was issued on 21 November 2000.

NHS (IT Policy)

Mr. Burstow: To ask the Secretary of State for Health, pursuant to his answer of 26 October 2001, *Official Report*, column 423W, on IT policy in the NHS, if he will place a copy of the CISCO E-Compliant Network study in the Library. [16816]

Ms Blears: A copy of the report has now been placed in the Library.

Nursing and Midwifery Council

Mr. Drew: To ask the Secretary of State for Health (1) if he will publish the representations he has received on the proposal to leave health visitors out of the title of the Nursing and Midwifery Council; [16298]

(2) what the legislative timetable is for the introduction of the Nursing and Midwifery Council; [16299]

(3) if he will define the roles of *(a)* health visitors and *(b)* community practitioners. [16300]

Mr. Hutton: The Nursing and Midwifery Order to establish the new Nursing and Midwifery Council was laid before Parliament on 15 November, together with a report on the consultation. Copies are available in the Vote Office. The Orders will be considered in Standing Committee on 26 November and in the House of Lords shortly. The legislation contains a number of safeguards for health visiting. There will be a separate part of the register, protection of the professional title, and equal representation with nurses and midwives on the council. The future role of health visitors will be a matter for the Nursing and Midwifery Council.

Tilt Report

Mr. Heald: To ask the Secretary of State for Health if he will make a statement on the implementation of the recommendations of the Tilt report concerning security at special hospitals and the amount of money so far spent on implementation by his Department. [16621]

Jacqui Smith: The report of the review of security at the high security hospitals (the Tilt report) was published on 22 May 2000. All the recommendations in the report were accepted by the Government and the implementation process is on-going. Central funding for 2000–01 and 2001–02 is set out in the table:

£ million

	Current expenditure	*Capital expenditure*
2000–01	1.0	3.0
2001–02	5.0	38.0

£1 million of current expenditure funding was provided in 2000–01 to meet some of the costs of implementation arising in that year. The £5 million for current expenditure for 2001–02 has been provided specifically in response to the recommendation that additional funding should be made available to facilitate the movement out of the hospitals of patients no longer needing high security care. Other current expenditure for 2001–02 arising from Tilt report recommendations has been met by the health authority commissioners of the services out of the overall expenditure allocations available to them.The capital expenditure relates to improvements to the physical security of the high security hospitals, particularly the upgrading of perimeter security that Sir Richard Tilt saw as being necessary in the interests of maintaining public safety.

Mental Health

Mr. Heald: To ask the Secretary of State for Health what the occupancy rate of beds is in acute mental health wards in each London hospital in respect of *(a)* detained patients and *(b)* voluntary patients. [16624]

Mr. Hutton: I refer the hon. Member to the reply I gave on 5 November 2001, *Official Report*, columns 101–02W.

Mr. Heald: To ask the Secretary of State for Health what progress has been made in the mapping of local mental health services; and if he will publish the results. [16622]

Jacqui Smith: The results of the comprehensive mapping of mental health services conducted in autumn 2000 were made available to local implementation teams (LIT) in January 2001 and have been available on a Durham University website in July 2001. This contains all data supplied by each LIT for the 2000 Mapping. The database will remain available to LITs for their continued use for local planning and monitoring purposes.

As part of the comprehensive review process between April and October 2001 the Mapping has been updated to provide a picture of service provision as of 30 September 2001. Reports based on analysis and summary of the data in the form of tables and maps will be available by the end of January 2002.

The data provided by the Mapping 2001 will be published in the form of an atlas and will also be available to the public on the Department's website at www.doh.gov.uk/servicemapping/index.htm.

Mr. Heald: To ask the Secretary of State for Health when he plans to commission the development of a tool kit to support mental health services in promoting mental health for people from ethnic minority communities; and if he will make a statement on *(a)* the work so far and *(b)* the cost. [17089]

Jacqui Smith: Work on developing the tool kit will be taken forward under the auspices of the National Institute for Mental Health in its 2002–03 work programme.

Mr. Heald: To ask the Secretary of State for Health at what age mental health services users are transferred from adolescent to adult services. [16612]

Jacqui Smith: This is an area in which local practice varies quite widely at present.

The National Service Framework for Mental Health specified that local arrangements (including service protocols) should be in place to ensure clarity in the handling of referrals of young people in the borderline ages (for example, 16 to 21 years) to ensure that no young person's mental health needs remain unmet.

Earlier this year, Ministers announced that child and adolescent mental health services will form part of the planned Children's National Service Framework, alongside maternity and hospital and social services for children. The Children's National Service Framework will be based on key NHS Plan values including the integration of services, partnership working and breaking down professional barriers. The question of unifying transfer ages between services will be fully considered in the context of developing standards and good practice guidance for this new and important service framework.

Mr. Heald: To ask the Secretary of State for Health how many *(a)* medium and *(b)* low secure beds there are for mental health patients. [16611]

Jacqui Smith: Returns indicate that at April 2001, the latest date for which information is currently available, there were 2,231 medium secure beds and 1,353 other secure beds for mental health patients.

Mr. Heald: To ask the Secretary of State for Health what the average annual cost is per patient to the NHS of a person with a diagnosis of severe mental illness. [17221]

Jacqui Smith: People with severe mental illness may access a range of National Health Service services at various times and in no predictable way and it is not possible from the information held centrally to disaggregate the costs of different services to enable the calculation of an average annual cost to the NHS per severely mentally ill patient.

Mr. Heald: To ask the Secretary of State for Health what procedures are in place, and what changes are planned, to ensure that mental health-related calls to NHS Direct are handled in such a way that those contemplating suicide receive the treatment they need. [17223]

Jacqui Smith: NHS Direct nurse advisers use formalised computer based clinical assessment systems to enable them to offer appropriate support and advice to callers who may be contemplating suicide. In addition they receive specific training to assist them in undertaking a risk assessment which includes the assessment of potential deliberate self-harm. Links have been made and protocols are in place to enable nurse advisers to refer callers to local specialist mental health crisis services and to appropriate mental health helplines.

Student Nurses

Mr. Heald: To ask the Secretary of State for Health how many student nurses received *(a)* hardship loans and *(b)* NHS hardship grants in each of the last three years, and how many have been made in the current year. [17219]

Mr. Hutton: The hardship loans that student nurses in receipt of the means tested national health service bursary are eligible to apply for, are funded by the Department for Education and Skills (DfES) through the allocations made to higher education institutions by the Higher Education Funding Council for England. NHS education and training commissioners (work force development confederations) are required to allocate funds for the purpose of providing NHS hardship grants for students experiencing financial difficulties and who have exhausted all other sources of support.

The Department does not routinely monitor take-up of either form of hardship support. However, evidence from the DfES 1998–99 student income and expenditure survey indicated around 2 per cent. of NHS students claiming access/hardship support. These data are supported by information the Department gathered during 1999, which reported a total of 105 payments of NHS hardship grants (that is to say payments to fewer than 1 per cent. of eligible students).

NHS-funded Students

Mr. Heald: To ask the Secretary of State for Health what the timetable is for the review of student funding policy in relation to NHS-funded students. [17220]

Mr. Hutton: On 3 October my right hon. Friend the Secretary of State for the Department for Education and Skills announced plans for a fundamental review of DfES student support arrangements. The new arrangements will be introduced from autumn 2003 at the earliest. The Department will be working with DfES to ensure that the needs of health professional students are taken fully into account in the design of the new arrangements, and will consider carefully what implications the changes have for the support which the national health service provides directly through the NHS bursary scheme.

National Health Service Reform and Health Care Professions Bill

Mr. Heald: To ask the Secretary of State for Health whether he intends to table amendments to the National Health Service Reform and Health Care Professions Bill; and if he will make a statement. [16623]

Mr. Hutton: At this stage, as with any Bill of this size and complexity, there may be a need for some minor or consequential amendments. The scrutiny of the Bill during its passage may highlight areas where improvements could be made, and where an amendment might therefore be required.

Patient Priority

Mr. Swayne: To ask the Secretary of State for Health what guidance his Department gives to clinicians for the purposes of determining the priority of patients to be treated. [14281]

Mr. Hutton: We have made it clear that patients must be treated according to their clinical need and priority. In July 1997 an Executive Letter (EL (97) 42) was issued to the national health service about access to secondary care services. It stated that

> "clinical priority must be the main determinant of when patients are seen as outpatients or admitted as inpatients."

Since then, additional forms of guidance from the Department on waiting list management and clinical priority have been given to the NHS. "Getting Patients Treated—The Waiting List Action Team Handbook" was issued to all NHS trust chief executives in August 1999 and advises on the order in which patients should be treated.

Recently, the NHS was instructed to use guidance drawn up by the NHS Modernisation Agency called the "Primary Targeting Lists Approach" to assist them in treating patients within the shorter maximum waiting times targets for 2001–02. The guidance states that patients with greatest clinical priority must be treated first and gives NHS organisations the practical advice to treat patients in the right order within the maximum waiting times targets.

The guidance can be found at the following websites:

Name of guidance issued	*Website address*
Executive Letter 1997–42	www.doh.gov.uk/publications.comh.html
Getting Patients Treated—The Waiting List Action Team Handbook	www.doh.gov.uk/wtaction team.htm
Primary Targeting Lists Approach	www.modernnhs.nhs.uk/npat/documents

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Animal Welfare

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs if she intends the slaughter provisions in the Animal Welfare Bill to apply to pet animals. [12412]

Margaret Beckett *[holding answer 5 November 2001]:* The slaughter provisions in the Animal Health Act and Bill with respect to foot and mouth disease do not apply to animals which are not susceptible to this disease such as horses, cats and dogs.

Existing provisions in the Animal Health Act 1981 make no distinction between foot and mouth disease-susceptible animals kept as pets and those kept for any other reason. The same approach is taken in the new slaughter provisions under the Animal Health Bill.

Equally, the Bill will not change the current position on exemptions from slaughter, which is that there is specific provision in veterinary instructions for proportionate exceptions at local level based on local veterinary judgment, including where susceptible animals are kept as pets.

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs if she will propose amendments to the Animal Health Bill to cover failures by *(a)* DEFRA officials, *(b)* army personnel and *(c)* veterinary surgeons to respect her Department's bio-security rules. [15648]

Mr. Morley: No. I am aware of the allegations that biosecurity measures were breached by DEFRA officials and others. All such allegations were treated with the utmost seriousness and were investigated. Most cases were found either to be groundless or to be lacking in sufficient detail to enable a thorough investigation. All staff working for DEFRA already have to follow strict biosecurity guidelines.

Mr. Cawsey: To ask the Secretary of State for Environment, Food and Rural Affairs what progress her Department has made in implementing the recommendation in the Performance and Innovation Unit report on animal welfare and the WTO. [16085]

Mr. Morley: The Government have ensured that the issue of animal welfare is firmly on the WTO negotiating agenda and an integral part of the European Union's comprehensive negotiating proposal.

PCSU Industrial Action

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the dispute between her Department and the Public and Commercial Services Union; and if she will make a statement. [16587]

Mr. Morley: The industrial action that is currently taking place by the Public and Commercial Services union in the former MAFF part of DEFRA risks affecting payment arrangements to farmers this winter. We are doing our best to take corrective action, taking account of the needs of our customers, the taxpayer and long term working relations in the Department. Our aim is to resolve the dispute as quickly as possible.

Public Transport (Rural Areas)

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what plans the Government have to fund public transport interchanges at train and bus stations in rural areas. [16585]

Alun Michael: Many local authorities have plans for new and improved public transport interchanges as part of the strategies contained in their local transport plans. Last December, the Government announced a significant increase in local transport capital funding on 14 December 2000, *Official Report*, columns 200–02, with £8.4 billion being provided over the five years from 2001–02. Innovative bus schemes in rural areas can also seek central government funding from the Rural Bus Challenge Fund. Promoters of interchanges at rail stations may also apply for Rail Passenger Partnership funding.

Rural Local Authorities

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs which local authorities in England and Wales she classifies as rural. [16583]

Alun Michael: The following list of districts/unitary authorities have been classified as rural by the Countryside Agency for their 1999, 2000 and 2001 State of the Countryside Reports:

North East

Durham county: Teesdale, Wear Valley

Northumberland: Alnwick, Berwick-upon-Tweed, Castle Morpeth, Tynedale

North West

Cheshire county: Chester, Congleton, Crewe and Nantwich, Ellesmere Port and Neston, Vale Royal

Cumbria: Allerdale, Copeland, Eden, South Lakeland

Lancashire county: Lancaster, Pendle, Ribble Valley, Wyre

Yorkshire and The Humber

East Riding of Yorkshire UA

North Lincolnshire UA

Craven, Hambleton, Harrogate, Richmondshire, Ryedale, Scarborough, Selby

East Midlands

Rutland UA

Derbyshire county: Derbyshire Dales, High Peak, South Derbyshire

Leicestershire county: Harborough, Hinckley and Bosworth, Melton, North West Leicestershire

Lincolnshire: Boston, East Lindsey, North Kesteven, South Holland, South Kesteven, West Lindsey

Northamptonshire: Daventry, East Northamptonshire, South Northamptonshire

Nottinghamshire county: Bassetlaw, Newark and Sherwood, Rushcliffe

West Midlands

County of Herefordshire UA

Shropshire county: Bridgnorth, North Shropshire, Oswestry, Shrewsbury and Atcham, South Shropshire

Staffordshire county: East Staffordshire, South Staffordshire, Staffordshire Moorlands

Warwickshire: North Warwickshire, Stratford-upon-Avon

Worcestershire county: Malvern Hills, Wychavon

East

Bedfordshire county: Mid Bedfordshire, South Bedfordshire

Cambridgeshire county: East Cambridgeshire, Fenland, Huntingdonshire, South Cambridgeshire

Essex county: Braintree, Maldon, Tendring, Uttlesford

Hertfordshire: East Hertfordshire

Norfolk: Breckland, Broadland, Kings Lynn and West Norfolk, North Norfolk, South Norfolk

Suffolk: Babergh, Forest Heath, Mid Suffolk, St. Edmundsbury, Suffolk Coastal, Waveney

South East

Isle of Wight UA

West Berkshire UA (Newbury)

Buckinghamshire county: Aylesbury Vale, Chiltern, Wycombe

East Sussex county: Lewes, Rother, Wealden

Hampshire county: East Hampshire, New Forest, Test Valley, Winchester

Kent county: Ashford, Canterbury, Dover, Maidstone, Sevenoaks, Shepway, Thanet, Tonbridge and Malling, Tunbridge Wells

Oxfordshire: Cherwell, South Oxfordshire, Vale of White Horse, West Oxfordshire

Surrey: Tandridge, Waverley

West Sussex: Arun, Chichester, Horsham, Mid Sussex

South West

Cornwall and the Isles of Scilly: Caradon, Carrick, Kerrier, North Cornwall, Penwith, Restormel, Isles of Scilly

Devon county: East Devon, Mid Devon, North Devon, South Hams, Teignbridge, Torridge, West Devon

Dorset county: East Dorset, North Dorset, Purbeck, West Dorset

Gloucestershire: Cotswold, Forest of Dean, Stroud, Tewkesbury

Somerset: Mendip, Sedgemoor, South Somerset, Taunton Deane, West Somerset

Wiltshire county: Kennet, North Wiltshire, Salisbury, West Wiltshire.

Rural Employment

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of people between 16 and 60 years old in rural areas in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000 and *(f)* 2001 were active in (i) full-time, (ii) part-time and (iii) seasonal work. [16586]

Alun Michael: The percentage of people aged 16 and over in rural areas in England in full-time and part-time employment was as follows:

Percentage

Year	*Full-time*	*Part-time*
1996	73.11	28.02
1997	73.58	26.96
1998	73.49	27.31
1999	73.44	27.67
2000	72.99	27.79
2001	73.13	28.16

Reliable information on seasonal employment is not readily available.

Farm Birds

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what was the population of farm birds in rural areas in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000 and *(f)* 2001. [16580]

Alun Michael: In 1970 the baseline index for 25 farmland bird species was 100.

(*a*) 1996—60.276

(*b*) 1997—57.294

(*c*) 1998—56.351

(*d*) 1999—58.902

(*e*) 2000—figures due to be published in December

(*f*) 2001—figures not currently available

Source:

Quality of Life Counts headline indicators.

Countryside Visits

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the level of spending by visitors to the countryside in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000 and *(f)* 2001. [16589]

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the number of people who visited the countryside in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000 and *(f)* 2001. [15897]

Alun Michael: The "United Kingdom Day Visitors Survey" shows the level of spending to be:

(*a*) 1996—£6.7 billion

(*b*) 1997—no survey carried out

(*c*) 1998—£8.4 billion

(*d*) 1999—no survey carried out

(*e*) 2000—no survey carried out

(*f*) 2001—no survey carried out

The Countryside Agency is working on plans for a further survey in 2002.

Ozone

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the levels of ozone in rural areas in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000 and *(f)* 2001. [16538]

Alun Michael: Average number of days per site in rural areas on which pollution levels were above national air quality standards.

	Number
1996	41
1997	42
1998	29
1999	48
2000	25
2001	[1]—

[1] Information not currently available

Source:

Quality of Life Counts headline indicators

Rural Crime

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of people in rural areas claimed to feel safe from crime in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000 and *(f)* 2001. [16541]

Alun Michael: The figures show that more people in rural areas feel safe from crime. The proportion (percentage) of adults in rural areas surveyed in the British Crime Survey not worried about crime by type.

	1996	*2000*	*2001*
Burglary	85	87	90
Mugging	87	89	91
Physical attack	95	88	91
Rape	75	86	89
Insults or pestering	n/a	94	95
Theft of a car[1]	82	86	89
Theft from a car[1]	85	89	90

[1] Vehicle owners only

Note:

Figures are not available for 1997, 1998 and 1999

Agriculture

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs how many people were employed in agriculture in the United Kingdom in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000, and *(f)* 2001; and what proportion were *(a)* full-time, *(b)* part-time and *(c)* seasonal. [16536]

Alun Michael: The latest information available for the United Kingdom is from the June 2000 Agricultural Census. Results for 2001 will be available later this year. The labour questions were changed in 1998 in England and Wales to allow more detailed information on full/part time and paid/unpaid labour to be collected. The available information is shown in the table:

United Kingdom

Thousand head

	1996	*1997*	*1998*	*1999*	*2000*
Total workers	245.7	242.9	245.2	229.6	204.4
Salaried managers[1]	7.8	7.8	12.1	13.8	11.1
Full-time	n/a	n/a	9.9	10.9	9.3
Part-time	n/a	n/a	2.3	3.0	1.9
Regular workers	156.4	154.2	154.6	143.8	128.9
Full-time	101.8	100.1	100.5	94.1	83.8
Part-time	54.6	54.1	54.1	49.7	45.2
Casual/gang	81.5	80.9	78.4	72.0	64.4

[1] From 1998 all farmers managing holdings for limited companies were asked to classify themselves as salaried managers.

Notes:

1. In 1998 fundamental changes were introduced to the labour questions in England and Wales. It appears that this change may have led to the recording of additional labour not previously included in the census returns. The change in questions has also led to a redistribution of labour between the various categories, most notably for salaried managers. Caution is therefore advised when comparing the 1997 and 1998 results.
2. Figures exclude school children but include trainees employed under an official youth training scheme and paid at Agricultural Wages Board rates or above.
3. Includes minor holdings.
4. Totals may not agree with components due to rounding.

Paul Flynn: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the *(a)* subsidies paid to agriculture, *(b)* environmental costs of agriculture and *(c)* contribution of agriculture to GDP in each of the last five years; and what estimate she has made of the projected contribution of agriculture to GDP in each of the next five years expressed as a percentage of total GDP. [12292]

Mr. Morley *[holding answer 2 November 2001]:* Total public expenditure on agriculture in the financial year 2000–01 is estimated to have been £3,182 million[1]

Estimates of the total value of the impact of agriculture on the environment are not currently produced by my Department.

Two recent academic studies have made estimates of the environmental costs of agriculture:

Pretty, J., Brett, C., Gee, D., Hine, R., Mason, C., Morison, J., Raven, H., Rayment, M. and van der Bijl, G. (2000), an assessment of the external costs of UK agriculture, "Agricultural Systems", forthcoming.

Hartridge, O., Pearce, D., "Is UK Agriculture Sustainable? Environmentally Adjusted Economic Accounts for UK Agriculture". Centre for Social and Economic Research on the Global Environmental: University College, London.

Agriculture's share of national gross value added at basic prices (formerly GDP) in each of the last five years is given in the following table.

Percentage

	Agriculture's share of national gross value added
1996	1.5
1997	1.2
1998	1.0
1999	0.9
2000	0.8

Estimates of the projected contribution of agriculture to GDP in future years are not produced by my Department.

The decline since 1996 is partly due to the rise in sterling against the Euro (which has affected agriculture more than many other sectors) weak world commodity markets and the effects of BSE. However, it also reflects a long term downward trend which results from underlying trends in demand—because as standards of living rise, consumers spend a smaller share of their family budget on food—and also from underlying trends in technology—which mean that prices for agricultural commodities have tended to rise less quickly than general inflation. These trends can be expected to continue, to some degree, in the future.

[1] *Source:*

Agriculture in the United Kingdom 2000 Table 9.1

Rural Bus Services

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of rural bus services ran over the weekend in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000 and *(f)* 2001. [16540]

Alun Michael: The following information is available from the Countryside Agency's rural services survey:

Percentage of parishes with a bus service

	1997	*2000*
A 6 days a week bus service	35	31
A 7 days a week bus service	25	36
6/7 day service	60	67

Note:

Data not available for 1996, 1998, 1999 and 2001

Percentage of settlements with a bus service

	2000
A 6 days a week bus service	27
A 7 days a week bus service	24
6/7 day service	51

Note:

Data not available for 1996, 1997, 1998, 1999 and 2001

Source:

RDC and Countryside Agency

The data come from the rural services survey series which is undertaken triennially. For 2000 data were collected on both a parish basis (historical administrative boundaries) and settlement basis (areas where people live) where the sample size increased from around 6,000 to 14,000.

Agrimonetary Compensation

Mr. Davidson: To ask the Secretary of State for Environment, Food and Rural Affairs what funds are available from the *(a)* EU and *(b)* UK Government to compensate agriculture in Britain for losses caused by the weakness of the euro; and how much has been paid, by categories, in each of the last three periods for which figures are available. [15403]

Mr. Morley: Payments of agrimonetary compensation are partially funded by the EU budget and partly from the UK Exchequer. The following table lists the amounts of compensation that became available from 1999 to 2001. Payments are shown against the year in which the compensation became available although payments are made in up to three annual instalments. It was compulsory for member states to pay the EU element of the compensation which became available in 1999. All subsequent compensation payments are optional.

£ million

Compensation	*1999*	*2000*	*2001*	*Total*
Available from the EU	396	226	183	805
Available from the UK	132	226	183	541
Total available	529	451	366	1,346
Paid by the EU	396	127	56	578
Paid by the UK	0	19	56	74
Total Paid	396	145	111	652

Foot and Mouth

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs (1) which countries have used inoculation as a preventive tool in trying to combat foot and mouth disease breakdowns over the last five years; [8545]

(2) if she will list the countries that inoculate all their animals against foot and mouth disease breakdowns. [8544]

Mr. Morley *[holding answer 18 October 2001]:* These questions can be fully answered only at disproportionate cost. However, the website of the Office International des Epizootics www.oie.int/eng/en—index.htm provides a very detailed range of statistics regarding the control measures employed by its member countries.

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs if her Department has identified the origins of the outbreak of foot and mouth disease. [15625]

Mr. Morley *[holding answer 16 November 2001]:* The current epidemic has been caused by a specific strain of the foot and mouth virus (PanAsian Strain O) which has occurred in a number of countries around the world. The precise means of the introduction of the virus into Great Britain is unknown and the subject of continuing investigations, but is more likely to have been introduced in illegally imported meat or meat products.

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs what contingency plans and resources were established within MAFF to deal with foot and mouth disease before the outbreak this year. [15370]

Mr. Morley *[holding answer 16 November 2001]:* Prior to the current outbreak of foot and mouth disease, MAFF had contingency plans for dealing with outbreaks of serious animal disease which included detailed operational instructions for use by the state veterinary service. The general contingency plan for foot and mouth was updated and submitted to the European Commission in July 2000. MAFF regularly held local emergency exercises in co-operation with the police, supervised by the divisional veterinary manager. Animal health offices were required to regularly update their local contingency plans.

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs which office in her Department is responsible for co-ordinating policy on foot and mouth; and how many civil servants are working in this policy area. [15373]

Mr. Morley *[holding answer 16 November 2001]:* The co-ordination of foot and mouth policy is the responsibility of the DEFRA ministerial team. Day-to-day responsibility for foot and mouth eradication policy lies with Jim Scudamore as chief veterinary officer and director general of animal health and welfare in DEFRA. The CVO is closely supported in this work area by the veterinary director and the director of animal health.

The directorate general includes veterinary and administrative staff engaged in an extremely wide rang of FMD related duties, and works closely with other teams inside DEFRA, notably the joint co-ordination centre (JCC) which reports to Mark Addison, director general operations and service delivery.

The number of officials, at all levels, within Jim Scudamore's team in headquarters who work full time in the exotic diseases veterinary team and the foot and mouth division is 47.

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what instructions have been issued by her Department to the chairmen of the foot and mouth disease inquiries *(a)* to concentrate on the handling of future animal disease outbreaks and *(b)* to exclude the handling of the outbreak from their inquiries and final reports; and if she will make a statement. [16659]

Mr. Morley: On 9 August 2001 the Prime Minister announced two independent inquiries and a policy commission into the foot and mouth disease (FMD) outbreak.

The "Lessons Learned" inquiry is to make recommendations for the way in which the Government should handle any future major animal disease outbreak in the light of the lessons identified from the handling of the 2001 FMD outbreak in Great Britain. The Royal Society has been asked to review scientific questions relating to the transmission, prevention and control of epidemic outbreaks of infectious diseases in livestock in Great Britain. The Policy Commission on the Future of Farming and Food will advise on how to create a sustainable, competitive and diverse farming and food sector.

No specific instructions have been issued to the chairmen of the two inquiries and the Policy Commission beyond the terms of reference.

Appeal Mechanism (Farmers)

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs if she will establish an independent appeal system for farmers in disagreement with her Department over the processing, interpretation or assessment of applications for financial support and other statutory services and procedures. [16400]

Mr. Morley: A consultation paper was issued in December 2000 on the introduction of an independent appeals procedure for farmers wishing to contest decisions to reduce or withhold payments under IACS (Integrated Administration and Control System) subsidy schemes in England. We announced on 15 May that we would work with industry to introduce new arrangements as soon as we can. Since then, DEFRA officials including the Rural Payments Agency (RPA) have been working on the details of the procedure prior to further consultation with the industry. The RPA is also working on parallel procedures for non-IACS schemes. In addition to this new procedure a senior DEFRA official acts as the Department's Impartial Complaints Adjudicator to investigate complaints about standards of service provided by the Department.

Fishing

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of progress in management of fishing effort in the Irish Sea. [15869]

Mr. Morley: Management of the Irish Sea focuses on setting TACs in line with scientific advice, enhanced technical conservation measures and, in 2000 and 2001, a prohibition on demersal fishing so as to allow the maximum number of cod to spawn.

The European Commission is currently preparing a proposal to the Council of Ministers for a Regulation establishing the long-term framework for recovery plans. An element of this proposal is expected to involve a significant reduction in fishing effort.

Coastal Protection

Mr. Gummer: To ask the Secretary of State for Environment, Food and Rural Affairs in her discussions with the Environment Agency on coastal protection, what definition she has used for the phrase, Coastal Squeeze. [15812]

Mr. Morley: In the context of coastal defence, the term "coastal squeeze" is taken to refer to the process whereby, in the face of rising sea levels, an area of intertidal habitat, such as saltmarsh, mudflat or saline lagoon is prevented from migrating landwards owing to the presence of a hard boundary such as a sea defence.

(This description is set out at page 17 of Flood and Coastal Defence Project Appraisal Guidance, Volume 5, Environmental Appraisal (FCDPAG5)).

Flood Defences (Suffolk)

Mr. Gummer: To ask the Secretary of State for Environment, Food and Rural Affairs how much has been spent on sea and river defences in Suffolk between and including the rivers Blyth and Stour in each of the last 10 years. [15835]

Mr. Morley: The Environment Agency does not have information readily available on this basis.

Mr. Gummer: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to protect Suffolk environmentally sensitive areas from flooding due to bad weather. [15833]

Mr. Morley: Operational management of flood and coastal erosion risk in England is a matter for local operating authorities—the Environment Agency (EA), local authorities and internal drainage boards. I understand the Norfolk and Suffolk Flood Defence Committee of the EA is currently planning to undertake some 17 work projects or studies with a view to alleviating flood risk in areas that include environmental sites of European importance (Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites) in Suffolk which are at risk of flooding.

Mr. Gummer: To ask the Secretary of State for Environment, Food and Rural Affairs when the shingle bank that protects the Alde and Ore estuary will be recharged. [15814]

Mr. Morley: I understand that, subject to the completion of an Appropriate Assessment as required by the Conservation (Natural Habitats etc) Regulations 1994, the Environment Agency plan to begin to recharge this shingle bank in April to May 2002. However the Agency have an agreement with English Nature that emergency works can be carried out if these become necessary in the meantime.

Mr. Gummer: To ask the Secretary of State for Environment, Food and Rural Affairs what the annual cost is of shingle bank recharge between and including the rivers Blyth and Stour estuaries; and what the cost is of recharging the shingle banks that protect the Alde and Ore estuary. [15813]

Mr. Morley: I understand from the Environment Agency that the average annual costs of shingle recharge/movement on the following areas is:

	£000 per annum
Slaughden (Alde-Ore Estuary)	30
Easton Broad (North of Southwold)	10
Dunwich-Walberswick	15
Total	55

There is not shingle recharge/movement on the River Stour.

Mr. Gummer: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the loss of habitat in environmentally sensitive areas of Suffolk as a result of breached sea and river defences in the last 10 years. [15834]

Mr. Morley: Operational management of flood and coastal erosion risk in England, including environmentally sensitive areas, is a matter for local operating authorities. I understand that the Environment Agency, the main flood defence operating authority, has not abandoned any sea or river defences in Suffolk in the last 10 years.

Pig Industry

Mr. Heath: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to the answer of 15 November 2001, *Official Report*, columns 976–77, if she will make a statement on the operation of the pig industry restructuring support scheme, indicating *(a)* the total taken up, *(b)* the purposes for which the fund was used, *(c)* the amount left from the scheme unused and *(d)* what plans she has to use the unused sum. [17152]

Mr. Morley: The Pig Industry Restructuring Scheme (PIRS) is a Government funded scheme, introduced as part of the Action Plan for Farming, designed to offer short-term assistance to pig producers. Its aim is to help pig producers reduce breeding capacity, reduce costs, overcome any competitive disadvantage and restore long term viability; PIRS consists of two elements—outgoers and ongoers.

Partly as a response to the outbreak of FMD, there were two outgoers schemes, both of which are now closed for applications. Under these schemes, a total of 937 bids were accepted, covering 150,000 sow places, at a cost of £16 million. In terms of the number of sow places removed from the herd and of the value for money, outgoers was extremely successful.

For ongoers, there were a total of 712 applications in the UK and £21.8 million has been offered to the successful applicants—at an average of £31,000 per applicant. 99 per cent. of all applications were successful; a good indication that the scheme was both straightforward and flexible.

On finance; all but £3 million of the £66 million allocated to PIRS was used to fund pig specific operations and schemes, even though PIRS itself was under subscribed. The unspent £3 million was re-allocated to a business recovery scheme from which pig producers could benefit.

Rural Task Force

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the conclusions of the Rural Task Force. [16529]

Alun Michael: We are currently considering all the conclusions of the Rural Task Force's report. Several of the recommendations have been acted upon, not least through the provision of an additional £24 million to extend the work of the Business Recovery Fund announced by my right hon. Friend the Secretary of State on 18 October.

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs on what date it was planned for the Rural Task Force to be wound up. [16528]

Alun Michael: There has never been a fixed date for the Rural Task Force to be wound up: it will remain in being for as long as there is a need, and for as long as it can make a useful contribution towards kick-starting the rural economy following foot and mouth disease. The Task Force met last week and members made excellent and practical contributions from a variety of perspectives on ways in which the recovery of the rural economy can be assisted.

Prawn Quotas

Mr. Alan Reid: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has held with the European Commission regarding prawn quotas. [16285]

Mr. Morley *[holding answer 20 November 2001]:* The Government requested the Commission, by letter of 20 July 2001, to bring forward a proposal to restore the 10 per cent. cut that the EU made in the Total Allowable Catches for nephrops in the Irish sea, the North sea and west of Scotland in order to protect stocks of cod and hake. It is our contention that these cuts are not needed for reasons related to the state of the nephrops stocks and make no significant contribution to the protection of cod and hake.

The Commission has not so far seen fit to grant our request, despite having declared last December that it would bring forward proposals if such a case were demonstrated.

We are continuing to pursue this matter, including through, in the last few days, representation of the case to Commission officials by a delegation of officials from all the Fisheries Departments in the United Kingdom. I have now taken this up myself directly with Commissioner Fischler as a matter of urgency and am currently awaiting his response.

Special Advisers and Press Officers

Mr. Weir: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* special advisers and *(b)* press officers were employed (i) full time, (ii) part time and (iii) on a contract basis by her Department in each year since 1992. [6901]

Mr. Morley: I refer the hon. Member to the answer given by my hon Friend the Parliamentary Secretary, Cabinet Office, on 21 November 2001, *Official Report,* column 340W.

Movement of Livestock

Hywel Williams: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the unavailability of Welsh medium forms for use by local authorities in Wales at the commencement of the autumn movement of livestock scheme. [12545]

Mr. Morley: The Department has provided a standard template for forms to be used in connection with the livestock movement scheme. Local authorities may translate this into Welsh and I understand that a number may have now done so.

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received from the National Beef Association and other farming organisations on her Department's proposal to make permanent the 20-day standstill on cattle and sheep movements on farms; and if she will make a statement. [16034]

Mr. Morley: The Department received comments from the National Beef Association and a number of other representative industry associations on the proposals for a 20-day standstill. The Government are reviewing their proposals in the light of responses to the consultation exercise and we are carrying out full veterinary and economic risk assessments. It has been decided to make this issue part of a total approach to future disease control, which will also include biosecurity, animal identification and licensing. In the meantime, current movement licensing controls will continue.

BSE

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of those cattle tested for BSE are *(a)* fallen stock, *(b)* casualty animals and *(c)* over 30 months old; and what assessment she has made of the accuracy of the results in indicating the present level of BSE in the national herd. [16042]

Mr. Morley: Of the cattle tested in active surveillance this year up to 9 November the proportions are as follows:

Cattle tested for BSE	*Percentage*
Fallen Stock	40.1
Casualty Animals	58.2
Over 30 months old	98.6

The Government's testing programme is continuously adjusted on the basis of scientific advice and to comply with EU legislation. Its recent significant expansion will give us a more accurate picture of the level of BSE infectivity in the national herd.

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the number of cattle tested for BSE in each of the last 10 years for which figures are available; what plans her Department has to increase the number of cattle tested annually for BSE; and what assessment she has made of the level of testing for BSE in *(a)* France and *(b)* Germany. [16041]

Mr. Morley: The following table lists the number of cattle tested for BSE in each of last 10 years for which figures are available.

	Passive surveillance	*Active surveillance*
1991	29,237	—
1992	43,591	—
1993	41,642	—
1994	29,151	—
1995	17,382	—
1996	10,274	—
1997	5,346	—
1998	4,055	—
1999	2,853	3,951
2000	1,784	12,595
2001[1]	1,090	54,253

[1] As at 19 November

The Government's active surveillance programme has recently been stepped up so that testing of over 350,000 cattle per year will be carried out. These include all fallen stock over 24 months of age, all casualty animals over 24 months of age, all casualty animals over 24 months of age, all cattle born between 1 August 1996 and 31 July 1997 which are slaughtered under the over-thirty-months scheme and a sample of 50,000 other animals over the age of 30 months.Passive surveillance will continue as before though numbers of cattle showing clinical signs suspicious of BSE are in decline.

The current level of testing in France and Germany, as in the UK, is determined by EU legislation. Unlike the UK, the EU member states are now required to test all cattle over 30 months of age intended for human consumption—only meat from those with negative results is allowed to enter the food chain. The Food Standards Agency considers, however, that the UK's over-thirty-month-rule provides stronger protection.

Poultry Farms

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with the Department for Transport, Local Government and the Regions on the planning guidance currently issued to local authorities relating to the siting of new generation mobile chicken units on poultry farms. [16040]

Mr. Morley: We have had no recent discussions with DTLR on this subject. Guidance on temporary structures used for agriculture, including mobile poultry units, is contained within PPG7, Annexe C, paragraph 11.

DEFRA contributes to both national and regional planning guidance on a range of aspects. Through Government Offices, DEFRA provides technical advice to local planning authorities. This includes advice on giving farmers flexibility to adapt to changing animal welfare legislation. In doing so, local authorities are enabled to take due account of these aspects when they prepare their local development plans and assess individual planning applications.

Farm Assurance Schemes

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what further steps her Department plans to take to promote public awareness of the red tractor symbol and related farm food assurance schemes. [16038]

Mr. Morley: The Government support the development of assurance schemes and the red tractor logo. We are grant aiding the development of assured food standards which was set up to act as an umbrella body for assurance schemes and licence the use of the red tractor logo.

Rural Payments Agency

Mr. Nicholas Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the *(a)* efficiency and *(b)* promptness of the tasks carried out by the Rural Payments Agency; and if she will make a statement. [15810]

Mr. Morley: Following the launch of the Rural Payments Agency (RPA) as an executive agency of the Department for Environment, Food and Rural Affairs on 16 October 2001, the House was informed of the agency's Performance Targets on 17 October 2001, *Official Report*, column 1247W. These cover a range of targets that reflect the efficiency and promptness of tasks undertaken by RPA. Copies of its Framework Document, Corporate Plan and Business Plan were placed in the Library of the House on 15 November 2001.

An Ownership Board was appointed, chaired by the Permanent Secretary of the Department. Other members include three independents and representatives of the devolved Administrations.

Within the objective of providing strategic direction and oversight to RPA, one of the four primary roles of the Ownership Board is to monitor regularly on behalf of the Secretary of State, the devolved Administrations and competent authority the performance of RPA against its targets.

HOME DEPARTMENT

Scottish Devolution

Mrs. Lait: To ask the Secretary of State for the Home Department what his policy is regarding consultations prior to the publication of proposals involving the transfer of powers to the Scottish Executive by *(a)* primary legislation and *(b)* Order in Council. [13824]

Mr. Blunkett: I refer the hon. Member to the reply given by my right hon. Friend the Secretary of State for Scotland on 8 November 2001, *Official Report*, column 748W.

Osama bin Laden

Dr. Julian Lewis: To ask the Secretary of State for the Home Department what estimate his Department has made of the extent of support for Osama bin Laden by *(a)* organised groups and *(b)* individuals within the United Kingdom. [13677]

Mr. Blunkett: The estimate of support for Osama bin Laden by organised groups and individuals in the United Kingdom is an operational matter for the security service and the police, who attach a high priority to monitoring and countering any possible activities in the country by foreign extremists. Any credible information is fully investigated. An investigation which yields evidence that organisations or individuals are supporting terrorism will result in the appropriate action being taken.

Dr. Julian Lewis: To ask the Secretary of State for the Home Department what information he has collated on the extent to which the views and values of Osama bin Laden have been promoted in public within the United Kingdom since 1997. [16410]

Angela Eagle: The police and security forces closely monitor the activities of those who seek to promote the views of proscribed organisations. As head of al-Qaeda, an organisation proscribed under the Terrorism Act 2000, the views of Osama bin Laden, or those who advocate support for this organisation, fall into this category. The Metropolitan police are investigating a number of possible breaches of the provisions of the Terrorist Act 2000 as well as allegedly racially-inflammatory comments made after the terrorist attacks in the United States. Osama bin Laden's views have in any case, of course, long been in the public domain, and particularly since the events of 11 September.

The Government have proposed new laws on incitement to religious hatred which specifically address those who seek to stir up hatred against members of religious groups. No individual or group can be considered exempt from prosecution under these laws.

Immigration Applications

Mr. Gray: To ask the Secretary of State for the Home Department what percentage of applications received by the Immigration and Nationality Directorate are sent by recorded delivery; if those sent by recorded delivery are dealt with more expeditiously than those delivered by other means; and if he will make a statement. [17161]

Angela Eagle: About 90 per cent. of all immigration applications are posted by registered/recorded delivery.

Applications sent by registered/recorded delivery are not dealt with more expeditiously than those delivered by ordinary post. New applications are normally considered in order of receipt irrespective of the method of posting.

Mr. Cox: To ask the Secretary of State for the Home Department what the cost is of keeping a person in an immigration detention establishment in England and Wales. [14941]

Angela Eagle: The average annual cost of detaining a person in an Immigration Service Detention Centre is currently £27,006.

Extremist Groups

Mr. Dismore: To ask the Secretary of State for the Home Department (1) what assessment he has made of the activities and statements of Abu Abdullah of the Mosque of Piety, Leicester; and if he will make a statement; [14974]

(2) what assessment he has made of the activities of Ayadi Chafiq bin Muhammed; and if he will make a statement; [14972]

(3) what assessment he has made of links between Al Massad and bin Laden, al-Qaeda and the Taliban; and if he will make a statement; [14973]

(4) what assessment he has made of the activities of Omar Al-Bayoumi (aka Abu Imard); and if he will make a statement; [14976]

(5) what assessment he has made of the activities in the United Kingdom of the Al Massad organisation; and if he will make a statement. [14975]

Mr. Blunkett: The police and the Security Service monitor closely the activities of all foreign extremists and organisations within the United Kingdom. Any credible information is fully investigated. An investigation which yields evidence that organisations or individuals are supporting terrorism will result in the appropriate action being taken.

Hirst *v.* United Kingdom

Mr. Allen: To ask the Secretary of State for the Home Department whether the Government will introduce legislation to comply with the ruling of the European Court of Human Rights in Hirst *v.* United Kingdom. [15675]

Beverley Hughes: There are no plans to introduce new legislation as there is nothing in the judgment to require this. Existing domestic legislation provides a flexible framework within which successive Parole Board reviews can be held so that the period between reviews in each case is decided on its merits, compatibly with Article 5(4) of the European Convention on Human Rights. Appropriate guidance has already been issued following the earlier European Court of Human Rights judgment in the case of Oldham.

Further training will be provided to ensure that relevant Prison Service staff and Parole Board members are aware that the timing of reviews should be geared to the particular circumstances of each case, subject to the statutory maximum interval of two years which must only be set where this is justified in the individual circumstances.

Women Prisoners (Mother and Baby Units)

Mr. Allen: To ask the Secretary of State for the Home Department if women received into *(a)* Holloway and *(b)* Brock Hill prisons are advised that they may apply for a place in a mother and baby unit. [15671]

Beverley Hughes: A process is in place to enable all women, sentenced or unsentenced, who are pregnant or have a child aged under 18 months to make an informed choice about applying for a place in a mother and baby unit.

Governors in all women's prisons must ensure that the reception process identifies all eligible women and provides them with the prisoners' handbook "All About Mother and Baby Units".

Governors in all women's prisons must appoint a named liaison officer who is responsible for providing the woman with any information she requires as well as assisting her with the application process.

Mr. Allen: To ask the Secretary of State for the Home Department how many women who already had babies and were sentenced or remanded to *(a)* Holloway and *(b)* Brock Hill prisons applied for a place in a mother and baby unit. [15670]

Beverley Hughes: The information requested is not available centrally. Computer systems have recently been installed in each of the four mother and baby units and these will record that sort of information and transmit it to a central point. The staff concerned are being trained in its use and some inputting of new cases has begun.

Appointments

Mr. Collins: To ask the Secretary of State for the Home Department how many appointments he has made to public bodies since 7 June; and how many are in his gift. [15482]

Mr. Blunkett: Information about numbers of ministerial appointments to public bodies is included in the Cabinet Office's annual report, "Public Bodies". Copies of this are placed in the Library and the report is published on the Cabinet Office's internet website. The next edition of "Public Bodies", which will include number of appointments at 31 March 2001, will be published around the end of the year.

Between 7 June and 31 October 2001 my Department made 179 appointments to public bodies. The total number of appointments that are the responsibility of my Department is 2,516.

GHB

Mr. Ben Chapman: To ask the Secretary of State for the Home Department if he will make a statement on the recommendation of the Drug Advisory Council with regard to the classification of GHB. [16272]

Mr. Bob Ainsworth: At its meeting on 8 November, the Advisory Council on the Misuse of Drugs (ACMD) recommended that gammahydroxybutyrate (GHB) should be controlled under the Misuse of Drugs Act 1971 as a Class C drug. I have accepted their recommendation in principle, subject to the normal consultation with interested professional bodies.

Deportation (National Security)

Mr. Cameron: To ask the Secretary of State for the Home Department how many people his Department has sought to have deported from the United Kingdom on national security grounds, broken down by the country to which they are being deported; and if he will indicate the proportion of those successfully deported in the last 12 months. [15872]

Angela Eagle: There have been no deportations from the United Kingdom on the ground of national security in the past 12 months. However, 25 individuals have been excluded from entering the United Kingdom on the ground that their presence here would not be conductive to the public good on national security grounds. The Anti-Terrorism Crime and Security Bill contains provision for suspected terrorists to be arrested and detained indefinitely if they cannot be sent back to their own country or to a safe third country.

Anti-terrorism, Crime and Security Bill

Mr. Chope: To ask the Secretary of State for the Home Department if it is his intention that belief in *(a)* the teachings of Osama bin Laden, *(b)* Muslim fundamentalism and *(c)* the Reverend Moon are religious beliefs for the purposes of Part 5 of the Anti-Terrorism, Crime and Security Bill. [16664]

Angela Eagle: It is not necessary in the context of this legislation to define religion or religious beliefs. This is a matter which can be left to the courts to interpret in the wider context of the criminal behaviour being considered. We have therefore not sought to compile a list of 'acceptable' religious beliefs to the exclusion of others. It is a matter of deciding, where a criminal offence has been committed against a person or group, whether the perpetrator's hatred of that person or group was a principal or aggravating factor.

Mr. Chope: To ask the Secretary of State for the Home Department what is the scope of the expression "particular circumstances" in clause 109 7(b) of the Anti-Terrorism, Crime and Security Bill. [16418]

Mr. Blunkett: Sub-clause (7) of clause 109 of the Anti-terrorism, Security and Crime Bill sets out the circumstances in which the Justice and Home Affairs (JHA) enabling power conferred by clause 109 can be used to create a criminal offence with a penalty of more than two years' imprisonment. The expression "particular circumstances" in sub-clause (7)(b) covers the situation where the European Union Justice and Home Affairs obligation makes a distinction between 'aggravated' and 'non-aggravated' versions of an offence and, for example, provides for a minimum/maximum sentence for the 'aggravated' version of the offence but does not specify a penalty level for the basic offence. Sub-clause (7)(b) will enable implementing regulations in this situation to apply the minimum/maximum sentence provided for the 'aggravated' offence to all versions of the offence. The courts will then be able to take the particular circumstances of each case into account when sentencing. This mechanism ensures we can transpose European Union obligations in a way which takes full account of sentencing structures in the United Kingdom.

Mr. Chope: To ask the Secretary of State for the Home Department if he will prepare a register of the religious beliefs to which part 5 of the Anti-terrorism, Crime and Security Bill applies. [16417]

Angela Eagle: The Government will not be preparing such a register, as the Bill does not seek to define religion or religious belief. In this part of the Bill "religious hatred" means "hatred against a group of persons defined by reference to religious belief or lack of religious belief". This is an inclusive definition, and therefore does not require a list of "acceptable" religious beliefs to be drawn up. The Government do not want to make value judgments about the nature of a particular religion. The Bill reflects the fact that what is to be considered is whether a criminal offence has been committed against a person because of, or aggravated by, the perpetrator's hatred for their religion or belief.

Dr. Kumar: To ask the Secretary of State for the Home Department what guidance has been issued to transport companies concerning proposals in the new anti-terrorism legislation on the collection and retention of passenger and freight information. [16884]

Beverley Hughes: No formal guidance has been issued. However, the Home Office will shortly be issuing to carriers and other interested bodies a consultation paper about the types of information about passengers and goods to be collected.

Criminal Offences

Mr. Chope: To ask the Secretary of State for the Home Department how many criminal offences punishable with imprisonment in excess of two years have been created by statutory instrument in each of the last 10 years. [16223]

Mr. Keith Bradley *[holding answer 19 November 2001]:* Records indicate that of all the existing offences punishable with imprisonment of more than two years, none were created by statutory instrument.

Special Hospitals

Mr. Heald: To ask the Secretary of State for the Home Department how many prisoners have been transferred to NHS mental health facilities on temporary licence since 13 July 2000; and if he will make a statement about his policy. [16610]

Beverley Hughes: Information about the number of prisoners transferred to national health service mental health facilities on temporary licence is not collected centrally but we would expect there to be few, if any, such cases. Our objective is to ensure that prisoners who are so severely mentally disordered that they require in-patient treatment in hospital are diagnosed, assessed and transferred as quickly as possible. Some 750 prisoners a year are transferred from prison to hospital by direction of the Home Secretary under sections 47 and 48 of the Mental Health Act 1983. It is the usual practice for such transfers to take place with an escort of either prison or hospital staff.

Correspondence

Mr. Lidington: To ask the Secretary of State for the Home Department when he intends to reply to the letter of 14 May from the hon. Member for Aylesbury to the Immigration and Nationality Directorate about his constituent Mr. D. M., reference M1002217. [16817]

Angela Eagle: My officials wrote to the hon. Member on 20 November. I am sorry he did not receive an earlier response.

Drug Misuse

Mr. Malins: To ask the Secretary of State for the Home Department (1) if he will make a statement on the Government's 10-year strategy for tackling the misuse of drugs. [17084]

(2) what progress is being made towards the targets for reducing the use of class A drugs set out in the 10-year plan for tackling the misuse of drugs; and if he will make a statement. [17086]

Mr. Bob Ainsworth: We are currently reviewing progress against all the Drugs Strategy targets as part of the work for the 2002 Spending Review, to ensure that we still have the right balance and focus. We know we need to focus even more on Class A drugs. That is why the Home Secretary announced to the Home Affairs Select Committee on 23 October 2001 that he would be seeking advice from the Advisory Council on the Misuse of Drugs on their assessment reclassifying cannabis from Class B to Class C.

Addressing substance misuse among young people is a key priority in delivering the Strategy. We are developing our policy and approach in a number of areas such as in improving the planning and co-ordination of the delivery of services for young people through "Young People's Substance Misuse Plans". We will also be introducing an innovative public awareness campaign on drugs aimed at young people. We have also introduced a range of measures across the whole Strategy. For example, we have provided £1 million as a starter fund for a pilot project to help police target regional drug traffickers with a view to a national roll-out of the scheme; we have agreed a further roll-out of drug testing programmes; and a series of measures, in partnership with the Department of Health, to minimise the harm drug cause.

Asylum Seekers

Mr. Allan: To ask the Secretary of State for the Home Department what the planned timetable is for the implementation of smart cards for asylum seekers. [16052]

Angela Eagle: The target dates for the Application Registration Card (ARC) project are: Cards issued to new applicants at Croydon by the end of January 2002; Card issue is to commence at remote sites by the end of March 2002.

Mr. Malins: To ask the Secretary of State for the Home Department what estimate he has made of the number of asylum seekers who have remained in the United Kingdom after their claims have been rejected in each of the last five years. [17087]

Angela Eagle: There is no official estimate of the number of failed asylum seekers who remain in the United Kingdom for the period requested. No Government have ever been able to give reliable estimates of this nature.

However, we are currently in the process of commissioning a study that will consider the methods available for generating such an estimate.

Mr. Malins: To ask the Secretary of State for the Home Department what is the *(a)* scope and *(b)* nature of advice and help for asylum seekers that will operate at *(a)* induction centres and *(b)* accommodation centres. [17081]

Angela Eagle: With regard to legal advice and assistance, I refer the hon. Gentleman to the reply given by my right hon. Friend the Home Secretary on 29 October 2001, *Official Report*, column 642, and to a reply given by me on 5 November 2001, *Official Report*, column 80W.

We have also given a commitment to provide education and health facilities at accommodation centres, though the full range of services is yet to be settled. Details will be in the White Paper.

Mr. Malins: To ask the Secretary of State for the Home Department what plans he has to ensure the provision of legal advice for asylum seekers at induction centres. [17083]

Angela Eagle: I refer the hon. Member to replies given by my right hon. Friend the Home Secretary on 19 November 2001, *Official Report*, column 642, and by myself on 5 November 2001, *Official Report*, column 80W. Full details of the plans will be included in the forthcoming White Paper on asylum and immigration. It is envisaged that this will be issued in January 2002.

Mr. Malins: To ask the Secretary of State for the Home Department how long asylum seekers will remain at *(a)* induction centres and *(b)* accommodation centres. [17082]

Angela Eagle: Asylum seekers will remain in induction centres for a few days while a number of the present National Asylum Support Services (NASS) functions, as well as initial asylum processes, are undertaken.

Asylum seekers will remain at accommodation centres for the duration of the asylum process. We expect accommodation centres to result in faster processing of asylum cases.

WORK AND PENSIONS

Scottish Devolution

Mrs. Lait: To ask the Secretary of State for Work and Pensions what his policy is regarding consultations prior to the publication of proposals involving the transfer of powers to the Scottish Executive by *(a)* primary legislation and *(b)* Order in Council. [13829]

Malcolm Wicks: I refer the hon. Member to the reply given by my right hon. Friend the Member for Airdrie and Shotts (Mrs. Liddell) on 14 November 2001, *Official Report*, column 748W.

Call Centre Services

Mr. Bercow: To ask the Secretary of State for Work and Pensions if he will make a statement on the cost of the improved telephone call centre services referred to on page five of his Department's report 2000. [14094]

Mr. Nicholas Brown: Over the last year and a half we have introduced a new telephone-based service for our employer customers—Employer Direct. Eleven Employer Direct sites are now operational throughout the UK. The sites will be gradually linked together to enable employers anywhere in Great Britain to use a single telephone number for notifying their vacancies to Jobcentres, providing instantaneous display on our Jobpoints and Employment Service managed internet sites. We expect the service to be completed and formally launched towards the end of the financial year.

Employer Direct is part of the overall investment in modernisation and service improvement by the Employment Service. The different elements are all interdependent and it is not therefore possible to separate the cost of Employer Direct. The modernisation programme is being delivered under an eight-year contract, the first phase of which is costing £470 millions over the first five years.

ONE Pilot Scheme

Mr. Bercow: To ask the Secretary of State for Work and Pensions if he will make a statement on the cost of the launch of the ONE service in pilot areas. [14096]

Mr. Nicholas Brown: The total cost of the development, implementation and live running of the 12 ONE pilots to the end of March 2000 was £31,116,755.

New Deal (Buckingham)

Mr. Bercow: To ask the Secretary of State for Work and Pensions if he will make a statement on *(a)* the number of participants in the New Deal for Young People from the Buckingham constituency in the last 12 months, *(b)* the destinations of people leaving the scheme and *(c)* the cost involved. [14217]

Mr. Nicholas Brown: The information as is available is in the tables. Estimates of the cost of the programme are not available at constituency level.

New deal for young people

Month	*Participants in the Buckingham constituency*
August 2000	10
September 2000	9
October 2000	10
November 2000	9
December 2000	12
January 2001	15
February 2001	13
March 2001	14
April 2001	14
May 2001	12
June 2001	11
July 2001	10
August 2001	6

Note:

Figures are for the end of the month, and are the latest available.

Source:

New Deal Evaluation Database

Destination on leaving the new deal for young people

	Number of clients
Unsubsidised employment	44
Other benefits	5
Other known destinations	14
Not known	32
Total leavers	95

Note:

Figures are cumulative to the end of August 2001.

Source:

New Deal Evaluation Database

Disabled People

Annabelle Ewing: To ask the Secretary of State for Work and Pensions how many disabled people have found regular consistent employment under the Government's New Deal for Disabled People since its inception, broken down by nation and region in the UK; and what percentage the Scottish number represents of the total number of disabled people in Scotland. [16779]

Mr. Nicholas Brown: We believe that disabled people should be provided with the same opportunities as everyone else to find out about moving into work and to help themselves to become, and remain, more independent. Since July we have been establishing a national network of job brokers to provide support and services to people on incapacity benefits who want to work.

During the first pilot phase of the New Deal for Disabled People (NDDP), up to June 2001, 8,242 people in the pilot areas were helped into work, 978 of whom were in Scotland.

As at May 2001, there were 356,800 people of working age claiming one or more key sickness or disability benefits in Scotland. They will all have the opportunity to benefit from the wide range of innovative approaches delivered through NDDP job brokers that are helping people on benefits move into work.

Pensions

Mr. Boswell: To ask the Secretary of State for Work and Pensions how many pensions were paid to *(a)* married couples, *(b)* single males and *(c)* single females; and what was the cost of their payment (i) in each of the last 10 years and (ii) in 1980. [16822]

Mr. McCartney: Information is not available in the format requested. Such information as is available is in the table.

Year	*Males (millions)*	*Females (millions)*	*Total cost (£ billions)*
1980–81	3.2	5.9	25.6
1991–92	3.6	6.7	32.1
1992–93	3.6	6.7	32.5
1993–94	3.6	6.7	33.5
1994–95	3.7	6.8	33.6
1995–96	3.8	6.8	34.1
1996–97	3.9	6.9	35.3
1997–98	3.9	6.9	36.0
1998–99	4.0	6.9	37.1
1999–2000	4.1	7.0	38.5
2000–01	4.1	7.0	38.8

Notes:

1. The figures for 'Total Cost' are approximate
2. All figures in 2001–02 price terms

Source:

Pension Strategy Computer System

Acquired Brain Injury

Mr. Boswell: To ask the Secretary of State for Work and Pensions what action he is taking in conjunction with the Department of Health to improve employment prospects for those who have an acquired brain injury. [16821]

Mr. Berry: To ask the Secretary of State for Work and Pensions what recent meetings he has had with the Department of Health regarding the provision of rehabilitation services for people with acquired brain injury. [17258]

Mr. Nicholas Brown: Departmental officials consulted the Department of Health as part of a process to produce an improved framework for brain injury rehabilitation services for the Employment Service's Work Preparation programme. Following consultations with providers of brain injury Work Preparation services and officials in the Department of Health, the delivery of these services will incorporate changes which should result in significant benefits for those who use them. The improvements include:

> Being clearer about the scope of Work Preparation delivered by the Employment Service, compared with other forms of rehabilitation, some of which are contracted with the Department of Health;
>
> Greater individualisation of provision based on comprehensive assessments of clients' needs.

The Employment Service has also taken into account views on the average length of the Work Preparation programme and lengthened this as a result. By introducing the national framework, the Employment Service will now deliver consistent brain injury Work Preparation programmes throughout Great Britain, which are clear in their scope. We expect these new arrangements to improve employment prospects for those who have acquired brain injury.

Benefit Fraud

Mr. Clappison: To ask the Secretary of State for Work and Pensions how many cases of *(a)* housing benefit and *(b)* council tax benefit fraud have been detected and how many successful prosecutions have been brought in each year since 1997. [7676]

Malcolm Wicks: We are working in partnership with local authorities to drive up standards across the board and tackle fraud and error. Over half of local authorities have begun to operate the verification framework, making thorough checks on all housing benefit claimants before payments are made.

Information is not available separately for housing benefit and council tax benefit. The number of fraudulent cases and prosecutions reported by local authorities is in the table:

Year	*Number of cases where fraud was established and a weekly benefit saving was claimed*[1]	*Number of successful prosecutions*[1]
1997–98	220,000	700
1998–99	160,000	800
1999–2000	120,000	860
2000–01	100,000	1,100

[1] Data are not available for all 409 local authorities. The total for Great Britain includes estimates for local authorities that have not responded. These estimates are based on historical and regional data. This type of estimate is standard practice in reporting totals where there have been non-respondents.

Note:

The figures have been rounded to two significant figures.

SchlumbergerSema

Mr. Tom Clarke: To ask the Secretary of State for Work and Pensions what the duration is of the contracts for the supply of medical services by SchlumbergerSema; and if he will make a statement. [18142]

Mr. Nicholas Brown: The Government are committed to giving speedy and efficient support for people with disabilities and those who are unable to work. It also wants to help people to work wherever possible. The creation of Jobcentre Plus to bring together help with benefits and employment and the national extension of the New Deal for Disabled People are some of the improvements the Government are making to achieve that. It is also important that the processes to assess people's entitlement to benefit and capability for work are timely and effective.

The contracts signed on 20 February 1998, provided for the supply of medical services to support benefit administration for a period of five years, from 1 September 1998 to 31 August 2003 with the option of an extension up to a further two years.

SEMA were taken over by Schlumberger in Spring 2001. New managers have been installed and we have been working with them to improve both current performance and service delivery in the future.

Performance in key areas has improved. In particular there has been a significant increase in the number of incapacity benefit examinations performed and the percentage of medical reports which fail to meet the required standards is now well within the target set in the Government response to the Social Security Select Committee report.

For the future, the company is committed to an improvement plan increasing the number of doctors used on this contract, introducing evidence based medicine (the application of accepted protocols) on an IT platform, and taking part in pilot schemes to reduce the numbers of people failing to attend for examination and the gathering of better quality medical evidence.

The Government believe that an extension to the contract offers the best opportunity to make the service improvements we all want to see and are seeking to agree detailed conditions which is expected to be finalised shortly. The agreement to extend the contract would be subject to confirmation by 31 May 2002.

EDUCATION AND SKILLS

Further Education

9. **Mr. Watts:** To ask the Secretary of State for Education and Skills what plans she has for increasing funding to further education colleges; and if she will make a statement. [14639]

John Healey: The Government plan to continue their substantial investment in further education. This year total further education funding via the Learning and Skills Council is up by £527 million compared with 2000–01, a 12 per cent. real terms increase. This brings the planned total to £4,029 million.

Next year we plan a further 3 per cent. in real terms rise. These are resources to meet our ambitious aims for the learning and skills agenda and confirms the importance of FE in delivering it.

10. **Mr. Tynan:** To ask the Secretary of State for Education and Skills what recent assessment she has made of the quality of teaching in further education. [14640]

21. **Mr. Bailey:** To ask the Secretary of State for Education and Skills what assessment she has made of the quality of teaching in further education. [14651]

John Healey: Since the Learning and Skills Act 2000, Ofsted and Adult Learning Inspectorate (ALI) inspect Further Education colleges under the common inspection framework. Each inspection includes an assessment of teaching quality. The first five college inspections under the new regime were published in the summer, when 16 per cent. of lessons observed were judged to be less than satisfactory. These are the only inspections published to date and might well not be representative.

35. **Mr. Grogan:** To ask the Secretary of State for Education and Skills what measures she is taking to increase participation in further education. [14665]

John Healey: This year we have allocated the Learning and Skills Council an additional £527 million to fund increased participation in further education and raise standards and achievement, a 12 per cent. increase in real terms. Colleges are central to our plans to develop a coherent phase of education for 14 to 19-year-olds. For adult learners, colleges contribute to raising skill levels, improving basic skills, boosting employability and widening access. We have asked the Learning and Skills Council to examine the potential for FE to deliver further growth in adult participation in future.

Alistair Burt: To ask the Secretary of State for Education and Skills what recent representations she has received on the recruitment of further education lecturers in England; how many vacancies exist in further education colleges in England; and if she will make a statement. [17294]

John Healey: Neither my right hon. Friend the Secretary of State nor I have received recent official representations on this matter. We have both met with the Association of Colleges recently and my right hon. Friend spoke at the Association's Conference earlier this week. My hon. Friend the Minister for Lifelong Learning met with the Association for College Management earlier this month and is due to meet with the National Association of Teachers in Further and Higher Education in December.

The Department does not collect information on vacancies centrally, as further education colleges are independent corporations. However, I understand from a recent survey by the Association of Colleges that there are 3,000 teaching vacancies in general further education colleges.

Work is under way to ensure that the further education sector benefits from similar recruitment initiatives to those already proposed for schools, such as "Golden Hellos" and the write off of student loans.

Citizenship

12. **Mr. Kidney:** To ask the Secretary of State for Education and Skills what preparations remain to be completed prior to the introduction of citizenship as a curriculum subject. [14642]

Mr. Ivan Lewis: Detailed guidance for Citizenship for 11–14 year olds has been circulated to all secondary schools; a new website including an on-line training package for teachers was launched in October; nine regional training events for teachers took place this spring. The first cohort of Citizenship PGCE students started their courses in September; and OFSTED inspection guidance for secondary schools will be published next year.

Guidance for 14–16 year olds will also be published in summer 2002. This will be followed soon after by guidance for primary schools. Guidance on assessment in primary schools will be published in summer 2002. Awarding bodies are also developing specifications for the new GCSE (short course) in Citizenship Studies for teaching to start in September 2002.

We will, of course, monitor any additional support schools may need following the introduction of Citizenship next September.

Research Assessment Exercise

13. **Mr. Rendel:** To ask the Secretary of State for Education and Skills what plans she has to review the working of the research assessment exercise. [14643]

Margaret Hodge: The distribution of funds to support research in universities and colleges is a matter for the Higher Education Funding Council for England and the other UK funding councils.

Individual Learning Accounts

14. **Mr. Andrew Turner:** To ask the Secretary of State for Education and Skills if she will reinstate individual learning accounts. [14644]

John Healey: Individual learning accounts (ILAs) in England will not be reinstated in their present form. However, the Government remain committed to support those who find a lack of money a barrier to returning to education, learning or training. We are developing future plans which build on the successful elements of the ILA programme.

26. **Miss McIntosh:** To ask the Secretary of State for Education and Skills what representations she has received on the ending of individual learning accounts. [14656]

John Healey: Following the announcement of the withdrawal of the individual learning accounts programme in England, we have received representations from hon. Members, individual learning account holders and individual learning account registered learning providers.

Alistair Burt: To ask the Secretary of State for Education and Skills what plans she has to introduce a new scheme to replace individual learning accounts; when she plans to introduce it; and if she will make a statement. [17298]

John Healey: Individual learning accounts (ILAs) will not be reinstated in their present form. We are developing future plans which build on the successful elements of the ILA programme. I hope to announce more details on the process for developing a further scheme in due course.

Area Cost Adjustment

15. **Mr. Gray:** To ask the Secretary of State for Education and Skills what recent discussions she has had about the area cost adjustment. [14645]

Mr. Timms: My right hon. Friend has discussions about various aspects of the current and future funding formula for local education authorities from time to time.

Higher Education (Participation)

16. **Mr. Barnes:** To ask the Secretary of State for Education and Skills what steps she is taking to increase participation in higher education. [14646]

Margaret Hodge: Our programmes to raise standards in schools and colleges will have a major impact on increasing participation. Our new Aim Higher advertising campaign, together with the Excellence Challenge programme, will encourage more young people from disadvantaged backgrounds to enter HE. We are also encouraging Higher Education Institutions to introduce a range of measures to enable more people to participate in higher education including part-time learning and access programmes for mature students.

Teacher Recruitment

17. **Ms Bridget Prentice:** To ask the Secretary of State for Education and Skills what recent action she has taken to increase teacher recruitment. [14647]

Mr. Timms: Better rewards, status and working conditions have already helped to deliver more teachers in maintained schools in England than at any time since 1984. We have pledged to secure at least a further 10,000 by 2006. In addition, training bursaries and Golden Hellos have reversed an eight-year decline in recruitment to initial teacher training. This year, numbers of trainees have risen for the second year in a row, to their highest level since 1994/95.

Nursery Places (Lancashire)

18. **Mr. Hoyle:** To ask the Secretary of State for Education and Skills what plans she has to increase the number of nursery places available in Lancashire. [14648]

Mr. Timms: Already all four year olds in Lancashire are able to access a free part-time nursery education place. In the near future, we will be announcing to all local authorities in England, details of the specific funding we will be making available, to increase the number of free nursery education places available for three year olds in their areas.

Pupil Attainment (Secondary Education)

19. **Helen Jones:** To ask the Secretary of State for Education and Skills what steps she is taking to improve the attainment of pupils in the early years of secondary education. [14649]

Mr. Timms: Our plans to transform secondary education include a major programme to help schools improve the attainment of all 11 to 14-year-olds. The key stage 3 strategy sets high expectations and challenging targets. It aims to improve the quality of teaching and learning in the classroom by investing in teachers' professional development. Expenditure on the strategy will be £489 million to 2003–04.

GCSE Results

22. **Andy Burnham:** To ask the Secretary of State for Education and Skills what assessment she has made of the latest set of GCSE results. [14652]

Mr. Ivan Lewis: The statistics published by the Department on 20 November show that 50.0 per cent. of 15-year-olds gained at least five top grades this year. We have, therefore, met the Government's target—for 50 per cent. of 15-year-olds to achieve five GCSE grades A*-C by 2002—a year early. This is a result of pupils working hard, and of the first class support they receive from teachers. There are many new policies to tackle underachievement in schools and these are feeding through now into more candidates achieving better GCSEs.

Maintenance Grants

23. **Mr. Austin Mitchell:** To ask the Secretary of State for Education and Skills if she will restore maintenance grants to attract students to universities from less well-off backgrounds. [14653]

Margaret Hodge: Options for attracting students from lower income families into higher education are being considered as part of the student support review my right hon. Friend announced in October. As part of the Excellence Challenge programme, funding has already been set aside for up to 25,000 Opportunity Bursaries worth £2,000 each for students from less well-off backgrounds over the next three years. In 2001–02 we have also improved grant provision for lone parents and students with dependants with a new child care grant of 85 per cent. of the actual costs during term time and the short vacations and a travel, books and equipment grant. This is in addition to increasing significantly disabled students allowances and hardship grants during the last four years.

Competitive Team Sports

24. **Mr. Reed:** To ask the Secretary of State for Education and Skills what steps she is taking to increase competitive team sports in schools. [14654]

Mr. Timms: Competitive games are a compulsory part of the National Curriculum for Physical Education for pupils aged between five and 14, and are one of the options for pupils aged 14 to 16. The Government's White Paper "School—Achieving Success" includes a pledge that all children will receive two hours of physical education and school sport a week, within and outside the curriculum. We are currently consulting on how best this can be delivered. We have established over 370 school sports co-ordinators to assist families of primary and secondary schools to deliver after-school competitive sports.

Learning and Skills Council

25. **Mr. Cousins:** To ask the Secretary of State for Education and Skills what guidance she has given to learning and skills councils on the financial support of post-16 education in schools. [14655]

Mr. Ivan Lewis: We have guaranteed that school sixth form funding will be maintained in real terms, uprated for inflation, provided that numbers do not fall.

Alistair Burt: To ask the Secretary of State for Education and Skills what her estimate is of the operating costs of the Learning and Skills Council in *(a)* 2001–02 and *(b)* 2002–03. [17296]

Margaret Hodge: The original budgets for the administration costs of the Learning and Skills Council were set some time ago as £188 million for 2001–2 and £193 million for 2002–3. While the council may wish us to consider an increase in their budget we will ensure that annual administration costs will remain at least £50 million lower than the relevant administration costs of its predecessor bodies.

Class Sizes (Key Stage 1)

27. **Mr. Hopkins:** To ask the Secretary of State for Education and Skills what progress she has made with implementing the Government's class size policy for key stage 1. [14657]

Mr. Timms: On 15 November we announced that 99.5 per cent. of infants are now in classes of 30 or fewer. This is excellent news and means that, apart from permitted exceptions, now just 0.1 per cent. of the 63,000 infant classes have extra children.

Teaching Vacancies

28. **Mr. Blunt:** To ask the Secretary of State for Education and Skills what recent meetings she has had with the National Association of Schoolmasters Union of Women Teachers to discuss the number of teacher vacancies in secondary schools. [14658]

Mr. Timms: I last met representatives of NASUWT on 31 October 2001. A range of issues was discussed, including the terms of teachers' employment, but the number of teacher vacancies was not specifically raised by NASUWT.

20. **Mr. Baron:** To ask the Secretary of State for Education and Skills how many teacher vacancies there are in secondary schools; and if she will make a statement. [14650]

Mr. Timms: Information on the number of teacher vacancies in local education authorities is collected once a year in January as part of the annual census of teachers and vacancies. In January 2001, local education authorities recorded 2,586 vacancies in secondary schools.

Education and Business Links

29. **Mr. Plaskitt:** To ask the Secretary of State for Education and Skills what steps she is taking to provide closer links between further and higher education establishments and business. [14659]

Margaret Hodge: The Government recognise the importance of enhancing links between further and higher education institutions and business. We are investing £100 million over the next three years to create a national network of Centres of Vocational Excellence in Further Education. Centres will enable colleges to develop their links with employer networks and to focus specialist vocational provision on meeting the skills needs of employers at local, regional, national and sectoral level. In doing so they will secure active employer/college engagement to underpin, develop and strengthen innovative and flexible approaches to meeting current and future skills. We are also making available £25 million towards establishing New Technology Institutes (NTIs) in each region from autumn 2002. NTIs, involving colleges, universities and the private sector, will increase the supply of people with skills in information and communications technology and provide support to local businesses on new technology and innovative business practices. A core feature of the new Foundation Degree, which is being introduced from this autumn, is that employers are actively involved in the design and subsequent review of programmes along with higher and further education institutions, national training organisations and other professional bodies. The Higher Education Innovation Fund provides funding to help higher education institutions make organisational and structural arrangements to enhance their interaction with business. Almost £80 million has been allocated to a wide range of institutions for the most recent round of projects, which will take place over the next three years.

Excellence in Cities

30. **Vera Baird:** To ask the Secretary of State for Education and Skills what assessment she has made of changes in standards of achievement in excellence in cities areas. [14660]

Mr. Timms: There are strong indications that the extra support for city schools—not least learning mentors, learning support units and enhanced opportunities for gifted and talented children—is making an impact on children's attainment, on inclusion, and on allowing teachers in those schools to concentrate on teaching. This year's performance tables show that, overall, the 750 secondary schools in Excellence in Cities areas, where the programme has been in place for at least a year, continue to show faster than average improvements in terms of the percentage of pupils achieving 5 or more GCSE/GNVQ results at A*-C.

Teaching Expertise

31. **Mr. Goodman:** To ask the Secretary of State for Education and Skills what steps her Department is taking to ensure that teachers in secondary schools do not teach a subject in which they have no expertise. [14661]

Mr. Timms: This is a matter for head teachers.

Pupil Funding

32. **Mr. Mike O'Brien:** To ask the Secretary of State for Education and Skills what steps are being taken to reduce the disparity in funding per pupil between local education authorities. [14662]

Mr. Timms: We are currently working up proposals for a reformed system of school and LEA funding for introduction in 2003–04. We aim to create a simpler, more transparent and fairer formula that reflects fairly, on the basis of up to date evidence, the needs of authorities in different parts of the country. We do not want there to be disparities in the formula which are not justified by the education needs of children.

In the meantime we are continuing to make significant increases in funding overall. In 2002–03 Education Standard Spending will increase by over £1.3 billion or 6 per cent.; direct grants to schools will increase by 2.75 per cent.; and Standards Fund grant will increase by £85.6 million.

Advanced Skills Teachers

33. **Charlotte Atkins:** To ask the Secretary of State for Education and Skills if she will make a statement on the work of advanced skills teachers. [14663]

Mr. Timms: The Advanced Skills Teacher (AST) route is designed to recognise and reward excellent teachers who wish to remain in the classroom rather than go into management. ASTs have an important role in helping to raise standards. They typically spend 80 per cent. of their time teaching in the usual way and 20 per cent. helping teachers in neighbouring schools. This can involve a wide range of activities such as coaching individual teachers or advising them on their professional development, giving demonstration lessons or holding workshops on particular aspects of teaching such as classroom management. Some have led specific projects within their own school or LEA, for example on provision for the gifted and talented children or techniques to overcome low achievement by boys. Many ASTs have produced or updated schemes of work and developed new teaching materials to help less experienced colleagues.

Education Authority Funding

34. **Ms Drown:** To ask the Secretary of State for Education and Skills what steps she is taking to improve funding of the lowest-funded education authorities. [14664]

Mr. Timms: We are currently working up proposals for a reformed system of school and LEA funding for introduction in 2003–04. We aim to create a simpler, more transparent and fairer formula that reflects fairly, on the basis of up to date evidence, the needs of authorities in different parts of the country. We do not want there to be disparities in the formula which are not justified by the education needs of children.

In the meantime we have been making significant increases in funding overall. Since 1997 Swindon's Education Standard Spending Assessment (ESS) has increased by an average of over 6 per cent. each year. On top of that Swindon's Standards Fund grant has increased from under £1 million in 1997 to over £4 million this year. Also we have introduced the School Standards Grant, which goes straight to schools: this year Swindon's schools have received £2.4 million. In 2002–03 ESS overall will increase by over £1.3 billion or 6 per cent.; direct grants to schools will increase by 2.75 per cent.; and Standards Fund grant will increase by £85.6 million.

Learning Support Units

Mr. Martyn Jones: To ask the Secretary of State for Education and Skills how many learning support units have been established in schools; and if she will make a statement. [14631]

Mr. Ivan Lewis: There are approximately 1,090 learning support units in schools in England. We plan to increase this total further as independent evaluation of LSUs shows that they improve behaviour and cut exclusions. Phase 3 of Excellence in Cities and the Excellence Cluster programme should provide another 140 LSUs and up to 50 more are being set up this term outside the Excellence in Cities programme.

Special Advisers and Press Officers

Annabelle Ewing: To ask the Secretary of State for Education and Skills how many *(a)* special advisers and *(b)* press officers were employed (i) full-time, (ii) part-time and (iii) on a contract basis by her Department in each year since 1992. [6909]

Mr. Ivan Lewis: For the number of special advisers employed, I refer the hon. Member to the reply given by my hon. Friend the Parliamentary Secretary, Cabinet Office on 21 November 2001, *Official Report*, column 340W.

For the number of press officers employed, we are unable to provide information dating back to 1992 without incurring disproportionate costs but information from 1996–97 to 1998–99 is available from appendix 10 of the Sixth Report from the Select Committee on Public Administration entitled the Government Information and Communication Service, published on 29 July 1998. www.publications. parliament. uk/pa/cm199798/cmselect/cmpubadm/770/77002. htm. Information for 1999–2000 to 2001–02 for full-time and part-time press officers is in the table.

Grade	*1999–2000*	*2000–01*	*2001–02*
AIO[1]	2	3	2
IO[1]	11	6	10
SIO[1]	9	13	9
S10[2]	1	1	1
G7[1]	3	3	4
G7[2]	—	1	1
SCSI-9[1]	2	2	2
Contract staff	0	0	0
Total	28	29	[3]29

[1] Full-time

[2] Part-time

[3] The staffing figures for 2001–02 include the transfer of G7x1, SIOx1 and 10x3 to the Department for Work and Pensions as part of the machinery of government changes following the general election.

Departmental Co-ordination

Mr. David: To ask the Secretary of State for Education and Skills what mechanisms and procedures are in place to ensure there is effective co-ordination between her Department and the National Assembly for Wales. [14472]

Estelle Morris: The Department for Education and Skills is working with the Assembly to finalise a concordat, which we hope to publish shortly. This records how we already co-operate and builds on the principles set out in the Memorandum of Understanding between the UK Government and the Devolved Administrations. The concordat gives assurance to both parties that working relationships will continue to be conducted in an agreed and helpful manner.

A recent example of effective co-ordination was the publication by the National Assembly for Wales of its paving document for Wales, "The Learning Country", alongside the White Paper "Schools: Achieving Success" published by Department for Education and Skills this autumn.

Trailblazer Sector Skills Councils

Alistair Burt: To ask the Secretary of State for Education and Skills if she will place in the Library a list of organisations invited to submit expressions of interest in becoming Trailblazer sector skills councils. [16946]

John Healey: I wrote to all Chairs and Chief Executives of National Training Organisations (NTOs) and to Trade Associations on 2 November inviting expressions of interest in becoming a trailblazer Sector Skills Council. Lists of organisations to which the letter was sent have been placed in the Library.

Advertising

Chris Ruane: To ask the Secretary of State for Education and Skills how much her Department has spent in real terms on advertising campaigns to promote training and education policy in each of the last 15 years. [16098]

Mr. Ivan Lewis *[holding answer 19 November 2001]:* The Department's spend on advertising, for each of the last 15 years, is set out in the tables. Within the totals for the Employment Department and Department for Education and Employment there was advertising to promote employment and employability policies, as well as training and education policy. It is not possible to disaggregate this without disproportionate cost.

Prior to 1991–92 the Employment Department agencies (Manpower Services Commission, Training Commission and Training Agency) spent their own publicity budgets. From 1991–92 these were held centrally by the Employment Department. However, because of the way the information is held in our records the figures for the former Employment Department from 1992–93 to 1995–96 do not include expenditure by agencies. The Department for Education and Department for Education and Employment figures also do not include expenditure by agencies and NDPBs.

Real term expenditure is calculated using 1999–2000 base year prices.

Employment Department

£ million

[3]*Year*	*Employment department*[1]	*Employment department agencies*	*Expenditure of Employment department and its agencies*	*Real terms total*
1986–87	12.3	22.8	35.1	59.83
1987–88	4.1	24.3	28.5	46.13
1988–89	4.4	18.1	22.5	34.11
1989–90	1.8	14.8	16.6	23.48
1990–91	7.1	9.9	17.0	22.3

[1] Excluding agencies

Employment Department

		£ million
Year	*Original figures*	*Real terms*
1991–92	9.2	11.37
1992–93	3.2	3.83
1993–94	7.3	8.51
1994–95	6.5	7.47
1995–96	7.7	8.6

Department for Education

Year	*Original figures*	*Real terms*
1986–87	0.8	1.36
1987–88	0.4	0.65
1988–89	0.7	1.06
1989–90	0.3	0.42
1990–91	2.4	3.15
1991–92	2.6	3.21
1992–93	0.7	0.84
1993–94	1.4	1.63
1994–95	0.1	0.11
1995–96	0.6	0.67

Department for Education and Employment

Year	*Original figures*	*Real terms*
1996–97	7.5	8.12
1997–98	10.0	10.53
1998–99	15.7	16.07
1999–2000	11.9	11.9
2000–01	29.0	28.43

Key Skills

Diana Organ: To ask the Secretary of State for Education and Skills for what reason the addendum to key skills guidance issued in September by the Qualifications and Curriculum Authority to ease the assessment burdens associated with key skills was changed. [16195]

Mr. Timms: Following publication of the final draft of the addendum on the QCA website, the generally favourable feedback also suggested that there was a potential contradiction in one short paragraph. This dealt with the collection of evidence for the Application of Number key skills qualification, at one level only (level 2). The QCA therefore removed that paragraph and is discussing with awarding bodies the best way to ensure that this causes minimum disruption.

Specialist Schools and Colleges

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what the *(a)* name, *(b)* character, *(c)* date of designation, *(d)* agreed targets for each year within the period of designation and *(e)* unmet targets to date are of each designated specialist school or college in (i) Medway, (ii) Somerset, (iii) Islington, (iv) Plymouth, (v) Wiltshire, (vi) Isle of Wight, (vii) Tower Hamlets, (viii) Redbridge, (ix) Waltham Forest and (x) Ealing. [16735]

Mr. Timms *[holding answer 20 November 2001]:* The information on the names of specialist schools, their character and the year in which they were designated as specialist schools in each of the named authorities is given in the following table. Information on the targets agreed with each school and targets which have not been met could be provided only at disproportionate cost.

Specialist schools in specified local education authorities—as at 20 November 2001

LEA	*Name*	*Specialism*	*Character*	*Designated September*
Medway	Chatham Grammar School for Boys	Language	Community	2000
Medway	Chatham Grammar School for Girls	Technology	Foundation	1994
Medway	Rainham School for Girls	Technology	Community	1996
Medway	Thomas Aveling School (The)	Technology	Foundation	2001
Somerset	Bucklers Mead Community School	Technology	Community	1996
Somerset	Court Fields Community School	Technology	Community	1998
Somerset	Crispin School	Technology	Community	1999
Somerset	Heathfield Community School	Arts	Community	1997
Somerset	Kings of Wessex Community School (The)	Technology	Voluntary Controlled	2001
Somerset	Kingsmead Community School	Language	Community	2000
Somerset	Ladymead Community School	Technology	Community	1998
Somerset	Whitstone Community School	Technology	Community	2000
Islington, LB of	Elizabeth Garrett Anderson School	Language	Community	2000
Islington, LB of	Mount Carmel RC Girls' School	Technology	Voluntary Aided	2000
Plymouth, city of	Eggbuckland Community College	Technology	Community	1996
Plymouth, city of	Estover Community College	Arts	Community	1999
Plymouth, city of	Hele's School	Language	Community	2000
Plymouth, city of	Lipson Community College	Arts	Community	1999
Plymouth, city of	Parkside Comprehensive School	Technology	Community	2000
Plymouth, city of	Tamarside Community College	Technology	Community	2000
Wiltshire	George Ward School	Technology	Community	1997
Wiltshire	John Bentley School (The)	Language	Foundation	2000
Wiltshire	Kingdown Community School	Sports	Community	2000
Wiltshire	Matravers School	Arts	Foundation	2001
Wiltshire	St. Augustine's Catholic College	Technology	Voluntary Aided	1998
Wiltshire	St. Edmunds Girl's School	Sports	Voluntary Controlled	2000
Wiltshire	St. John's School and Community College	Technology	Foundation	1998
Wiltshire	St. Laurence School	Arts	Voluntary Controlled	2000
Wiltshire	Wyvern College (prev Highbury School)	Technology	Foundation	1994
Isle of Wight	Carisbrooke High School	Sports	Community	2001
Isle of Wight	Ryde High School	Language	Community	2000
Tower Hamlets, LB of	Bethnal Green High School	Technology	Community	1996

Specialist schools in specified local education authorities—as at 20 November 2001

LEA	*Name*	*Specialism*	*Character*	*Designated September*
Tower Hamlets, LB of	Central Foundation Girl's School	Arts	Voluntary Controlled	2001
Tower Hamlets, LB of	Sir John Cass's Foundation Redcoat School (The)	Language	Voluntary Aided	2000
Tower Hamlets, LB of	St. Paul's Way Community School	Arts	Community	1998
Redbridge	King Solomon High School	Technology	Voluntary Aided	1995
Redbridge	Loxford School of Science and Technology	Technology	Community	1996
Redbridge	Seven Kings High School	Technology	Community	2001
Redbridge	Valentines High School	Technology	Community	2001
Redbridge	Woodbridge High School	Language	Community	2000
Waltham Forest, LB of	Connaught School for Girls	Language	Community	2001
Waltham Forest, LB of	Highams Park School	Technology	Voluntary Aided	1997
Waltham Forest, LB of	Holy Family College (The)	Technology	Voluntary Aided	2000
Ealing, LB of	Brentside High School	Arts	Foundation	2001
Ealing, LB of	Cardinal Wiseman RC High School	Technology	Voluntary Aided	1995
Ealing, LB of	Compton High School and Sports College (The)	Sports	Community	2000
Ealing, LB of	Featherstone High School	Sports	Community	1999
Ealing, LB of	Greenford High School	Language	Foundation	2001

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what the *(a)* name, *(b)* character, *(c)* date of designation, *(d)* agreed targets for each year within the period of designation and *(e)* unmet targets to date are of each designated specialist school and college in (i) Kent, (ii) Barnet, (iii) Hampshire, (iv) Bromley, (v) Brent, (vi) Gloucestershire, (vii) West Sussex, (viii) Buckinghamshire, (ix) South Gloucestershire, (x) Devon, (xi) Surrey and (xii) Torbay. [16736]

Mr. Timms: The information on the names of specialist schools, their character and the year in which they were designated as specialist schools in each of the named authorities is given in the table. Information on the targets agreed with each school and targets which have not been met could be provided only at disproportionate cost.

Specialist schools in specified local education authorities
As at 20 November 2001

LEA—Name	*Specialism*	*Character*	*Designated September*
Kent:			
Angley School	Sports	Foundation	2000
Chaucer Technology School	Technology	Foundation	1996
Cornwallis School	Technology	Foundation	1994
Dartford Grammar School	Language	Foundation	1995
Dartford West High School for Girls	Technology	Community	1997
Hartsdown School	Technology	Community	1997
Hayesbrook School (The)	Sports	Foundation	2001
Hillview School for Girls	Arts	Foundation	2001
Holmesdale Community School	Technology	Community	2001
Hugh Christie Technology College	Technology	Foundation	1994
Saint George's C of E School	Language	Voluntary aided	1999
Sandwich Technology School	Technology	Foundation	1996
Weald of Kent Grammar School	Language	Community	1999
London Borough of Barnet:			
Hendon School	Language	Foundation	1995
Mill Hill County High School	Technology	Foundation	1994
Whitefield School	Sports	Community	1999
Hampshire:			
Applemore Technology School	Technology	Foundation	1994
Bohunt School	Language	Foundation	1996
Mountbatten School (The)	Language	Community	2000
Romsey School (The)	Language	Community	2000
Thornden School	Arts	Community	2000
Wildern School	Arts	Community	2001
Wyvern Community School (The)	Technology	Community	2000
London Borough of Bromley:			
Bullers Wood School	Language	Foundation	1996
Charles Darwin School	Arts	Foundation	2001
Kemnal Technology College	Technology	Foundation	1994
Langley Park School for Girls	Technology	Foundation	1996
Ravens Wood School for Boys	Technology	Foundation	1994

Specialist schools in specified local education authorities
As at 20 November 2001

LEA—Name	*Specialism*	*Character*	*Designated September*
London Borough of Brent:			
Claremont High School	Arts	Foundation	2001
Convent of J & M High	Language	Voluntary aided	1996
John Kelly Boys Community School	Technology	Foundation	1994
John Kelly Girls Community School	Technology	Foundation	1994
Gloucestershire:			
Archway School	Technology	Community	2001
Balcarras School	Technology	Foundation	1998
Central Tech College (Saintbridge)	Technology	Foundation	1994
Chipping Campden School	Technology	Foundation	2000
Chosen Hill School	Technology	Foundation	1997
Cirencester Deer Park School	Technology	Foundation	1995
Cleeve School	Technology	Community	1997
Dene Magna Community School	Technology	Foundation	1999
Katharine Lady Berkeleys	Language	Voluntary aided	1996
Pate's Grammar School	Language	Voluntary aided	2001
Sir Thomas Rich's School	Language	Community	2000
St. Benedict's Catholic High School	Sports	Voluntary aided	1999
Tewkesbury School	Technology	Foundation	1999
West Sussex:			
Angmering School	Sports	Community	2000
Bishop Luffa School	Technology	Voluntary aided	1997
Davison C of E School for Girls	Technology	Voluntary controlled	1998
Hazelwick School	Technology	Community	1998
Imberhorne School	Language	Community	1997
Millais School	Language	Community	1996
Steyning Grammar School	Technology	Voluntary controlled	1997
Weald School, The	Technology	Community	1998
Buckinghamshire:			
Aylesbury Grammar School	Technology	Voluntary controlled	1997
Aylesbury High School	Language	Community	2001
Beaconsfield High School	Technology	Foundation	1997
Dr. Challoner's High School	Sports	Community	2001
John Hampden Grammar School	Technology	Community	2001
Princes Risborough School	Technology	Community	2001
Royal Grammar School (The)	Language	Foundation	1996
Sir William Ramsey School	Arts	Community	2000
Wye Valley School (The)	Sports	Community	1998
South Gloucestershire:			
Downend Comprehensive School	Technology	Community	1999
Ridings High School	Technology	Community	1998
Sir Bernard Lovell School	Language	Community	1996
Devon:			
Ivybridge Community College	Sports	Community	1997
Knowles Hill School	Technology	Foundation	2000
Queen Elizabeth's Community College	Technology	Community	1998
South Dartmoor Community College	Sports	Community	1997
Tavistock College	Language	Community	1996
West Exe Technology College	Technology	Community	1996
Surrey:			
All Hallows Catholic School	Technology	Voluntary aided	1995
Ashcombe School	Language	Community	1998
Collingwood College	Technology	Foundation	1994
George Abbot School	Arts	Community	2001
Glyn Technology School	Technology	Foundation	1994
Heathside School	Technology	Foundation	1995
Magna Carta School (The)	Technology	Community	2001
St. John Baptist Catholic Comprehensive School	Language	Voluntary aided	1997
St. Paul Roman Catholic College	Technology	Voluntary aided	1996
St. Peter's Catholic Comprehensive School	Technology	Voluntary aided	2000
Tomlinscote School	Language	Community	1996
Warwick School (The)	Technology	Community	1998
Torbay:			
Torquay Boys' Grammar	Language	Foundation	1996

Teacher Training

Dr. Kumar: To ask the Secretary of State for Education and Skills what measures she is taking to train teachers to challenge stereotypes in the classroom; and if she will make a statement. [16863]

Mr. Timms: I have asked the Teacher Training Agency to consult on a revised set of requirements for initial teacher training, which include the need for trainees to demonstrate the ability to work in an inclusive way, respond to the needs of all children whatever their background, and challenge stereotypes. The revised requirements are due to take effect from September 2002.

Out-of-School Provision

Dr. Kumar: To ask the Secretary of State for Education and Skills what recent assessment she has made of youth provision outside school hours; and if she will make a statement. [16874]

Mr. Ivan Lewis: The Government have recognised that out-of-school hours provision has a key role to play in developing young people and raising their attainment. A number of initiatives are now in place. Since autumn 2000, a number of assessments have been made of this provision.

In June 2001 we published the report of the "Study Support National Evaluation and Development Programme"—which showed that participation in voluntary out of school hours learning has a positive effect on the academic attainment, attitudes and school attendance of secondary school pupils.

A number of pilot projects have been funded through the Department's Partners for Study Support grant scheme, for example, Cleveland Arts and Stockton Adult Education Service will work in partnership with a primary and secondary school to produce a digital film including live footage, animation, digital special effects, a sound track, creative writing and interviews by residents of the Billingham area. Middlesbrough Evening Gazette and East Cleveland Education Action Zone will work in partnership with schools to give 35 gifted and talented children in years six and nine the opportunity to experience the world of work and the opportunity to produce a real newspaper. Middlesbrough LEA are also a partner LEA with the University of the First Age National Project.

A second evaluation of the "Playing for Success" (PfS) out of school hours study support initiative published in September 2001 has found significant gains in literacy, numeracy and information and communications technology skills among children taking part. Thirty eight of the top football clubs, including Middlesbrough FC, have so far built PfS centres within their stadiums and other sports are beginning to take part.

The pilot summer activities for 16-year-olds programme was evaluated in autumn 2000. The evaluation provided clear indicators of what worked well and what did not, and these findings have been fed into the design of the second phase pilots. The second phase pilots are currently being evaluated. Middlesbrough ran a small-scale pilot in 2000—a small group of year 11 leavers were taken on a one week residential in the Lake District where they took part in a variety of adventure activities. Middlesbrough were also involved in the Tees Valley summer activities pilot in 2001.

The National Youth Agency carries out an annual audit of England's Local Authority Youth Services on behalf of the Department for Education and Skills, and in July 2001 published a report "England's Local Authority Youth Services—The Basic Facts 1999–2000". In October 2001, following the "Transforming Youth Work" consultation on the future of the Youth Service, we announced a new vision for the Service. Full guidance on the role of the Youth Service and its relationship with the Connexions Service is to be published by the end of the year, with a draft specification for a new look youth service to be issued in the new year, and in January we will help new Connexions partnerships by publishing case studies of successful Youth Service links with Connexions.

Female School Students

Dr. Kumar: To ask the Secretary of State for Education and Skills what steps she has taken to encourage female school students to study subjects likely to lead to high earning power. [16967]

Mr. Ivan Lewis: All pupils are required to study the National Curriculum from 5 to 16, which together with other elements of the broader school curriculum, prepares pupils of both genders for the opportunities, responsibilities and experiences of adult life. Teachers and other staff in schools offer information and advice on future options as part of their role under the Education Act 1996 to prepare pupils for adult life. The primary role of giving advice and guidance to young people considering learning options from 14 to 19 and beyond, including their implications for employment, falls to Connexions and careers services.

The Connexions service works with young people between 13 and 19 in and out of schools and subsumes the role of the Careers service. Both the Connexions and Careers services provide support to young people by working to overcome any barriers to full achievement and provide comprehensive and impartial information, advice and guidance on learning and career options from age 14. Their staff are required to maintain a full and up-to-date appreciation of how to provide services in ways which challenge stereotyping and promote equality of opportunity, and which engender this awareness in their clients.

An Equal Opportunities Commission Research Report "Gender Equality and the Careers Service" was published in 1999. It gave case studies of good practice and made recommendations for the enhancement of the work of Careers services in this field.

Young People (Communication Skills)

Dr. Kumar: To ask the Secretary of State for Education and Skills what assessment she has made of the material produced by the *(a)* Children's Society's, Ask Us project and *(b)* Triangle and National Society for Protection of Cruelty to Children Two Way Street project concerning young people's communications skills and involvement in policy making. [16968]

Mr. Denham: The materials from these projects are an important contribution to our work to support Government Departments in implementing the principles in "Learning to Listen: Core Principles for the Involvement of Children and Young People". As "Learning to Listen" makes clear, Government Departments have made a commitment to provide more opportunities for all children and young people to get involved in the design and delivery of policies and services relevant to them. Making sure disabled and other children in need are effectively involved in this work is a key priority. The Ask Us and Two Way Street materials are being included in the resource index which will accompany the "Learning to Listen" guidance (which will shortly be available over the internet at www.cypu.gov.uk).

Yesterday I launched consultation on the Government's new strategy for children and young people, in our consultation document: "Building a Strategy for Children and Young People". I would welcome input from the projects in the consultation.

Both the "Building a Strategy" and the "Learning to Listen" documents are available in the Library.

Teaching Reforms

Chris Grayling: To ask the Secretary of State for Education and Skills what plans she has to continue funding the reforms to the teaching profession after the initial two year period. [17133]

Mr. Timms: The special grant for threshold pay is already putting over £400 million per annum into the salaries of nearly 200,000 teachers. A new special grant will provide £250 million more for performance pay progression over the next two financial years. Special grants are for fixed periods. But the Government have always accepted that a new pay structure providing additional rewards for effective teachers means a substantial and permanent increase in the cost of teachers' pay. So our financial planning will continue to take account of that.

DEPUTY PRIME MINISTER

Ministerial Interests

Mr. Robathan: To ask the Deputy Prime Minister how many Ministers in his Department have submitted lists of interests to the Permanent Secretary, pursuant to paragraph 115 of the Ministerial Code. [16867]

The Deputy Prime Minister: All Ministers in this Department have complied with the requirements of paragraph 115 of the Ministerial Code.

Civil Service

Dr. Kumar: To ask the Deputy Prime Minister what plans he has to relax regulations prohibiting members of the senior civil service from holding public office. [16881]

Mr. Leslie: There are no plans to relax the restrictions relating to the involvement of members of the senior civil service in political activities. The rules are set out in the Civil Service Management Code and specify that members of the Senior Civil Service are not allowed to take part in national political activities. They may take part in local political activities with the permission of their Department or agency. Civil servants are prohibited from election to Parliament by way of the House of Commons Disqualification Act 1975.

Business Co-ordination Unit

Dr. Kumar: To ask the Deputy Prime Minister how many small and medium-sized enterprises, by region, have been assisted in meeting Government Ministers through the work of the Business Co-ordination Unit; what percentage of those meetings resulted from invitations originally refused by ministerial offices; and what information he has collated on meetings between each departmental Minister and SMEs in the last 12 months. [14884]

Mrs. Roche: 1. Over the last 12 months the BCU has arranged 211 ministerial visits. A "visit" can be a bilateral, larger meeting, discussion group, seminar or conference involving SMEs. The number of SMEs attending these events can vary in number from one (for bilateral) to 500 (for conferences).

2. The BCU does not keep records specifically on the number of SMEs it has arranged ministerial meetings with. The following information has been estimated based on the original invitation paperwork received from the event organisers.

Regions	*Number of visits*	*Number of SMEs attended*	*Number of visits from declined invitations*	*Number of SMEs from declined invitations*
London	49	1,683	15	910
East Midlands	37	914	8	466
East	9	53	1	10
South West	16	139	2	30
South East	32	1,020	5	820
North West	12	493	2	120
North East	5	600	5	350
West Midlands	33	622	6	285
Yorkshire and Humber	16	434	5	270
Wales	1	20	0	0
Scotland	1	20	0	0
Total	211	5,998	49 (23%)	3,261 (54%)

3. The majority of declined invitations tend to be for large conferences, which explains why 23 per cent. of declined invitations represents over 54 per cent. of SMEs met.

4. The BCU does not collate or retain information exchanged at meetings between Ministers and SMEs; any relevant points made by SMEs are immediately relayed back to the appropriate Department for further consideration.

TREASURY

NIRS2

Matthew Taylor: To ask the Chancellor of the Exchequer if he will place legal advice on the position of the NIRS2 contract in the Library. [16723]

Dawn Primarolo: It would be inappropriate to place the legal advice in the Library in accordance with Exclusion 4 (Information covered by legal professional privilege) of the Code of Practice on Access to Government Information.

Railtrack

Mr. Flight: To ask the Chancellor of the Exchequer what has been the average loss to save as you earn schemes invested in Railtrack by employees of Railtrack since October. [16026]

Mr. Jamieson: I have been asked to reply.

This is an internal company scheme.

Mr. Howard: To ask the Chancellor of the Exchequer what discussions he has had with the Secretary of State for Local Government, Transport and the Regions regarding the bid for Railtrack from WestLB. [17742]

Mr. Andrew Smith: Treasury Ministers have discussions with colleagues in other Departments on a range of subjects on a regular basis.

EU Fraud and Waste

Mr. Spring: To ask the Chancellor of the Exchequer what response the Government have made to the EU Court of Auditors' report of 12 November on fraud and waste. [16814]

Mr. Andrew Smith: The Government are carefully considering the Court of Auditors' Annual Report and Statement of Assurance for the financial year 2000 and will send its detailed comments to the Commission by 20 December as part of the normal follow-up procedure, ensuring that both Houses receive an advance copy. The Government will also contribute fully to Council discussions leading to the recommendation on whether to give discharge to the Commission for the year 2000 budget at the March 2002 ECOFIN meeting.

Share Dealings

Mr. Flight: To ask the Chancellor of the Exchequer what discussions he has had with EU Finance Ministers in relation to the impact of respective national taxes on share dealings on the development of the single market in financial services. [15919]

Dawn Primarolo: The Chancellor discusses a wide range of issues with other European Finance Ministers, but he has had no recent discussions with them on the issue of national taxes on share dealings, which are of course a matter for national Governments.

Aggregates Levy

David Taylor: To ask the Chancellor of the Exchequer (1) what assessment he has made of the time scale needed by the mining and quarrying industry, after the aggregates levy legislation is enacted, to put in place the necessary financial and information systems to operate the levy; [16302]

(2) if he will postpone implementation of the aggregates tax to take account of significant problems caused to *(a)* the quarry industry and *(b)* the rural economy. [16303]

Mr. Boateng: The aggregates levy was pre-announced by two years in order to give business time to adjust. The primary legislation was enacted in the Finance Act 2000. A full Regulatory Impact Assessment has been published by HM Customs and Excise and is available from their website.

The aggregates levy will come into effect on 1 April 2002.

David Taylor: To ask the Chancellor of the Exchequer what areas of the aggregates levy legislation remain to be prepared; and when the process will be completed. [16301]

Mr. Boateng: Secondary legislation is still to be laid but will be implemented ahead of the introduction of the aggregates levy.

Psychiatric Illness

Mr. Heald: To ask the Chancellor of the Exchequer when he will receive the results of the repeat psychiatric morbidity survey conducted in 2000; and if he will publish the report. [17093]

Mr. Boateng: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Oliver Heald, dated 22 November 2001:

As National Statistician I have been asked to reply to your recent question on the results of the repeat psychiatric morbidity survey conducted in 2000 (17093).

A First Release of data from the survey entitled "Psychiatric morbidity among adults, 2000" was published by the Office for National Statistics on 9 July 2001 and is available on the National Statistics website (www.statistics.gov.uk).

The main report of the survey will be published on December 18th, 2001 and will be obtainable from The Stationery Office. A copy will also be placed in the House of Commons library. This will provide an overview of the main survey findings. A summary report will also be published and will be made available on the National Statistics website together with the Technical Report of the survey. A series of shorter reports focusing in more detail on a range of topics has also been commissioned by the Department of Health for publication over the next year.

Suicide Statistics

Mr. Heald: To ask the Chancellor of the Exchequer what assessment he has made of the proportion of young men who commit suicide who are black or from ethnic minorities. [17088]

Mr. Boateng: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Oliver Heald, dated 22 November 2001:

As National Statistician I have been asked to answer your question on what assessment has been made of the proportion of young men who commit suicide who are black or from ethnic minorities (17088)

Ethnicity is not recorded at death registration. Information collected at death registration relates to country of birth. However, country of birth would not detect the generations who are black or from ethnic minorities that were born in the UK, or those members of the white ethnic group that were born in other countries. Therefore suicide figures for ethnic groups are not available.

PRIME MINISTER

Special Advisers and Press Officers

Mr. Salmond: To ask the Prime Minister how many *(a)* special advisers and *(b)* press officers were employed (i) full-time, (ii) part-time and (iii) on a contract basis by his Department in each year since 1992. [6941]

The Prime Minister: For information about special advisers, I refer the hon. Member to the answer that my hon. Friend the Parliamentary Secretary, Cabinet Office gave to him on 21 November 2001, *Official Report*, column 340W.

Information about the number of press officers working in the Number 10 Press Office from 1998 onwards is given in the table.

	Number of press officers
1998[1]	8
1999[1]	8
2000[1]	9
2001[1]	8

[1] 31 March

Information requested for the earlier years can be obtained only at disproportionate cost.

Freedom of Information Act

Matthew Taylor: To ask the Prime Minister what recommendations he has made with regard to the timetable on which the rights of access in the Freedom of Information Act 2000 will come fully into force; and if he will place a copy of these recommendations in the Library. [14834]

The Prime Minister: Paragraph 16 of the Ministerial Code makes clear that the internal process through which a decision has been made should not be disclosed. Exemption 2 of the Code of Practice on Access to Government information applies.

World Summit on Sustainable Development

Mr. Miller: To ask the Prime Minister what the composition and terms of reference are of the new Cabinet Committee on the preparation for the World Summit on Sustainable Development. [18143]

The Prime Minister: I have asked my right hon. Friend the Deputy Prime Minister to chair a new Cabinet Committee on sustainable development in preparation for the World Summit on Sustainable Development in Johannesburg in September 2002. The composition and terms of reference of the new committee are:

Ministerial Committee on Sustainable Development (MISC18)

Composition

The Deputy Prime Minister (Chair)

Secretary of State for Foreign and Commonwealth Affairs

Chancellor of the Exchequer

Secretary of State for Environment, Food and Rural Affairs

Secretary of State for International Development

Secretary of State Trade and Industry

Secretary of State for Work and Pensions

Secretary of State for Transport, Local Government and the Regions

Invited to attend

Minister of the Environment, Northern Ireland Executive

Minister of the Environment, Scottish Executive

Minister of the Environment, Welsh Assembly

Terms of Reference

"To develop, co-ordinate and deliver the Government's strategy for the World Summit on sustainable development in September 2002".

Government Information

Mr. Robathan: To ask the Prime Minister what plans he has to bring forward prospects to increase the powers of the Parliamentary Commissioner for Administration with respect to the Code of Practice on Access to Government Information. [16869]

The Prime Minister: None.

Ministerial Code

Mr. Robathan: To ask the Prime Minister what consultations he had prior to revising the Ministerial Code in July. [16868]

The Prime Minister: The Ministerial Code is my guidance to my Ministers on how they should act and arrange their affairs in order to uphold the highest standards. I decide the content of the Ministerial Code.

LORD CHANCELLOR'S DEPARTMENT

Public Service Agreements

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on progress in meeting the public service agreement target of reducing in real terms the unit cost of an asylum appeal. [14994]

Ms Rosie Winterton: The public service agreement target is to reduce in real terms the unit cost of asylum appeal by an average of 3 per cent. per annum. This year's target figure, which excludes accommodation and overheads, is £1,025. Performance against target is properly reported upon at the year end, but current performance indicates that this target will be achieved.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on *(a)* the criteria for assessment of and *(b)* progress towards meeting the public service agreement target of an improvement in the proportion of training which contributes to improvements in job performance. [14985]

Ms Rosie Winterton: Staff training is regularly evaluated in all parts of LCD—including the Court Service. This includes an assessment by individuals and managers of how the training contributed to job performance. There are no general criteria for this assessment. The individual and manager consider whether the training met the training objectives for that individual, which vary from case to case.

In 2000–01, evaluation showed that training contributed to an improvement in performance in 92 per cent. of trainees in LCD and 99 per cent. of trainees in the Court Service. The difference between the two figures is not regarded as significant, and probably arises from variations in the training events attended, some of which are necessarily more general and therefore less amenable to very specific training objectives.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on progress in meeting the Public Service Agreement target for the reduction of sickness absence in *(a)* the Public Trust Office and *(b)* the Court Service. [14988]

Ms Rosie Winterton: The average number of working days' sick absence per member of staff for this financial year (April 2001 to September 2001) in: *(a)* the Public Guardianship Office, is 9.2 days against a PSA target of 10.2 days; and *(b)* the Court Service, is 11.4 days against the PSA target of 8.1 days.

Although the figure is higher than the target for the Court Service, it masks a reduction in the actual number of days of sick absence per month from 9,211 days in April to 7,625 days in September.

A great deal of work has been undertaken in the Court Service to raise awareness of the targets and of the need to manage attendance in accordance with the best practice policies. It will however take time for this increased activity to improve attendance to have an impact on the average figures

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on performance in *(a)* 1999–2000 and *(b)* 2000–01 against the Public Service Agreement target of maintaining the average unit cost per court case constraint in real terms in Northern Ireland. [14916]

Ms Rosie Winterton: The Northern Ireland Court Service's average unit costs, as defined by the terms set out in the 1998 Comprehensive Spending Review, have increased as a consequence of the implementation of an extensive modernisation programme in line with the Government modernisation agenda and the one-off costs associated with the Omagh inquest. This unit of measurement for measuring the Northern Ireland Court Service's performance was not carried forward into the SR2000 period.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on progress in meeting the Public Service Agreement target for the extension of the work of the Special Investigations Unit to criminal cases. [14989]

Ms Rosie Winterton: Since June 1999 the work of the Special Investigations Unit has included investigations into the financial circumstances of individuals applying for or receiving publicly funded representation in criminal proceedings.

Since April of this year, the higher criminal courts have been able to order the defendant to pay back some or all of the costs of their defence at the end of a case, usually following conviction. SIU is responsible for carrying out means assessments to inform the making of such orders when the court refers them to the Commission.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on progress in meeting the Public Service Agreement target of halving the time from arrest to sentence for persistent young offenders. [14995]

Mr. Wills: This PSA target reflects the Government's Youth Justice Pledge. In 1996, dealing with a persistent young offender took an average of 142 days but figures published by my Department show that by June 2001 this had been cut to 70 days. This breakthrough was achieved through effective joint working by all the criminal justice agencies. We have now met or exceeded our target in three consecutive months: in July 2000 the figure was 71 days and in August this year the figure was 66 days.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on progress in meeting the Public Service Agreement target of increasing the proportion of *(a)* victims, *(b)* witnesses and *(c)* jurors who regard their experience in the criminal justice system as acceptable. [14997]

Mr. Wills: The 2000 British Crime Survey showed that 58 per cent. of victims were satisfied with their experience in the criminal justice system. The results of the 2001 British Crime Survey are awaited. The Witness Satisfaction Survey 2000, which was the first national survey of witnesses, showed that 75 per cent. of witnesses were very or fairly satisfied with the treatment they received. A similar survey next year will show whether the proportion of satisfied witnesses has increased. The first juror satisfaction survey, conducted in January 2000, showed that 95 per cent. of jurors were satisfied or very satisfied with their treatment by the courts. A differently constituted survey, carried out in February 2001, showed that 82 per cent. of jurors were satisfied or very satisfied. The original survey will be re-run in early 2002 to allow an accurate assessment of performance against the PSA target.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the public service agreements which apply to magistrates courts. [15035]

Mr. Wills: The public service agreements and service delivery agreements for Magistrates Courts Committees are set out. Other statutory performance targets and ministerial expectations supplement the PSA targets:

> To reduce the average waiting time for witnesses in the magistrates courts to one hour or less by March 2002 and the unnecessary attendance of witnesses in the magistrates courts by 10 per cent. over the SR2000 period
>
> To improve the standard by which the CJS meets the rights of defendants by achieving by 2004 100 per cent. of targets in a basket of measures as defined in the CJS Business Plan
>
> To reduce the time taken from first listing in the magistrates courts to sentence or other disposal for all offenders by March 2004
>
> To deal with 80 per cent. of youth court cases within their time targets
>
> Halving from 142 to 71 days by March 2002 the time taken from arrest to sentence for persistent young offenders and maintaining that level thereafter
>
> To reduce courtroom over capacity by 10 per cent. by March 2002
>
> In order to improve compliance with monetary orders and the speed and effectiveness of the arrangements for bringing offenders who fail to comply with community sentences back before the courts, the lead responsibility for the execution of

warrants transferred from the police to the magistrates courts in April 2001. Baseline data are being collected during the first year of operation and targets will be set for April 2002.

All MCCs to produce annual reports for 2000–01 by 1 September 2001

100 per cent. of magistrates courts have a charter in place that meets specified standards by March 2002

All MCCs to apply in full the (regulated) performance standards covering the management assurance programme (MAP) and services to disabled court users.

LCD and magistrates courts will also contribute towards the Criminal Justice System PSAs:

to secure a minimum 5 percentage point improvement in the level of satisfaction of users of the justice system by 2004, including that of victim and witnesses with their treatment in the criminal justice system, and

to improve the level of confidence in the criminal justice system by 31 March 2004, including improving that of ethnic minority communities.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the Public Service Agreement target for the proportion of *(a)* witnesses and *(b)* victims giving evidence on the day that they are called in magistrates courts. [15005]

Mr. Wills: In support of the Public Service Agreement (as part of the common targets for Criminal Justice System agencies) the LCD Service Delivery Agreement targets are to reduce the average waiting time for witnesses in the magistrates courts to one hour or less by March 2002 and reduce the unnecessary attendance of witnesses in the magistrates courts by 10 per cent. over the SR2000 period. In the survey conducted in June 2001 in magistrates courts in England and Wales the average waiting time was one hour 22 minutes and the proportion of witnesses expected to attend who attended but did not give evidence was 51 per cent. Figures concerning victims are not recorded separately.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on progress in meeting the Public Service Agreement target of increasing the *(a)* number and *(b)* proportion of young offenders fast tracked. [14996]

Mr. Wills: The Lord Chancellor's Department's Departmental Report (the Government's Expenditure Plans 2000–01 to 2001–02) Cm 4606, presented to Parliament in April 2000 referred to an Output Performance Analysis Measure of increasing the number and proportion of young offenders fast tracked. That was in support of the Public Service Agreement target of halving the arrest to sentence time for PYOs from 142 to 71 days. That target reflected the Government's Youth Justice Pledge. Figures published by my Department show that we have now met or exceeded the target of 71 days in three consecutive months: June 2001 (70 days), July 2001 (71 days) and August 2001 (66 days).

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the baseline for the Public Service Agreement target of reducing in real terms the unit cost of cases in the Crown court. [15002]

Mr. Wills: The unit cost of cases in the Crown court was originally measured under the cash accounting system. The Court Service has recently moved to accruals accounting, and a new baseline has been set as a result. Performance against this figure will be reported as part of the 2001–02 accounts production process.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the *(a)* baseline for and *(b)* redress for the failure to achieve the Public Service Agreement target in 1999–2000 of reducing the unit cost of an item of originating process in the civil courts. [14945]

Mr. Wills: The target in 1999–2000 was £118 per item of county court originating process, and the figure achieved was £137 (16 per cent. greater than target). By way of context, the unit cost measure of performance was withdrawn as a Court Service PSA target after 1999–2000 because of its limitations as a measure of efficiency, mainly because the organisation's costs are fixed and the main driver of the unit cost figure is the relatively volatile level of demand for the service.

The reason for the under achievement is that in 1999–2000 the Court Service successfully implemented a radically different way of delivering civil justice. An assessment was made of the likely full impact on its costs and the behaviour of court users. In the event the costs of the Court Service were 6 per cent. higher than anticipated but the main cause of the increased unit cost was a 10 per cent. reduction in the level of activity. This was mainly due to court users and their advisers adjusting their activities to meet the new procedures. Given the limited value of the unit cost measure, and the unique circumstances, it was accepted in the Department's review of the Court Service's performance during 1999–2000 that there had been a technical rather than substantive failure in this area.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on the reason for the non-specification in the 2001 departmental report of performance indicators for the Public Service Agreement target for the percentage of non-publicly funded expenditure spent on court service headquarters and corporate services group in the Lord Chancellor's Department headquarters. [14984]

Ms Rosie Winterton: This target is associated with the two preceding it in the departmental report. Like them it proved to be ambiguous and has been replaced by a series of targets which can more readily capture the Department's efficiency and value for money programme.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what further resources were *(a)* sought and *(b)* obtained to enable the achievement of the Public Service Agreement target on the commencement of Crown Court cases. [14998]

Mr. Wills: As part of the SR2000 settlement, a criminal justice unallocated reserve of £525 million was established to cover the three years of the spending review. Total funding of £10 million was sought and obtained to increase Crown Court sittings in 2001–02 from 93,000 to 100,000 days.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on progress towards meeting the Public Service Agreement target for the cost of publicly funded criminal defence services by March 2002. [14999]

Ms Rosie Winterton: The Department is on track to achieve stability in the cost of legally aided criminal defence services through a number of measures which will aim to control cost:

(a) From 2 October 2000, firms were required to have a criminal category franchise in order to undertake Legal Services Commission funded criminal defence work in areas funded by the Commission ie magistrates' court work, advice and assistance and duty solicitor (criminal) work;

(b) all magistrates' court work, advice and assistance and duty solicitor (criminal) work has been contracted since the CDS was introduced on 2 April 2001;

(c) from 2 April 2001 only franchised firms have been able to undertake work for the CDS in the Crown court;

(d) from April 2001 the Commission has had the authority to require Very High Cost Criminal Cases (VHCCCs) meeting the relevant criteria ie cases predicted to last more than 25 days if they proceeded to trial, or to have total defence costs of more than £150,000, to proceed by way of an Individual Case Contract (ICC) only. The intention was that by April 2002, all new very high cost cases would proceed by way of an ICC with the Commission. The LSC set up a Criminal Higher Cost Cases (CHCC) unit, with the aim of taking on some VHCCCs this year and all VHCCCs from 1 April next year. To date, 57 VHCCCs have been signed. The Commission has decided, having consulted the Department, that not all cases should be brought within the scheme from that date. The new contract arrangements aim to deliver significant benefits in ensuring that these cases are managed effectively and that the cost of them is controlled. However, implementing the regime for all cases from April would bring forward a significant amount of expenditure and it is necessary to manage this over a longer period of time by phasing the full introduction of the new arrangements. Phasing the introduction in this way will also give the Commission and the profession more time to further develop the new approach and apply the lessons already learned;

(e) the Crown court graduated fee scheme was extended on 29 October 2001 to cover trials up to 25 days;

(f) since 29 October 2001, both prosecution and defence advocates have been paid within the same fee structure for all Crown court trials lasting up to 25 days. Rates for an extended and unified scheme for cracked trials and guilty pleas will be introduced when the results of additional modelling and research are available;

(g) the new regulations which came into force on 1 September 2001, control more tightly the circumstances where Queen's Counsel or more than one advocate might be allowed for the defence in Crown court cases. There has been a reduction in the use of Queen's Counsel (whether alone or with a junior) of some 50 per cent.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on progress towards meeting the Public Service Agreement target for the reduction of courtroom over-capacity by March 2002. [15003]

Ms Rosie Winterton: Good progress is being made towards achieving the Public Service Agreement target. We are reducing over-capacity by a combination of measures. These include using surplus capacity for coroners courts, asylum and other tribunal work; reducing the number of buildings in the same city/town by facilitating joint usage of courtrooms across the estate (Crown, county and magistrates); and disposing of those courts surplus to requirements.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on the failure to achieve the Public Service Agreement target for the average cost of an act of advice and assistance in criminal cases. [15001]

Ms Rosie Winterton: As of 31 December 2000 actual achievement was £74 against a published target of £71. The main reason why the target was not achieved was because solicitors were spending, on average, more time advising their clients than in previous years.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department which Public Service Agreement targets for 2001 to 2004 support the Government's objectives in relation to family law. [15115]

Ms Rosie Winterton: The Lord Chancellor's Department has as its fifth strategic objective:

> "To improve the lives of children and help build and sustain strong families through providing a legal and procedural framework to sustain family relationships, and, when they do break down, to resolve disputes with the least distress to those affected, especially the most vulnerable".

This objective is supported by Public Service Agreement target 8:

> "To increase continued contact between children and the non-resident parent after a family breakdown, where this is in the best interests of the child".

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on progress towards meeting the Public Service Agreement target for the use of *(a)* BACS to achieve value for money in the payment of invoices and *(b)* electronic commerce. [14990]

Ms Rosie Winterton: In October 2001 the Department achieved 57 per cent. of expenditure payments by BACS. This performance excludes any payments which have been made locally by the Courts. The use of BACS continues to be monitored by the Department on a monthly basis.

The Department monitors the percentage volume of low level transactions with a view to achieving the e-commerce target. For the last two quarters the Department achieved the following performance:

January to March 2001: 24.8 per cent.

April to June 2001: 35.6 per cent.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on progress in meeting the Public Service Agreement target for the proportion of ministerial and other departmental correspondence answered within the target deadline. [14986]

Ms Rosie Winterton: The Department is making good progress against its PSA targets on correspondence. For the first six months of the target period (April to October 2001) the Department exceeded its target of replying to 80 per cent. of public correspondence within 15 working days, achieving a figure of 85 per cent. For ministerial correspondence over the same period, 77 per cent. of responses were made within the 20 working day target, with on-going efforts being made to meet the 85 per cent. PSA target by the end of the period.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on the series of targets which have replaced the Public Service Agreement target of *(a)* three per cent. annual efficiency gains and *(b)* a reduction in support costs as a proportion of running costs. [14993]

Ms Rosie Winterton: The full range of the Department's current Public Service Agreement targets and Service Delivery Agreement targets is published on the Department's website. A large number of the targets are relevant to the improvement of Departmental efficiency. In particular, Service Delivery Agreement targets 46–53 demonstrate our commitment to improving value for money.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on the Public Service Agreement target of contracting for civil and family legal services solely with quality-assured providers setting out the *(a)* costs and *(b)* savings entailed. [15007]

Ms Rosie Winterton: From 1 April 2001, all legal help and representation in publicly funded civil and family work has been placed under contract with quality assured providers. On 1 November 2001, there were 4,972 contracts with solicitors' firms and 381 contracts with not-for-profit organisations. As of 31 December 2000, the average cost per civil bill adjusted for changes in case mix decreased from a published target of £2,151 to an actual achievement of £2,069.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on the failure to achieve the Public Service Agreement target for the average cost of the duty solicitor scheme per person assisted. [15000]

Ms Rosie Winterton: As of 31 December 2000 actual achievement was £150 against a published target of £142. Achievement of the target was mainly affected by the Narey reforms to speed up disposal of cases in the magistrates courts. These reforms have resulted in an increase in cases dealt with under the Court Duty Solicitor Scheme instead of a full legal aid order.

The average cost of "Narey" representation was higher than the historical average for duty solicitor work.

Energy Savings

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the savings were in *(a)* 1998–99, *(b)* 1999–2000 and *(c)* 2000–01 from energy efficiency in her Department. [14922]

Ms Rosie Winterton: The latest figures for 1998–99 were placed in the Libraries of both Houses in response to a question from the hon. Member for Hertsmere (Mr. Clappison) on 12 December 2000. Those for 1999–2000 will be included in Part 2 of the Third Annual Report on Greening Government due to be published on 27 November. The figures for 2000–01 are not yet available.

Mediation

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on the *(a)* cost and *(b)* savings in 2000–01 of the pilot scheme at Leeds combined court offering mediation to all parties in defended cases. [15032]

Ms Rosie Winterton: The pilot scheme based at Leeds combined court was managed in a way that was cost neutral for the Court Service. The evaluation of the scheme, undertaken by Leeds Metropolitan university, found that most parties that responded to the survey thought that the mediation had saved them money on the total potential costs of resolving the dispute. However, take-up of the scheme was low, with only 15 mediation appointments taking place between 1 July 2000 and 31 August 2001.

Criminal Justice Strategy Committees

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the cost is in *(a)* 2000–01 and *(b)* 2001–02 of the Area Criminal Justice Strategy Committees. [15034]

Ms Rosie Winterton: The total cost of the 42 Area Criminal Justice Strategy Committees in the financial year 2000–01 was approximately £366,000. This comprises the salary costs of the National Co-ordinator, nine full-time equivalent Area Co-ordinator posts and their travel expenses. In addition, six Regional Conferences were held during the year for members of the Area Committees.

In the current financial year, the cost is approximately £1.4 million which includes the salaries and expenses mentioned, local conferences arranged by the Area Committees, and £1 million which was earmarked for the Area Committees from the Criminal Justice Reserve for projects aimed at improving joined-up working among the local criminal justice agencies.

Circuits for Part 51 Work

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what additional resources, referred to on page 10 of the departmental report 2001, have been directed to the circuits for Part 51 work. [14982]

Mr. Wills: An additional £1 million was allocated to the circuits during the 2000–01 financial year to deal with Part 51 work.

Absence

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the cost was in 2000–01 of absence through sickness in her Department. [15030]

Ms Rosie Winterton: The salary cost of sickness absence in the Lord Chancellor's Department (including the Court Service and the Public Guardianship Office) for 2000–01 is estimated as £8,757,000. This is based on the average number of working days lost through sick absence per person per annum, as a percentage of total working days per annum, multiplied by the total salary bill.

Resource Accounts

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will publish the unqualified audit opinion that was obtained on her Department's 1999–2000 resource accounts. [14923]

Ms Rosie Winterton: The Lord Chancellor's Department's 1999–2000 resource accounts received a qualified audit opinion. The Certificate and Report of the Comptroller and Auditor General to the House of Commons is reproduced in the Lord Chancellor's Department Resource Accounts 1999–2000, which was published in March 2001 by the Stationery Office (Cm 5056).

"Criminal Justice Working Together"

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what savings have been achieved in *(a)* 2000–01 and *(b)* 2001–02 as a result of her Department's response to the National Audit Office report, "Criminal Justice Working Together". [14926]

Ms Rosie Winterton: The National Audit Office report made a number of recommendations on joint working which we welcomed. My Department, in co-operation with the Home Office and Crown Prosecution Service, is pursuing a programme to implement those recommendations and others to improve joint working in the Criminal Justice process. Information is not specifically collected on savings arising from the individual recommendations in the NAO report.

Capital Grants

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department how much her Department gave in capital grants to the private sector in *(a)* 1998–99 *(b)* 1999–2000, *(c)* 2000–01 and *(d)* 2001–02; and if he will specify the purposes for which they were made. [14927]

Ms Rosie Winterton: The Department did not make any capital grants to the private sector in any of those years.

Unallocated Reserve

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on the initiatives funded from the unallocated reserve established for that purpose. [14991]

Ms Rosie Winterton: No reserve has been specifically created for initiatives in my Department. For 2001–02, my Department received £39.49 million from the Criminal Justice System Reserve to cover a number of criminal justice initiatives including increased workload and improving timeliness in the courts, better service to victims and witnesses and improving fine enforcement. In addition a further £1 million has been allocated for service to victims in 2002–03.

Allocations from the Reserve require the joint agreement of the Home Secretary, Lord Chancellor and Attorney-General prior to the Chief Secretary to the Treasury releasing the money from the Reserve. Further allocations for 2002–03 and 2003–04 are being considered.

Cost Recovery

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on progress towards his Department's objective of achieving full cost recovery in the civil courts. [14928]

Ms Rosie Winterton: The Lord Chancellor announced in another place on 19 November 1998[1] that charging for civil court fees should not prevent access to justice; that protection should be provided for litigants of modest means; but litigants should not expect the taxpayer to pay for court services if they could afford to do so themselves. My Department is currently working on a major programme to establish the right balance between those principals in order to achieve its objective of full cost recovery in the civil courts.

[1] Written answer in response to a question [HL 3925] from Lord Burlison.

Dispute Resolution Methods

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department how many copies of her Department's information booklet on dispute resolution methods were issued in 2000–01; and what the cost was of its publication. [15033]

Ms Rosie Winterton: During the period 2000–01 the booklets were supplied on a demand-led basis, when requested by local courts and advice agencies and some individuals. Although no detailed record of the numbers supplied in this period was kept, the information that is held shows that the total number for the year would have been in excess of 10,000. The booklets were produced using my Department's internal printing services. We estimate the cost of producing 10,000 copies of the booklet was £2,650.00.

Written Answers to Questions

Friday 23 November 2001

SOLICITOR-GENERAL

Bona Vacantia

Mr. Kidney: To ask the Solicitor-General what plans she has to reform the application of bona vacantia. [14669]

The Solicitor-General: As a result of my hon. Friend's question, I am looking at how bona vacantia is operated and will report back to him on any changes that may arise.

Bribery

Hugh Bayley: To ask the Solicitor-General how many United Kingdom citizens have been prosecuted in the United Kingdom in the last five years for offences of bribery committed abroad. [14670]

The Solicitor-General: No United Kingdom citizens have been prosecuted for offences in the UK of bribery committed abroad because current legislation does not allow it. It will, though, be possible to prosecute if the offences under the Anti-terrorism, Crime and Security Bill become law.

Domestic Violence

Fiona Mactaggart: To ask the Solicitor-General if she will report on recent progress with prosecuting perpetrators of domestic violence. [14672]

The Solicitor-General: There is considerable and encouraging progress in prosecuting crimes of domestic violence. For the first time, next week the CPS will be issuing guidance to Crown prosecutors on domestic violence. That guidance will be published, and that will be the first time that any CPS guidance has been published. To support our prosecutors to do their work as well as possible, there will be a national network of domestic violence prosecutors. A new ministerial committee on domestic violence will co-ordinate work across Government.

Crown Prosecution Service

Mrs. Gillan: To ask the Solicitor-General if she will make a statement on the operation of the Crown Prosecution Service; and how it is affected by the location of magistrates courts. [14674]

The Solicitor-General: The Crown Prosecution Service prosecutes cases which have been investigated by the police. The CPS is affected by the location of magistrates courts by the need to be located where the witnesses and victims can get to them, and they need to be accessible for the crown prosecutors and caseworkers who prosecute in them.

Gamma-hydroxybutyrate

Mr. Ben Chapman: To ask the Solicitor-General how many successful prosecutions there were in the last 12 months of people accused of rape who used GHB. [14675]

The Solicitor-General: The Crown Prosecution Service holds no central records showing case outcomes broken down to particular offences or types, nor is the information held centrally by the Home Office. I will ask my officials to keep me informed on any cases that involve this drug.

Child Sexual Abuse

Julie Morgan: To ask the Solicitor-General what the policy of the Crown Prosecution Service is in connection with allegations of child sexual abuse. [14668]

The Solicitor-General: The CPS applies the evidential and public interest tests set out in the code for Crown prosecutors in all cases referred to it by the police so that it can make fair and consistent prosecution decisions.

Children form a class of victims and witnesses to whom special care should be given. CPS policy in relation to child abuse cases has three key principles: expedition, sensitivity and fairness. Delay should be avoided in all cases involving a child victim or witness. Child witnesses should be afforded as much protection as necessary to enable them to give their evidence in a way that both maintains the quality of that evidence and minimises the trauma suffered by them. CPS policy emphasises that the best interests of the child should be the first, but not the final, consideration when assessing the public interest.

The CPS works together with other statutory agencies in accordance with the inter-agency guidance "Working Together to Safeguard Children".

HOUSE OF COMMONS

Parliamentary Commissioner for Standards

David Winnick: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what discussions he has had with the Parliamentary Commissioner for Standards over the decision that her contract is not to be renewed as a matter of course. [15549]

Mr. Kirkwood *[holding answer 16 November 2001]:* The Speaker had a private meeting with the commissioner on 16 October.

David Winnick: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what recent consultations he has had with the Chairman of the Committee on Standards in Public Life regarding the duties of the Parliamentary Commissioner for Standards; and if he will make a statement. [15513]

Mr. Kirkwood: *[holding answer 16 November 2001]:* None. Although the post of Parliamentary Commissioner for Standards was established as a result of the work of the Nolan committee, the House of Commons Commission does not see a need to consult the Committee on Standards in Public Life each time the post of commissioner is advertised. In any event, I understand that the Committee on Standards in Public Life does not concern itself with individual cases.

Peter Bottomley: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what the words were of the advertisement for the post of Parliamentary Commissioner for Standards on each of the occasions on which applications have been sought. [15732]

Mr. Kirkwood: I have already placed in the Library a copy of the advertisement which appeared in the national press on Sunday 4 November 2001, in response to the hon. Member's previous question on 2 November 2001, *Official Report*, column 863W. Copies of the advertisements which appeared in 1995 and 1998 will be placed in the Library today.

David Winnick: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if the previous Parliamentary Commissioner for Standards was offered a renewal of his contract. [14935]

Mr. Kirkwood *[holding answer 15 November 2001]:* I refer my hon. Friend to the answer I gave to the hon. Member for Worthing, West (Peter Bottomley) on 2 November 2001, *Official Report*, column 864W.

Peter Bottomley: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, on what the assessment of the work of the Parliamentary Commissioner for Standards is based; and whether the issues have been discussed with the present holder. [15281]

Mr. Kirkwood: I refer the hon. Member to the answer I gave him on 2 November 2001, *Official Report*, column 863W.

Peter Bottomley: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what *(a)* written and *(b)* other sources of advice on best practice were relied on in agreeing (i) the terms of and (ii) the advertisement for the post of Parliamentary Commissioner for Standards. [15279]

Mr. Kirkwood *[holding answer 15 November 2001]:* As in all such matters, the commission is advised in confidence by the Department of Finance and Administration and the Legal Services Office. In this case, it has also been advised by the recruitment consultants Saxton Bampfylde Hever plc.

David Winnick: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what representations have been received on the performance of the Parliamentary Commissioner for Standards from *(a)* hon. Members and *(b)* non-members; and if he will make a statement. [14932]

Mr. Kirkwood *[holding answer 15 November 2001]:* There have been no submissions to the Commission on the matter.

David Winnick: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what has been the average annual number of cases which the present Parliamentary Commissioner for Standards has been investigating during her term of office. [14933]

Mr. Kirkwood *[holding answer 15 November 2001]:* Over the past three years, complaints requiring assessment have averaged 120 a year. The commissioner completed an average of 14 full investigations a year, each resulting in a report to the Standards and Privileges Committee.

David Winnick: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, for what reason the new contract for the post of Parliamentary Commissioner for Standards will involve fewer working days than the present contract. [14931]

Norman Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, for what reason *(a)* the hours required from and *(b)* the salary paid to the Parliamentary Commissioner for Standards are being reduced. [15535]

Mr. Kirkwood *[holding answers 15 and 19 November 2001]:* The Commission believes that three days per week should be adequate to conduct the duties of the post. This is the level of time commitment that was established for the first commissioner. The figure of three days is not set in stone, and will be discussed with the successful candidate for the post. Salary is commensurate with hours worked.

Peter Bottomley: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, when it was decided *(a)* to drop and *(b)* to reinstate the option of reappointment of the holder of the post of Parliamentary Commissioner for Standards by mutual agreement. [15280]

Norman Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, for what reason the decision to offer the next Parliamentary Commissioner for Standards an extension to his or her contract by mutual agreement was not taken in respect of the present postholder. [15536]

Mr. Kirkwood *[holding answers 15 and 19 November 2001]:* There has been no such decision. As to the position of the present commissioner, I refer the hon. Member to my answer today to the hon. Member for Walsall, North (David Winnick), column 483W.

David Winnick: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, for what reason the Parliamentary Commissioner has not been offered an extension to her contract. [14934]

Norman Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, for what reason it was decided not to renew without the requirement for open competition the contract of the current postholder of the post of Parliamentary Commissioner for Standards. [15534]

Mr. Kirkwood *[holding answers 15 and 19 November 2001]:* The appointment was made for a three-year term. Any extension or renewal would be a matter for agreement by both parties. The commission considered that a new appointment should be made following an open competition. The current commissioner is eligible to apply and may be appointed for a further three-year term if she applies for the post and is successful at the final short list stage.

House of Commons Commission

Norman Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if he will make it his policy henceforth that the Commission will *(a)* meet in public and *(b)* publish agendas and minutes of its meetings. [15533]

Mr. Kirkwood *[holding answer 19 November 2001]:* I refer the hon. Member to the answer I gave to the hon. Member for Worthing, West (Peter Bottomley) on 2 November 2001, *Official Report*, column 864W.

INTERNATIONAL DEVELOPMENT

Afghanistan

Tony Worthington: To ask the Secretary of State for International Development what discussions she has had with the European Union about its contribution to humanitarian assistance to Afghanistan; and what was the outcome. [16066]

Clare Short: I had informal meetings with European Union Development Ministers on 10 October and 8 November. We agreed upon the importance of continued, substantial, assistance from the European Union for humanitarian programmes in Afghanistan. We also agreed on the importance of effective international co-ordination.

The EC's Humanitarian Aid Office (ECHO) has recently announced the provision of a further 15 million euro of humanitarian assistance to Afghanistan. This brings the amount of EU humanitarian aid committed for the Afghan people so far in 2001 to nearly 44 million euro. The UK contributes 19 per cent. of this.

Tony Worthington: To ask the Secretary of State for International Development if she will make a statement on *(a)* recent developments in the supply of humanitarian resources in Afghanistan and *(b)* her priorities in the supply of humanitarian needs in Afghanistan over the next three months. [16065]

Clare Short: There has been good progress by humanitarian agencies in opening up routes to get food and other emergency supplies into Afghanistan. From 13 November until 19 November, World Food Programme (WFP) operations were suspended (due to local hauliers' concern about the security situation in southern Afghanistan). The WFP resumed operations from Peshawar on 19 November. Operations from Quetta are still suspended, although the WFP continues to deliver food via the northern routes from Turkmenistan and Tajikistan. International staff from humanitarian agencies are beginning to return to Afghanistan, where possible, in order to accelerate deliveries so that winter stockpiles can be strengthened.

Our immediate priorities are to help meet lifesaving needs within Afghanistan, to support refugee needs in neighbouring countries and to strengthen the work of international humanitarian agencies. At the same time, we will also support the people of Afghanistan in building a better future. We continue to work with the international community on plans for rehabilitation and recovery. The principles and priorities guiding our approach are outlined in a document entitled "Afghanistan—Recovery: An emergency plan for the first 100 days". A copy has been placed in the Library of the House.

Andrew George: To ask the Secretary of State for International Development what discussions she has had with *(a)* her counterparts in other Governments and *(b)* the United Nations High Commission for Refugees on the aid programme for Afghan refugees (i) within the borders of Afghanistan and (ii) in neighbouring countries. [15865]

Clare Short: My Department is in regular contact with other Governments through the Afghanistan support group of major donors, including USA, Japan and European countries. We are also in daily contact with key agencies, including UNHCR, regarding the humanitarian situation in the region.

In its inter-agency donor alert, the UN system identified $664 million of priority needs for Afghanistan. Over $700 million has been pledged against the appeal—sufficient to meet immediate requirements—of which over $280 million have actually been contributed (over 40 per cent. of the requirement). This is good by historic standards.

The UK was the first donor to pledge assistance, even prior to the UN inter-agency donor alert. We have so far allocated £40 million to support the work of UN agencies, the Red Cross movement and NGOs for immediate humanitarian assistance to Aghans, both in Afghanistan and neighbouring countries. Of this, £3 million has been disbursed to UNHCR, and includes financial, technical and in-kind assistance in support of its regional programme. At UNHCR's request, my Department has provided three relief flights to Iran and Pakistan transporting tents, shelter material and communications equipment. We have also provided a specialist site planner to UNHCR to Pakistan to assist with the setting up of new refugee camp sites.

In addition, we have allocated a further £11 million to support refugee-hosting communities in Pakistan. This will support the delivery of public health services, the supply of drugs and health equipment, and water and sanitation services. It will focus particularly on North-West Frontier Province and Baluchistan, where most of the Afghan refugees have settled.

Tony Worthington: To ask the Secretary of State for International Development what discussions she has had with UNHCR about the adequacy of provision for refugees outside Afghanistan. [16067]

Clare Short: My Department is in regular contact with UNHCR at both field and headquarters level so that resources are used effectively for the provision of assistance to refugees and the protection of their rights.

So far we have committed £3 million to UNHCR's operations for refugees in response to the current crisis. At the request of UNHCR, my Department has provided three relief flights to Iran and Pakistan transporting tents, shelter material and communications equipment. We have also provided a specialist site planner to UNHCR in Pakistan to assist with the setting up of new refugee camp sites.

Our assessment is that while the situation in some camps may remain difficult, the general level of assistance to refugees has improved. In addition, there is sufficient reserve capacity in Pakistan to address the needs of a further 300,000 refugees.

Ethiopia

Mr. Laurence Robertson: To ask the Secretary of State for International Development if she will make a statement on the status of the New Africa Initiative with respect to Ethiopia. [17719]

Clare Short: The New Partnership for African Development (NEPAD), as the New African Initiative is now known, is an Africa-wide initiative, that does not focus on specific countries. Ethiopia is one of the 17 members of the NEPAD implementation committee, and therefore takes a full part in NEPAD activities. NEPAD has set up teams to work on five areas, which are capacity-building peace and security, economic and corporate governance, infrastructure, central bank and standards, and agriculture and market access. Work on these areas should bring benefits to Ethiopia, as it will to other countries in Africa that are part of NEPAD.

Mr. Laurence Robertson: To ask the Secretary of State for International Development if she will make a statement on bilateral agreements between the UK and Ethiopia. [17720]

Clare Short: We are currently exploring how to engage most effectively in a development partnership with Ethiopia, where the overall objective of our assistance will be to support the Government of Ethiopia's poverty reduction strategy. We will discuss plans to seek agreement with the Ethiopian Government when we hold development talks early in the new year.

Departmental Expenditure

Chris McCafferty: To ask the Secretary of State for International Development (1) if she will list her Department's aid contributions specifically aimed at human rights issues and eliminating gender disparity in *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and the projected contributions for *(f)* 2002, *(g)* 2003 and *(h)* 2004 *(i)* in total and (ii) as a proportion of GNP; [16644]

(2) if she will list her Department's aid contributions that incorporate human rights and gender disparity in *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and the projected contributions for *(f)* 2002, *(g)* 2003 and *(h)* 2004 *(i)* in total and (ii) as a proportion of GNP. [16640]

Clare Short: Information in the appropriate format has been collected centrally only since 1 April 1998.

In the last three fiscal years, DFID has committed the following amounts to projects which are aimed at addressing human rights or gender disparity issues:

£ million

Project objective	*1998–99*	*1999–2000*	*2000–01*
Human Rights			
Principal	95	28	23
Significant	98	152	302
Total	193	180	325
Removal of Gender Discrimination			
Principal	2	0.1	11
Significant	223	276	265
Total	225	277	276

Principal project objectives are fundamental in its design and explicit to its goal. Significant project objectives although important are not one of the principal reasons for undertaking the project.

It is not appropriate to present these figures as a proportion of GNP. Contributions for future years are not available.

Chris McCafferty: To ask the Secretary of State for International Development if she will list her Department's actual and as a percentage of GNP overseas expenditure on *(a)* human resources, *(b)* technical aid *(c)* commodities and *(d)* direct financial assistance for debt relief in each of the last four years. [16637]

Clare Short: Figures on DFID's aid contribution for the last five fiscal years are available in "Statistics on International Development 1996/97—2000/01", a copy of which is posted on DFID's website at the following address: www.dfid.gov.uk/. The tables which are of relevance are "Table 12 DFID Programme: Bilateral Technical Co-operation, Table 13 DFID Programme: Bilateral Grants and Other Aid in Kind, Table 15.1 DFID Debt Relief: Retrospective Terms Adjustment by Country, and Table 15.2 Other Debt Reorganisation by Country". A printed version of "Statistics on International Development (SID)" will be placed in the Library of the House following its publication in late November.

Chris McCafferty: To ask the Secretary of State for International Development if she will list her Department's overseas aid contribution for *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and projected contributions for *(f)* 2002, *(g)* 2003, and *(h)* 2004 broken down by *(i)* bilateral, (ii) EU, (iii) multilateral and (iv) NGO aid contributions (A) in total and (B) as a proportion of GNP. [16545]

Clare Short: Figures on DFID's aid contribution for the last five fiscal years are available in "Statistics on International Development 1996/97—2000/01", a copy of which is posted on DFID's website at the following address: www.dfid.gov.uk/. The tables which are of relevance are "Table 3 Gross Public Expenditure on Aid 1996/97—2000/01, and Table 13 DFID Programme: Bilateral Grants and Other Aid in Kind". Please note it is not appropriate to provide these categories of assistance as a proportion of GNP or to provide projected contributions for future years. A printed version of "Statistics on International Development (SID)" will be placed in the Library of the House following its publication in late November.

Chris McCafferty: To ask the Secretary of State for International Development if she will list her Department's overseas aid contributions for the years *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and projected contributions for the years *(f)* 2002, *(g)* 2003, and *(h)* 2004 *(i)* in total and (ii) as a proportion of GNP. [16543]

Clare Short: Figures on DFID's aid and contribution for the last five fiscal years are available in "Statistics on International Development 1996/97–2000/01" a copy of which is posted on DFID's website at the following address www.dfid.gov.uk/. The table which is of relevance is "Table 16.1 UK Total Net Flows to Developing Countries: 1976–2000". Please note it is not possible to provide projected contributions either in total or as a proportion of GNP. However, the Government will ensure that the ratio of oda to GNP will rise to 0.33 per cent. by financial year 2003–04.

A printed version of "Statistics on International Development (SID)" will be placed in the Library of the House following its publication in late November.

Chris McCafferty: To ask the Secretary of State for International Development if she will list her Department's aid contribution to emergency relief aid in *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and projected contributions for *(f)* 2002, *(g)* 2003 and *(h)* 2004. [16643]

Clare Short: Figures on DFID's aid contribution for the last five fiscal years are available in "Statistics on International Development 1996/97–2000/01" a copy of which is posted on DFID's website at the following address www.dfid.gov.uk. The relevant table in the publication is Table 10 Humanitarian Assistance. Please note it is not possible to provide projected contributions for future years. A printed version of "Statistics on International Development (SID)" will be placed in the Library of the House following its publication in late November.

Public Bodies

Mr. Andrew Turner: To ask the Secretary of State for International Development (1) if she will list those public bodies which are the responsibility of her Department and which are not listed in Public Bodies 2000; [17598]

(2) if she will list those public bodies to which her Department appoints members and which are not listed in Public Bodies 2000; [17597]

(3) if she will list those local bodies which were set up under legislation which is the responsibility of her Department since May 1997. [17599]

Clare Short: None.

Sexual and Reproductive Health Programme

Chris McCafferty: To ask the Secretary of State for International Development if she will list her Department's individual aid contributions to international sexual and reproductive health NGOs via the Civil Society Challenge Fund in *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and the projected contributions for *(f)* 2002, *(g)* 2003 and *(h)* 2004. [16645]

Clare Short: The levels of funding granted by my Department to international sexual and reproductive health NGOs under the Civil Society Challenge Fund, since the introduction of the scheme in 2000–01 is as follows.

	£000
2000–01	
Population Services International	78
2001–02	
International Family Health	152
Population Services International	240
2002–03	
International Family Health	142
Population Services International	257
2003–04	
International Family Health	81
Population Services International	78
2004–05	
International Family Health	12

The funding indicated for 2002–03 onwards represents projects to which we are already committed. Further funding will be dependent on the success of new Civil Society Challenge Fund applications.

Chris McCafferty: To ask the Secretary of State for International Development (1) if she will list her Department's sexual and reproductive health aid contribution, actual and as a percentage of GNP, for *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and projected contributions for the years *(f)* 2002, *(g)* 2003, and *(h)* 2004 broken down into *(i)* bilateral, (ii) EU, (iii) multilateral and (iv) NGO aid contributions (A) in total and (B) as a proportion of GNP; [16546]

(2) if she will list her Department's sexual and reproductive health aid contribution in *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and projected contributions for *(f)* 2002, *(g)* 2003, and *(h)* 2004 *(i)* in total and (ii) as a proportion of GNP; [16544]

(3) if she will list her Department's bilateral aid contributions to sexual and reproductive health aid for *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and projected contributions for the years *(f)* 2002, *(g)* 2003 and *(h)* 2004, broken down by country. [16547]

Clare Short: Information in the appropriate format has been collected centrally only since 1 April 1998.

In the last three fiscal years, DFID committed the following amounts to projects aimed at Reproductive Health Services including HIV/AIDS.

Year	*£ million*
1998–99	39
1999–2000	202
2000–01	436

A breakdown of these figures by country has been placed in the Library of the House. It is not appropriate to present these figures as a proportion of GNP. Contributions for future years are not available.

In addition to the figures shown in the table, over the same period, DFID made total multilateral contributions to UNFPA of £79.5 million, UNAIDS of £12 million, IPPF of £21 million and WHO-HRP of £0.3 million for activities related to reproductive health services including HIV/AIDS.

Chris McCafferty: To ask the Secretary of State for International Development if she will list her Department's individual aid contributions to international sexual and reproductive health NGOs in *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and the projected contributions for *(f)* 2002, *(g)* 2003 and *(h)* 2004. [16646]

Clare Short: Figures on DFID's aid contribution for the last five fiscal years are available in "Statistics on International Development 1996–97 to 2001–01" a copy of which is posted on DFID's website at the following address www.dfid.gov.uk/. The tables which are of relevance are "Table 13 DFID Programme : Bilateral Grants and Other Aid in Kind and Table 14 DFID Expenditure through UK CSOs 2000–01". It is not appropriate to provide projected contributions for future years. A printed version of "Statistics on International Development (SID)" will be placed in the Library of the House following its publication in late November.

Chris McCafferty: To ask the Secretary of State for International Development if she will list her Department's emergency relief aid contributions to sexual and reproductive health programme work for *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and projected contributions for *(f)* 2002 *(g)* 2003 and *(h)* 2004. [16636]

Clare Short: This information is not collected centrally and to provide data on the basis requested would be at disproportionate cost.

Refrigerator Exports

Mrs. Spelman: To ask the Secretary of State for International Development what action she is taking to ensure that exports of refrigerators to the third world comply with the European regulations which come into effect on 1 January. [16247]

Clare Short: My Department applies Government policy on greening government operations and our procurement agents ensure that refrigerators purchased for use by the development programme comply with the new regulations.

Departmental Staff

Mr. Andrew Turner: To ask the Secretary of State for International Development how many employees of *(a)* her Department and *(b)* agencies sponsored by her Department work in (i) London, (ii) areas benefiting from EU objective 1 status, (iii) areas with objective 2 status and (iv) other areas. [16109]

Clare Short: *(a)* The numbers of staff employed by DFID in the United Kingdom as at 1 September 2001 were:

(i) London—826

(ii) In areas benefiting from EU objective 1 status—nil

(iii) In areas with EU objective 2 status, other than London—nil

(iv) In other areas—540 (in east Kilbride).

(b) There are no agencies sponsored by DFID.

Cipro

Tony Worthington: To ask the Secretary of State for International Development whether she supported the move by the United States Government for a compulsory licence to negotiate a lower price for the anti-anthrax drug, Cipro, at the World Trade Organisation meeting. [16072]

Ms Hewitt: I have been asked to reply.

The negotiations between the United States Government and the manufacturers of Cipro were private matters for the parties involved. In this instance, the United States Government reached an agreement with the manufacturer of Cipro for a bulk supply of this anti-anthrax drug at reduced prices without resort to a compulsory licence.

Drug Prices

Tony Worthington: To ask the Secretary of State for International Development in what circumstances she has supported developing countries seeking a compulsory licence to negotiate lower drug prices; and if she will make a statement on her policy in such circumstances. [16073]

Ms Hewitt: I have been asked to reply.

The trade-related aspects of intellectual property rights agreement makes clear that any WTO member can issue a compulsory licence in certain circumstances. An individual WTO member itself determines the grounds upon which such a licence would be granted.

The declaration agreed at Doha last week on TRIPS and public health commits the TRIPS Council to finding a solution by end 2002 as to how WTO Members with insufficient or no manufacturing capacities in the pharmaceutical sector might make effective use of compulsory licensing under the TRIPS agreement. The UK (as part of the EU) intends to play a constructive role in those negotiations.

TRIPS Agreement

Tony Worthington: To ask the Secretary of State for International Development if it is her policy that the TRIPS agreement should not impede developing countries from taking measures to protect their public health; and what assessment she has made of the obstacles to achieving this. [16069]

Ms Hewitt: I have been asked to reply.

The UK wholeheartedly supports the declaration on the TRIPS agreement and public health issued at the successful conclusion of the fourth ministerial meeting of the WTO at Doha, Qatar. The declaration makes it clear that the TRIPS agreement does not and should not prevent Members from taking measures to protect public health.

I am confident that this agreement will both allow developing countries better access to vital medicines in the fight against diseases like HIV/AIDS and TB, and protect the patent system that promotes research into the drugs of the future.

Tony Worthington: To ask the Secretary of State for International Development what her policy is on a moratorium on formal WTO disputes over TRIPS. [16071]

Ms Hewitt: I have been asked to reply.

In relation to TRIPS and public health the UK wholeheartedly supports the declaration issued at the successful conclusion of the fourth ministerial meeting of the WTO at Doha, Qatar. The declaration makes clear that the TRIPS Agreement does not and should not prevent

Members from taking measures to protect public health. It also extends the deadline for implementation of the agreement for the least developed countries, in relation to pharmaceutical products, by 10 years to 2016. Taken together, along with the rest of the declaration, it is clear that there is no need for a formal moratorium.

I have placed a copy of the declaration in the Library of the House.

DEPUTY PRIME MINISTER

Government Car Pool

Mr. Barker: To ask the Deputy Prime Minister how many vehicles in the Government car pool are electric-powered; and what plans there are to increase this number. [17348]

Mr. Leslie: The Government Car and Despatch Agency, which is responsible for running ministerial cars, has one electric car on long-term trial and one hybrid petrol/electric powered car on its fleet. Until electric cars with adequate passenger space and mileage range become available, there are no plans to increase the number of electric cars on the fleet.

TRANSPORT, LOCAL GOVERNMENT AND THE REGIONS

Channel Tunnel Rail Link

Mr. Don Foster: To ask the Secretary of State for Transport, Local Government and the Regions (1) what the cost was to the Strategic Rail Authority's budget *(a)* in total and *(b)* in each year since 1997, of producing (i) each of their annual strategies and (ii) their annual channel tunnel rail link strategy; [15741]

(2) if he will place in the Library copies of each of the Strategic Rail Authority's annual channel tunnel strategies produced since 1997; [15740]

(3) what the key recommendations were from the Strategic Rail Authority's most recent annual Channel Tunnel Strategy document; what account he has taken of these recommendations; and if he will make a statement. [15739]

Mr. Jamieson: The Strategic Rail Authority was established on 1 February 2001 under the provisions of the Transport Act 2000. The Act requires the authority to produce strategies, including a channel tunnel strategy. Copies of the authority's strategies will be placed in the Library of the House when they are published.

London Underground

Mr. Dismore: To ask the Secretary of State for Transport, Local Government and the Regions if he will place in the Library a copy of the instructions given to Ernst & Young to prepare the review of the value for money of the PPP for London Underground. [14486]

Mr. Jamieson: My right hon. Friend the Secretary of State has today placed in the Library a copy of the terms of reference agreed with Ernst & Young for this review.

Helen Jackson: To ask the Secretary of State for Transport, Local Government and the Regions who is financing the current advertising campaign on the London Underground relating to the benefits of the public-private partnership; and what is its cost. [16562]

Mr. Jamieson: This is a matter for London Underground.

Trans-European Networks

Mr. Paterson: To ask the Secretary of State for Transport, Local Government and the Regions if it is Government policy that all trans-European network roads should be dual-carriageways. [14789]

Mr. Jamieson *[holding answer 15 November 2001]:* No. The European Community guidelines for the development of the trans-European transport network do not require roads represented on the TEN to be dual-carriageway standard.

Railtrack

Peter Bradley: To ask the Secretary of State for Transport, Local Government and the Regions what the value was of one share in Railtrack at *(a)* the time of privatisation and *(b)* at 1 October for each year thereafter. [16060]

Mr. Jamieson: The flotation price of a share in Railtrack Group plc on 20 May 1996 was 380p. The share price for Railtrack Group plc for 1 October in each subsequent year is as follows:

1 October 1996: 491p

1 October 1997: 902p

1 October 1998: 1,713p

1 October 1999: 1,320p

1 October 2000: 1,109p

1 October 2001: 265p.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions what advice the Government sought about the timing of an announcement to the stock exchange of the changed plans for Railtrack plc. [16378]

Mr. Spellar: In reaching his decision on 5 October, my right hon. Friend the Secretary of State had regard to the responsibilities and duties that Railtrack Group plc has as a stock exchange quoted company.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions what his estimate is of the legal fees for advice to his Department *(a)* incurred so far and *(b)* likely to be incurred in the rest of the 2001–02 financial year on the issues arising from the Railtrack administration. [16373]

Mr. Spellar: I estimate that since Railtrack went into administration on 7 October 2001, my Department has incurred legal fees of approximately £400,000 for advice on issues arising from the administration. At this stage it is not possible to give an accurate estimate for the rest of this year, but it will be within the Department's budget for such matters.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions what accountancy advice he took on the financial position of Railtrack in connection with the petition for administration. [16376]

Mr. Spellar: The Secretary of State received advice on Railtrack's financial position on an on-going basis. It was accountancy and financial advice that provided the evidence of a deficit of £700 million by 8 December rising to £1.7 billion by the end of March 2002, which formed the basis for the administration order. This evidence was not challenged in the High Court by Railtrack.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions what *(a)* guidance and *(b)* instruction has been issued to Railtrack in administration by the Government on employment in the company. [16364]

Mr. Spellar: No such guidance or instruction has been issued.

Matthew Taylor: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 7 November 2001, *Official Report*, column 289W, on letters of comfort, if he will make it his policy to place such letters in the Library; what representations he has received from potential financiers of the successor body to Railtrack for non-legally binding assurances from the Government on their support for Railtrack's successor body; and if he will make a statement. [16730]

Mr. Jamieson: The Government are not anticipating having to provide any non-legally binding assurances on their support. If contingent liabilities are required to be entered into, they will be notified to Parliament as part of the standard procedure.

Mr. Clifton-Brown: To ask the Secretary of State for Transport, Local Government and the Regions what arrangements are in place for private investors to invest in the not-for-profit company replacing Railtrack; and if he is in negotiation with such investors. [16769]

Mr. Jamieson *[holding answer 21 November 2001]:* I refer the hon. Member to the reply given by my right hon. Friend the Secretary of State to the right hon. Member for Wokingham (Mr. Redwood) on 31 October 2001, *Official Report*, column 671W.

Miss McIntosh: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to her answer of 30 October 2001, *Official Report*, column 571W, what recent ministerial meetings there have been with the chair of the Strategic Rail Authority. [17119]

Mr. Jamieson: I refer the hon. Member to the reply given to the hon. Member for Brentwood and Ongar (Mr. Pickles), on 31 October 2001, *Official Report*, column 668W.

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 19 November 2001, *Official Report*, column 31W, on Railtrack, if he will set out the basis on which his Department determined the value of assets of Railtrack plc for the purposes of assessing the company's solvency, as requested. [17780]

Mr. Byers: As my previous reply stated, the solvency of a company is assessed on the basis of its ability to meet its debt liability payments; and this is the basis on which evidence was produced for the petition to the High Court. The determination of the value of the assets in Railtrack plc is a matter for the administrator.

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions what information regarding the financial position of Railtrack was received by his Department between *(a)* 28 September and 1 October and *(b)* 1 October and 5 October. [17226]

Mr. Byers *[holding answer 22 November 2001]:* Between those dates my Department received various information on the financial position of Railtrack from various sources.

Mr. Howard: To ask the Secretary of State for Transport, Local Government and the Regions what comparative assessment he has made of the likely impact on the public finances of a takeover of Railtrack by *(a)* a not-for-profit company and *(b)* a private company. [17744]

Mr. Spellar: It will be for the administrator to assess and make recommendations on proposals for how Railtrack plc's property rights and liabilities are transferred out of administration as a going concern and to put a transfer proposal to my right hon. Friend the Secretary of State for approval. Guidelines on the criteria upon which my right hon. Friend will need to be satisfied before approving any proposal put forward by the administrator were set out in reply my hon. Friend the Member for Gedling (Vernon Coaker) on 31 October 2001, *Official Report*, column 669–71W.

Rail Industry

Chris Grayling: To ask the Secretary of State for Transport, Local Government and the Regions which representatives of financial institutions he has met to discuss the future of the rail industry since June. [16171]

Mr. Jamieson: The Government have had regular meetings with their financial advisers. In addition, the Government have had meetings with bondholders, institutional shareholders and with credit rating agencies.

Chris Grayling: To ask the Secretary of State for Transport, Local Government and the Regions on what occasions since 1997 the Government have refused a request to use section 54 of the Railways Act 1993. [16176]

Mr. Jamieson: No such request has been refused since 1997.

Bus Services

Mr. Allen: To ask the Secretary of State for Transport, Local Government and the Regions if he has received a letter from Mark Fowler, Managing Director of Nottingham City Transport, of 8 November; and if he will make a statement on how competition legislation affects the ability to cross-subsidise bus services. [16953]

Ms Keeble: My right hon. Friend the Minister for Transport has received a letter dated 8 November from the Managing Director of Nottingham City Transport.

The requirements of competition legislation in relation to the cross-subsidy of bus services is a matter for the Director General of Fair Trading.

Planning (Buckingham)

Mr. Bercow: To ask the Secretary of State for Transport, Local Government and the Regions what representations he has received in 2001 on bypasses from residents of Buckingham constituency. [16904]

Mr. Jamieson: In 2001, my Department has received representations from Buckingham residents on the A41 Aston Clinton bypass, the A418 Stoke Hammond and Western Linslade bypass and the A418 Wing bypass.

Data Protection

Harry Cohen: To ask the Secretary of State for Transport, Local Government and the Regions how many names and addresses of vehicle owners/keepers have been disclosed to third parties by virtue of that party showing reasonable cause for the disclosure over the last three years, broken down into terms of categories of reasonable cause; if the DVLA alerts third parties to the offence under section 55 of the Data Protection Act 1998; if he has undertaken data matching exercises to identify those who might be using the third party facility as a means of tracing individuals who do not want to be traced; and if he will make a statement. [17168]

Mr. Jamieson: The number of "reasonable cause" requests for information processed against the DVLA vehicle register during the last three years are:

	Number of requests
1998–99	830,970
1999–2000	883,522
2000–01	955,484

Specific categories of reasonable cause are not recorded and it is not possible to break down the statistics in this way. Most of the inquiries are made by insurance companies and finance houses in relation to insurance claims and vehicle-related loan arrangements. The information is released, often via electronic links, under strictly defined terms and conditions, which specify the security and confidentiality of the information handled and subject to periodic audit. Information is released to around 2,500 private individuals each year. Applicants must give a full written explanation for their inquiry, and they are warned directly of the consequences under the Data Protection Act of unlawfully procuring information. The agency has not identified a need to carry out any formal matching exercises to identify inappropriate inquiries, but it does work closely with the Office of the Data Protection Commissioner to facilitate the prosecution of the handful of offences that come to light each year.

Corsham Station

Mr. Gray: To ask the Secretary of State for Transport, Local Government and the Regions when the new station of Corsham will open; and what delay there has been in its opening. [17045]

Mr. Jamieson: The station is now expected to become operational at the start of the summer 2003 timetable. There have been delays amounting to approximately one year caused by a variety of issues which have now been resolved.

Light Rail and Tram Schemes

Chris Grayling: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the *(a)* light rail and *(b)* tram schemes which are planned and which could be open by 2010. [17131]

Ms Keeble: It is for local authorities to develop proposals for light rail or tram schemes in the context of their local transport plans. The following schemes are already under construction or have received full approval:

Scheme	*Timetable*
Sunderland Extension to Tyne and Wear Metro	Under construction, due to open March 2002
Nottingham Express Transit	Under construction, due to open in 2003
Three extensions to Manchester Metrolink[1]	Approved, construction should begin in 2003
Leeds Supertram (Three lines)	Approved, construction should begin in 2003
South Hampshire Rapid Transit	Approved, construction should begin in 2003

[1] Oldham-Rochdale, Airport and Ashton-under-Lyne

In addition, we have given provisional approval to two extensions to the Midland Metro system in Birmingham. The promoters are now seeking the necessary powers under the Transport and Works Act 1992 (TWA). The Docklands Light Rail extension to City airport has also received provisional approval, subject to TWA powers being granted.

At present, we are considering proposals for the Bristol and South Gloucestershire light rapid transit scheme; a further extension to the Manchester Metrolink to Stockport; the Merseytram project and an upgrade of the Blackpool tramway. Transport for London is consulting on options for intermediate-mode transport for four corridors: East London transit, Uxbridge road, Cross River transit, and Greenwich waterfront.

We are aware of a significant number of schemes that may in future be proposed by authorities, including extensions to existing systems. The investment plans set out in the 10-year plan for transport contain provision for up to 25 new light rail lines in major cities and conurbations in England outside London.

Regional Assembly (South-west)

Mr. Swire: To ask the Secretary of State for Transport, Local Government and the Regions how many written representations he has received from electors in the east Devon constituency expressing support for an elected regional assembly in the south-west of England in the last 12 months. [17271]

Dr. Whitehead: The Department has received no representations on regional government from electors in the east Devon constituency.

Public Service Agreements

Mr. Bercow: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on progress towards the public service agreement target for reducing the incidence of fire-related deaths in the home. [16921]

Dr. Whitehead: The Department's public service agreement target looks for an average 20 per cent. reduction in the number of deaths from the base-line figure of 379 (the average over the years April 1994 to March 1999) for the period April 1999 to March 2004—giving a target of 303 (averaged over the five years).

Our statistics show an encouraging trend in the overall reduction of accidental deaths in the home. We achieved our first milestone (1999–2000); the latest set of figures indicate that the Department is not far short of achieving the second milestone (2000–01) where we would hope to record no more than 327 deaths nationally (ie England and Wales). The latest figures for the calendar year 2000 indicate that about 326 died in accidental dwelling fires, in this period. This latest figure also compares with 315 deaths recorded in the previous year (1999).

Mr. Bercow: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on progress towards the public service agreement target for implementing fire cover standards. [16919]

Dr. Whitehead: The task group on the fire cover review expects to deliver its final report to the Central Fire Brigades Advisory Council in March 2002.

Mr. Bercow: To ask the Secretary of State for Transport, Local Government and the Regions for what reason the public service agreement target for reducing the incidence of fire-related deaths in the home in 2000–01 was higher than the outturn in 1999–2000. [16920]

Dr. Whitehead: The public service agreement target for accidental dwelling fire deaths measures reductions over five years. Because the number of fire deaths per year are subject to variations, it is necessary to take an average over five years to provide a more realistic measure of Government's ability to reduce preventable fire deaths.

The milestones were set in such a way so as to aim for a uniform reduction each year until the target is reached in year five.

Registered Vehicle Keepers (Buckingham)

Mr. Bercow: To ask the Secretary of State for Transport, Local Government and the Regions how many registered vehicle keepers there are in the Buckingham constituency. [16912]

Mr. Jamieson: The number of currently licensed vehicles registered to keepers in the Buckingham constituency at December 2000 was 90,207. More than one vehicle may be registered to the same keeper and it would not be possible to establish the number of individual keepers without a special exercise at disproportionate cost.

Street Warden Scheme

Ms Buck: To ask the Secretary of State for Transport, Local Government and the Regions how many applications, of what total value, were received in each region of England under the street warden scheme; and of these, how many were successful, and with what total value in each region. [17776]

Ms Keeble: Details, by region, of applications made in England under the street warden scheme are shown in the table.

Region	*Applications*	*Value (£)*	*Successful applications*	*Value (£)*
East	24	5,648,011	13	1,774,820
East Midlands	11	3,284,644	7	1,030,073
South East	34	13,270,960	15	2,009,521
North West	44	13,270,270	19	2,937,791
London	45	23,249,502	18	4,240,820
North East	19	5,792,618	12	2,007,271
South West	21	5,069,953	12	1,922,744
West Midlands	41	8,050,272	17	2,188,692
Yorkshire and Humber	19	6,663,159	12	2,310,216
Total	258	84,299,389	125	20,421,947

Train Companies (Subsidies)

Mr. Burstow: To ask the Secretary of State for Transport, Local Government and the Regions what subsidies have been paid to *(a)* Connex South Central, *(b)* Go Via/Goahead and *(c)* Thameslink to assist them with the purchase of new trains; when these payments were made; what each company is required to do as a consequence of accepting these payments; how many confirmed orders for new trains each company has informed his Department it has made; and how many trains each company has accepted. [16818]

Mr. Jamieson *[holding answer 22 November 2001]:* The following table provides details, for Connex South Central and Thameslink and for each year from franchise commencement to 2000–01, of net outturn payments (or receipts) in cash prices by the Franchising Director and, since 1 February 2001, by the Strategic Rail Authority (SRA):

Cash prices £ million

Year	*Connex South Central*	*Thameslink*
1996–97	76	1
1997–98	76	3
1998–99	58	(7)
1999–2000	50	(18)
2000–01	40	(28)

Ownership of the South Central franchise was transferred from Connex to GoVia on 26 August 2001. Franchise support for South Central and Thameslink is the Franchising Director's and the SRA's contribution to funding all those companies' expenditure under their franchise agreements, including any expenditure on new trains.

Under its franchise agreement, Thameslink has no commitment to order new trains. The South Central franchise agreement included a commitment by Connex to replace its Mark I rolling stock by 1 January 2005, as required by Health and Safety Executive regulations. On

26 August that commitment was passed to GoVia, which has subsequently ordered 240 new vehicles that are due to start entering service on its South Central franchise in 2002. Further orders are expected to be placed shortly.

Homelessness

Mr. Burstow: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 15 November 2001, *Official Report*, column 832W, on homelessness, if he will specify what provisions exist within the Homelessness Bill to ensure housing authorities take a more strategic, multi-agency approach to *(a)* the prevention of homelessness and *(b)* the re-housing of homeless households; and if he will make a statement. [17781]

Ms Keeble: The Homelessness Bill includes a requirement for housing authorities, with the assistance of social services authorities, and in consultation with other bodies including registered social landlords and voluntary organisations, to:

> carry out reviews of homelessness in their area;
>
> formulate and publish strategies for tackling and preventing homelessness problems based on the results of those reviews;
>
> publish the first strategy within 12 months of the coming into operation of these provisions; and
>
> publish a new strategy thereafter within five years of the previous strategy having been published.

The Bill also requires housing authorities and social services authorities to take the homelessness strategy into account when carrying out their functions.

Details are set out in the explanatory notes which are available in the Library.

Mr. Burstow: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 15 November 2001, *Official Report*, column 832W, on homelessness, if he will specify what measures exist within the Homelessness Bill to ensure housing authorities provide the *(a)* timely and *(b)* suitable rehousing of homeless households. [17814]

Ms Keeble: The Housing Act 1996 requires local housing authorities to secure that suitable accommodation is available immediately for a housing applicant, pending completion of their inquiries, if they have reason to believe that he or she may be homeless, eligible for assistance and have a priority need for accommodation. That duty continues until the authority decides whether a substantive duty is owed. The Homelessness Bill will amend the 1996 Act so that, in all cases where the authority decides that the applicant is eligible for assistance, unintentionally homeless and falls within a priority need group, they must secure that suitable accommodation is available until a settled housing solution can be found.

Heavy Goods Vehicles

Mr. Greg Knight: To ask the Secretary of State for Transport, Local Government and the Regions if he will launch a road safety campaign aimed at reducing the number of HGV drivers of vehicles with a maximum loaded weight of over 7.5 tonnes driving in the offside lane of motorways with three or more lanes in England and Wales. [17409]

Mr. Spellar: No. HGVs with a laden weight exceeding 7.5 tonnes are already banned from the outside lane of motorways (with three or more lanes). Enforcement of the law is a matter for the police.

Fair Trade Products

Mr. Weir: To ask the Secretary of State for Transport, Local Government and the Regions what fairly traded products, other than tea and coffee, have been purchased by his Department in each of the last five years; and what was their value. [17565]

Dr. Whitehead: The Department does not directly purchase these products, but within the last two months the staff restaurant contractor has introduced Fair Trade chocolate and cereal bars for sale to staff in the main staff restaurant. No figures are available on the value of these purchases.

Dr. Kumar: To ask the Secretary of State for Transport, Local Government and the Regions what steps he has taken to encourage the use of Fair Trade products by local authorities. [17796]

Dr. Whitehead: Local authorities are independent and autonomous and responsible within the law for making their own decisions on procurement matters. In doing so they will no doubt consider the case for purchasing Fair Trade products on their merits with regard to the need to achieve value for money in making their decisions.

South East England Regional Assembly

Mr. Barker: To ask the Secretary of State for Transport, Local Government and the Regions what was *(a)* the cost of establishing, *(b)* the running costs since it was established and *(c)* the costs this year of the South East England Regional Assembly. [17341]

Dr. Whitehead: The South East England Regional Assembly (SEERA) has been established region—Highland voluntarily by bodies representing the interests of the south-east region. Their expenditure and start-up costs are a matter for the assembly and its members. The Government have however, allocated £500,000 this year to SEERA to help the assembly to establish a stronger strategic and scrutiny role within the region. The Government office for the south- east will be monitoring that part of SEERA's expenditure which relates to the £500,000 grant.

Mr. Barker: To ask the Secretary of State for Transport, Local Government and the Regions how many people have been employed by the South East England Regional Assembly *(a)* this year and *(b)* in each year since it was established. [17342]

Dr. Whitehead: These are matters for the South East England Regional Assembly.

Fire Service (East Sussex)

Mr. Barker: To ask the Secretary of State for Transport, Local Government and the Regions which fire stations have been closed in East Sussex since 1997. [17344]

Dr. Whitehead: None.

Mr. Barker: To ask the Secretary of State for Transport, Local Government and the Regions how many firefighters are *(a)* in active service and *(b)* on long-term sick leave in East Sussex Fire Brigade this year; and what the figures were for each of the last four years. [17343]

Dr. Whitehead: In east Sussex this year there have been 416 whole-time firefighters in active service and 11 on long-term sick leave. Due to technical difficulties, information for previous years is not currently available. East Sussex are in the process of installing a new central personnel computer system. The information requested will be available from April 2002 for the two previous years.

Travel Concessions (Middlesbrough)

Dr. Kumar: To ask the Secretary of State for Transport, Local Government and the Regions what travel concessions are available, and how many people are eligible per group, *(a)* in total, *(b)* in Teesside and *(c)* in the Middlesbrough, South and Cleveland, East constituency. [17798]

Ms Keeble: The Transport Act 2000 requires local authorities and PTEs in England and Wales to provide half-price fares on local buses to pensioners and disabled people, with no charge for the pass. In addition, the Transport Act 1985 gives local authorities discretion to provide a more generous scheme (eg less than half-fare or free travel; discounted travel on trains, metros, trams, ferries; or cross-boundary travel). In London, the Freedom Pass scheme is covered by the Greater London Authority Act 1999. Broadly 5.5 million pensioners and 1.5 million disabled people are eligible for these concessions.

Regional or constituency data are not held centrally.

Rough Sleepers Unit

Dr. Kumar: To ask the Secretary of State for Transport, Local Government and the Regions how much money from the rough sleepers unit has been invested *(a)* in total and *(b)* broken down by area since the creation of the unit. [17797]

Ms Keeble: The rough sleepers unit has a programme budget (both capital and revenue) of £200 million over three years. In London, a total of £159 million has been invested over three years drawn from funding streams previously administered by separate Departments. Outside London, where local authorities continue to take the lead in developing local strategies, the unit has invested £39 million under the homelessness action programme. The unit's budget is ring-fenced.

Total grant for three years 1999–2000 to 2001–02, based on actual expenditure in 1999–2000 and 2000–01 and forecast expenditure in 2001–02

Total grant for three years 1999–2000 to 2001–02, based on actual expenditure in 1999–2000 and 2000–01 and forecast expenditure in 2001–02

£ million

	Total
London	158.894
South West	6.185
South East	6.805
West Midlands	2.227
East Midlands	3.268
Eastern	3.204
Yorks and the Humber	2.532
North West	5.378
North East	1.602
National	7.675
Total	197.77

Notes:

1. The national figure covers projects like the National Homelessness Advice Service where it is not possible to breakdown by region

2. The London figure includes moneys not directly administered by the RSU (ie SHMG, capital and S.30) but which are part of our overall budget

Special Purpose Vehicles

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions (1) what plans he has for special purpose vehicles to be created to undertake works in connection with the replacement of the *(a)* south-west and *(b)* south and central passenger franchises; and if he will place the plans in the Library; [18218]

(2) what plans exist for special purpose vehicles to be created to undertake works in connection with the development of the East London Line; and if he will place plans in the Library; [17788]

(3) if he will list those projects for which special purpose vehicles are being established; [17785]

(4) what role the company which replaced Railtrack will have in the special purpose vehicles set up for rail infrastructure projects; [17782]

(5) if he will publish the *(a)* framework and *(b)* timetable for the establishment of special purpose vehicles to undertake rail infrastructure projects; [17783]

(6) what research he has undertaken as to the suitability of using special purpose vehicles for rail infrastructure projects. [17784]

Mr. Byers: The framework for special purpose vehicles for rail investment projects is currently being developed by the Strategic Rail Authority (SRA) and my Department. The SRA strategic plan will identify the investment projects for which an SPV may be appropriate.

Planning

Ms Shipley: To ask the Secretary of State for Transport, Local Government and the Regions when he expects to publish the Green Paper on planning. [18013]

Ms Keeble: Shortly.

Domestic Sprinklers

Mr. David Stewart: To ask the Secretary of State for Transport, Local Government and the Regions what recent representations he has received on the use of domestic sprinklers to prevent death and damage by fire in domestic homes. [17391]

Dr. Whitehead: My Department regularly receives representations from organisations calling for the greater use of domestic sprinklers.

The Government recognise that domestic sprinklers have a role to play in promoting life safety, particularly for the most vulnerable. The Fire Safety Advisory Board will continue to assess their value in the light of emerging standards and improvements in sprinkler technology. We have, therefore, recently commissioned research into the benefits of sprinklers in residential properties, including the preparation of a regulatory impact assessment. The results and conclusions from this work should be available in a little over two years from now.

Additionally, the housing health and safety rating system, which we propose should replace the housing fitness standard, includes guidance in respect of hazards from fire. Although not mandatory for houses in multiple occupation, sprinklers may well be recommended where the risk of fire is high.

Vehicle Specification

Mr. Neil Turner: To ask the Secretary of State for Transport, Local Government and the Regions what decision he has reached following the consultation exercise on the European Commission's proposal to introduce pedestrian protection features in new cars by means of a negotiated agreement with vehicle manufacturers. [18270]

Mr. Jamieson: We have decided that we should support the negotiated approach in this case. The most significant factor is that it offers the quickest route to introducing worthwhile pedestrian protection into the design of new car models.

The first phase of the agreement offers about 25 per cent. of the fatality reduction and 60 per cent. of the serious injury reduction expected from the European Enhanced Vehicle Safety Committee (EEVC) proposal on pedestrian protection. The full EEVC benefits are to be achieved in the second phase.

I have recently written to the Chairmen of the European Scrutiny Committees, informing them of the Government's position.

Council Tax Discounts

Mr. Drew: To ask the Secretary of State for Transport, Local Government and the Regions when he will consult on the proposed changes to the council tax discounts on second and long-term empty homes. [18381]

Mr. Raynsford: I am today publishing proposals to give local authorities discretion to reduce or end the council tax discounts which owners of second and long-term empty homes currently receive.

The Government's proposals are set out in "Council Tax: a consultation paper on proposed changes for second homes and long-term empty homes". It fulfils the Government's commitment, made in the rural White Paper last year, to consult on this issue.

The Government are also seeking views on how the extra revenue raised should be used: whether it should be retained locally and whether it should be used for specific purposes such as housing. We are also proposing that councils should have the discretion to give council tax discounts for local reasons such as where homes are hit by flooding or in cases of individual hardship.

Our proposals would give local authorities the flexibility to choose the best option for their communities.

In some areas, second-home owners bring a much-needed boost to the local economy but, in other areas, a high demand for second homes is pricing local people out of the property market and undermining the viability of local services. Equally, homes left empty for long periods can blight local communities and encourage crime and antisocial behaviour. The proposals we are announcing today could be used to help encourage owners of empty homes to bring them back into use.

More than half a million properties which are no one's main residence currently receive a 50 per cent. council tax discount. Over half of these are long-term empty properties. Potentially, up to £200 million could be raised in England by ending the council tax discounts on second and long-term empty homes.

The Government are asking for responses to their consultation by 15 February 2002.

Planning Applications

Richard Younger-Ross: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the latest annual figures for the number of planning applications under the Town and Country Planning Act 1990 in England and Wales by *(a)* region, *(b)* the number of application passed, *(c)* the number sent to appeal and *(d)* the number of successful appeals; and if he will provide the same figures for the previous 10 years. [R] [13595]

Ms Keeble *[pursuant to her reply, 14 November 2001, c. 726–28W]:* The information for England for 1990–91 to 2000–01 is in the table.

Planning applications and appeals against refusal: England 1990–91 to 2000–01

	Planning applications[1]			*Appeals against refusal*[2]			*Percentage of appeals allowed*
	Decided	*Granted*	*Refused*	*Received*	*Decided*	*Allowed*	
2000–01							
North East	14.7	13.6	1.0	0.3	0.3	0.1	42
North West	44.3	40.0	4.2	1.1	1.0	0.4	39
Yorkshire and the Humber	34.5	30.8	3.6	0.9	0.7	0.3	37
East Midlands	35.0	31.7	3.3	0.8	0.7	0.3	35
West Midlands	37.0	32.5	4.5	1.1	0.9	0.3	35
East of England	55.0	48.2	6.8	1.8	1.6	0.5	33
London	53.5	43.8	9.7	2.2	1.9	0.6	32
South East	89.0	77.1	11.9	3.3	2.9	1.0	33
South West	56.7	49.8	6.8	1.8	1.6	0.5	33
England	419.6	367.7	51.8	13.4	11.6	3.9	34

Planning applications and appeals against refusal: England 1990–91 to 2000–01

	Planning applications[1]			Appeals against refusal[2]			Percentage of appeals allowed
	Decided	Granted	Refused	Received	Decided	Allowed	
1999–2000							
North East	14.3	13.3	0.9	0.3	0.2	0.1	33
North West	42.1	38.0	4.1	1.1	1.0	0.4	39
Yorkshire and the Humber	33.1	29.8	3.3	0.8	0.7	0.2	34
East Midlands	32.9	29.9	3.0	0.8	0.7	0.2	34
West Midlands	35.5	31.6	3.9	1.0	0.9	0.4	37
East of England	51.7	45.6	6.1	1.7	1.6	0.5	31
London	49.8	41.5	8.3	2.0	1.8	0.6	33
South East	84.2	73.2	10.8	3.1	2.8	0.9	32
South West	52.8	46.9	5.9	1.6	1.4	0.5	33
England	396.3	350.0	46.3	12.3	11.2	3.7	33
1998–99							
North East	14.4	13.4	1.0	0.3	0.3	0.1	36
North West	40.5	36.5	4.1	1.1	0.9	0.4	41
Yorkshire and the Humber	32.7	29.2	3.5	0.8	0.8	0.3	37
East Midlands	31.6	28.6	3.0	0.8	1.7	0.2	31
West Midlands	35.0	30.7	4.3	1.1	1.0	0.4	37
East of England	48.8	42.8	6.0	1.8	1.6	0.6	36
London	49.0	40.8	8.3	1.9	1.7	0.6	33
South East	80.3	69.7	10.5	3.1	2.8	0.9	34
South West	50.2	44.5	5.7	1.6	1.4	0.4	30
England	382.6	336.3	46.4	12.5	11.3	3.9	35
1997–98							
North East	14.4	13.4	1.1	0.3	0.3	0.1	31
North West	40.5	36.5	4.0	1.2	1.0	0.4	38
Yorkshire and the Humber	32.9	29.7	3.2	0.9	0.8	0.3	36
East Midlands	32.5	29.3	3.3	0.9	0.8	0.3	35
West Midlands	33.9	29.6	4.2	1.1	1.0	0.4	37
East of England	47.2	41.2	6.0	1.8	1.6	0.5	32
London	45.9	38.4	7.5	1.9	1.7	0.6	36
South East	78.2	68.3	9.9	3.1	2.7	0.9	32
South West	49.7	44.2	5.5	1.6	1.4	0.5	34
England	375.2	330.6	44.6	12.8	11.3	3.9	34
1996–97							
North East	14.4	13.3	1.1	0.3	0.3	0.1	38
North West	39.2	35.0	4.2	1.2	1.0	0.4	35
Yorkshire and the Humber	32.3	28.9	3.4	0.9	0.8	0.2	31
East Midlands	30.8	27.8	3.0	0.9	0.8	0.3	34
West Midlands	32.9	28.9	4.0	1.0	0.9	0.3	33
East of England	43.2	37.6	5.6	1.8	1.6	0.5	35
London	42.3	35.2	7.1	1.8	1.6	0.6	37
South East	71.1	61.9	9.2	2.9	2.5	0.9	35
South West	47.1	42.0	5.1	1.6	1.3	0.5	34
England	353.3	310.8	42.5	12.4	10.7	3.7	35
1995–96							
North East	14.4	13.3	1.2	0.4	0.3	0.1	38
North West	39.0	34.8	4.2	1.1	1.0	0.4	36
Yorkshire and the Humber	33.4	29.6	3.7	1.0	0.8	0.3	30
East Midlands	31.5	28.1	3.3	1.0	0.9	0.3	33
West Midlands	32.2	28.2	4.0	1.1	1.0	0.3	35
East of England	42.9	37.3	5.6	1.8	1.6	0.5	33
London	40.3	33.8	6.5	1.8	1.5	0.6	37
South East	69.9	60.9	9.3	3.1	2.7	0.9	32
South West	45.3	40.1	5.2	1.7	1.4	0.4	31
England	348.8	305.9	42.9	13.0	11.3	3.8	33
1994–95							
North East	15.9	14.6	1.4	0.4	0.4	0.1	32
North West	42.4	37.8	4.6	1.3	1.2	0.5	40
Yorkshire and the Humber	35.7	31.6	4.1	1.1	1.0	0.3	31
East Midlands	33.6	30.0	3.6	1.1	1.0	0.3	31
West Midlands	34.0	29.9	4.1	1.2	1.1	0.4	36
East of England	45.3	39.4	5.9	1.9	1.7	0.6	31
London	40.7	34.4	6.3	1.6	1.4	0.5	35
South East	71.7	62.4	9.3	3.1	2.7	0.9	32
South West	48.5	42.6	5.9	1.8	1.6	0.5	32
England	368.0	322.8	45.2	13.6	12.1	4.0	33

Planning applications and appeals against refusal: England 1990–91 to 2000–01

	Planning applications[1]			*Appeals against refusal*[2]			*Percentage of appeals allowed*
	Decided	*Granted*	*Refused*	*Received*	*Decided*	*Allowed*	
1993–94							
North East	16.8	15.4	1.4	0.4	0.4	0.1	33
North West	43.2	38.5	4.7	1.2	1.2	0.4	37
Yorkshire and the Humber	35.9	31.7	4.1	1.1	1.0	0.3	27
East Midlands	33.4	29.8	3.6	1.0	1.0	0.3	33
West Midlands	35.1	30.9	4.2	1.2	1.0	0.4	35
East of England	45.0	39.1	5.9	1.9	1.7	0.5	33
London	39.4	33.0	6.4	1.6	1.5	0.6	37
South East	68.6	59.3	9.3	3.0	2.8	0.9	32
South West	48.6	42.6	6.0	1.9	1.7	0.5	31
England	366.1	320.4	45.7	13.4	12.2	4.0	33
1992–93							
North East	16.7	15.1	1.6	0.4	0.4	0.2	39
North West	44.3	38.6	5.7	1.5	1.4	0.6	40
Yorkshire and the Humber	35.9	30.9	5.0	1.3	1.2	0.4	31
East Midlands	33.4	29.2	4.2	1.2	1.1	0.4	34
West Midlands	35.4	30.2	5.2	1.3	1.1	0.4	31
East of England	44.5	37.8	6.7	2.1	1.9	0.6	33
London	38.6	31.3	7.4	1.9	1.7	0.6	36
South East	68.0	57.0	10.9	3.6	3.2	1.1	34
South West	48.7	41.3	7.3	2.4	2.2	0.7	32
England	365.4	311.4	54.0	15.7	14.2	4.8	34
1991–92							
North East	17.3	15.5	1.9	0.5	0.4	0.1	34
North West	49.3	42.0	7.3	1.8	1.6	0.6	36
Yorkshire and the Humber	40.9	34.4	6.5	1.6	1.4	0.4	30
East Midlands	36.7	31.1	5.6	1.5	1.4	0.5	33
West Midlands	39.0	32.6	6.4	1.7	1.4	0.4	30
East of England	49.7	40.8	8.9	2.7	2.5	0.8	31
London	42.5	33.5	9.0	2.2	2.0	0.7	35
South East	74.6	60.5	14.1	4.5	4.0	1.3	33
South West	54.1	44.1	10.0	3.1	2.8	0.9	32
England	404.2	334.5	69.7	19.5	17.5	5.7	32
1990–91							
North East	17.5	15.5	1.9	0.5	0.5	0.1	30
North West	53.0	44.2	8.8	2.0	1.8	0.7	38
Yorkshire and the Humber	42.7	34.9	7.8	1.7	1.5	0.5	32
East Midlands	40.1	33.0	7.2	1.7	1.5	0.5	33
West Midlands	41.5	34.0	7.5	1.8	1.6	0.5	32
East of England	55.3	43.5	11.8	3.3	2.9	0.9	32
London	44.8	34.6	10.3	2.5	2.2	0.8	36
South East	82.6	65.0	17.6	5.3	4.6	1.5	32
South West	60.7	47.7	13.1	3.6	3.2	1.0	32
England	438.3	352.4	85.9	22.4	19.7	6.5	33

[1] Section 70 planning applications, ie excludes applications for listed buildings, advertisements and conservation area consents

[2] Figures relate to the number of appeals against section 70 planning applications refused in the year, not the number of appeals received in the year

Fridges

Mrs. Spelman: To ask the Secretary of State for Transport, Local Government and the Regions what steps the Government are taking to ensure that local authority schemes for recycling and disposing of fridges comply with EU regulations. [16404]

Mr. Meacher: I have been asked to reply.

The Department has written to all local authorities informing them of the requirements of EC Regulation 2037/2000 regarding the recycling/disposal of fridges. A further letter will be issued shortly to remind local authorities of their obligations to receive and collect waste refrigeration equipment from householders. Guidance on storage of waste refrigeration equipment has been issued in draft and we are currently considering funding options for local authorities.

DEFENCE

Defence Academy

Mr. Keith Simpson: To ask the Secretary of State for Defence if he will publish the job specification drawn up for the appointment of the head of the Defence Academy. [15345]

Mr. Ingram *[holding answer 16 November 2001]:* The Defence Academy of the United Kingdom is to be a national and international centre of excellence, providing civilian and military personnel with high quality education, primarily at postgraduate level, and conducting research in fields related to defence. It will bring together, inter alia, the existing Joint Service Command and Staff College, the Royal College of Defence Studies and the Royal Military College of Science (RMCS). It is intended to exert increasing influence with national and international military and academic institutions and to provide a focus for the research effort of the existing colleges in support of defence objectives, including the development of policy and doctrine by the policy director and the joint doctrine and concepts centre. The role of the head of the academy is to establish the academy, and to develop and run it in such a way as to achieve these aims.

The head will have overall responsibility for the academy's collective performance in delivering its outputs. While delivery of these outputs will be delegated to the heads of the component organisations, he will remain accountable for them. In particular, he/she will:

> Provide a clear vision for the academy and ensure that the teaching and research it provides are coherent and responsive to customer needs and to developing national and international circumstances.
>
> Create and develop links with national and international military and academic bodies and institutions, in order to establish the academy as a major influence on thinking worldwide on defence issues.
>
> Develop a strategic plan for the future development of the academy and the Shrivenham site, including future arrangements for academic provision and future contractual and support arrangements, to ensure coherence and cost-effectiveness of teaching and research activities.

To facilitate the achievement of these objectives, the head of the academy will:

> Establish and maintain effective arrangements for the management of academy business and the development of synergies and relationships within and beyond the academy, and give broad policy guidance.
>
> Establish and maintain a focus for research in support of defence objectives, including the development of policy and doctrine by the policy director and joint doctrine and concepts centre.
>
> Encourage the fullest international and inter-agency participation in the academy's courses, in support of policy and defence diplomacy objectives.
>
> Oversee the establishment of the defence leadership centre, the joint service warrant officers' school, the defence sixth-form college, the defence technical undergraduate scheme and the defence finance training cell.
>
> Manage a single budget incorporating those of the component organisations.

The head of the academy will also be responsible, through RMCS, for Welbeck sixth-form college. In addition, two new organisations will be set up as part of the academy: a defence leadership centre and a joint services warrant officers school.

The head of the academy will report to the vice chief of the Defence staff (VCDS). The second reporting officer will be the Chief of the Defence Staff (CDS). The academy budget will form part of the central top level budget.

A policy board, chaired by CDS, and comprising key stakeholders and external members, will deal with strategy, high-level tasking and funding issues. This will subsume the role of the existing policy boards of the individual colleges but each college will retain arrangements for providing access to senior figures from academia and industry through an advisory board. An academy advisory board, chaired by the head, on which key stakeholders and customers would be represented, will agree outputs and match requirements between customers in line with capacity in the academy. The membership of the academy level boards will be determined by the head, in consultation with the Chiefs of Staff and other interested parties. The head will direct academy business through a management board, which will comprise the heads of the component organisations.

The head of the academy will be consulted on decisions on the most senior staff and academic appointments within the academy, and on the provision of academic advice and support.

By April 2002, he is to have put in place the academy's unified management structure. As part of that process, he is to:

> Review the reporting and customer liaison arrangements and make changes where appropriate to ensure that they are fully streamlined, eliminating duplication and applying best working practices.
>
> Review and rationalise the senior management structure within the academy, define the structure and roles of the academy's central organisation, and make proposals for improvement to performance across the academy, particularly in the area of enhanced coherence.

By April 2003, he is to develop proposals for the longer-term size, shape and status of the academy including the rationalisation of academic provision and future contractual and support arrangements.

He is to carry out a post-project evaluation of the new organisation and its constituent parts after 12 months of implementation, beginning in April 2003.

Mr. Keith Simpson: To ask the Secretary of State for Defence if he will publish the charter of the Defence Academy and list the members of the advisory board and constituent parts of the Academy. [15350]

Mr. Ingram *[holding answer 16 November 2001]:* The Defence Academy will comprise the Joint Services Command and Staff College, the Royal College of Defence Studies (which will remain in London), the Royal Military College of Science, the Conflict Studies Research Centre and three new elements: a defence leadership centre, a joint services warrant officers' school and a school of finance management.

The Defence Academy will be established on 1 April 2002 as a national and international centre for postgraduate education and research in defence fields.

A charter, or similar, for the Defence Academy, including a constitution for an advisory board, will follow further detailed implementation work.

RAF Bases

Mr. Gray: To ask the Secretary of State for Defence how many civilian staff are employed at *(a)* RAF Lyneham and *(b)* RAF Brize Norton. [17040]

Dr. Moonie: There are 269 Ministry of Defence civil servants and approximately 490 contracted and sub-contracted staff employed at RAF Lyneham, and 555 MOD civil servants and approximately 60 contracted and sub-contracted staff at RAF Brize Norton. Numbers vary from day to day depending on the requirement to use sub-contractors to carry out specialist tasks.

September 11

Mr. Weir: To ask the Secretary of State for Defence what representations he has made to the Energy Review Group regarding security at nuclear power stations following the events of 11 September. [16794]

Mr. Ingram *[holding answer 22 November 2001]:* None. The security of nuclear power stations is a matter for the Department of Trade and Industry. We are in close contact with the DTI and other Government Departments concerning any contribution the armed forces could make in this area.

Mr. Weir: To ask the Secretary of State for Defence what representations he has made to the Nuclear Inspectorate regarding security at nuclear installations following the events of 11 September. [16795]

Mr. Ingram *[holding answer 22 November 2001]:* None. The security of the Ministry of Defence nuclear installations is an MOD responsibility. However, close contact is maintained with the Nuclear Installations Inspectorate for health and safety matters at MOD licensed nuclear sites.

Royal Marines

Mr. Barker: To ask the Secretary of State for Defence how many recruits there were to the Royal Marines this year; and how many of these were *(a)* invalided out and *(b)* discharged for disciplinary reasons, before completing their course. [17345]

Mr. Ingram: In the last 12 months, 1,180 recruits joined the Royal Marines Commando training centre at Lympstone. Of these, 51 were medically discharged and one was discharged for disciplinary offences before the end of the course.

Mr. Barker: To ask the Secretary of State for Defence how many people were recruited this year to the Royal Marines, by rank, at *(a)* 16 years old, *(b)* 18 years old and *(c)* 21 years old. [17340]

Mr. Ingram: Information for this year is available from 23 April to 12 November. The number of recruits to the Royal Marine Corp is set out in the table:

	Ratings	*Officers*
Under 18s	219	—
18–21	358	21
Over 21s	151	40
Total	728	61

All ratings join as a Marine Second Class and officers as a Second Lieutenant. The ages of officers recruited cannot be broken down.

Depleted Uranium

Dr. Jack Cunningham: To ask the Secretary of State for Defence what *(a)* guns and *(b)* gun barrels used for the test firing of depleted uranium shells at Eskmeals have been removed to another range not licensed for the testing of depleted uranium; who authorised such transfers; whether this complied with health and safety regulations; and if he will make a statement. [16885]

Dr. Moonie: I believe my right hon. Friend may be referring to two Challenger 2 tank gun barrels used for test firing depleted uranium (DU) ammunition at the Kirkcudbright training area, but stored at the QinetiQ Eskmeals range. These were transferred on 6 November to the firing range at Shoeburyness, for test firing of non-DU ammunition, to support a Challenger 2 tank safety trial to determine acceptable limits of gun barrel erosion. The transfer was carried out by QinetiQ. A risk assessment by the radiation protection adviser showed that the levels of DU in the two barrels were so low and the DU so inaccessible that the material is not a radioactive substance within the meaning of the Ionising Radiation Regulations. These are the regulations that protect workers and members of the public who maybe exposed to ionising radiation and radioactive material from work activities.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Greenpeace/Friends of the Earth

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs when she last met representatives of *(a)* Greenpeace and *(b)* Friends of the Earth; and what matters were discussed. [17477]

Margaret Beckett: Representatives from both Greenpeace and Friends of the Earth attended the Waste Summit which I hosted on Wednesday 21 November. Various issues relating to the future direction of the UK's waste strategy were discussed.

Scientific Research

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list those agencies or laboratories which have conducted scientific research on behalf of her Department in the past year which are not accredited by the UK Accreditation Service. [10610]

Margaret Beckett *[holding answer 26 October 2001]:* DEFRA commissions research with several hundred contractors, and through them many sub-contractors. The UK Accreditation Service standard is just one of a number of quality standards which such contractors may apply and meet. My Department does not hold information on its hundreds of contractors and it could not be provided except at disproportionate cost.

Countryside Visitors

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs by what means she is monitoring the types of visits people undertook to the countryside in the 12 months since November 2000. [16722]

Alun Michael: The English Tourism Council undertakes a survey of tourism by residents of the United Kingdom. The survey provides information on visits to the countryside and results for 2001 will be available in early 2002.

In addition, the Countryside Agency will be undertaking its leisure day visits survey in January 2002 to report back in 2003.

Utilities

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to review the statutory rights of utilities; and if she will make a statement. [12362]

Mr. Meacher *[holding answer 5 November 2001]:* This Department has responsibility only for the water companies. The Government published the draft Water Bill in November 2000, which includes proposals for certain changes to the statutory rights and responsibilities of water companies. These include duties to conserve water and to maintain up-to-date drought plans.

The draft Water Bill would also require companies to disclose any links between their directors' pay and performance standards to ensure greater accountability by the companies.

Changes to the statutory rights and responsibilities of water companies are also possible as part of the Government's on-going consideration of competition in the water industry.

Organic Farms

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she will take to protect potential organic farms from the effects of wind-blown contamination from nearby GM crop trials; and if she will make a statement. [12460]

Mr. Meacher *[holding answer 6 November 2001]:* The farm scale evaluation (FSE) trials of GM crops are separated from neighbouring compatible crops to protect them from the effects of wind-blown pollen. The separation distances depend on the type of crop and should ensure that, at the closest separation, cross-pollination does not exceed a maximum of 1 per cent. In practice, it will generally be below that level. The separation distances are greater in relation to organic crops than they are for ordinary, conventional crops. I am not aware of any instance where an FSE trial has affected the status of an organic crop. We want to maintain that position for the remainder of the FSE programme and are therefore keeping the separation distances under review. The general issue of the terms on which GM and non-GM crops might co-exist is one that the Government want to resolve before there is any question of commercial GM planting. This is not just a scientific issue, but one of public acceptability.

Convention on Biodiversity

Llew Smith: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the *(a)* issues discussed at and *(b)* outcome of the seventh meeting of the subsidiary bodies for scientific, technical and technological advice of the convention on biodiversity. [15853]

Mr. Meacher: The subsidiary body on scientific, technical and technological advice (SBSTTA) met in Montreal from 12 to 16 November. The meeting made recommendations on a number of issues to the sixth meeting of the conference of the parties (COP6) to the convention on biological diversity, to be held in April 2002 in The Hague.

Most attention was focused on forest biological diversity, where SBSTTA proposed a comprehensive programme of further work. This will cover the status and trends of forest biodiversity, options for its conservation and sustainable use, and the role of the socio-economic enabling environment. It will include the impact of the unsustainable harvesting of non-timber forest resources, such as bushmeat.

Other recommendations included proposals for a global strategy for plant conservation and an international initiative for the conservation and sustainable use of pollinators. Technical advice was prepared on the use of incentive measures to secure the objectives of the convention; incorporating biodiversity considerations into environmental impact assessment; and designing monitoring programmes and indicators to measure the state of biodiversity. SBSTTA also welcomed publication of the global biodiversity outlook, a comprehensive stocktaking that will help guide further implementation of the convention.

The UK looks forward to making the best use of SBSTTA's advice, on these and other issues, including by working to ensure a successful outcome at COP6, particularly on the priority issues of forest biodiversity, alien species, access and benefit-sharing; and agreement of a strategic plan for the convention.

Coal Mine Methane

Mr. Robathan: To ask the Secretary of State for Environment, Food and Rural Affairs what recent estimate she has made of the benefits to the environment of capturing coal mine methane and using it to generate electricity. [15723]

Mr. Meacher: A report produced for the Department earlier this year estimated that current UK emissions from abandoned coal mines are likely to be in the range of 20 to 300 kilo tonnes. The upper end of this range is equivalent to around 11 per cent. of the UK's total current methane emissions, or about 1 per cent. of UK greenhouse gas emissions as a whole. The emissions estimate is highly uncertain and we plan to carry out further work to gain a better understanding of the estimate, including the amount of gas that is in practice emitted and the potential for reducing these emissions by, for example, using the methane for electricity generation. I am aware that this Department, the Department for Trade and Industry and HM Treasury have been in discussion with the Association of Coal Mine Methane Operators about how the Government could help projects that use coal mine methane to generate electricity.

Rivers

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of rivers were *(a)* good, *(b)* fair and *(c)* poor quality in (i) 1996, (ii) 1997, (iii) 1998, (iv) 1999, (v) 2000 and (vi) 2001. [15895]

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of rivers in England were in *(a)* good, *(b)* fair and *(c)* poor quality in (i) 1996, (ii) 1997, (iii) 1998, (iv) 1999, (v) 2000 and (vi) 2001. [16581]

Mr. Meacher: In England, the Environment Agency's general quality assessment (GQA) scheme classifies water quality in rivers and canals. Chemical quality, the most widely used measure, is assessed on the basis of biochemical oxygen demand and concentrations of dissolved oxygen and ammonia. Stretches of rivers and canals are assigned as good, fair, poor or bad based on different degrees of chemical quality. Results from 1996 until 2000, the latest year for which figures are available, are as follows:

General quality assessment of rivers: chemical quality, England

Percentage length of river

Year	*Good*	*Fair*	*Poor*	*Bad*
1996	54	35.1	9.8	1.1
1997	52.3	35.5	11.0	1.2
1998	54.8	34.1	10.3	0.8
1999	59.4	31.7	8.3	0.6
2000	64.4	29.3	5.9	0.4

Energy Efficiency

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs how many households in the Isle of Wight spent over 10 per cent. of their household income on fuel and were living in fuel poverty in *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000 and *(e)* 2001. [16123]

Mr. Meacher *[holding answer 19 November 2001]:* The estimates of the number of fuel poor in England are based on data from the English house condition survey. Due to the nature of the survey, it is not possible to estimate the number of fuel poor within individual areas such as the Isle of Wight. The latest available information suggests that for the whole south-east Government office region, there were an estimated 270,000 households in fuel poverty in 1998.

Rural Businesses

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what was the turnover of businesses based in rural areas in the United Kingdom in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000 and *(f)* 2001. [16542]

Alun Michael: The turnover (£000) of VAT-based enterprises in rural areas (districts/unitary authorities as classified by the Countryside Agency) in England is as follows:

Year	£
1999	357,774,110
2000	360,296,895
2001	364,896,980

Source:
Office for National Statistics

It is not possible to provide figures for earlier years because of changes in geographical boundaries.

Air Quality

Dr. Kumar: To ask the Secretary of State for Environment, Food and Rural Affairs how many air quality incidents have been recorded *(a)* in the UK, *(b)* in the north-east and *(c)* in Teesside; and what was the cause of the most potentially dangerous of those incidents in the last 12 months. [16425]

Mr. Meacher *[holding answer 20 November 2001]:* We usually consider a "pollution incident" as an event in which high or very high air pollution has been monitored. The Department of Health's Committee on the effects of air pollution (COMEAP) has defined levels of high air pollution. They advise that during such episodes significant effects may be noticed by sensitive individuals and action to avoid or reduce these effects may be needed (e.g. reducing exposure by spending less time in polluted areas outdoors). During episodes of very high pollution the effects on sensitive individuals described for high levels of pollution may worsen. The pollution thresholds adopted by COMEAP are shown as follows.

ug/m^3 (micrograms per cubic metre)	*Index*	*Sulphur dioxide 15 minutes*	*Nitrogen dioxide 1 hour*	*Ozone Running 8 hours*	*Particles (PM^{10}) Running 24 hours*	*Carbon monoxide Running 8 hours*
Very High	10	[1]400	[1]400	[1,2]180	[1]100	[1]20
High	7–9	200–399	300–399	90–179	75–99	15–19.9
Moderate	4–6	199–100	150–299	50–89	50–74	10–14.9
Low	1–3	[3]100	[3]150	[3]50	[3]50	[3]10

[1] Greater than
[2] One hour concentration
[3] Less than

The national automatic monitoring network currently includes 120 sites. Data are produced continuously on an hourly basis. Ratified data is available up to 30 June 2001. After this date care must be taken in interpretation of the pollution levels recorded since high measurements may be the result of instrument error that is still to be identified. Levels recorded at each monitoring site are defined according to the pollutant that is in the highest band during the day.

Across the UK there were 10 days on which pollution levels for ozone were measured as high at one or more sites. For ozone, there were no episodes of high pollution in the north-east or Teeside. Ozone episodes are caused by a combination of sunlight reacting on volatile organic compounds and nitrogen dioxide. These pollutants can be transported long distances and a proportion of the ozone measured during these episodes is likely to have originated from continental sources.

For sulphur dioxide there was only one incident of high pollution recorded, at Grangemouth on 24 August. This is likely to have been caused by an industrial source. A second episode measured in London is unratified data and likely to be instrument error.

For PM^{10} there were 50 days on which pollution levels were high or very high at one or more sites. The highest pollution was recorded at Bexley (190 ug/m^{3}) on 3 November. The episode arose from the combination of calm weather conditions across south-east England and bonfire night celebrations. This was one of the highest measurements of PM^{10} recorded in the UK since 1992 when monitoring commenced. The second highest measurement was recorded in Manchester and arose due to cutting of concrete slabs adjacent to the monitoring station; this probably did not reflect wider air pollution.

In the north-east there were 10 days of high or very high pollution at Scunthorpe (all for PM^{10}). Local industrial sources are likely to have contributed to these episodes. In Leeds, there was one day on which pollution levels for PM^{10} were high. There were no episodes of high pollution for PM^{10} recorded at the Middlesbrough monitoring site in Teesside.

No episodes of high or very high pollution have been recorded in the UK during 2001 for carbon monoxide or nitrogen dioxide.

Departmental Costs

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs if she will provide a breakdown of the cost of *(a)* settling the dispute between her Department and the Public and Commercial Services Union and *(b)* charges by the European Union for not meeting (i) foot and mouth compensation and (ii) other support payments. [16588]

Mr. Morley: *(a)* A breakdown of the cost of settling the dispute between the Department and the Public and Commercial Services Union cannot be given because this depends on funding and the outcome of negotiations with the union.

(b) (i) There should be no charge by the European Union in respect of foot and mouth compensation as there are no deadlines for payment. The dispute has not delayed foot and mouth payments.

(ii) The main impact of the industrial action so far on other CAP support payments is that many of them will be made later in the regulatory payment 'window' than would otherwise have been the case. The extent to which payments may fall outside of the window cannot be predicted since it depends on the course which the industrial action takes and the success of mitigating action being taken by my Department to ensure that delays are kept to the minimum. To date no charges have been imposed by the European Union as a result of delays caused by the industrial action.

Flooding (Insurance)

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with insurance companies about the provision of services to people who live on flood plains; and if she will make a statement. [17722]

Mr. Morley: The Government maintain close links with the insurance industry to help ensure continued availability of affordable flood cover. There is an agreement among Association of British Insurers (ABI) member companies that they will continue to provide flood cover, except in exceptional circumstances, for domestic properties and small businesses which they currently insure, during 2001 and 2002. Cases where there is an alleged breach of this agreement have been referred by DEFRA to the ABI for investigation. However, it must be recognised that insurance companies need to take a commercial decision as to what risk they will cover and on what terms. Also, the insurance industry is a competitive one and customers may need to shop around to obtain the best deal.

My hon. Friend the Economic Secretary to the Treasury and I met the ABI on 5 September to discuss our mutual aim of ensuring that affordable flood insurance cover continues to be generally available after December 2002. Further discussions between officials have taken place.

Together with the flood defence operating authorities, we are reducing the risk of flooding and are communicating this to the insurance industry. We are reducing the risk through substantial increases in investment in flood and coastal defences (which now totals over £400 million a year). Flood defences are being repaired, renewed, maintained and improved. Flood warning arrangements are continually being improved. The Government have issued strengthened guidance to local planning authorities on control of development in flood risk areas, and are reviewing the financial and institutional arrangements under which the flood defence service is delivered.

EDUCATION AND SKILLS

Sure Start

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills if she will list the location of the sure start programmes which *(a)* are in operation, *(b)* are in the process of being implemented and *(c)* are planned; and what are the criteria for inclusion in each element of the programme. [14134]

Yvette Cooper *[holding answer 13 November 2001]*: Local authority districts are invited to develop sure start programmes on the basis of levels of disadvantage and poverty, though achieving a good mix between rural, urban, semi-urban and coastal areas and across the country is also ensured. Once a district has been invited to develop a programme it is up to local stakeholders—from the voluntary, statutory and community sectors—to decide upon the local catchment area. Partnerships are asked to choose a catchment area with high levels of need and which is among the poorest in the district.

Table A shows the locations of sure start programmes for which funding has been approved and are delivering services or starting to deliver them. Table B shows the locations which are currently developing sure start programmes. All of these areas will receive approval once their plans meet the standards set out in the sure start guidance. The tables have been placed in the Libraries.

Mr. Willis: To ask the Secretary of State for Education and Skills what plans she has to extend sure start to all local education authorities; and if she will make a statement. [15557]

Jacqui Smith: Sure start aims to support young children and their families living in disadvantaged areas so that they have improved life chances. The Government have now announced 437 out of the 500 sure start programmes planned to be operational by April 2004. These are located in 197 different local authority districts and in 130 out of the 150 local education authority (LEA) areas. At least a further 63 programmes will be announced next year which may extend sure start to more LEAs. In addition to the 500 full-scale sure start programmes, we have allocated £22 million to establish 50 small sure start programmes to reach pockets of deprivation, particularly those in rural areas. These will be located in 34 different LEA areas, bringing the total number of LEAs with a sure start presence to 135.

The experience and lessons learned from sure start will be shared widely so that, even where there is no local sure start programme, children and parents in the area will benefit from access to improved services.

Dr. Kumar: To ask the Secretary of State for Education and Skills if she will make a statement on the cost and performance of the sure start programme *(a)* nationally and *(b)* the boroughs of Middlesbrough (ii) Redcar and (iii) Cleveland. [16215]

Jacqui Smith *[holding answer 16 November 2001]:* The Government are committed to establishing 500 sure start programmes by March 2004. In July of this year, the fifth wave of sure start was announced. This brought the total number of programmes announced so far to 437. Over 200 of these programmes have received final approval and are delivering services to children and families in disadvantaged areas. In total, Middlesbrough, Redcar and Cleveland have been invited to submit plans for eight sure start programmes. Of these, three have been approved, one is in the final stages of planning and the other four are in the very early stages of planning.

Nationally, over £600 million has been committed to approved programmes for their first three years of operation. The three approved programmes in Middlesbrough, Redcar and Cleveland will receive approximately £6.5 million of this.

Village Schools

Mr. Pickles: To ask the Secretary of State for Education and Skills what factors militate against the presumption against closure of village schools. [17197]

Mr. Timms: Our guidance to school organisation committees makes it clear that the presumption continues to be against the closure of rural schools, and that in considering such proposals the committee should take account of the following factors:

the accessibility of alternative schools and sites;

the standard of the school and the standards of alternative schools;

the overall supply of school places in the area and the likely future demand for places;

the overall effect of the closure on the local community;

the cost implications of the possible options;

any points made by the LEA;

any points made by the school proposed for closure;

the views of parents and other interested parties;

the effect on the school journey, including long-term transport costs, and whether the closure will result in more pupils experiencing longer journeys to school and more pupils being driven to school by car.

We have not said that no rural school should close, but the case for closure needs to be strong and the proposals clearly in the best interest of the children, parents and education in the area.

Asylum Seekers

Dr. Tonge: To ask the Secretary of State for Education and Skills how many asylum seekers' children are being educated in UK schools; and what is the *(a)* local education authority, *(b)* country of origin and *(c)* age of the children. [16775]

Mr. Timms *[holding answer 22 November 2001]:* The Refugee Council recently estimated that there are approximately 70,000 children of asylum seekers and refugees in UK schools. However, it is not possible to specify the local education authorities, country of origin and age of these children as this Department does not require local education authorities or schools to keep this information.

Dr. Tonge: To ask the Secretary of State for Education and Skills how much money is allocated to UK schools for each asylum seeker child in their school. [16776]

Mr. Timms *[holding answer 22 November 2001]:* Schools receive funding for children of asylum seekers in the same way as they do for all other children on the school roll, through the education standard spending assessment. It is not possible to say how much each school receives through this funding mechanism. This is because this Department does not require schools and local education authorities to keep information about the numbers of children of asylum seekers on each school roll.

Children of asylum seekers can benefit from the ethnic minority achievement grant. Local education authorities decide which schools they will need to devolve funds to, or otherwise support, under the grant, taking into account each school's particular needs. For the current financial year funding stands at £154 million. In addition, for 2001–02, £1.5 million has been made available to support the education costs of children of asylum seekers. This funding is available to schools in the cluster areas to help settle these children into school and acquire English language skills.

South Tyneside

Mr. Hepburn: To ask the Secretary of State for Education and Skills which schools in south Tyneside have been granted funding for teacher training. [17401]

Mr. Timms: The information is not collected centrally. Schools may receive funding for activities related to the initial and continuing training of teachers from a variety of sources.

Education Action Zones

Mr. Brady: To ask the Secretary of State for Education and Skills on what date she took a decision to end the education action zone programme. [17628]

Mr. Timms: All education action zones (EAZs) will complete their agreed full statutory term. Under the School Standards and Framework Act 1998, EAZs had a maximum statutory term of five years. Our announcement on 14 November proposes that, wherever possible, we aim to continue to support ex-EAZ schools through our excellence in cities (EiC) initiative, following the end of the zones statutory term.

Mr. Brady: To ask the Secretary of State for Education and Skills if she will publish proposals for future development of former education action zones in *(a)* rural and *(b)* suburban areas. [17629]

Mr. Timms: Wherever possible, we aim to find ways of continuing to support ex-EAZ schools following the end of each zone's statutory five-year term. Depending on local circumstances, we hope to do this largely through the excellence in cities initiative. My officials are starting discussions with each zone on the future of the zone, with a view to having firm proposals well before the end of its statutory term.

Mr. Brady: To ask the Secretary of State for Education and Skills what the costs of winding up education action zones will be. [17632]

Mr. Timms: All education action zones will complete their agreed full statutory term. Each education action zone (EAZ) will need to make arrangements to dispose of any assets and to meet any employment liabilities in accordance with guidance issued by the Department for Education and Skills in the EAZ handbook.

The costs will vary from zone to zone depending on their individual circumstances and liabilities. All costs will be met from within the existing education action zone programme budget.

Mr. Brady: To ask the Secretary of State for Education and Skills what changes to the excellence in cities scheme she proposes to accommodate former education action zones. [17630]

Mr. Timms: My Department will discuss with each education action zone, and the relevant excellence in cities (EiC) partnership, the way forward for ex-zone schools. This could include the creation of new non-statutory EiC action zones in existing EiC areas or the development of new excellence clusters in areas not currently covered by EiC.

Mr. Brady: To ask the Secretary of State for Education and Skills if she will list the education action zones which *(a)* have and *(b)* have not achieved their objectives. [17631]

Mr. Timms: All education action zones (EAZs) have individually agreed targets. These targets cover the zone's full five-year statutory term. It will not be possible to assess whether each zone has met its objectives until the end of that term. Progress towards these objectives will continue to be monitored.

Student Support

Mr. Rendel: To ask the Secretary of State for Education and Skills if she will list the members of the working group established to serve on her Department's review of student support; and if she will make a statement. [17476]

Margaret Hodge: My right hon. Friend the Secretary of State for Education and Skills announced on 3 October 2001 that she is leading a review of student funding, including representatives from the Department for Education and Skills, HM Treasury and Inland Revenue.

Mr. Rendel: To ask the Secretary of State for Education and Skills what research she has commissioned as part of her Department's review of student support; and if she will make a statement. [17475]

Margaret Hodge: We have examined existing research on students' attitudes to higher education, their income and expenditure, as well as perceptions of debt. Since 1998 we have commissioned further research to monitor the impact of our reforms in higher education.

FOREIGN AND COMMONWEALTH AFFAIRS

Western Sahara (Referendum)

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects the UN administration in the Western Sahara to name a date for a referendum on the future governance of the territory.

Mr. Bradshaw: The UK supported United Nations Security Council resolution 1359, which was passed unanimously on 29 June 2001. This reiterated full support for the on-going efforts of MINURSO to implement the settlement plan and the agreements by the parties to hold a free, fair and impartial referendum for the self-determination of the people of western Sahara.

The United Nations Security Council resolution made no provision for setting a date for the referendum and at this stage we do not know when it will be possible to set such a date.

The resolution does, however, reaffirm the UN's commitment to assist the parties in achieving a just and lasting solution to the question of the western Sahara. The personal envoy of the Secretary-General is currently engaged in an attempt to resolve the dispute. The special envoy is discussing with the parties the draft framework agreement (as set out in the United Nations Secretary-General's report of June 2001) which may offer a mutually agreed political solution to the dispute. He has also discussed with the Polisario their proposals to overcome the obstacles faced in the settlement plan.

Oil for Food Policy (Iraq)

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the performance of the oil for food policy regarding Iraq and the attitude of the Iraqi Government towards this policy.

Mr. Bradshaw: The oil for food programme is the UN's largest humanitarian programme ever, worth some $12.5 billion last year alone. In his most recent report (September 2001), the UN Secretary-General concludes that the oil for food programme has made a considerable difference to the lives of ordinary Iraqis and, in spreading beyond the food and medicine sectors, to the rehabilitation of Iraq's civilian infrastructure.

These achievements have been made despite the continuing efforts of the Iraqi regime to hamper the oil for food programme. For example, around $2 billion of funds lie unspent by Iraq in UN accounts and the Iraqi Central Bank consistently holds up the delivery of around $1 billion-worth of goods. Iraq continues to refuse to allow UN officials to enter Iraq to discuss a cash component for sectors identified by the UN Secretary-General as being critical, such as health, education and water and sanitation.

Iraq (Sanctions)

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received on the impact of sanctions on the access of Iraqi citizens to clean water; and if he will make a statement.

Mr. Bradshaw: We regularly receive parliamentary and public correspondence on all aspects of sanctions on Iraq, including the water and sanitation sector.

Since 1990, the UK has donated over £100 million of humanitarian aid to Iraq (including £5.5 million this year) for projects which include the rehabilitation of water and sanitation infrastructure. In addition, earlier this year the EU agreed a 13 million euro aid package for projects which include the provision of clean drinking water.

By contrast, the Iraqi regime continues to hamper all aspects of the oil for food programme. At a time when around $2 billion lies unspent by Iraq in the UN escrow account, Iraq has, for example, cut spending in this sector by 18 per cent. in 2001 compared to last year. Iraq continues to refuse to allow UN officials to enter Iraq to discuss a cash component for sectors identified by the UN Secretary-General as being critical, one of which is water and sanitation.

International Coalition (Afghanistan)

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those countries that support the international coalition's actions in Afghanistan.

Mr. Bradshaw: I refer my hon. Friend to the answer I gave my hon. Friend the Member for Birmingham, Selly Oak (Lynne Jones) on 20 November 2001, *Official Report* column 182W.

EU Political and Social Affairs Committee

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on activities being undertaken by the EU Political and Social Affairs Committee. [14810]

Peter Hain: The European Union Political and Security Committee meets regularly in Brussels, usually twice a week, to discuss current foreign policy issues and questions relating to the European security and defence policy.

Gibraltar

Mr. MacKay: To ask the Secretary of State for Foreign and Commonwealth Affairs if it is his policy that change in the constitutional status of Gibraltar will occur only after the agreement of the majority of the resident community. [16411]

Peter Hain: I refer the right hon. Member to the answer I gave to the hon. Member for Isle of Wight (Mr. Turner) on 19 November 2001, *Official Report*, column 26W.

Poland

Dr. Julian Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Government of Poland about their expulsion of the representative of the US Federal Bureau of Investigation. [17037]

Peter Hain: It is not for Her Majesty's Government to intervene in bilateral matters of this kind between two NATO allies. Poland has given full support to the international effort against terrorism. The Polish President hosted a conference for regional Prime Ministers on 6 November to discuss concrete anti-terrorism measures.

Kosovo

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings he has had since October regarding the future of Kosovo; and if he will make a statement on the result of the recent elections in the province. [16813]

Mr. MacShane *[holding answer 22 November 2001]:* The elections were a landmark in Kosovo's development as a multi-ethnic, democratic and tolerant society. I look forward to this diversity and tolerance being reflected in Kosovo's first truly democratic and representative Government.

The Assembly elections on 17 November, in which all of Kosovo's communities participated, took place peacefully. Both the Council of Europe observer mission, led by a British expert, Owen Masters, and the OSCE's Parliamentary Assembly delegation, led by my right hon. Friend the Member for Walsall, South (Mr. George), declared the elections free and fair.

According to preliminary results issued by the Organisation for Security and Co-operation in Europe (OSCE), the Democratic League of Kosovo (LDK) won 46.29 per cent. of the vote, the Democratic Party of Kosovo (PDK) won 25.54 per cent., the Serb coalition "Return" won 10.96 per cent. and the Alliance for the Future of Kosovo (AAK) received 7.82 per cent. Final results should be known by 24 November.

Correspondence

Mr. Burns: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will reply to the letter from the hon. Member for West Chelmsford of 26 July on his constituent Mr. Grant Davis. [16825]

Mr. Bradshaw: I wrote to the hon. Member on 29 October.

Afghanistan

David Hamilton: To ask the Secretary of State for Foreign and Commonwealth Affairs what instructions will be given to British troops relating to the protection of local people from violence perpetrated by future governing regimes. [16666]

Mr. Hoon: I have been asked to reply.

Wherever they are engaged, British forces are required to act in accordance with national and international law.

NORTHERN IRELAND

Consultation Documents

Sandra Gidley: To ask the Secretary of State for Northern Ireland how many consultation documents were issued by his Department from *(a)* 15 October to 14 January, *(b)* 15 January to 14 April, *(c)* 15 April to 14 July and *(d)* 15 July to 14 October in each year from 1996. [12879]

Dr. John Reid: The information requested is as follows:

Number of consultation documents issued

	15 October to 14 January	*15 January to 14 April*	*15 April to 14 July*	*15 July to 14 October*
1996–97	1	2	—	1
1997–98	5	1	1	—
1998–99	—	2	1	1
1999–2000	—	3	1	—
2000–01	3	2	1	1

Plastic Bullets

Mr. Donaldson: To ask the Secretary of State for Northern Ireland how many plastic bullets were procured for the *(a)* Royal Ulster Constabulary and *(b)* Police Service of Northern Ireland in each year from 1995 to present. [16574]

Jane Kennedy: The table gives details of the numbers of baton rounds procured by the Royal Ulster Constabulary each year from 1995 to present.

Year	*Baton rounds procured*
1995	25,200
1996	60,875
1997	33,900
1998	75,227
1999	50,400
2000	76,320
2001[1]	46,000

[1] To date

The date the Police Service of Northern Ireland has not procured any baton rounds.

CULTURE, MEDIA AND SPORT

Sport (East Midlands)

Vernon Coaker: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on her plans to develop grassroots sports in the east midlands. [17058]

Mr. Caborn: The Government are committed to the development of sport and increasing opportunities for participation throughout the country. The strategy for sport—"A Sporting Future for All"—and the Government's plan for sport set out an action plan on how we intend to achieve those objectives. Responsibility for developing grassroots sport at the regional level rests with a number of organisations including Sport England, local authorities, local education authorities, schools, sports governing bodies, sports clubs, volunteers, and in order to ensure the best use of resources it is essential that all these interests work in partnership.

In the east midlands, the regional sports board is providing leadership and direction to this work and in close co-operation with Sport England has engaged the main partners in developing the Region's sporting infrastructure and planning for the future.

All of the programmes for providing better sports facilities and improving sports provision are being implemented in the region including lottery funding, where over £100 million has been committed to the region, the school sport co-ordinators programme and specialist sports colleges while the spaces for sport and arts, NOF round three and NOF green spaces programmes will all be injecting significant new resources into facilities which will be available to schools and the wider community.

For the future I have made it clear that I wish to see strengthened regional structures for the delivery of sport in the regions which involves local decision making and strong partnerships with all the key local interests. I will be discussing these issues with the Sport England Council and its new chief executive when he is in post.

Gambling Review

Dr. Ladyman: To ask the Secretary of State for Culture, Media and Sport how many representations she has received on the gambling review report. [17364]

Mr. Caborn: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Leicester, East (Mr. Vaz) on 19 November 2001, *Official Report*, column 22W.

Dr. Ladyman: To ask the Secretary of State for Culture, Media and Sport what plans she has to implement the Gaming Board's triennial review recommendations on machine stakes and prizes. [17365]

Mr. Caborn: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Birmingham, Hall Green (Mr. McCabe) on 21 November 2000, *Official Report*, columns 313–34W.

Dr. Ladyman: To ask the Secretary of State for Culture, Media and Sport what role the Minister for Tourism will have in assessing the impact of the Budd report into gambling on seaside resorts before her Department publishes its proposals. [17367]

Mr. Caborn: All Ministers in the Department will support and advise my right hon. Friend the Secretary of State in reaching decisions on the report; and those decisions will take proper account of the full range of her responsibilities

Sir Teddy Taylor: To ask the Secretary of State for Culture, Media and Sport how many representations she has received about recommendation 75 of the Gambling Review; and how many supported the recommendation. [17351]

Mr. Caborn: We have received over 100 comments on this recommendation. Four supported it in the terms in which it was set out in the report of the gambling review body. Substantially more supported the proposition in the recommendation that on-licensed premises should be entitled to up to two gaming machines by virtue of their liquor licences (with a higher entitlement for those premises which already had a higher number) but argued either for a higher entitlement of four machines or for licensing authorities to have discretion to authorise more than two machines in appropriate cases.

Sir Teddy Taylor: To ask the Secretary of State for Culture, Media and Sport (1) what assessment she has made of the impact on employment if recommendation 75 of the gambling review is initiated; [17350]

(2) what assessment she has made of the impact on publicans if recommendation 75 of the gambling review is initiated. [17349]

Mr. Caborn: Many of the comments on this recommendation have raised concerns about its possible impact on business and employment. We are considering all representations on the report of the gambling review body with care, but have not yet completed our assessment of them.

Playing Fields

Mr. Don Foster: To ask the Secretary of State for Culture, Media and Sport if she will publish the figures produced by her Department's monitoring unit on the sale of playing fields for *(a)* April 2000-March 2001 and *(b)* April 1999-March 2000 for applications received for sales of (i) school playing fields under one standard pitch size as defined by Sport England as suitable for 10 year olds, (ii) school playing fields greater than one standard pitch size, (iii) non school playing fields under one standard pitch size and (iv) non school playing fields greater than the standard pitch size, stating in each case how many of the applications received by her Department were *(a)* successful, *(b)* rejected, *(c)* withdrawn, *(d)* not yet determined and *(e)* called in for special consideration. [17331]

Mr. Caborn: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Blaenau Gwent (Llew Smith) on 20 November 2001, *Official Report,* columns 189–90W.

Offshore Wind and Biomass Projects

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport how much money has been allocated from the new opportunities fund for offshore wind and biomass projects; and if she will make a statement. [17801]

Mr. Caborn: The new opportunities fund will, by 2006, commit £50 million to projects that are designed to develop renewable electricity generation by building generating capacity for electricity from energy crops, build offshore wind electricity generation projects and develop small-scale biomass heat/combined heat and power projects. Of this £50 million, at least £33 million should be committed to developing renewable electricity generation by building generating capacity for electricity from energy crops, at least £10 million should be committed to building offshore wind electricity generation projects and at least £3 million to small-scale biomass heat/combined heat and power projects.

New Opportunities Fund for Sport

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport, pursuant to her answer of 12 November 2001, *Official Report,* column 501W, what are the regional administration costs of establishing the new opportunities fund for sport; and what are the costs of the regional Sport England officers. [16772]

Mr. Caborn: The new opportunities fund is the body designated in the National Lottery Act 1998 to distribute lottery funds to initiatives concerned with health, education and the environment. They have a presence in the nine English regions which is responsible for the regional aspects of all 13 programmes. The representatives have been in place since September 2001, and are expected to cost £307,539 per year to maintain. Sport England has nine regional offices with running costs for 2000–01 of around £6,484,100.

Sports Projects

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport what role Sport England will play in the assessment of grant applications for school sports projects funded by the new opportunities fund. [17464]

Mr. Caborn: Grant applications for the New Opportunities for PE and sport programme will be assessed in two stages. At stage one, Sport England will provide support and advice to local organisations to help the development of strategies and portfolios of projects. These applications will then be assessed by the new opportunities for PE and sport committee for England, two of whose members are full board members of Sport England. The fund and Sport England are currently discussing how best Sport England can provide support at the second stage of the application process.

Lottery Funding

Miss McIntosh: To ask the Secretary of State for Culture, Media and Sport what is the level of lottery funding expected for competitive sport for *(a)* 2001–02 and *(b)* 2002–03; and what was the level in 1996–97. [17177]

Mr. Caborn: My Department's funding for competitive sport is provided through the lottery-funded world class programme, administered by the Sports Councils: UK Sport and Sport England.

The Sports Councils expect to provide funding of over £50 million in 2001–02 to this programme and over £40 million has already been committed for the year 2002–03 with further awards anticipated. There was no lottery expenditure for the world class programme in 1996–97.

Television Licence

James Purnell: To ask the Secretary of State for Culture, Media and Sport if she will announce the television licence fees that will come into force next year; and if she will make a statement. [18435]

Dr. Howells: On 21 February 2000, the Government announced their conclusions on the recommendations of the independent review panel on the future funding of the BBC. In addition to a range of measures designed to improve BBC efficiency and accountability, the Government introduced a new funding formula providing for changes in the licence fee of RPI plus 1.5 per cent. for each year from 2000–01 to 2006–07. This formula will enable the BBC to provide a strong and distinctive schedule of high quality programmes and remain at the forefront of broadcasting technology.

Application of the RPI figure of 1.7 per cent. for the year to September 2001, plus 1.5 per cent., to the current unrounded licence fees produces new rounded totals of £112.00 for a colour licence and £37.50 for a black and white licence. The necessary regulations to bring these fees into force will be laid before the House in due course.

Media Ownership

James Purnell: To ask the Secretary of State for Culture, Media and Sport when she will publish her proposals to reform the existing rules on media ownership. [18436]

Tessa Jowell: The consultation paper entitled "Consultation on Media Ownership Rules" will be published on Monday 26 November to help us determine the best way to regulate media ownership. There will be two months formal consultation ending on 25 January 2002. Copies will be placed in the Libraries of both Houses of Parliament and on Monday and will be available on the Department's website at www.culture.gov.uk. Having considered the responses, we will publish our proposals in the draft Communications Bill next year. There will then be a further, three-month period of consultation.

Medically Therapeutic Activities

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport if she will list the joint initiatives and funds that are applied to the provision of leisure and sporting activities that are classed as medically therapeutic; and if she will make a statement. [17802]

Mr. Caborn: The Government fully accept that physical activity and sport has a range of benefits including better health and our plan for sport spells out our policies and strategy for increasing participation among all sectors of the community, particularly the young.

The young and active report, published in 1998, brought together the views of experts and evidence on health and physical activity and put forward a policy framework on the promotion of physical activity for young people. The report outlined the following beneficial health outcomes of physical activity, including;

Reduced symptoms of depression and anxiety

Enhanced self-esteem

Controls blood pressure

Controls weight.

The plan for sport sets out the steps which the Government are taking to enhance opportunities and increase participation at school, in the community and at the highest levels of performance. Overall, it offers a comprehensive package of improvements to the sporting experience in this country. This is being achieved through co-operation between all Government Departments and agencies involved with promoting physical activity and health. The Department for Culture, Media and Sport is working closely with the Department of Health and other Departments to develop a cross-government approach.

Since lottery funding began, Sport England has allocated £1.25 billion to over 3,350 sports projects.

In addition, major funding has been allocated to improving sports facilities and sporting provision throughout England. This includes:

£581 million of new opportunities fund (NOF) money to build and refurbish PE and sports facilities in schools in every local education authority in England. These facilities will be available to the wider community.

The spaces for sport and the arts project—a joint initiative between DCMS, DfES, Sport England, Arts Council of England and the new opportunities fund. £130 million has been allocated to 65 local education authorities to develop new sports and arts facilities on primary school sites which will also be available for community use, with the emphasis on inclusion of currently under-represented groups. Around 300 projects across England will be funded under the scheme.

A further £50 million NOF money will be made available to develop and refurbish outdoor activity and adventure facilities across England as part of an integrated scheme to develop young people through outdoor activities.

Sports Action Zone (West Cumbria)

Dr. Jack Cunningham: To ask the Secretary of State for Culture, Media and Sport what progress has been made by the sports action zone in West Cumbria; what targets have been reached; what new investment has taken place; what the projects involved are; and if he will make a statement. [16969]

Mr. Caborn: A needs assessment and action plan for the zone was approved by Sport England's lottery panel in October 2001. This provides the framework for action over the next five years and contains 28 tasks/projects to be delivered in year 1 which will improve health, education and employment prospects for communities in the districts of Allerdale, Barrow and Copeland.

In addition sport action zone (SAZ) magnet funding of £99,313 has been awarded by Sport England to employ three "active living" posts in Barrow. These posts aim to promote and increase the amount of physical activity accessed by socially excluded groups and ensure that the community has a direct influence over the co-ordination and future planning of sport and activity in Barrow. They will work in partnership with Health Promotion in Barrow, Age Concern and the Barrow Sport Development team. The project will target groups such as young men, young women and middle aged to older adults, aiming to promote better health, preventive measures for chronic health conditions and reduce teenage pregnancies. Further partnership funding of £282,629 has been obtained to develop bids for the magnet fund. A further £282, 629 has been secured from funding organisations including: NW single regeneration budget; Youth Justice Board; Home Office; South Whitehaven single regeneration budget; neighbourhood renewal fund in Barrow; West Cumbria Council for Voluntary Service; sure start; youth works; Cumbria county council; health action zone; West Cumbria local health group; which has enabled an additional £136,813 to be accessed from the magnet fund.

A sport for health manager has also been appointed for West Cumbria to promote the benefits of sport and physical activity on health to organisations such as local health groups and Age Concern. Projects that are being developed in partnership with health related organisations include promotion of the Walking for Health initiative to tourist boards, developing cardiac rehabilitation phase 4 centres and enhancing a GP referral scheme in Copeland.

Other initiatives include the first rural youth works programme for 8 to 25-year-olds aimed at reducing crime in one of Copeland's worst affected areas, the development of a sport and physical activity directory for the zone, and the development of a programme of "speedway" taster sessions to encourage young people to have access to safe places to ride. A successful Home Office funded programme of summer activities for young people in Barrow took place this year involving partnership between Age Concern, the Barrow Youth Inclusion project and Barrow Amateur Swimming Club. A survey is currently taking place in Barrow to ascertain current sport/physical activity participation levels.

WORK AND PENSIONS

Benefits Agency

Mr. Cousins: To ask the Secretary of State for Work and Pensions how much was spent on the services of each recruitment specialist engaged by the Benefits Agency in the last financial year. [15612]

Mr. Nicholas Brown: In the financial year 2000–01, the Benefits Agency spent a total of £34,962 on the services of one firm of recruitment specialists.

Mr. Clappison: To ask the Secretary of State for Work and Pensions how many attacks on Benefits Agency staff have resulted in staff absence of *(a)* up to a week, *(b)* up to a month, *(c)* up to six months and *(d)* six months or more in each of the last five years. [14228]

Mr. Nicholas Brown *[holding answer 12 November]:* The information requested is held on individual staff records but is not collated centrally.

Appeals Service

Mr. Willetts: To ask the Secretary of State for Work and Pensions what proportion of cases dealt with by the appeals service had not been resolved after six months or more in each year since 1996–97. [9808]

Maria Eagle: The information is not available in the format requested.

The appeals service is committed to a twin strategy of reducing waiting times and clearing the backlog of older cases that accrue. It has made a determined effort to tackle older cases based on its policy of "first in, first out". Wherever possible, cases are cleared at first hearing (current waiting times from receipt of the appeal in the appeal service to first hearing are 13.6 weeks).

Non-State Pensions

Mr. Willetts: To ask the Secretary of State for Work and Pensions, pursuant to his answer of 19 July 2001, *Official Report*, column 414W, to the right hon. Member for Birkenhead (Mr. Field), how much was contributed to non-state pensions in each year between 1992 and 1998 adjusted in each case to 1997 price terms. [7916]

Mr. McCartney: The figures for all years from 1992 are set out in the table. The figures show that there has been sustained growth in contributions to non-state pensions. The figures suggest that the stable economy has created the right conditions to save, and that our policies to encourage higher levels of private saving are having a positive effect.

Contributions to non-state pensions

Year	*£ billion*
1992	37.0
1993	41.0
1994	37.0
1995	38.0
1996	44.0
1997	50.0
1998	60.0
1999	65.0
2000	69.0

Notes:

1. All figures rounded to nearest £ billion. Figures for 1999 and 2000 are included to illustrate the continuing trend in saving.

2. These totals differ slightly in some years from figures previously released. This reflects differences in the methodology used.

Source:

MQ5 Survey, ONS, adjusted to 1997 prices

Capital Rules

Mr. Willetts: To ask the Secretary of State for Work and Pensions if he will estimate the level of the capital rules if they had been uprated in line with *(a)* prices and *(b)* earnings, since May 1997. [9812]

Mr. McCartney: The estimated levels of the capital rules if they had been uprated in line with *(a)* prices and *(b)* earnings since 1997 are shown in the table. The lower capital limit for the minimum income guarantee was doubled from £3,000 to £6,000 in April 2001. The upper limit of £8,000 was increased to £12,000 at the same time.

Actual capital limits

£

Actual	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
IS/JSA/HB Lower Limit	3,000	3,000	3,000	3,000	3,000
IS Upper Limit	8,000	8,000	8,000	8,000	8,000
MIG Lower limits	3,000	3,000	3,000	3,000	6,000
MIG Upper limit	8,000	8,000	8,000	8,000	12,000
Social Fund (60 or over)	1,000	1,000	1,000	1,000	1,000
Social Fund (under 60)	500	500	500	500	500
HB/CTB upper limit	16,000	16,000	16,000	16,000	16,000

Rossi (equivalent price index used for benefit uprating)

£

Rossi	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
MIG/IS/HB Lower limits	3,000	3,072	3,137	3,187	3,238
MIG/IS Upper limit	8,000	8,192	8,364	8,498	8,634
Social Fund (60 or over)	1,000	1,024	1,046	1,062	1,079
Social Fund (under 60)	500	512	523	531	540
HB/CTB upper limit	16,000	16,384	16,728	16,996	17,268

Average earnings

£

Earnings	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
MIG/IS/HB Lower limits	3,000	3,120	3,298	3,450	3,584
MIG/IS Upper limit	8,000	8,320	8,794	9,199	9,558
Social Fund (60 or over)	1,000	1,040	1,099	1,150	1,195
Social Fund (under 60)	500	520	550	575	597
HB/CTB upper limit	16,000	16,640	17,588	18,398	19,115

Note:

Social Fund Limits apply only to discretionary payments

Benefits Agency (Medical Services)

Mr. Webb: To ask the Secretary of State for Work and Pensions, pursuant to his answer of 19 July 2001, *Official Report*, column 418W, on the Benefits Agency Medical Services, what contract targets have been laid down; and what his assessment is of the performance of SchlumbergerSema measured against these targets. [10468]

Mr. Nicholas Brown: The contract with SchlumbergerSema contains numerous targets relating to the volume, timeliness, and quality of medical reports; to customer service standards; and to training of doctors. The Government set four targets, relating to quality, training, and customer service, in their response [Cm 4780] to the Social Security Select Committee's report on medical services.

SchlumbergerSema has restructured the management of medical services and performance against key targets is improving. Performance against all targets is kept under continual review.

Housing Benefit

Mr. Clappison: To ask the Secretary of State for Work and Pensions what measures he is implementing to provide Benefits Agency staff with training in issues relating to housing benefit; and how he intends to improve the recovery of overpayments of housing benefit. [11259]

Malcolm Wicks: All new operational staff working on income support or income-based jobseeker's allowance receive housing benefit awareness training.

In June 2000, in order to promote improved benefit administration in local authorities, the Benefit Fraud Inspectorate produced a good practice guide, a copy of which was issued to each local authority. This is based on tried and tested practice in better-performing authorities. The guide includes a section on overpayment recovery, covering the prevention and identification of overpayments as well as options for recovery.

In June 2001 we introduced streamlined procedures for local authorities to recover housing benefit overpayments from prescribed social security benefits administered by the Benefits Agency. These procedures apply in cases where housing benefit is no longer in payment. Local authorities have been given guidance about the types of cases they should refer and new simplified referral forms have been introduced.

The new procedures ensure that both the Benefits Agency and local authorities are operating standard referral and recovery procedures. They also provide tighter control of the recovery process and are being actively monitored to ensure their effectiveness.

SEMA

Ms Walley: To ask the Secretary of State for Work and Pensions if he will place in the Library the revised contract with SEMA. [11905]

Mr. Nicholas Brown: Such sections of the contract, which are not commercially sensitive, are available in the Library.

Later revisions contain commercially sensitive information and are not published.

Consultation Documents

Sandra Gidley: To ask the Secretary of State for Work and Pensions how many consultation documents were issued by his Department from *(a)* 15 October to 14 January, *(b)* 15 January to 14 April, *(c)* 15 April to 14 July and *(d)* 15 July to 14 October in each year from 1996. [12878]

Mr. Nicholas Brown: The available information is in the table.

Date	*Number of consultation documents issued*
15 January to 14 April 2000	1
15 April to 14 July 2000	1
15 July to 14 October 2000	4
15 October 2000 to 14 January 2001	3
15 January to 14 April 2001	1
15 April to 14 July 2001	0
15 July to 14 October 2001	8
15 October 2001 to 14 January 2002[1]	2

[1] As at 22 November 2001

Notes:

1. The table includes consultation documents issued by the former Department of Social Security and the former Department for Education and Employment
2. Further information on these consultation documents can be found at: http://www.dwp.gov.uk/publications/index.htm

Information on consultation documents issued by the former Department of Social Security from 1996 to August 2000, and by the former Department for Education and Employment from 1996 to July 1997, could be provided only at disproportionate cost.

Welfare Reform

Mr. Frank Field: To ask the Secretary of State for Work and Pensions if he will list the reports the Government have published since 1997 evaluating the effectiveness of the welfare reform programme. [13221]

Mr. Nicholas Brown: The information has been placed in the Library.

Invalid Care Allowance

Mr. Burstow: To ask the Secretary of State for Work and Pensions if he will estimate the cost of abolishing the overlapping benefits rule for those over pension age in the case of invalid care allowance. [13443]

Maria Eagle: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck) on 14 March 2001, *Official Report*, column 607W.

Mr. Burstow: To ask the Secretary of State for Work and Pensions if he will estimate the cost, net of savings on means-tested benefits, of increasing the rate of invalid care allowance to the level of the basic state pension. [13442]

Maria Eagle: I refer the hon. Member to the answer I gave to the hon. Member for Northavon (Mr. Webb) on 13 July 2001, *Official Report*, column 691W.

Expenditure (Initiatives)

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will list for *(a)* sure start and *(b)* employment zones (i) the amount budgeted and (ii) the total expended in each financial year for the planned lifetime of each initiative. [14038]

Mr. Nicholas Brown: The information on budgets and expenditure on sure start and employment zones was published in the Department for Education and Employment departmental report 2001–02 to 2003–04. A copy of this is in the Library. Sure start is now the responsibility of the Department for Education and Skills.

New Deal

Mr. Goodman: To ask the Secretary of State for Work and Pensions if he will make a statement on *(a)* the number of participants in the new deal for young people from the Wycombe constituency in the last 12 months, *(b)* the destinations of people leaving the scheme and *(c)* the cost involved. [14867]

Mr. Nicholas Brown: The information as is available is in the tables. Estimates of the cost of the programme are not available at constituency level.

New deal for young people participants in the Wycombe constituency

Month	*Number*
August 2000	113
September 2000	100
October 2000	93
November 2000	85
December 2000	88
January 2001	89
February 2001	81
March 2001	72
April 2001	68
May 2001	72
June 2001	69
July 2001	67
August 2001	70

Note:

Figures are for the end of each month and are the latest available

Source:

New Deal Evaluation Database

Destination on leaving the new deal for young people

	Number of clients
Unsubsidised employment	201
Other Benefits	48
Other known destinations	88
Not known	185
Total leavers	522

Note:

Figures are cumulative to the end of August 2001

Source:

New Deal Evaluation Database

Mr. Swire: To ask the Secretary of State for Work and Pensions how many people have entered the new deal gateway *(a)* once, *(b)* twice and *(c)* three times or more in east Devon in respect of the (i) new deal for young people, (ii) new deal for 25-plus, (iii) new deal for 50-plus and (iv) new deal for lone parents. [17265]

Mr. Nicholas Brown: For new deal for young People, there have been 368 starts on the programme in the East Devon constituency to the end of August 2001. Of these, 20 young people have entered twice and three young people have entered three or more times.

For new deal for 25-plus, there have been 85 starts on the programme in the East Devon constituency to the end of August 2001. Of these, four people have entered twice and one person has entered three or more times.

The new deal for lone parents and new deal for 50-plus do not have gateways.

Source:

New Deal Evaluation Database

Mr. Swire: To ask the Secretary of State for Work and Pensions how many people on the new deal for young people in east Devon joined *(a)* the subsidised employment option, *(b)* the environmental task force option, *(c)* the voluntary sector option and *(d)* the full-time education or training option in each year since its inception. [17264]

Mr. Nicholas Brown: The information is in the table.

Number of young people starting NDYP options in East Devon

Year	*Subsidised employment*	*Environment task force*	*Voluntary sector*	*Full-time education and training*
1998	9	3	4	12
1999	12	8	10	24
2000	10	8	8	9
2001[1]	5	2	1	3
Total	36	21	23	48

[1] To end August

Source:

New Deal Evaluation Database

Winter Fuel Allowance

Andrew George: To ask the Secretary of State for Work and Pensions what recent assessment he has made of the case to extend winter fuel allowance to those under pensionable age in receipt of *(a)* the medium or higher rate care component and *(b)* the higher rate mobility component of disability living allowance. [15866]

Mr. McCartney: Disability benefits are already available to people with disabilities in recognition of their extra costs. The care and mobility components in disability living allowance are used as broad indicators of all the extra costs a disabled person has. These could include heating, laundry or special diets. There are no plans to extend the winter fuel payment scheme to people under 60 years of age.

Hearing Aids

Tim Loughton: To ask the Secretary of State for Work and Pensions (1) what estimate his Department has made of the number of *(a)* deaf and *(b)* hard of hearing people who have received funding for digital hearing aids under the access to work scheme; and what is the average cost of each digital hearing aid that has been purchased; [15682]

(2) what cost-benefit evaluation his Department has made of the job retention benefits that would arise from *(a)* shorter waiting times for NHS hearing tests and the fitting of hearing aids, *(b)* higher quality hearing aids and *(c)* a reduction in the number of people who would benefit from wearing a hearing aid who do not have one. [15683]

Maria Eagle *[holding answer 16 November 2001]:* The access to work programme provides practical advice and support to overcome work-related obstacles resulting from disability. Through access to work a grant can be provided towards any additional employment costs resulting from disability.

Access to work provides funding towards the purchase of digital hearing aids where there is a work-related need for them. The number of applications or expenditure in relation to any specific aid or piece of equipment is not monitored. It is therefore not possible to provide estimates of the numbers helped by, or the average cost to access to work of digital hearing aids.

The Department has not conducted a cost-benefit evaluation of job retention benefits in relation to the provision of hearing aids.

HOME DEPARTMENT

Police Numbers (South Tyneside)

Mr. Hepburn: To ask the Secretary of State for the Home Department how many police officers were in south Tyneside on 1 May *(a)* 1999, *(b)* 2000 and *(c)* 2001; and what the projected figures are for 1 May (i) 2002, and (i) 2003. [13212]

Mr. Denham: The information requested has been provided by the chief constable of Northumbria and is set out in the table.

South Tyneside Area Command

Year	*Actual officers in post*
1 May 1999	246
1 May 2000	244
1 May 2001	257

The force is unable to provide projected figures for south Tyneside for 2002 and 03.

On 31 August this year, Northumbria police as a whole had 3,908 officers (full-time equivalent), 51 more than in March. The force has a budgeted work force target of 4,000 officers for 31 March 2002. Northumbria police also had 1,416 civilian staff in March 2001, 51 more than in March 1997.

Salha Idris

Mr. Letwin: To ask the Secretary of State for the Home Department if he will make a statement on the links between Mr. Salha Idris and security firms providing equipment to Government sites. [13149]

Mr. Denham *[holding answer 8 November 2001]:* I refer to the reply given in the other place by the Chairman of Committees, Lord Boston of Faversham, on 9 October 2000, *Official Report, House of Lords*, column WA1, and the Lord Chancellor's reply on 3 May 2001, *Official Report, House of Lords*, column WA296. The position remains unchanged.

It is vital that a high standard of security is maintained at Government premises. Protective security arrangements are of course the responsibility of the Secretary of State in each respective Government Department. They will, with the support of the police and security service, ensure that this is done.

I also refer the hon. Member to the reply given by the Home Secretary on 1 November 2001, *Official Report,* column 847W.

Translation Services

Mr. Kidney: To ask the Secretary of State for the Home Department what translation services he ensures are available to *(a)* prisons and *(b)* probation services in (i) England and (ii) Staffordshire; and what assessment he has made of the adequacy of the translation facilities available to the police. [13495]

Beverley Hughes: The Prison Service race relations policy highlights the importance of prisons being aware of the needs of non-English speaking prisoners. To assist in meeting those needs, all prisons were issued with copies of the prisoner information books (Male Prisoners and Young Offenders, Women Prisoners and Female Young Offenders, Visiting and Keeping in Touch and Life Sentenced Prisoners "Lifers"). The books were issued in partnership with the Prison Reform Trust and are available in 21 languages (including English). Updated versions are currently being considered.

The appropriate translation services required for necessary communication with non-English-speaking prisoners is the responsibility of individual establishments. Each establishment has differing demands and needs for such services and establishments are advised to draw up and maintain details of local arrangements. The services are paid for locally.

Following negotiations with the Immigration Service, all prison establishments have access to the register of interpreters. Several of these interpreters also provide translation services. The Immigration Service also has a contract with K International which the Prison Service may approach for written translations. There is a National Register of Public Service Interpreters, which maintains a consistent and adequate standard.

Public documents produced by the National Probation Service (NPS) are translated into Welsh, and other languages as considered necessary. Some core materials (such as leaflets for offenders) are translated into the six languages where demand is greatest (Arabic, Chinese, Hindi, Punjabi, Spanish and Welsh). Design, print and translation services for the NPS headquarters are provided via the Home Office Communication Directorate (under contract with K International). Translation services for the operational needs of the Staffordshire area of the NPS come from established local suppliers and are paid for locally.

Police

There has not been any assessment made of the adequacy of the translation facilities available to the police. The requirement of providing translation services is a matter for individual forces in line with guidance issued under Code of Practice C of the Police and Criminal Evidence Act 1984.

Drugs

Mr. Cox: To ask the Secretary of State for the Home Department how many reported cases of the use of illegal drugs there were in prisons in England and Wales in 2000. [13929]

Beverley Hughes: Between 1 January 2000 and 31 December 2000, 89,784 mandatory drug tests were conducted on prisoners, of which 17,415 tested positive for drugs. The figures include some prisoners who will have been tested more than once.

Recidivism (Buckinghamshire)

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on recidivism rates for prisoners released from *(a)* HMP Grendon and *(b)* HMP Springhill in the Buckingham constituency in the last year for which figures are available; and how they compare with similar prisons. [14214]

Beverley Hughes: Grendon and Springhill prisons are co-located and Home Office reconviction rates for the two establishments are not recorded separately.

The latest two-year reconviction rates for prisoners discharged from custody cover the calendar year 1997. The two-year reconviction rate for prisoners discharged from Grendon and Springhill prisons was 29 per cent. This compares with a predicted reconviction rate, based on factors which take account of the previous criminal history, age distribution, and offence of the prisoners discharged, of 32 per cent. For all prisoners, the two-year reconviction rate was 58 per cent.

The findings from a seven-year reconviction study of prisoners who went to Grendon prison for therapy in the years 1984 to 1989 revealed that prisoners treated there had lower reconviction rates than had been expected had they not gone to Grendon. Further details of this research are contained in Home Office Research Findings Number 115, a copy of which is available in the Library.

Kainos

Mr. Rosindell: To ask the Secretary of State for the Home Department if he will make a statement on Christian Kainos wings in HM Prisons. [14805]

Beverley Hughes: In May 1999, the trustees of the Christian organisation, Kainos, sought the Prison Service's agreement to its continuing the operation of Kainos communities in the wings of four prisons. This followed financial and other difficulties with a predecessor organisation, Kairos-Apac. The Prison Service management board agreed in September 1999 that these communities should be permitted to continue, without any commitment of public funds and for a limited period, while they were evaluated for their impact, and in particular their claim to contribute to reducing reoffending. The evaluation was to be done by independent researchers and paid for by Kainos. The board would reach a decision on the future of the programme in the light of the evaluation.

The independent evaluation was completed in September 2001. The Kainos trustees provided the board with a copy of the evaluation report and asked the board to take an early decision on the future of the programme because Kainos' own funding for the programme ceased at the end of 2001.

Among other matters, the evaluation examined the one year reconviction rates of prisoners who had been through the Kainos programme and a comparison group of nearly 14,000 prisoners with similar sentence lengths and from similar prisons. The evaluation report found that there was no basis for concluding that Kainos community prisoners have reconviction rates that are significantly lower than would be expected for similar released prisoners as a whole. This contrasts with other Prison Service programmes designed to reduce reoffending which typically show reductions of 10 per cent. in future reoffending against expected rates.

In the light of this finding, the board decided that the Kainos community should no longer continue to operate in prisons when its present programmes came to an end. The board also had concerns about exposing prisoners to intensive religiously based interventions in prison by any faith group. The board has made it clear that it respects the commitment of the Kainos trustees, and of the staff and volunteers who gave their time to the programmes, but it is determined that effort and scarce resources in prisons are devoted only to offender treatment programmes which can demonstrate their effectiveness, and which contribute to the Government's crime reduction agenda.

The evaluation report remains the property of the Kainos trustees. Kainos has given permission for the executive summary to be placed on the Home Office website and this is being done. I am also placing a copy in the Library.

Asylum Seekers

Mr. Allan: To ask the Secretary of State for the Home Department what research is being undertaken into the compatibility of the proposed system of smart cards for asylum seekers with other smart card systems being developed in *(a)* the UK and *(b)* the EU. [16051]

Angela Eagle: The application registration cards will be compatible with standard readers and the micro-chip that will be used will be a standard serial chip.

Heroin

Mr. Cameron: To ask the Secretary of State for the Home Department (1) how many people have been jailed for possession of heroin in each of the last five years; [16200]

(2) how many people have been jailed for supplying heroin in each of the last five years, where the sentence has been less than five years. [16201]

Beverley Hughes: Information readily available on the number of persons sentenced by the courts in England and Wales to immediate custody for offences of (a) possessing and (b) supplying heroin for the period 1995–99 are given in table 1. This is the latest five-year period for which data are currently available. The numbers are broken down by sentence length.

Table 1. Number of persons sentenced by courts in England and Wales to immediate custody for offences of (a) possessing and (b) supplying heroin, by sentencing, 1995–99

Length of sentence	*1995*	*1996*	*1997*	*1998*	*1999*
Possession					
Up to and including one month	147	240	335	434	509
Over one month up to three months	127	252	344	561	589
Over three months up to six months	113	187	266	347	383
Over six months up to one year	61	89	135	194	173
Over one year up to two years	19	21	29	39	45
Over two years up to five years	16	25	25	39	31
Sub-total—up to five years	483	814	1,134	1,614	1,730
Over five years up to seven years	3	1	2	3	2
Over seven years	0	0	0	0	0
Total	486	815	1,136	1,617	1,732
Supply					
Up to and including one month	4	2	3	2	1
Over one month up to three months	8	16	14	15	14
Over three months up to six months	13	17	39	39	59
Over six months up to one year	25	65	75	107	127
Over one year up to two years	73	95	208	371	406
Over two years up to five years	224	327	722	980	1,427
Sub-total—up to five years	347	522	1,061	1,514	2,034
Over five years up to seven years	29	66	143	107	123
Over seven years	9	21	33	34	45
Total	385	609	1,237	1,655	2,202

Source:
Home Office Drugs and Alcohol Research Unit

Cyclists

Mr. Ben Chapman: To ask the Secretary of State for the Home Department if he will give guidance to police forces that they should give greater priority to penalising cyclists riding on pavements. [16273]

Mr. Denham: The enforcement of cycling offences is an operational matter for individual chief officers of police. They are best placed to assess the nature and cause of specific local problems and to determine how most effectively to address them.

Cycling on the pavement was made a fixed-penalty offence from 1 August 1999. This gives the police a direct and simple way of dealing with cyclists who use the pavement without proper consideration for others. During the five months to 31 December 1999, the police in England and Wales issued 570 fixed-penalty notices for the offence, 18 in Merseyside.

The cycling infrastructure and environment are currently under improvement as a result of the Government's national cycling strategy. We expect this to reduce the perceived need on the part of some to cycle on the pavement through a fear of cycling on the road.

Mr. Ben Chapman: To ask the Secretary of State for the Home Department what plans he has to introduce proposals to increase the level of fines imposed on law-breaking cyclists. [16243]

Mr. Denham: I have no such plans. The current maximum penalty for dangerous cycling is a fine not exceeding £2,500. The maximum penalty for careless and inconsiderate cycling, and for cycling when unfit through drink or drugs, is a fine not exceeding £1,000. Unauthorised or irregular cycle racing or trials of speed on public ways is also an offence and carries a maximum penalty of £200. We believe that these penalties are sufficient and reflect the seriousness of the offences.

Aylesbury Young Offenders Institution

Mr. Lidington: To ask the Secretary of State for the Home Department when he expects work on C wing, Aylesbury young offenders institution to be completed. [16315]

Beverley Hughes: This work was unfortunately interrupted following the bankruptcy of the first contractor. Work restarted in August this year and is expected to be completed in May 2002.

CCTV

Ms Walley: To ask the Secretary of State for the Home Department what representations he has received with regard to applications for CCTV in locations where property crime and drug offences are closely connected with street prostitution. [13776]

Mr. Denham *[holding answer 19 November 2001]:* The information is not available in the format requested. However, under round 1 of the crime reduction programme closed circuit television (CCTV) initiative the Home Office has funded 120 CCTV schemes to combat property crime and/or drug offences. Crime reduction figures for these schemes, provided by crime and disorder reduction partnerships, estimate a reduction of 8,819 recorded burglaries and 1,914 recorded drugs offences over three years following their installation. It is not possible to say how many of these crimes might be linked with prostitution.

The communities against drugs and reducing prostitution initiatives also work to combat property crime, drugs and prostitution. Under these initiatives funding can be used to install CCTV systems as well as other crime reduction measures.

Special Constabulary

Dr. Kumar: To ask the Secretary of State for the Home Department (1) what plans he has to reappraise the role of the Special Constabulary; and how many special constables there are in Cleveland; [16442]

(2) what plans he has to enable members of the Special Constabulary to receive increased remuneration. [16443]

Mr. Denham *[holding answer 20 November 2001]:* The number of serving special constables in Cleveland police as at 31 March 2001 was 93.

The Government are committed to increasing the special constabulary. While voluntary service to the community is a key element of the special constabulary, we are currently reviewing, as part of the police reform process, the allowances paid to special constables.

We are also considering a number of other options for achieving radical improvements in the conditions of service and the management of special constables, to ensure that specials are deployed effectively and provide an increased visible presence in our communities.

Warden Force

Dr. Kumar: To ask the Secretary of State for the Home Department (1) what plans he has to increase the powers conferred upon the warden force; and how these plans have changed since 11 September; [16438]

(2) if he will make a statement on the relationship between wardens and the regular constabulary. [16440]

Mr. Denham *[holding answer 20 November 2001]:* My right hon. Friend the Home Secretary made it clear in his speech to the Superintendents' Association on 11 September that we are considering how to make better use of the extended police family (including neighbourhood and street wardens) in support of the police; and whether new powers would be needed.

We are developing proposals in the context of the police reform programme and details will be set out in the forthcoming White Paper.

Suspicious Activity Reports

Matthew Taylor: To ask the Secretary of State for the Home Department, pursuant to his answer of 19 October 2001, *Official Report*, column 1398W, on suspicious activity reports, how many of the reports from the gambling industry were from *(a)* spread betting organisations and *(b)* other gambling businesses; and if he will make a statement. [16711]

Mr. Bob Ainsworth: The data held by the National Criminal Intelligence Service do not differentiate between spread betting organisations and other bookmakers. In 2000, there were 16 suspicious activity reports from the bookmaking industry and 301 such reports from the gaming industry.

Police Complaints

Dr. Kumar: To ask the Secretary of State for the Home Department when the pilot schemes for the new complaints system are expected to report their progress; and whether the four schemes are identical. [17125]

Mr. Denham *[holding answer 22 November 2001]:* The Police Complaints Authority is co-ordinating four research projects that will provide useful information on aspects of the new police complaints system. They will look at independent investigations, the right of appeal against a refusal by the police to record a complaint, the duty of the chief officer to provide the complainant with the outcome of an investigation and the presentation of cases to misconduct hearings by the Independent Police Complaints Commission. These are not formal pilots as they must operate within the current legislation and therefore are not able completely to replicate the provision proposed for the new system. The evaluation reports of each will be produced at different times but initial feedback is expected next spring.

Dr. Kumar: To ask the Secretary of State for the Home Department what role civilian investigators will have in the proposed independent police complaints system. [16879]

Mr. Denham *[holding answer 22 November 2001]:* As part of the new police complaints system, the Independent Police Complaints Commission will have a body of independent investigators at their disposal. These investigators will be made up of a mix of civilian investigators and seconded police officers. The commission will use these investigators in examining the most serious instances of alleged police misconduct.

Dr. Kumar: To ask the Secretary of State for the Home Department what progress has been made in the creation of a independent police complaints system. [16878]

Mr. Denham *[holding answer 22 November 2001]:* The Government will bring forward provisions to establish a new police complaints system to replace the current system as part of the Police Bill which is due for introduction later in this parliamentary Session. The new system will create a new body, the Independent Police Complaints Commission, which will replace the Police Complaints Authority.

Suspects (Mental Illness)

Mr. Steen: To ask the Secretary of State for the Home Department what training is given for police officers to deal with suspects who suffer from mental illness. [16699]

Mr. Denham *[holding answer 22 November 2001]:* The basic training that all new recruits receive includes an element that raises awareness of mental illness and highlights the importance of communicating effectively and sensitively with people suffering from a mental disorder. Individual forces also provide further training for their officers on these issues. Details are not held centrally of all such local provision.

More needs to be done to ensure an appropriate and properly informed police response to mentally ill individuals across the whole range of circumstances in which they deal with them. There are currently several strands of work focused on improving police practice in relation to suspects who suffer from mental illness. The Home Office, the Department of Health and the Association of Chief Police Officers are considering the development of national protocols covering the interaction between the police and health services in dealing with the mentally ill. The current review of the police codes of practice under the Police and Criminal Evidence Act 1984 is seeking to strengthen further protections for mentally ill detainees, particularly in terms of assessing their vulnerabilities and fitness for interview. In addition, the review of the Mental Health Act which is under way is looking to increase the emphasis on using hospitals rather than police stations as places of safety for assessing mental condition.

LORD CHANCELLOR'S DEPARTMENT

Cycle Loans

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the cost in 2001–02 is of her Department's *(a)* interest-free loans for cycles and cycling equipment and *(b)* cycle mileage rates. [14925]

Ms Rosie Winterton: The Department has, so far this financial year, paid a total of £1,132.50 to six members of staff in respect of cycle loans. The pedal cycle allowance in the Lord Chancellor's Department (including the Court Service and the Public Guardianship Office) is currently 12p per mile.

Touch Screen Kiosk Service

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the cost in 2001–02 is of the touch screen kiosk service to be implemented in Shropshire. [14981]

Mr. Wills: The kiosk in Telford, Shropshire—which provides information about the Court Service—is a partnership venture between the courts, the local council, the library and the university of Wolverhampton. The equipment is provided by the council's IT supplier and the content supplied by the Court Service's in-house web publishing team. There is therefore no additional cost to the Court Service.

E-mails

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the cost in 2001–02 is of the facility which enables e-mail applications to be made to Preston county court. [14980]

Mr. Wills: The cost of the Preston e-mail application service in 2001–02 is nominal as the initial outlay for equipment and installation was met in 2000–01. In 2000–01 the costs were £72,495, of which £65,243 were the costs of the computers and the e-mail connection; the balance related to various project related costs.

The on-going running costs of this project include line charges for the e-mail modem, and staff and project management costs which are included in the court's overall running costs. The e-mail service allows the court to process applications by solicitors more efficiently than the paper based service, and therefore is delivering some efficiency savings, although these have yet to be quantified.

Video Conferencing

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the cost is in 2001–02 of the video conferencing project linking the Royal Courts of Justice with *(a)* Leeds Combined Court Centre and *(b)* Cardiff county court. [15029]

Mr. Wills: The cost of the project in 2001–02 of the video conferencing project linking the Royal Courts of Justice with Leeds Combined Court Centre and Cardiff county court is nominal, as the initial outlay for equipment and installation was met in 2000. The cost of line rental for ISDN lines for the three sites is £3,700 annually. The call costs are met by the party who requested the conference.

Online Claims Issues

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the cost in 2001–02 of the pilot scheme is for the online issue of claims. [14978]

Mr. Wills: The pilot project Money Claims Online is part of the Court Service's wider Courts and Tribunals Modernisation Programme. The one-off project costs are:

£1,841,000 for design and development;

£206,170 for project costs

making a total of £2,047,170.

A yearly service charge of £885,000, will also apply.

The project has been delivered by the Court Service's existing PFI supplier, EDS Ltd., and links into existing systems for case management and document production at the Court Service's Bulk Centre in Northampton. Operational staffing costs to support the pilot project are approximately £48,000.

Electronic issue of claims (by computer media exchange) has functioned at the Bulk Centre for some years, with considerable efficiency gains for the Court Service. This pilot project aims to widen the scope for inclusion to all claims issuers. It will also contribute to the Government's plan for all services to be available electronically by 2005.

Public Service Agreements

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on progress in meeting the Public Service Agreement target for 2002 for the proportion of service delivery transactions provided to the public electronically. [14987]

Mr. Wills: The Comprehensive Spending Review (CSR) in 1998 required the Lord Chancellor to set a target by 31 March 1999 for an increase in the proportion of service delivery transactions provided to the public electronically. We published our initial e-business strategy in November 2000 and set an annual target that was the equivalent to the government-wide target for electronic service delivery at that time. The CSR target was that 25 per cent. of service delivery transactions should be capable of being delivered electronically by 2002.

After the conclusion of Spending Review 2000, the original electronic delivery target was updated and published in July 2000 as part of the LCD Service Delivery Agreement (SDA), containing specific Electronic Government SDA targets.

The departmental e-business strategy was updated this summer. We have a full programme of e-business projects for achieving the government's target that by 2005 all appropriate services should be available electronically. Our programme envisages that around 50 per cent. of services will be available electronically by 2002 and currently we are on course to achieve that.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on progress in achieving the Land Registry's Public Service Agreement target of a 6 per cent. return on capital employed. [14891]

Mr. Wills: The Land Registry is a separate Government Department that became an executive agency in 1990. On 1 April 1993, it achieved trading fund status.

The Land Registry's key financial performance target since becoming a trading fund has been to achieve a ministerially agreed percentage return on average capital employed in each financial year. Since 1999–2000, that target has been set at 6 per cent. and in 1999–2000 the Department achieved 12 per cent.

The Land Registry expects to meet the annual 6 per cent. target for 2001–02.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the Public Service Agreement target was in 2000–01 for the number of lay magistrates *(a)* appointed and *(b)* recommended for appointment against estimated need; and if it was met. [14983]

Mr. Wills: There is no public service agreement target on judicial appointments. However, there is a service delivery objective of ensuring that 95 per cent. of the target number of lay magistrates are in post by 2003. The national strategy for the recruitment of lay magistrates should help to achieve that objective.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on progress towards meeting the Public Service Agreement target for the improvement of the rights of dependants by 31 March 2002. [15004]

Ms Rosie Winterton: An interdepartmental working group identified four possible measures to go into a basket of indicators on which targets were to be set by 31 March 2001. The measures proposed for the basket were:

the number of prisons which, in accordance with Prison Service standard audit requirements, have sufficient staff to ensure that all prisoners receive information about legal aid on reception and know who can assist them with legal aid applications.;

ensure that by 31 March 2002 a percentage of people in police stations requesting the service of a duty solicitor receive the service within a specified time;

The number of substantial complaints under the Police Act 1996 per [1,000] people detained (BVPI 140); and

The incidence and nature of successful challenges under Articles 5 and 6 of the Human Rights Act 1998 in respect of criminal cases.

Two targets were set:

98 per cent. of prisons to have sufficient staff to ensure that all prisoners receive information about legal services on reception and know who can assist with their applications for public funding; and

90 per cent. of people in police stations requesting the services of a duty solicitor receive the service within 45 minutes.

It was not possible to set meaningful targets for the other two measures. There was insufficient data available to set a target on the Human Rights Act; and there have been difficulties in setting an overall national target for the police complaints measure due to inconsistent targets set at local level.

The Prison Service target has already been met, achieving 98 per cent. The data for the Duty Solicitor target from the Legal Services Commission will not become available until soon after 31 March 2002, so there will be a short delay in reporting on that target.

The Working Group is currently seeking to identify other measures to go into the basket of indicators.

Asset Sales

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will provide a detailed breakdown of the accruals to public funds in *(a)* 1999–2000 and *(b)* 2000–01 from the sale of fixed assets. [14918]

Ms Rosie Winterton: The Lord Chancellor's Department 1999–2000 resource accounts record a loss on disposal of fixed assets of £473,000. The draft 2000–01 resource accounts show a profit on disposal of £398,000. The 2000–01 accounts are still subject to audit. Details of the assets held by the Department, its agencies and associate public bodies, including significant recent disposals and future disposals strategy, can be found in the National Asset Register published by HM Treasury.

Community Legal Service

Dr. Kumar: To ask the Parliamentary Secretary, Lord Chancellor's Department how many people have accessed the Community Legal Service website since its creation; and on what issues people most frequently seek advice. [16445]

Ms Rosie Winterton: There have been over 700,000 "page impressions"—the closest proxy for number of users—of the Community Legal Service website, Just Ask!, since its launch in April 2000. Usage of the site has doubled from a weekly average "page impression" rate of 6,000 at inception to over 12,000 at present.

Issues that people have most frequently sought advice on are employment, family matters, housing, consumer affairs, and immigration.

Freedom of Information

Tony Wright: To ask the Parliamentary Secretary, Lord Chancellor's Department what representations he has received from the Information Commissioner on a recommended timetable for implementing the Freedom of Information Act 2000. [16387]

Mr. Wills: My noble and learned Friend the Lord Chancellor invited the Information Commissioner to express her views on a timetable for the implementation of the Act, based on the practical implications for her office. She said that it would be sensible to implement the publication scheme and right of access provisions together on a phased timetable, largely following the structure of Schedule 1 to the Act. She also made it clear that it was for Government to decide on a timetable for implementation.

The Government reached the view that it was right to implement the publication scheme provisions of the Act first as set out in the Schedule I have placed in the Library of the House.

The Information Commissioner has welcomed the announcement of a firm timetable for the implementation of the Act.

Libra Project

Matthew Taylor: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 12 November 2001, *Official Report*, column 7521W, on the Libra project, how many MCCs with office automation have retained separate stand-alone terminals to provide access to the legacy systems. [16716]

Mr. Wills: All MCCs in receipt of the Libra Office Automation service have retained one or more stand-alone terminals.

Matthew Taylor: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 12 November 2001, *Official Report*, column 564W, on the Libra project, if stand-alone terminals will be retained for access for specific local systems where that access was not available on the legacy network, and is not currently available on Libra service. [16731]

Mr. Wills: In all of the Magistrates' Court Committees in receipt of the Libra Office Automation service, access to the main legacy system is achieved, for almost all staff, via the Libra terminal on their desks. In some cases separate stand-alone terminals have been retained to provide access for specific local systems where that access was not available on the legacy network, and is not currently available on the Libra service. This mixture of access is replicated in all MCCs. It is envisaged that the need for access to systems via stand-alone terminals will progressively diminish during the planned transition to the full new Libra service.

Selim Ferhan Onal

Angus Robertson: To ask the Parliamentary Secretary, Lord Chancellor's Department when she expects her adjudicators to decide on the appeal for entry clearance by Selim Ferhan Onal. [17717]

Ms Rosie Winterton: The Immigration Appellate Authority has no record of receiving an appeal from the Home Office for Selim Ferhan Onal.

TRADE AND INDUSTRY

Climate Change Levy

Chris Grayling: To ask the Secretary of State for Trade and Industry in what circumstances a butcher's shop could be liable for payments under the climate change levy. [12746]

Mr. Wilson: The climate change levy aims to increase energy efficiency across all sectors of business, including small food retailers, and will help the UK to meet its commitments to reduce greenhouse emissions, including our Kyoto target. Those small businesses, including butchers' shops, which have very low energy consumption below the minimum thresholds as defined in the Finance Act 2000 are not liable to pay the climate change levy.

Businesses with energy use higher than the thresholds will be liable to pay the levy. However any such businesses can minimise their levy bills by buying levy-exempt, green electricity, for example from new renewable sources; by taking advantage of energy efficiency advice and support from the new Carbon Trust, which aims to take account of the needs of small businesses; or by investing, using the new scheme of enhanced capital allowances for energy efficiency improvements (which covers items including refrigeration equipment).

Small Businesses (Chorley)

Mr. Hoyle: To ask the Secretary of State for Trade and Industry how much funding has been made available to start small businesses in Chorley in each of the last five years. [12990]

Nigel Griffiths: £100,000 has been made available to start small businesses in Chorley in the last five years, £20,000 per year.

Languages for Exports Awards

Mr. Lazarowicz: To ask the Secretary of State for Trade and Industry how many entrants there were in the 2001 competition for Languages for Exports Awards, broken down by *(a)* nation and *(b)* region. [13168]

Nigel Griffiths: Applications received for this year's competition are as follows:

Regions	*Applications received*
English:	
East	12
East Midlands	14
London and South East	41
North East	17
North West	11
Yorkshire and Humber	10
West Midlands	15
South West	8
Scotland	11
Wales	10
Northern Ireland	9
Total	158

Scottish Trade Delegations

Mr. Lazarowicz: To ask the Secretary of State for Trade and Industry for how many trade delegations from Scotland to *(a)* the Czech Republic, *(b)* Poland, *(c)* Hungary, *(d)* Slovenia, *(e)* Estonia, *(f)* Lithuania, *(g)* Latvia and *(h)* Slovakia her Department provided support in *(i)* 2000 and (ii) 2001 to date. [13169]

Nigel Griffiths: I am replying on the basis of information provided by Scottish Development International, a joint venture between the Scottish Executive and Scottish Enterprise.

Trade Partners UK services in Scotland are delivered by the Trade Division of Scottish Development International. It, along with other members of the export support network in Scotland, organises overseas trade missions.

In June 2000 there was one trade mission to Hungary and Slovenia led jointly by Export Partnership Forth Valley and Lanarkshire Export Partnership. In 2001 to date there have been two visits to Poland, one in April led by Export Partnership Forth Valley and a sector based mission in June concentrating on food and drink led jointly by Scottish Development International and the Seafood Industry Authority. A visit to Estonia took place in September supported by Renfrewshire and Inverclyde Exports followed by a further mission to Slovenia in October led by Lanarkshire Export Partnership.

In addition, a delegation of Scottish business people interested in developing links with the Czech Republic accompanied the Scottish Minister for Finance during his visit there this September when he formally launched the second twinning covenant for Preparation for Structural Funds.

Companies based in Scotland are also able to take part in any other UK supported trade missions.

Fur Imports

Harry Cohen: To ask the Secretary of State for Trade and Industry what quantities of material classified as other fur were imported into the UK from *(a)* China, *(b)* the Philippines, *(c)* Korea and *(d)* Hong Kong in the last five years. [13799]

Nigel Griffiths: Information on UK imports of "other fur" from China, the Philippines, Korea and Hong Kong in each of the last five years is given in the table:

UK imports of "other fur"[1] from China, Philippines, Korea and Hong Kong

Weight—kilograms

Year	*China*	*Philippines*	*South Korea*	*Hong Kong*
1996	13,666	0	812	7,727
1997	3,348	0	1,560	12,871
1998	1,776	0	0	3,808
1999	4,010	0	411	5,240
2000	11,785	0	0	10,063

[1] "Other fur" is defined as headings 212.29 and 613.19 of the Standard International Trade Classification, Revision 3 (SITC Rev. 3)

Definitions:

SITC 212.29 Other furskins (raw), whole, with or without head, tail or paws

SITC 613.19 Other furskins (tanned or dressed), whole, with or without head tail or paws, not assembled

Source:

DTI analysis of data from HM Customs and Excise

Harry Cohen: To ask the Secretary of State for Trade and Industry what the average value is of material classified as *(a)* other fur and *(b)* all fur imported into the UK from (i) all countries and (ii) China in the last three years. [13797]

Nigel Griffiths: Information on the average value of UK imports of "other fur" and all fur from all countries and China in each of the last three years is given in the table.

Average value of UK imports of "other fur"[1] and all fur[2] from all countries and China

£ per kilogram

	All countries	*China*
UK imports of "other fur"		
1998	29	76
1999	19	36
2000	14	69
UK imports of all fur		
1998	77	79
1999	42	51
2000	38	60

[1] "Other fur" is defined as headings 212.29 and 613.19 of the Standard International Trade Classification, Revision 3 (SITC Rev 3).

[2] All fur [illegible]efined as headings 212 and 613 of the Standard International Trade Classification, Revision 3 (SITC Rev 3).

Definitions:

1. SITC 212 Furskins, raw (including heads, tails, paws and other pieces or cuttings, suitable for furriers' use), other than hides and skins of group 211.
2. SITC 613 Furskins, tanned or dressed (including heads, tails, paws and other pieces or cuttings), unassembled, or assembled (without the addition of other materials), other than those of heading 848.3.
3. SITC 212.29 Other furskins (raw), whole, with or without head, talk or paws.
4. SITC 613.19 Other furskins (tanned or dressed), whole, with or without head tail or paws, not assembled.

Source:

DTI analysis of data from H. M. Customs and Excise

Harry Cohen: To ask the Secretary of State for Trade and Industry what quantities of fur have been imported into the United Kingdom as parts of made-up garments for the last five years; and if she will list *(a)* the exporting countries involved and *(b)* the type of fur involved. [13792]

Nigel Griffiths: Information on UK imports of made-up garments containing fur in each of the last five years is given in the following table:

UK imports of made-up garments containing fur 1996–2000

Weight (kilograms)

	Commodity 43031010			*Commodity 43031090*					*Commodity 43039000*				
Country	*1998*	*1999*	*2000*	*1996*	*1997*	*1998*	*1999*	*2000*	*1996*	*1997*	*1998*	*1999*	*2000*
Abu Dhabi	—	—	—	35	—	—	—	—	25	12	—	—	—
Argentina	—	—	—	2,977	—	—	—	—	308	467	145	—	—
Australia	—	—	—	—	—	—	—	—	—	—	305	638	—
Austria	—	—	—	—	60	—	1	63	20,277	—	—	—	—
Belgium	—	—	—	—	—	—	—	3	—	—	—	15	2,524
Belgium-Luxembourg	—	—	—	—	80	—	—	—	16	33	110	—	—
Brazil	—	—	—	—	—	—	—	—	—	480	—	—	2,099
Bulgaria	—	—	—	—	—	—	—	—	9	21	—	—	—
Burma	—	—	—	—	—	—	—	—	—	10,500	—	—	—
Cameroon	—	—	—	—	—	—	—	—	10	—	—	—	—
Canada	—	—	—	76	2	—	7	—	2	55	10	12	6
Chile	—	—	—	250	—	—	—	—	—	—	—	265	—
China	—	—	—	963	2,300	4,130	75	95	12,349	10,798	11,323	9,058	7,268
Cyprus	—	—	—	4	—	—	—	—	—	—	—	—	—
Czech Republic	—	—	—	—	—	—	—	—	—	—	—	21	—
Denmark	—	—	—	—	3	102	296	535	31	25	—	—	—
Ecuador	—	—	—	—	—	—	—	—	—	0	40	—	527
Ethiopia	—	—	—	—	—	—	934	1,365	—	—	—	—	—
Finland	—	—	—	—	4	5,101	117	1,484	—	—	—	—	—
France	12	—	—	270	399	350	92	866	257	21,955	4,406	56	384
Germany	62	10	—	1,474	2,723	3,735	2,010	3,763	16,776	44,568	5,769	19,606	31,565
Greece	—	—	—	—	—	1	—	—	—	—	—	—	—
Hong Kong	—	—	4,884	576	2,642	8,672	5,665	3,732	9,009	7,059	6,976	4,429	—
Hungary	—	—	230	—	—	—	—	—	—	47	—	317	—
India	—	—	—	250	—	—	—	150	513	—	175	467	—
Indonesia	—	—	—	—	—	—	—	210	1,127	—	—	—	—
Irish Republic	—	—	6	11	16	6	—	—	—	14	5	—	—
Italy	14	10	346	5,091	[illegible]	2,488	7,521	177	1,716	242	721	67,585	—
Japan	—	—	1,026	—	—	56	—	0	20	34	10	112	—
Lebanon	—	—	—	—	—	—	—	—	—	—	—	362	—
Lithuania	—	—	—	—	2,759	—	49	—	—	365	3,363	1,040	—
Luxembourg	—	—	—	—	—	6	—	—	—	—	—	—	—
Malta	—	—	205	—	—	—	—	—	—	—	—	—	—
Morocco	—	—	—	—	—	—	—	—	—	—	—	20	—
Netherlands	—	1	101	403	42	343	269	632	17,725	54	409	329	—
New Zealand	—	—	—	—	—	—	90	51	—	—	485	8,054	—
Norway	—	—	—	—	—	—	—	—	17	—	—	240	—
Pakistan	—	—	—	—	—	—	814	0	400	—	340	—	—
Peru	—	—	—	—	—	—	—	27	0	599	1,368	696	—
Philippines	—	—	—	—	—	—	—	4,231	4,202	13,508	4,449	1,608	—
Poland	—	—	—	—	—	—	—	39	—	—	—	—	—
Portugal	—	—	—	192	—	1	—	30	55	26	—	—	—
Romania	—	—	—	—	—	474	609	—	—	—	—	—	—
Russia	—	—	—	—	167	183	6,106	161	—	—	—	—	—
San Marino	—	—	—	35	—	—	68	—	—	—	1,285	—	—
South Africa	—	—	—	—	—	—	—	—	—	—	—	900	—
South Korea	—	—	3,215	100	40,300	—	236	9,554	11,464	8,496	265	2,137	—

UK imports of made-up garments containing fur 1996–2000

Weight (kilograms)

	Commodity 43031010			Commodity 43031090					Commodity 43039000				
Country	*1998*	*1999*	*2000*	*1996*	*1997*	*1998*	*1999*	*2000*	*1996*	*1997*	*1998*	*1999*	*2000*
Spain	—	—	1,191	658	992	648	393	1213	5,113	2,161	6,929	3,120	—
Sweden	—	—	—	—	—	4,248	1	1	17,205	120	—	—	525
Switzerland	—	—	—	42	13	90	29	133	58	516	102	20	—
Taiwan	—	—	—	—	—	—	—	—	833	1,051	50	—	—
Thailand	—	—	—	—	—	—	—	—	—	—	118	—	—
Turkey	—	—	—	208	—	140	23	—	4,505	4,734	630	417	965
Ukraine	—	—	—	—	—	—	—	—	—	—	—	—	38
Uruguay	—	—	—	0	597	—	—	504	0	37	700	1,410	112
USA	—	—	—	1,249	948	968	1,170	734	1	4,096	768	733	708
Zimbabwe	—	—	—	—	—	—	—	—	—	—	—	102	203

Note:

Made-up garments containing fur consist of

Commodity code 43031010—articles of apparel of furskins of whitecoat pups of harp seal or of pups of hooded seal (blue-backs)

Commodity code 43031090—articles of apparel and clothing accessories of sheep or lambskin other

Commodity code 43039000—other furskin articles other than clothing accessories

There was no trade in commodity code 43031010 for the years 1996–97

Source:

DTI analysis of data from HM Customs and Excise

Harry Cohen: To ask the Secretary of State for Trade and Industry what quantities of domestic *(a)* dog and *(b)* cat fur have been imported into the UK over the last five years. [13806]

Nigel Griffiths: The information requested is not available because the system of classification used to record trade does not separately identify cat and dog fur.

Harry Cohen: To ask the Secretary of State for Trade and Industry if she will ban the trade in domestic *(a)* dog and *(b)* cat fur. [13798]

Nigel Griffiths: Bans on trade in goods such as dog and cat fur are a matter of exclusive European Community competence and the UK cannot act unilaterally.

European Charter for Small Enterprises

Brian Cotter: To ask the Secretary of State for Trade and Industry what progress has been made in implementing the principles behind the European Charter for Small Enterprises in the United Kingdom. [13682]

Nigel Griffiths: The UK is firmly committed to a full implementation of the European Charter for Small Enterprises. We believe that since its adoption in June 2000 useful progress has been made in the United Kingdom under all 10 lines for action contained in the charter. Recent examples include proposals for the revision of company law, proposals for the reform of competition rules and insolvency law, continuing action under the UK online for business initiative, and the opening of the 'smallbusinesseurope' office in Brussels. Details of these and many other relevant UK actions can be found in a recent report provided to the European Commission, entitled "The European Charter for Small Enterprises—A Review of relevant actions and measures in force in the United Kingdom". Copies of this report have been placed in the Library of the House. At a wider European level, the UK co-organised with the European Commission a conference on top-class business support services in Cardiff in October.

While we believe that real progress has been made in some areas, we recognise that more needs to be done if we are to meet our own and the EU's goals for creating the best possible environment for small firms. We will continue therefore to take action which will help us and encourage our European partners to achieve these goals.

Brian Cotter: To ask the Secretary of State for Trade and Industry what assessment she has made of the principle embodied in the European Charter for Small Enterprises relating to the exemption of small enterprises from certain regulatory obligations. [13683]

Nigel Griffiths: The Government agree with the principle embodied in the European Charter for Small Enterprises that legislative simplification can help reduce the burden of compliance for small business. In the UK the approach has been to adopt "Think Small First" principles—all those considering regulation must first consider alternatives to regulation as well as whether exemptions for small firms are appropriate, the case for exemptions for small firms from regulatory obligations is then made on a case by case basis.

Exemptions for small enterprises from certain regulatory obligations can be a useful way of reducing burdens on business e.g. on audit thresholds, the requirement to consult on redundancies, the need to have works councils and most recently the draft Information and Consultation Directive. There are a range of regulations, such as those relating to food safety, the national minimum wage, environmental protection and health and safety where this is less likely to be appropriate (because of the need to safeguard the rights of employees and protect consumers) and may in fact create a barrier to growth for small firms.

Export Licences (Israel)

Mr. Galloway: To ask the Secretary of State for Trade and Industry how many standard individual export licences have been issued for exports to Israel during *(a)* May, *(b)* June, *(c)* July, *(d)* August, *(e)* September and *(f)* October; and if she will make a statement. [13670]

Nigel Griffiths: The number of Standard Individual Export Licences (SIELs) issued to end users in Israel was as follows.

Month	*Number*
May	0
June	0
July	81
August	17
September	16
October	25

All export licence applications to Israel continue to be considered against the consolidated EU and National Arms Export Licensing Criteria in light of the circumstances prevailing at the time of the application. This means inter alia we will not issue licences where there is a clear risk that the equipment might be used for internal repression, international aggression, adversely affect regional stability or prolong internal conflict.

Ministerial Visit (China and Japan)

Llew Smith: To ask the Secretary of State for Trade and Industry if she will list the people met by the Energy Minister on his recent visit to China and Japan; and if she will place in the Library copies of documents made available to the Minister's hosts by her Department during the trip. [14258]

Mr. Wilson: The information is as follows:

BEIJING

State Development and Planning Commission (SDPC), Vice Chairman Mr. Wang Chunzheng

President, AVIC: Mr. Liu Gaozhuo

Vice President, AVIC 2: Mr. Liang Zhenhe

Minister, CAAC: Mr. Liu Jianfeng

Director General, Foreign Capital Utilization Department: Mr. Mu Hong

Director General, Foreign Affairs Department: Mr. Xu Tongmao

President, BP Amoco China: Dr. Gary Dirks

LNG Technical Manager, Shell Gas and Power: Mr. Nizoo Visram

Chief Executive, Rolls-Royce: Mr. John Rose

Vice Minister, State Economic and Trade Commission: Mr. Zhang Zhigang

President and CEO, China National Petroleum Corporation: Mr. Ma Fucai

Chairman and CEO, China National Offshore Oil Corporation: Mr. Wei Liucheng

President and CEO, China National Chemicals Import and Export Corporation: Mr. Liu Deshu

President, China Petroleum and Chemical Corporation: Mr. Li Yishong

Ambassador's Dinner

Chief Representative, BNFL Westinghouse: Mr. Gavin Liu

XRJ Consulting (Advisers to International Power) Mr. Ian Stones

PR Manager, China, British Airways: Mr. Peter Liver

General Manager, China, Virgin Atlantic: Mr. Jonathan Harding

Deputy Director-General of the International Co-operation Department, State Economic Trade Commission

Deputy Head, China Britain Natural Gas Working Group: Mr. Wang Shanchuan

Deputy Director-General Foreign Affairs, PetroChina: Mr. Bao Qiping

SHANGHAI

Vice Mayor Han Zheng, Shanghai Municipal Peoples' Government

Chairman, China Eastern Airlines: Mr. Ye Yi Ghan

Director, Shanghai Airlines; Zhou Chi

CEO East China Gas and Power, BP China Ltd.: Mr. Alistair Ferguson

Deputy Project Director, Shanghai Ethylene Cracker Complex (SECCO), BP South East Asia Ltd.: Mr. Tony Atkins

JAPAN

Ministry of Economy, Trade and Industry

Mr. Yoshihisa Ohshima, Senior Vice-Minister of Economy, Trade and Industry

Mr. Hirobumi Kawano, Director General, Agency for Natural Resources and Energy

Ministry of the Environment

Ms Yoriko Kawaguchi, Minister of the Environment

Mr. Kenji Kamiigawara, Private Secretary to the Minister

Ministry of Land, Infrastructure and Transport, Civil Aviation Bureau

Mr. Kenichi Fukaya, Director General

Tokyo Electric Power Company (TEPCO)

Mr. Nobuya Minami, President

Mr. Ryoichi Shirato, Vice-President

The Kansai Electric Power Company Inc.

Mr. Yohsaku Fuji, President

Mr. Tetsuji Kishida, Managing Director

Japan Airlines Co Ltd.

Mr. Katsuo Haneda, Senior Vice President

All Nippon Airways Co Ltd.

Mr. Hiromechi Toya, Executive Vice President

Mitsubishi Heavy Industries Ltd.

Mr. Yasutada Sasaki, Senior Manager, civil Aircraft and Aeroengine Department

Kawasaki Heavy Industries Ltd.

Mr. Fumitake Kadowaki, Vice President, Gas Turbine and Machinery Company

Ishikawajima-Harima Heavy Industries Ltd.

Mr. Teiichi Tamaki, Board Director and Vice-President of Aeroengine and Space Operations

Airbus Japan KK

Mr. Patrick Caroll, OBE, President

Rolls-Royce International Ltd.

Mr. Bob Moore, Regional Director, Japan

Other junior representatives of public and private sector organisations in the energy and aerospace sectors (at a dinner and luncheon hosted by Her Majesty's Ambassador).

No documents were made available to the Minister's hosts by the Department during the trip.

Regional Venture Capital Funds

Mr. Rosindell: To ask the Secretary of State for Trade and Industry what response her Department has made to points raised by the Commission regarding United Kingdom practice in regional venture capital funds in Com 2001/712 EC. [14797]

Nigel Griffiths: Com 2001/712 EC was the document issued by the European Commission granting State Aid clearance to the Regional Venture Capital Fund programme. It was not necessary for the UK Government to respond to the document.

In common with any programme of this kind, the Regional Venture Capital Funds had to be approved by the European Commission under State Aid guidelines. DTI and SBS officials have worked together with EU officials to enable the European Commission to grant this approval.

Atomic Energy Police Force

Mr. Hoyle: To ask the Secretary of State for Trade and Industry how many and what makes of vehicles are operated by the Atomic Energy police force; and what is the purchasing policy on UK-built vehicles by the Atomic Energy police. [15161]

Mr. Wilson: The United Kingdom Atomic Energy Authority Constabulary (UKAEAC) currently operates 46 vehicles consisting of 22 Ford, seven Landrover, six Vauxhall, five LDV, three Volkswagen, two Mitsubishi and one Peugeot. The UKAEAC's policy is to buy the correct vehicles for its operational needs, with the option for purchasing UK-built vehicles when this is consistent with securing value for money.

Nuclear Industry

Llew Smith: To ask the Secretary of State for Trade and Industry what proportion of BNFL's liabilities for *(a)* radioactive waste and *(b)* decommissioning is attributed to THORP; and what proportion of the decommissioning costs estimated for THORP will be covered by overseas baseload contracts. [15851]

Mr. Wilson: In accordance with standard accounting practice, information about BNFL's liabilities and provisioning are included in the company's annual report and accounts. The details of BNFL's contracts with overseas THORP baseload reprocessing customers are a commercial matter for BNFL and its customers under Exemption 13 of the Code of Practice on Access to Government Information.

Miners' Pension Schemes

Adam Price: To ask the Secretary of State for Trade and Industry what sums the Government have obtained annually as guarantors from surplus arising from the *(a)* mineworkers' pension scheme and *(b)* British Coal staff superannuation scheme since 1994, at constant prices. [16661]

Mr. Wilson: The cash values of receipts from the two schemes since payments began in 1996–97 are as follows:

£ million

Year	*BCSSS*	*MPS*	*Total*
1996–97	39.5	0.0	39.5
1997–98	39.5	113.0	152.5
1998–99	107.1	113.0	220.1
1999–2000	107.1	0.0	107.1
2000–01	53.9	257.0	310.9
2001–02	216.0	196.0	412.0

The Department's calculation of the value of these sums at 2000–01 prices, using the GDP Deflator is as follows.

£ million

Year	*BCSSS*	*MPS*	*Total*
1996–97	43.7	0.0	43.7
1997–98	42.3	121.2	163.5
1998–99	111.7	117.9	229.6
1999–2000	109.0	0.0	109.0
2000–01	53.9	257.0	310.9
2001–02	210.7	191.2	401.9

Miners' Compensation

Tony Wright: To ask the Secretary of State for Trade and Industry what the average level is of *(a)* interim and *(b)* final payments made to date to former miners and their estates under the chronic bronchitis and emphysema compensation scheme. [16694]

Mr. Wilson: Interim payments are made in a wide range of circumstances and vary widely in value. Claimants who are in receipt of the Industrial Injuries Benefit, PD D12, automatically receive an interim payment of £2,000. Further interims are offered where an expedited offer is made to a claimant, who subsequently rejects the offer and elects to undergo the full Medical Assessment Process or MAP. Where there is an outstanding issue prohibiting a full and final offer, an interim payment is made, the percentage determined by IRISC, the Department's claims handlers. Interim payments are also advanced to the estate or widow, subject to certain criteria cited in the Handling Agreement, of between £3,500 and £7,500. Interest is applicable. To date, over 41,300 interim payments have been made, amounting to £159.5 million. This averages at £3,857, although some claimants may be eligible for more than one payment.

Full and final offers including expedited payments vary widely. Expedited offers are made between £2,050 and £14,500. To date, over 12,800 settlements have been made to the value of £68.2 million. This averages at £5,293 per claimant.

Renewable Energy

Mr. Sayeed: To ask the Secretary of State for Trade and Industry what research the Government are conducting into underwater tractors used to plant wind farms off the Dutch coast. [16726]

Mr. Wilson: The Department's wind R&D programme has offshore wind as a key priority, and specifically:

> the development and evaluation of improved offshore installation techniques and vessels.

To date no proposals have been put forward to evaluate the concept of installing offshore wind turbines using tractors or other devices that have the capability to drive along the seabed rather than using surface vessels. Consequently there has been no research on the programme in this area. The opportunity for industry to conduct research in this area remains.

Mr. Sayeed: To ask the Secretary of State for Trade and Industry what research her Department is conducting into the problems of off-shore wind turbines, with particular reference to fatigue caused by waves and wind vibrating the structure in rough weather. [16724]

Mr. Wilson: The Department is currently supporting a project addressing this area. It is monitoring the loads, waves and wind on the UK's first offshore wind turbines at Blyth. It will provide the data and analysis to improve our understanding of the design loads and assumptions that should be used in these more severe offshore conditions, especially the treatment of combined wave and wind loading for both fatigue and extreme loads.

The objectives of the project are:

to establish and then analyse a database of measurements for validation and enhancement of advanced methods for computer modelling and design analysis of offshore wind turbines.

to provide a critical appraisal of present design procedures and certification rules for offshore wind turbines and to recommend changes where appropriate.

to catalogue the key design requirements of offshore wind turbines for sites where the environmental conditions are severe.

The project is due for completion in 2003, but papers on the interim results are expected in advance of this.

Mr. Sayeed: To ask the Secretary of State for Trade and Industry what research is being conducted by her Department into designing a lattice tower that can change its stiffness and resonant frequency by causing hydraulic pistons to control the rigidity of the diagonal cross bars for off-shore wind turbines. [16734]

Mr. Wilson: The Department's wind R&D programme attaches priority to offshore wind and specifically to the following aspects of offshore wind R&D projects:

the development and evaluation of innovative UK wind turbine components, offering improved performance;

the development and evaluation of innovative wind turbine designs offering improved performance.

To date no proposals have been put forward to design a lattice tower that can change its stiffness and resonant frequency by causing hydraulic pistons to control the rigidity of the diagonal cross bars for off-shore wind turbines. Consequently there has been no research on the programme in this area.

Aggregates

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry how much *(a)* aggregate and *(b)* concrete product by weight was imported to Britain in the last 12 months for which figures are available. [16702]

Mr. Wilson: During the 12 months to June 2001, the United Kingdom imported some 380,000 tonnes of aggregate and some 50,000 tonnes of concrete products.

Wave Power

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry if she will (1) list the proposed wave power developments awaiting planning permission in *(a)* Scotland, *(b)* England, *(c)* Wales and *(d)* Northern Ireland, giving their predicted output in kilowatt hours; [16334]

(2) publish a list of the operational wave power locations in *(a)* Scotland, *(b)* England, *(c)* Wales and *(d)* Northern Ireland, giving their output in kilowatt hours. [16335]

Mr. Wilson *[holding answer 20 November 2001]:* The information is as follows.

(a) In Scotland, the LIMPET shoreline device in Islay has a maximum capacity of 500 kW, although it does not generate at this level at present.

There are no operational wave power installations in England, Wales or Northern Ireland.

There are no proposals for wave power developments awaiting planning permission in Scotland, England, Wales or Northern Ireland.

Wave power offers a substantial source of renewable energy for the future and the Government are actively seeking to encourage its development.

Regional Development Agencies

Dr. Kumar: To ask the Secretary of State for Trade and Industry what is the annual *(a)* running cost and *(b)* budget for each of the regional development agencies. [16447]

Alan Johnson *[holding answer 20 November 2001]:* The RDA's gross budgets and administrative budgets for 2001–02 are as follows:

£000

	Net budget[1]	*Administration budget*
One North East	157,755	10,653
North West Development Agency	276,215	14,044
Yorkshire Forward	218,134	9,989
East Midlands Development Agency	86,717	7,488
Advantage West Midlands	159,801	8,793
East of England Development Agency	58,247	5,836
South East Development Agency	97,851	7,143
South West Development Agency	84,663	9,099
London Development Agency	277,142	9,470
Total	1,416,525	82,515

[1] Excluding receipts

Power Station (Plymouth)

Mr. Streeter: To ask the Secretary of State for Trade and Industry (1) what estimate she has made of when construction of the power station at Langage, Plymouth will commence; [17382]

(2) what steps will be taken by his Department to supervise the construction of the power station at Langage, Plymouth. [17381]

Mr. Wilson: It is a commercial matter for the company when construction takes place. In carrying out that construction the company will have to comply with the planning conditions imposed on the development which are enforced by the relevant planning authorities. In this particular case the planning authorities are South Hams district council and Devon county council.

Nuclear Installations

Mr. Weir: To ask the Secretary of State for Trade and Industry if the remit of the Energy Review Group has been extended to include the consideration of security at nuclear power stations. [16796]

Mr. Wilson *[holding answer 22 November 2001]:* The energy review was not extended in this way because the PIU is not the competent body for reviewing the security of nuclear installations.

The Office for Civil Nuclear Security, the security regulator at civil nuclear sites, sets stringent standards for security at nuclear sites. OCNS works closely with the Health and Safety Executive, the safety regulator, which provides advice on the safety implications of events, including external hazards such as plane crashes, at nuclear installations. Security and safety precautions at nuclear sites are kept under regular review. Both regulators are reviewing all relevant precautions in the light of the recent terrorist attacks in the USA.

The issue of energy infrastructure security in the face of terrorist activity has been raised at a general level in meetings and workshops held by the PIU after 11 September.

Mr. Weir: To ask the Secretary of State for Trade and Industry what representations the Energy Review Group have received in relation to security at nuclear power stations following the events of 11 September. [16801]

Mr. Wilson *[holding answer 22 November 2001]:* The deadline for written submissions to the PIU Energy Review was before 11 September and so the majority of material received does not make reference to the tragic events in New York. The issue of energy infrastructure security in the face of terrorist activity has been raised at a general level in subsequent meetings and workshops held by the PIU and in the small number of late replies.

A list of the submissions received by the Energy Review and a summary of the key themes raised can be viewed at the PIU website at www.cabinet-office.gov.uk/innovation. Section B7 of the summary outlines the various points made to the review concerning nuclear power.

Electricity Generation

Mr. Kevan Jones: To ask the Secretary of State for Trade and Industry what proportion of the UK's electricity was generated by nuclear power in *(a)* 1995, *(b)* 1996, *(c)* 1997, *(d)* 1998, *(e)* 1999 and *(f)* 2000. [17333]

Mr. Wilson: I refer my hon. Friend to the answer given to the hon. Member for Hazel Grove (Mr. Stunell) on 13 November 2001, *Official Report,* column 656W.

Mr. Russell Brown: To ask the Secretary of State for Trade and Industry what proportion of Scotland's electricity was generated by nuclear power in *(a)* 1995, *(b)* 1996, *(c)* 1997, *(d)* 1998, *(e)* 1999 and *(f)* 2000. [17227]

Mr. Wilson *[holding answer 22 November 2001]:* Available information shows that in 1997 41 per cent. of the electricity generated in Scotland by major power producers was from nuclear stations. This rose to 44 per cent. in 1998, but then declined to 40 per cent. in 1999 and 34 per cent. in 2000. Figures for 1995 and 1996 are not readily available.

Medicine Licensing

Mr. Weir: To ask the Secretary of State for Trade and Industry what steps she will take to *(a)* extend the partial agreement on access to medicines for developing nations reached at Doha and *(b)* reach agreement on compulsory licensing in third countries. [16799]

Ms Hewitt *[holding answer 22 November 2001]:* The UK whole-heartedly supports the Declaration on the TRIPS agreement and Public Health issued at the successful conclusion of the Fourth Ministerial Meeting of the WTO at Doha, Qatar. This also commits member states, working through the TRIPS Council, to develop a solution before the end of 2002 as to how WTO Members with insufficient or no manufacturing capacities in the pharmaceutical sector might make effective use of compulsory licensing under the TRIPS Agreement.

The UK continues to work in a range of other ways both bilaterally and through for example, the Global Fund for Health to improve access to medicines in poor countries.

Overseas Workers

Mr. Keetch: To ask the Secretary of State for Trade and Industry what representations she has received on introducing legislation to ensure that employees are informed of Foreign and Commonwealth Office advice by British companies seeking to send workers abroad; and if she will make a statement. [16961]

Alan Johnson *[holding answer 22 November 2001]:* I am not aware of any representations to my right hon. Friend the Secretary of State for Trade and Industry on this matter.

Foreign and Commonwealth Office travel advice is already readily accessible to employers as well as the general public by telephone (020 7008 0232/0233) and the FCO website "www.fco.gov.uk".

Ilisu Dam

Dr. Tonge: To ask the Secretary of State for Trade and Industry if she will make a statement on the recent decision by Balfour Beatty to withdraw from the Ilisu Dam project. [17337]

Ms Hewitt: The decision taken by Balfour Beatty to withdraw from the Ilisu project was entirely a commercial decision and not a matter for Government.

White Goods

Mr. Sayeed: To ask the Secretary of State for Trade and Industry what plans she has for promoting improvement of energy standards of white goods in the European Union. [16749]

Mr. Meacher: I have been asked to reply.

The Department will continue to encourage improved energy standards for household appliances, including white goods, the European Union via a mixture of policy instruments including mandatory energy labelling, minimum energy performance standards and voluntary agreements.

We propose to work closely with stakeholders and other member states to reach agreement on the European Commission's proposals for a Framework Directive for Minimum Efficiency Requirements for End-Use Equipment (due to be published in early 2002); to complete the review of Council Directive 92/75/EEC (on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances) and to negotiate new voluntary agreements with European manufacturers and service providers as necessary.

HEALTH

Dentists

Peter Bradley: To ask the Secretary of State for Health what was *(a)* the average annual income and *(b)* the average working week of dentists in (i) the NHS and (ii) private practice in the last 12 months. [9259]

Ms Blears: Information on the working hours of general dental service dentists is not routinely collected.

For dentists national health service income, the information regularly available is for payments by the Dental Practice Board for gross fees paid to dentists, but there is no corresponding data on hours worked. For private work, the available information is from the annual Inland Revenue survey of income and expenses. A survey carried out by the Office of Manpower Economics (OME) in March 2000, provides some limited data on this area. The survey reported:

> The average number of hours worked for single handed dentists at 43.1 hours per week.
>
> Full-time practitioners wholly committed to the GDS reported total gross fee earnings averaging £163,900 in the most recently completed financial year. These figures are affected by transfers of payments from associate dentists to practice owners.

We estimate that the average net income for all dentists wholly committed to the GDS for the period ending 30 September 2001 would be about £65,000 after allowing for an average of £2,600 for other payments to dentists, an average expenses to income ratio for all dental work of 54.1 per cent. subsequent fee increases and the introduction of the dentists commitment payments scheme. The OME survey did not report private earnings of dentists, but using information collected by the Inland Revenue it is estimated that the average income for single-handed dentists from both GDS work and private practice would be around £70,000.

Mental Health

Mr. Heald: To ask the Secretary of State for Health if he will make a statement on the results of the collaboration between the Mental Health Act Commission, the Sainsbury centre for mental health and the university of Lancashire on ethnic monitoring, racial harassment and training, announced on 24 October 2000. [9516]

Jacqui Smith: The report from the Mental Health Act Commission, the Sainsbury centre for mental health and the university of central Lancashire will inform the work currently being drawn up to develop a strategy to address the needs of black and minority ethnic service users. It is hoped that the strategy will go for consultation in spring 2002 and be published later that year.

Computer Crime

Mr. Burstow: To ask the Secretary of State for Health how many cases of computer *(a)* hacking *(b)* fraud and *(c)* theft his Department has recorded in 2000 and 2001; and on how many occasions in 2000 and 2001 computer systems in his Department have been illegally accessed by computer hackers (i) within and (ii) outside his Department. [11000]

Ms Blears: There have been no reported incidents of illegal hacking or fraud on the Department's computer systems in 2000 and 2001. In 2000 there were computer thefts with a value of £45,894, whereas the equivalent figure for the year 2001 to date is £34,263.

Lymphoedema

Mr. Laurence Robertson: To ask the Secretary of State for Health what clinics exist *(a)* in the UK and *(b)* in Gloucestershire to treat lymphoedema; what resources are provided for the treatment of that disease in *(a)* and *(b)*; what training doctors are given in diagnosing and treating the disease; and if he will make a statement. [11059]

Ms Blears *[holding answer 29 October 2001]:* Data on the number of lymphoedema clinics across the United Kingdom are not collected centrally. A lymphoedema nurse specialist, funded by Macmillan Cancer Relief, holds weekly clinics in Gloucester and Cheltenham and also provides a domiciliary service.

Lymphoedema care is mainly a nurse-led service and all breast cancer nurses will have lymphoedema management training. Doctors will receive training as part of their general medical training with further specialist training available in the charitable sector. In addition, there are a growing number of Lymphoedema specialist nurses who will have undertaken specialist nurse training which is carried out mainly in the charitable sector by organisations such as Macmillan Cancer Relief and Marie Curie Cancer Care. This is very much a nurse-led service and specialist nurses are recommended both in "Improving Outcomes Guidance" and the national cancer plan as being a vital part of the multidisciplinary team.

NICE are developing guidance on supportive care which will include guidance on the support of patients with lymphoedema.

NHS Dentistry (Wiltshire)

Dr. Murrison: To ask the Secretary of State for Health if he will make a statement on the availability of NHS dentistry in Wiltshire. [12854]

Ms Blears: Wiltshire health authority has a dental access plan to ensure that all residents who wish to can access a national health service dentist within a reasonable time and distance. It is meeting the targets set in the plan. A dental access centre opened in Swindon in March 2000 and the health authority is planning to open a second in Chippenham in 2002.

Accident and Emergency (Staffing)

Dr. Murrison: To ask the Secretary of State for Health what plans he has to increase the number of nurse practitioners in accident and emergency departments. [12862]

Ms Blears: Reforming emergency care will provide funding of £40 million to recruit 600 additional nurses to work in accident and emergency departments. The additional nursing staff will consist of accident and emergency nurses, emergency nurse practitioners and nurse consultants in emergency care.

Anti-TNF Treatment

Martin Linton: To ask the Secretary of State for Health (1) if he will make a statement on NHS circular HSC/1999/176 with respect to the duty of health authorities to develop policies for the managed introduction of drugs in advance of a decision by the National Institute for Clinical Excellence; [13173]

(2) when the National Institute for Clinical Excellence will report on anti-TNF drugs. [13174]

(3) whether health authorities and primary care groups may fund anti-TNF drugs in advance of the decision by the National Institute for Clinical Excellence; and *(a)* how many and *(b)* which are doing so. [13175]

Ms Blears: We anticipate that the National Institute for Clinical Excellence will publish its guidance on anti-TNF drugs for rheumatoid arthritis in March 2002.

Until NICE has completed its appraisal, standing guidance in health service circular 1999/176 advises national health service bodies to use their existing arrangements to determine local prescribing policies, using the publicly available evidence to inform their decision.

The extent to which the NHS funds anti-TNF drugs will vary depending on local circumstances and priorities. Information on these local assessments is not collected centrally.

Public Service Agreements

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on the Public Service Agreement target to improve the educational attainment of children looked after by local authorities by increasing to at least 50 per cent. by 2001 the proportion of children leaving care aged 16 or above with a GCSE or GNVQ qualification. [14948]

Jacqui Smith: Data published by the Department on 19 October 2001 showed that in year ending 31 March 2001, 37 per cent. of the 6,500 young people leaving care at age 16-plus obtained one or more GCSEs or GNVQs. This compares with 30 per cent. of care leavers in the previous year. Thirty local councils reported meeting the 50 per cent. target compared to 15 in the previous year.

The attainment figures for year ending 31 March 2001 are based on examinations sat in summer 2000 and earlier, therefore preceding many of the important Government initiatives now under way to improve attainment.

Mr. Bercow: To ask the Secretary of State for Health what the Public Service Agreement target is for 2001–02 for the proportion of children in local authority care to have three or more placements in one year. [14913]

Jacqui Smith: The public service agreement target set following the comprehensive spending review in 1998 was:

> "Improve the continuity of care given to children looked after by local authorities by reducing to no more than 16 per cent. in all authorities the proportion of such children who have three or more placements in one year by March 2001."

This target has been rolled forward to March 2002 thus enabling those authorities that have already met the target to continue to demonstrate their good practice and to provide those which have yet to meet it a further opportunity to achieve the standard required.

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on progress towards meeting the Public Service Agreement target of a reduction in the death rate from accidents by at least 20 per cent. by 2010. [14888]

Ms Blears: Latest available data (for the three years 1998–2000) show virtually no movement in the national death rate from unintentional injury. The target was announced in the saving lives White Paper published in July 1999, so we would not yet expect to see significant progress reflected in the information currently available.

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on progress in meeting the Public Service Agreement target for reducing the national average emergency psychiatric re-admission rate by two per cent. by 2002. [14914]

Jacqui Smith: Assessment of progress is set out in the table. It shows the number of emergency psychiatric re-admissions of patients aged 16–64 within 90 days of all discharges from the care of a psychiatric specialist as a percentage of such discharges.

	1998–99	*1999–2000*	*2000–01*
Number of re-admissions within 90 days	15,461	14,875	14,068
Total number of discharges	113,585	114,616	110,312
Re-admission rate (percentage)	13.6	13.0	12.8

Progress is being made, and the national milestone as stated in the mental health national service framework to reduce the rate of psychiatric emergency readmissions by April 2002, from 14.3 per cent. to 12.3 per cent. is on target to being achieved.

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on progress in meeting the Public Service Agreement target of reducing the per capita rate of growth in emergency admissions of people aged over 75 years to an annual average of two per cent. up to 2002–03. [14915]

Ms Blears: The rates of growth nationally of emergency admissions of people aged 75 and over since 1998–99 are:

1998–99 to 1999–2000: 0.62 per cent.

1999–2000 to 2000–01: 0.01 per cent.

2000–01 to 2001–02 (forecast): 0.30 per cent.

All are within the present two per cent. growth target.

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on success in meeting the Public Service Agreement target of reducing to no more than 16 per cent. the proportion of children in local authority care who had three or more placements in one year by 2001. [14921]

Jacqui Smith: Provisional data for the year ending 31 March 2001 indicate that 78 per cent. of local councils in England met the target of having no more than 16 per cent. of their looked after children having three or more placements in the year.

The equivalent percentage of local councils who met this target in 1999–2000 and in 1998–99 was 53 per cent. and 39 per cent. respectively.

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on progress towards meeting the Public Service Agreement target of a reduction in serious accidental injury relating to admission to hospital by at least 10 per cent. by 2010. [14887]

Ms Blears: Latest available data (1998–99) show virtually no movement in serious accidental injury relating to hospital admission. The target was announced in the saving lives White Paper published in July 1999, so we could not yet expect to see progress reflected in the information currently available.

Appointments

Mr. Collins: To ask the Secretary of State for Health how many appointments he has made to public bodies since 7 June; and how many are in his gift. [15490]

Ms Blears: Information about numbers of ministerial appointments to public bodies is included in the Cabinet Office's annual report, "Public Bodies". Copies are available in the Library and the report is published on the Cabinet Office's internet website. The next edition of "Public Bodies", which will include numbers of appointments at 31 March 2001, will be published around the end of the year.

238 public appointments were made by departmental Ministers between 7 June and 31 October 2001. A total of 1,041 public appointments are directly within the gift of Department of Health Ministers, 14 of which are joint appointments with the Department for Environment, Food and Rural Affairs. Public appointments to national health service trusts, health authorities and primary care trusts have since 1 April 2001 been made by the NHS Appointments Commission.

NHS Magazine

Dr. Fox: To ask the Secretary of State for Health what the total costs were to his Department of producing the NHS magazine in the last 12 months. [15328]

Ms Blears: The Department has spent £899,480 on the production and distribution of the NHS magazine in the last 12 months (November 2000-October 2001).

Child Care

Dr. Fox: To ask the Secretary of State for Health what research he has conducted into the reasons for the change in the number of children looked after by local councils since 1997. [15411]

Jacqui Smith: The Department commissioned, at the beginning of the year, the Thomas Coram Research Unit (Institute of Education, University of London) to conduct a tightly focused research study into the reasons that lie behind the increase in the number of children looked after by local authorities since 1994.

The research is designed to assess, among other things, the extent to which drug taking, alcoholism, violence and mental health problems within the family may have been significant factors underlying decisions made by local authorities to look after children.

Diabetes

Mr. Vaz: To ask the Secretary of State for Health (1) how many people he estimates to be suffering from diabetes in each health area; [15788]

(2) if he will make the treatment of diabetes a higher priority; [15753]

(3) when he plans to publish the national service framework for diabetes; [15755]

(4) when he will publish a statement on his plans to identify the two types of diabetes; [15757]

(5) what recent consultations he has had with people suffering from diabetes. [15756]

Jacqui Smith: An estimated 1.3 million people in England have diagnosed diabetes. A population of 100,000 would be expected to include between 2,000 and 3,000 people with diabetes.

We are committed to improving the quality of care for people with diabetes. That is why we are developing a national service framework for diabetes. We shall be publishing the framework in two stages—the standards shortly and the delivery strategy next summer. The standards will cover the prevention, identification and management of diabetes and its complications.

Ministers have met regularly with Diabetes UK, which represents people with diabetes, and I last met with it on 22 October. We have involved people with diabetes in the development of the diabetes national service framework standards, and the implementation group that will inform the development of the delivery strategy will work openly with people with diabetes and others with an interest.

Mr. Vaz: To ask the Secretary of State for Health what the expenditure on diabetes was in each year since 1996 in the Leicestershire health authority. [15752]

Jacqui Smith: It is difficult to be precise about the exact level of expenditure on diabetes, as people with this condition are cared for by so many sectors of the health services. The table details the general medical services non-discretionary expenditure incurred by Leicestershire health authority on the chronic disease management programme for diabetes in each financial year since 1996–97. It must be emphasised that these figures do not reflect the full expenditure on diabetes by the health authority during this period.

General medical service non-discretionary expenditure on CDM diabetes 1996–97 to 2000–01—Leicestershire health authority

Year	£
1996–97	174,450
1997–98	189,377
1998–99	193,767
1999–2000	208,114
2000–01[1]	215,895

[1] Data for 2000–01 are provisional

Source:

Annual financial returns for health authorities

Smoking Cessation

Ms Walley: To ask the Secretary of State for Health if he will announce his decision in respect of funding for smoking cessation for *(a)* 2002–03 and *(b)* subsequent years in respect of the North Staffordshire health authority; and if he will make a statement. [15620]

Ms Blears *[holding answer 16 November 2001]:* Decisions on central funding for 2002–03 have not yet been finalised. Future decisions will form part of the Department's spending review 2002.

The NHS plan sets out a major expansion in services to help reduce smoking. The national health service smoking cessation services have proved to be effective, helping around 61,500 smokers to quit at the four-week stage in 2000–01.

Age Discrimination

Ms Atherton: To ask the Secretary of State for Health what action his Department has taken to tackle discrimination against older people. [16328]

Jacqui Smith: The national service framework for older people (NSF), published 27 March 2001, provides the first co-ordinated programme of actions to ensure that older people are never unfairly discriminated against in accessing national health service or social care services as a result of their age. Standard one of the NSF sets out actions and the time scale for achievement of milestones to identify and address age discriminatory policies and practices in the provision of health and social care services.

To date, initial action has focused on ensuring older people are engaged in the policy and priority planning at national and local level; the undertaking of an audit of written, age-related policies in the NHS; and the development of guidance for undertaking a review of eligibility criteria for adult social care.

Prescription Pricing Authority

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on the breakdown of the costs to public funds in 2001–02 of the Prescription Pricing Authority. [16253]

Ms Blears: Information about the cost of the Prescription Pricing Authority (PPA) for 2001–02 will not be available until its accounts are completed and published in its next annual report in autumn 2002. Details of the PPA's costs and activities for 2000–01 are in the latest annual report. A copy is available in the Library and on the internet at www.ppa.org.uk.

Patient Advocates

Mr. Bercow: To ask the Secretary of State for Health what the cost to public funds is in 2001–02 of the patient advocates in hospitals. [16249]

Ms Blears: £10 million was earmarked in 2001–02 to fund this service, which is now to be called the patient advice and liaison service following the response to the recent listening exercise.

Cannabis

Paul Flynn: To ask the Secretary of State for Health if he will bring forward legislation to allow medicinal cannabis to be prescribed in the same way as heroin. [16125]

Ms Blears *[holding answer 19 November 2001]:* We have approved a number of clinical trials into the medicinal use of cannabis. Once the results of the trials have been properly evaluated, we will have an evidence base that will allow us to decide how to proceed.

Pneumococcal Vaccinations

Mr. Love: To ask the Secretary of State for Health (1) what steps he is taking to make the pneumococcal vaccine more widely available to the under 65 age group; and if he will make a statement; [16523]

(2) in which health authorities in England and Wales the pneumococcal vaccine is available to those aged *(a)* over and *(b)* under 65 years; [16522]

(3) what estimate he has made of *(a)* the lives saved, *(b)* the hospital bed days saved and *(c)* the hospital costs saved by extending the availability of the pneumococcal vaccine; and if he will make a statement. [16524]

Jacqui Smith: Pneumococcal vaccine is recommended for all those aged two years or older in whom pneumococcal infection is likely to be more common and/or dangerous, for example, those with:

Asplenia or severe dysfunction of the spleen

Chronic renal disease or nephrotic syndrome

Immunodeficiency or immunosuppression due to disease or treatment, including HIV infection at all stages

Chronic heart disease

Chronic lung disease

Chronic liver disease including cirrhosis

Diabetes mellitus.

Health authority data on the use of pneumococcal vaccine are not available. It is the responsibility of general practitioners and nurses to identify and immunise their at risk patients.

The Department has not carried out a cost-effectiveness study of administering the pneumococcal vaccine, but continues to recommend the vaccine based on underlying ill health rather than age.

National Institute for Clinical Excellence

Mr. Burstow: To ask the Secretary of State for Health what monitoring his Department has undertaken to ensure that NICE guidance is fully implemented for each technology appraisal undertaken by NICE where the technology was recommended as suitable for use within the NHS. [15966]

Ms Blears *[holding answer 20 November 2001]:* I refer the hon. Member to the reply given to my hon. Friend the Member for Norwich, North (Dr. Gibson) on 5 November 2001, *Official Report*, column 119W.

Small Acute Hospitals (Emergency Admissions)

Andrew George: To ask the Secretary of State for Health what recent discussions he has had with the Royal College of Physicians and Surgeons regarding the future of smaller acute hospitals which take emergency admissions. [16457]

Ms Blears *[holding answer 20 November 2001]:* Ministers hold regular meetings with the royal colleges to discuss developments in the NHS.

I will be meeting Professor Alberti, President of the Royal College of Physicians in the near future to discuss issues around acute medicine and emergency services with particular reference to acute hospitals.

Nuffield Trust

Andrew George: To ask the Secretary of State for Health what assessment he has made of the Nuffield Trust report, "Local Medical Emergency Units: Learning Set Interim". [16456]

Ms Blears *[holding answer 20 November 2001]:* This is a useful and interesting interim report offering some alternative thinking on the idea of localised medical care provision brought about by technological developments in communications.

This will undoubtedly make an important contribution to the on-going debate around service development.

Beef Imports

Mr. Alan Reid: To ask the Secretary of State for Health what steps are taken to ensure that beef imported from other countries, from which spinal cord tissue has not been removed, is safe. [16284]

Ms Blears *[holding answer 20 November 2001]:* Where consignments of imported carcase beef are found with spinal cord still attached, and the age of the animals at slaughter or the countries of origin of the consignment means that such spinal cord is defined as specified risk material, the whole of the carcase or part carcase containing the spinal cord is detained and destroyed and is not permitted to enter the human food or animal food chains.

Ward Housekeepers

Mr. Burstow: To ask the Secretary of State for Health how many ward housekeepers were in post using the most recent figures available, broken down by *(a)* region and *(b)* health authority. [16762]

Ms Blears *[holding answer 21 November 2001]:* The NHS plan set the target that:

> "Half of all hospitals will have ward housekeepers by 2004".

To date, 29 per cent. of acute hospitals and 23 per cent. of mental health hospitals have begun to introduce the service (although not necessarily across all wards). Because there are local variations in how services are organised, we do not have data on the number of housekeepers in post. However, the latest figures provided by trusts to National Health Service Estates indicate that of the 9,000 wards within England, 2,266 have a housekeeping service.

Breakdown by region

Region	*Number of wards with housekeeping service*
Northern and Yorkshire	409
Trent	309
West Midlands	240
North West	177
Eastern	220
London	276
South East	426
South West	209
Total	2,266

Breakdown by health authorities

Health authority	*Number of wards with housekeeping service*
Northern and Yorkshire region	
Bradford HA	25
County Durham and Darlington HA	26
East Riding and Hull HA	55
Gateshead and South Tyneside HA	0
Leeds HA	116
Newcastle and North Tyneside HA	3
North Cumbria HA	3
Northumberland HA	26
Sunderland HA	41
Tees HA	37
Wakefield HA	56
North Yorkshire HA	17
Calderdale and Kirklees HA	4
Trent region	
Barnsley HA	5
North Derbyshire HA	0
South Derbyshire HA	16
Doncaster HA	0
Leicestershire HA	40
Lincolnshire HA	48
North Nottinghamshire HA	38
Nottingham HA	55
Rotherham HA	0
Sheffield HA	107
South Humber HA	0
West Midlands region	
Birmingham HA	106
Coventry HA	7
Dudley HA	3
Herefordshire HA	0
Sandwell HA	23
Shropshire HA	12
Solihull HA	0
North Staffordshire HA	0
South Staffordshire HA	36
Walsall HA	26
Warwickshire HA	22
Wolverhampton HA	4
Worcestershire HA	1

Breakdown by health authorities

Health authority	*Number of wards with housekeeping service*
North West region	
South Lancashire HA	0
Liverpool HA	14
Manchester HA	0
Morecambe Bay HA	2
St. Helen's and Knowsley HA	31
Salford and Trafford HA	26
Sefton HA	3
Stockport HA	0
West Pennine HA	36
Bury and Rochdale HA	31
North Cheshire HA	0
South Cheshire HA	4
East Lancashire HA	14
North West Lancashire HA	6
Wigan and Bolton HA	10
Wirral HA	0
Eastern region	
Bedfordshire HA	9
North Essex HA	34
South Essex HA	12
Suffolk HA	30
Cambridgeshire HA	62
Norfolk HA	12
Hertfordshire HA	61
London region	
Hillingdon HA	0
Kensington, Chelsea and Westminster HA	25
Redbridge and Waltham Forest HA	0
Croydon HA	0
Kingston and Richmond HA	0
Lambeth, Southwark and Lewisham HA	74
Merton, Sutton and Wandsworth HA	16
Barking and Havering HA	0
Brent and Harrow HA	4
Camden and Islington HA	5
Ealing, Hammersmith and Hounslow HA	76
East London and the City HA	0
Barnet, Enfield and Haringey HA	37
Bexley, Bromley and Greenwich HA	39
South East region	
Berkshire HA	13
Buckinghamshire HA	28
East Kent HA	65
West Kent HA	22
East Surrey HA	25
West Surrey HA	49
East Sussex, Brighton and Hove HA	63
West Sussex HA	49
Northamptonshire HA	27
Oxfordshire HA	25
North and Mid Hampshire HA	6
Southampton and South West Hampshire HA	16
Isle of Wight, Portsmouth and South East Hampshire HA	38
South West region	
Somerset HA	0
South and West Devon HA	39
Wiltshire HA	2
Avon HA	43
Cornwall and Isles of Scilly HA	37
Dorset HA	13
North and East Devon HA	54
Gloucestershire HA	21

Winter Plan 2001

Dr. Fox: To ask the Secretary of State for Health when he expects to publish the 2001 winter plan. [16842]

Ms Blears: We expect to publish the winter plan in early December.

Tuberculosis Vaccine

Dr. Fox: To ask the Secretary of State for Health what proportion of 10 to 14-year-olds are inoculated against tuberculosis in each health authority in the latest year for which figures are available. [16840]

Jacqui Smith: The information available for children aged 10 to 15 immunised against tuberculosis (BCG) is contained in table 8 of the statistical bulletin "NHS Immunisation Statistics, England: 2000–01". The information is by the national health service trust whose staff immunised the child, and not by the child's health authority of residence.

A copy of the bulletin is in the Library and can also be found on the Department's website www.doh.gov.uk/public/sb0121.htm.

Consultant Neurologists

Mr. Burstow: To ask the Secretary of State for Health how many consultant neurologist *(a)* vacancies and *(b)* posts there were in 2000; and how many of the consultant neurologists in post in 2000 were (i) full-time and (ii) part-time. [16806]

Mr. Hutton *[holding answer 22 November 2001]:* The number of consultant neurologists employed and the type of contract they held in September 2000 are shown in the table.

Hospital medical consultant neurologists by nature of contract England at 30 September 2000

	All staff
All staff	330
Full time	230
Maximum part-time	—
Part-time	40
Honorary	60

Source:

Department of Health 2000 medical and dental workforce census

Information is not collected centrally on the number of consultant neurologist posts and vacancies.

Cirencester Hospital

Mr. Clifton-Brown: To ask the Secretary of State for Health (1) what recent discussions he has had with *(a)* East Gloucestershire health trust, *(b)* Cotswold and Stroud primary care group and *(c)* Gloucestershire health authority about proposed changes to the range of services offered at Cirencester hospital with particular reference to the A&E Department; [16876]

(2) what discussions he has had with Gloucestershire ambulance trust about the provision for an additional ambulance for residents in Cirencester who need to travel longer distances to other hospitals following a curtailment of services at Cirencester. [16877]

Ms Blears *[holding answer 22 November 2001]:* My right hon. Friend the Secretary of State has had no discussions about the future of services at Cirencester hospital. This is a matter for the local national health service bodies.

Medicines (Side Effects)

Mr. Heald: To ask the Secretary of State for Health (1) if he will make a statement on the circumstances in which a medicine with severe side effects would cease to be licensed; [17121]

(2) what steps he is taking to establish if a typical anti-psychotics have a lower incidence of adverse side effects, with particular reference to tardive dyskinesia; [17124]

(3) if he will make a statement on the circumstances to be taken into account by the MCA in monitoring the licensing of a medicine, with particular reference to the licensing of a new medicine with a lower incidence of side effects. [17120]

Ms Blears *[holding answer 22 November 2001]:* The primary objective of the Medicines Control Agency (MCA) is to safeguard public health by ensuring that all medicines on the UK market meet appropriate standards of safety, quality and efficacy. A marketing authorisation is granted when the balance of risks and benefits is considered to be favourable in the proposed indication.

The MCA continually monitors the safety of all medicines using a number of data sources with expert advice from the independent scientific advisory committee, the Committee on Safety of Medicines. If there is evidence that the balance of risks and benefits is no longer favourable, regulatory action may be taken to minimise risk. This may include strengthening warnings, restricting the terms of the marketing authorisation, or in appropriate circumstances its revocation. Such regulatory action is pursued with the Medicines for Human Use (Marketing Authorisations Etc.) Regulation, SI 1994 No. 3144 and relevant European Community obligations.

Spontaneous reporting data, which are collated by the MCA/CSM through the yellow card scheme, can be used to compare the safety profiles of medicines within a drug class. However, these comparisons must be evaluated with care, as levels of reporting of adverse reactions for particular drugs are dependent on a number of factors including the usage of the drug and the length of time it has been on the market.

The MCA/CSM intensively monitors the safety of all new medicines under a scheme called the black triangle scheme where any of the following circumstances apply:

If the medicine contains a new active substance or a combination of active substances

If the medicine is administered via a novel route or drug delivery system

If the medicine is going to be used in a new population of patients.

National Health Service Reform and Health Care Professions Bill

Mr. Heald: To ask the Secretary of State for Health (1) what assessment he has made of the changes in administrative work resulting from the implementation of Clauses 1 to 4 of the National Health Service Reform and Health Care Professions Bill; [16615]

(2) what assessment he has made of the savings in management resulting from the implementation of Clauses 1 to 4 of the National Health Service Reform and Health Care Professions Bill. [16616]

Mr. Hutton *[holding answer 22 November 2001]:* Clauses 1 to 4 of the Bill prepare for the structural changes to the national health service. The 95 health authorities will be replaced by about 28 strategic health authorities; the eight regional offices of the Department will be abolished; and primary care trusts will be the key organisations undertaking an increased range of functions. £100 million is to be saved resulting from these changes: a combination not just of savings in management, but from a reduction in infrastructure and increases in shared services.

Public Bodies

Mr. Heald: To ask the Secretary of State for Health if he will list the *(a)* existing and *(b)* proposed NHS (i) national directors posts, (ii) commissions, (iii) offices, (iv) types of trust, (v) types of authority, (vi) groups, (vii) boards, (viii) committees, (ix) forums, (x) councils and (ix) bodies. [16613]

Ms Blears *[holding answer 22 November 2001]:* The Department of Health public appointments annual report 2000, copies of which were sent to all hon. Members, contains details of all national health service trusts, primary care trusts, health authorities, special health authorities and non-departmental public bodies, including their chairs and non-executive members, as at 1 April 2000.

The 2001 public appointments annual report will be published, covering local and national bodies and appointments as at 1 April 2001. As in previous years, copies of the report will be sent to all hon. Members.

25 primary care trusts and 14 NHS trusts have been established since 1 April 2001. 28 new health authorities are to be established from April 2002 to replace the 95 currently established. An anticipated 15 care trusts are likely to be established during the course of 2002–03. About 120 PCTs are likely to be established over the course of the next two years. Other national bodies established since 1 April 2001 and those planned for the future are as follows.

National Bodies established since 1 April 2001

Advisory Committee on Tissue Banking

General Social Care Council

National Treatment Agency

National Patient Safety Agency

Prescription Pricing Control Tribunal

Social Care Institute for Excellence

National Bodies planned to be established

Council for the Regulation of Healthcare Professionals

Commission for Patient and Public Involvement in Health

Health Professionals Council

NHS Shared Services Programme

Nursing and Midwifery Council

Tobacco Regulatory Authority

Medical Education Standards Board

Directors and chief executives of special health authorities and departmental non-departmental public bodies are listed in "Public Bodies 2000", a copy of which is in the Library. The 2001 edition of "Public Bodies" will be published in January 2002.

There is a wide range of other offices, groups, committees, forums and bodies operating within the NHS, information on which is not held centrally.

Patients Forums

Mr. Heald: To ask the Secretary of State for Health what increase in public expenditure the creation of patients forums would require, after taking account of current funding allocations to community health councils and PALS. [16617]

Ms Blears *[holding answer 22 November 2001]:* People are the most important resource and we will be working to ensure that we make the best use of time offered by lay volunteers in the health service. Patients forums will, of course, require support in terms of human and financial resources for their work, which will be provided by the Commission for Patient and Public Involvement in Health through its local networks. Funding is therefore tied into the overall resource requirements for the commission and the new arrangements collectively, which we are discussing with Her Majesty's Treasury as part of the spending review process.

TREASURY

British Tourist Authority

Barbara Follett: To ask the Chancellor of the Exchequer what steps he has taken to reduce the levels of irrecoverable VAT incurred by the British Tourist Authority in the current financial year; and if he will make a statement. [18434]

Mr. Boateng: The BTA was awarded £14.2 million of additional funding this year to take forward its recovery plan to boost inbound tourism in the wake of the foot and mouth outbreak. Concern was raised in July that this would lead to the BTA incurring irrecoverable VAT on purchases relating to this programme.

The BTA estimated the irrecoverable VAT would be around £600,000. However, HM Customs and Excise has now reached an agreement with the BTA to allow an increase in VAT recovery to achieve a fair and reasonable result within the existing rules. The agreement addresses the impact of foot and mouth disease upon all of BTA's work, not just the elements funded by extra grant in aid. As a result of this agreement, the BTA estimates that the level of irrecoverable VAT incurred on goods and services purchased as part of its tourism recovery programme has now been reduced by between £300,000 and £500,000.

This agreement ensures that as much as possible of the BTA's grant-in-aid and extra funding will go directly towards helping inbound tourism to recover from a particularly difficult year, while complying with the tax laws which apply to all organisations buying goods and services.

Tax Burdens

Mr. Howard: To ask the Chancellor of the Exchequer what in real terms was the tax burden in *(a)* 1997–98 and *(b)* the most recent year for which information is available on the lowest quintile of equivalised disposable income. [12799]

Mr. Andrew Smith: As a result of personal tax and benefit measures introduced since 1997, families with children in the poorest fifth of the population are on average £1,700 a year better off in real terms.

The Office for National Statistics publishes an article, "The effects of taxes and benefits on household incomes", usually in the April edition of "Economic Trends". The most recent article states

> "it should be noted that year on year comparisons between quintile groups of the impact of tax in total could be affected by the inconsistency between income and expenditure for households in the bottom half of income distribution."

It goes on to say

> "The results are intended to be free standing: they were not designed for direct comparison with other years."

Bankruptcy and Winding-up Orders

Mr. Lidington: To ask the Chancellor of the Exchequer (1) how many *(a)* bankruptcy orders and *(b)* winding-up orders were granted to HM Customs and Excise in (i) 1999–2000, (ii) 2000–01 and (iii) 2001–02 to date; [11635]

(2) how many *(a)* bankruptcy petitions and *(b)* winding-up petitions were issued by HM Customs and Excise in *(a)* 1999–2000, *(b)* 2000–01 and *(c)* 2001–02 to date. [11175]

Mr. Boateng *[holding answer 5 November 2001]:* The latest information, which is available on HM Customs' and Excise website, www.hmce.gsi.gov.uk, is as follows:

1999–2001

Type	*Petitions issued 1999–2000*	*Orders made 1999–2000*
Bankruptcy	4,894	2,412
Winding up	4,426	2,750

Figures are not yet available for 2000–01 and 2001–02.

Venture Capital

Mr. Flight: To ask the Chancellor of the Exchequer (1) what the total venture capital investment was in real terms in the last year for which information is available in each region of the United Kingdom; [15940]

(2) how much venture capital was invested in real terms in UK companies in each year since 1992. [15939]

Mr. Boateng: No official statistics are published on venture capital investment. Information is, however, collected by the British Venture Capital Association, and is available from its website, www.bvca.co.uk.

Mr. Flight: To ask the Chancellor of the Exchequer what the total venture capital investment was as a percentage of GDP in the last year for which information is available in each member state of the European Union. [15941]

Mr. Boateng: No official statistics are published on venture capital investment broken down by EU country. Information is, however, collected by the European Venture Capital Association and is available from its website, www.evca.com. GDP figures for EU members are available from Eurostat, www.europa.eu.int/comm/eurostat.

Mr. Flight: To ask the Chancellor of the Exchequer what discussions he has had with the competition authorities of the European Commission on the Community investment scheme for venture capital subsidies in deprived areas; and if he will make a statement on compatibility of the proposals with European competition law on state aid. [15952]

Mr. Boateng: The Government are confident that their proposals are compatible with state aid regulations.

Mr. Flight: To ask the Chancellor of the Exchequer how he will define disadvantaged areas in relation to the operation of the community investment scheme for venture capital subsidies in deprived areas. [15951]

Mr. Boateng: I assume this question refers to proposals for a community development venture fund. The Government expect the operations of the community development venture fund to focus on the most disadvantaged areas in England as defined in the DTLR's index of multiple deprivation. The Government regard this a robust indicator of deprivation as it incorporates measures of:

Income

Employment

Health, Deprivation and Disability

Education, Skills and Training

Geographical Access to Services

Housing.

Officials are still working on the details of the restrictions, which will require state aid approval.

Investment Tax Credit

Mr. Flight: To ask the Chancellor of the Exchequer if he will estimate the deadweight take-up of the community investment tax credit in its first full year of operation; and what measures he will take to ensure that deadweight impact is minimised. [15933]

Mr. Boateng: Forecasting in this area is very uncertain, with respondents to the Government's consultation on the community investment tax credit giving wide-ranging estimates of demand. The Government will minimise deadweight through the selection procedure for organisations using the tax credit.

White Papers

Matthew Taylor: To ask the Chancellor of the Exchequer on how many occasions in the last 12 months, confidential final revise proof copies of White Papers have been made available under embargo to *(a)* the Lobby and Upper Gallery and *(b)* members of other organised groups of correspondents before publication; and if he will make a statement. [16707]

Mr. Boateng: The Treasury follows the guidance laid down in section 7: "Confidential Final Revise Copies" of the Cabinet Office's publication, "How to publish a Command Paper—February 2001" in its production of White Papers.

Aggregates Levy

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what representations he has made to other European Union countries on the introduction of an aggregates levy broadly comparable with that proposed in the United Kingdom. [16732]

Mr. Boateng: The UK co-operates with the other member states in several European forums to discuss tax matters, and it does so with our national commitment to sustainable development very much to the fore. However, the implementation of an aggregates levy in any other member state must be a matter for the elected Government of that state.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer (1) what assessment he has made of the impact on the international competitiveness of the United Kingdom's quarry industry of the introduction of the aggregates levy; [16704]

(2) what assessment he has made of the likely change in the import of *(a)* aggregate and *(b)* concrete products as a result of the aggregates levy; [16706]

(3) what assessment he has made of the likely change in the import of concrete products to the United Kingdom from *(a)* the Republic of Ireland and *(b)* other countries following the introduction of the aggregates levy. [16703]

Mr. Boateng: All imports of aggregate will be subject to the aggregates levy. Exports of aggregate from the UK will not be subject to the levy. This will protect the international competitiveness of the UK's quarrying industry.

There is not expected to be significant impact on the concrete products sector generally because international trade in these products is limited by weight and transport costs. Imports currently represent a very small proportion of total pre-cast concrete industry sales, and these are mainly high value products whose prices would not be significantly affected by the levy.

Mr. Heath: To ask the Chancellor of the Exchequer (1) what representations he has received on the distribution of the sustainability fund derived from the proposed aggregates levy; [15339]

(2) what part will be played by local elected representatives in the distribution of the sustainability fund derived from the proposed aggregates levy. [15341]

Mr. Meacher: I have been asked to reply.

A DEFRA consultation paper on the possible distribution of the aggregates levy sustainability fund in

England was published on 2 October 2001. A copy is available in the House of Commons Library.

The paper invites views on how local authorities should be involved in the fund.

We expect to receive comments on this issue and the others raised in the consultation paper until the consultation period closes on 27 November.

Copies of the responses will be placed in the DEFRA library and may be published, unless a respondent asks for their response to be treated as confidential. Confidential responses will nevertheless be included in any statistical summary of views expressed.

Working Hours

Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 6 November 2001, *Official Report*, column 154W, on working hours, if the raw data provided by staff are provided on a monthly basis; and if he will make a statement. [16710]

Mr. Boateng: Before September 2000, data on working hours were manually collected three times a year as set out in the information requested by the hon. Member on 14 November 2001, *Official Report*, column 774W. Since September 2000, a spreadsheet has been available for staff to record their working hours which provides information on a monthly basis.

Written Answers to Questions

Monday 26 November 2001

NORTHERN IRELAND

Antisocial Behaviour Orders

Lady Hermon: To ask the Secretary of State for Northern Ireland if he will introduce legislation to extend antisocial behaviour orders to Northern Ireland. [17952]

Mr. Browne: Different administrative and legal structures in Northern Ireland mean that it is not currently possible to extend the provisions in the Crime and Disorder Act 1998 creating antisocial behaviour orders to Northern Ireland. In particular, the provisions rely on local authorities having responsibilities in the criminal justice field which they currently do not have in Northern Ireland.

Holy Cross Protest

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many and what type of complaints he has received from *(a)* Ardoyne road and *(b)* Glenbryn road residents relating to the Holy Cross protest. [17231]

Jane Kennedy: The Government have received a number of representations and written correspondence concerning the situation at Holy Cross Girls Primary School from Members of this House, Members of the devolved Administration and the general public. We continue to encourage local dialogue between the two communities. We have consistently called on the protesters to call off their protest, but in the meantime support the police in their operations to ensure the children of Holy Cross Primary can make their way to school. We welcome recent efforts by local politicians and community representatives to resolve the current impasse.

Community Groups (North Belfast)

Mr. McNamara: To ask the Secretary of State for Northern Ireland what Government grants have been allocated to local community groups in north Belfast; and for what purpose, since 1998. [17234]

Dr. John Reid: Responsibility for this subject has been devolved to the Northern Ireland institutions and is therefore no longer a matter for the Secretary of State for Northern Ireland.

Anti-terrorism, Crime and Security Bill

David Taylor: To ask the Secretary of State for Northern Ireland if he will make a statement on the impact of the incitement to religious hatred clause of the Anti-terrorism, Crime and Security Bill on preaching against Roman Catholicism in Northern Ireland. [18183]

Mr. Browne: It has been an offence in Northern Ireland since 1987 (under the Public Order (Northern Ireland) Order 1987) to stir up hatred or arouse fear against a group of persons because of their religion. The proposed amendment to the Public Order Act 1986 will not, therefore, have any impact there.

Prisons

Mr. Dodds: To ask the Secretary of State for Northern Ireland which prison establishments in Northern Ireland do not use the Royal prefix. [15948]

Jane Kennedy: All Northern Ireland prison establishments can and are referred to officially both as HMP and by name only.

The inclusion or exclusion of the Royal prefix is at the discretion of the governing governor of each establishment.

Police Service of Northern Ireland

David Burnside: To ask the Secretary of State for Northern Ireland what colours will be used in the new uniform of the Police Service of Northern Ireland, excluding those used in the badge. [17470]

Jane Kennedy: The Report of the Independent Commission on Policing for Northern Ireland (the Patten report) recommended that the colour of the current police uniform should be retained (Recommendation 154). The Government have accepted this recommendation.

INTERNATIONAL DEVELOPMENT

Afghanistan

Mr. Salmond: To ask the Secretary of State for International Development what assessment she has made of the humanitarian situation in Afghanistan following the ejection of the Taliban from key centres and of the opportunities this presents to increase the volume of food aid to the country; and if she will make a statement. [15584]

Clare Short: The advances made by the Northern Alliance in recent days should enable us to improve humanitarian programmes and give better access to some of the most vulnerable people in Afghanistan who have received the least help in recent weeks. Such progress is dependent on improved security.

We hope that the UN and International Committee of the Red Cross will be able to improve delivery of food, healthcare, and other assistance to two million vulnerable people in the Northern Region of Afghanistan and that some of the internally displaced will be able to return home before the winter gets worse. Plans are now being made for the international staff of the UN, Red Cross and non-governmental organisations to return and thus improve services to vulnerable people. In addition, we will be able to accelerate deliveries to areas in central Afghanistan which will become harder to access in the coming months so that stockpiles can be built closer to the people who need them.

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on her response to the proposals by the Mineseeker Foundation on a scheme to clear mines in Afghanistan. [17973]

Clare Short: My Department has not received any proposals from the Mineseeker Foundation for mine clearance in Afghanistan.

Uganda

Mr. Austin Mitchell: To ask the Secretary of State for International Development what representations she has received from the Ugandan Government about buying arms. [14533]

Clare Short: I have held meetings with President Musevini of Uganda on a number of occasions over the past two months. Our discussions covered a wide range of issues, including defence expenditure.

Women's Leadership Training

Joan Ruddock: To ask the Secretary of State for International Development how much money her Department has spent on women's leadership training in *(a)* newly democratic and *(b)* developing nations in the last five years. [16682]

Clare Short: The statistics requested cannot be provided without incurring disproportionate cost but my Department puts women's empowerment at the heart of its work.

It starts with: girl's access to basic education and completion of primary schools; support for civil society organisations that represent the needs of and advocate for women in decision-making roles; education of the whole community about the rights of women and girls.

Women's leadership training needs to be built on these foundations.

Joan Ruddock: To ask the Secretary of State for International Development what proposals her Department has for funding leadership training for women in Afghanistan once stability has been restored. [16681]

Clare Short: It is the responsibility of the entire international community to ensure that the women of Afghanistan are fully involved in the new political settlement in Afghanistan.

As reconstruction activities begin, the programmes that we support will be designed and monitored to ensure that women and girls benefit. Women are both often the poorest members of communities, and the best organisers. Participation of women in public life is therefore integral to our approach.

Ethiopia

Mr. Laurence Robertson: To ask the Secretary of State for International Development what recent discussions she has had with EU Ministers about EU aid to Ethiopia; and if she will make a statement. [17721]

Clare Short: We play a full part in discussing EU aid to Ethiopia both at the Development Council and in meetings with the Commission. Officials from my Department visited Brussels earlier this week to discuss the new EU Country Strategy Paper for Ethiopia. Current EU assistance concentrates on food security, human development, roads and democratisation/institution building.

Illiteracy

Chris McCafferty: To ask the Secretary of State for International Development (1) if she will list her Department's aid contribution specifically aimed at reducing illiteracy in *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and the projected contributions in *(f)* 2002, *(g)* 2003 and *(h)* 2004 *(i)* in total and (ii) as a proportion of gross national product; [16641]

(2) if she will list her Department's aid contributions that incorporate illiteracy reduction in *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and the projected contributions in *(f)* 2002, *(g)* 2003 and *(h)* 2004 *(i)* in total and (ii) as a proportion of GNP. [16642]

Clare Short: Literacy statistics are notoriously misleading, particularly when they are disaggregated from the overall sector in which they are embedded. Figures cannot be provided in the form requested.

DFID's major focus for tackling illiteracy is helping developing countries achieve the Millennium Development Goal of universal primary education for all by 2015. Increasing access to good quality primary education and ensuring that children are literate when they leave school is essential for development and poverty reduction. Since 1997 the Government have committed over £600 million to support sustainable education systems in developing countries able to provide high quality primary education for all children. We will do more. We will also give increasing attention to helping developing countries tackle adult illiteracy and poverty reduction. All this will require a broad-based, multi-sectoral approach, aimed at enhancing national capacity to plan and implement effective national poverty reduction programmes.

World Trade Rules

Llew Smith: To ask the Secretary of State for International Development what assessment she has made of the proposals put forward by non-governmental organisations in the development and environmental sectors to reform the world trade rules. [15733]

Clare Short: Prior to the 4th Ministerial Conference of the World Trade Organisation (WTO), we undertook extensive consultation with non-governmental organisations (NGOs). We intend to continue this dialogue.

Hurricane Michelle

Dr. Tonge: To ask the Secretary of State for International Development what assistance her Department has offered to the Caribbean countries hit by Hurricane Michelle. [14737]

Clare Short: We have been following closely the impact of Hurricane Michelle. Following an appeal for international assistance from the Government of Honduras, we have approved three proposals from NGO's (Tearfund, Save the Children Fund and Care International UK) amounting to £372,010. The Government of Cuba have not made an official request for international assistance. However, a joint Government of Cuba and United Nations interagency assessment mission to the affected areas is expected to report their findings shortly.

We await that report. In the meantime we stand ready to assess any appeals for assistance from international organisations or project proposals from NGOs for Cuba.

Doha Conference

Tony Worthington: To ask the Secretary of State for International Development what discussion there was in Doha about the impact of the patent system on health systems in developing countries; and which proposals for reform she supported. [16063]

Clare Short: The Doha Ministerial discussed the relationship between the Trade-related Aspects of Intellectual Property Rights agreement (TRIPS) and public health; the freedom to determine the grounds upon which compulsory licences for patented drugs can be granted; the right to determine what constitutes a national emergency; the freedom to establish a regime for the exhaustion of intellectual property rights; and how countries with insufficient or no pharmaceutical manufacturing capacity can make effective use of the compulsory licensing provisions.

I welcome and fully support the proposals in the Doha Ministerial Declaration on TRIPS and Public Health and the World Trade Organisation's (WTO's) effort to ensure the TRIPS Agreement can and should be interpreted and implemented in a manner supportive of public health. I also supported the move to allow Least Developed Countries until 2016 to implement TRIPS provisions with regard to pharmaceuticals.

Furthermore, the Government are committed to working to help the TRIPS Council find a meaningful solution to help countries with insufficient or no manufacturing capacities in the pharmaceutical sector make effective use of compulsory licensing by the end of 2002, as agreed in the declaration.

Tony Worthington: To ask the Secretary of State for International Development if she will make a statement on the outcome of the WTO conference in Doha with respect to developing countries. [16068]

Clare Short: The Ministerial Declaration from the WTO meeting in Doha made strong commitments to the interests of developing countries. The Ministerial resulted in agreement on the need to reduce subsidies and barriers to trade in agriculture, manufacturing and services, which could potentially produce enormous benefits for developing countries. The agreement on TRIPS recognised the need for a flexible interpretation of TRIPS to enable developing countries to protect public health. The challenge now is to ensure that these commitments become a reality.

Generic Drugs

Tony Worthington: To ask the Secretary of State for International Development what plans she has to encourage increased access of developing countries to generic drugs. [16064]

Clare Short: Poor people need better access to medicines at affordable prices. We are committed to working with industry and the international community to bring this about.

In many cases, increased access to generic drugs will be the most appropriate way to improve health outcomes. 90 per cent. of the drugs on the World Health Organisation's Essential Drug List are generics. Most tried and tested drugs for TB and malaria, for example, do not have patent protection and can be generically produced. We will continue to work for and encourage increased access to such medicines.

In other cases, essential medicines are covered by patent protection. Such protection is necessary in order to create incentives for research and development into future treatments. We fully support the Doha Ministerial declaration on Trade-related Aspects of Intellectual Property Rights (TRIPS) and public health and the World Trade Organisation (WTO)'s efforts to ensure the TRIPS agreement can and should be interpreted and implemented in a manner supportive of WTO members' rights to protect public health.

A key aim of the Global Fund to fight AIDS, TB and malaria—to which the UK has pledged US$200 million—will be to finance increased coverage of both patented and off-patent generic drugs and medicines.

EDUCATION AND SKILLS

Individual Learning Accounts

Mr. Miller: To ask the Secretary of State for Education and Skills if she will make a statement on the future of individual learning accounts. [18829]

Estelle Morris: On Friday 23 November the Department for Education and Skills called in police to investigate new allegations of fraud and theft involving individual learning accounts. Officers from the Department's Special Investigations Unit had discovered irregularities on Thursday after being contacted by an ILA provider. On Friday afternoon, the ILA programme was shut down immediately, two weeks earlier than the planned suspension from December 7, as set out in the answer I gave to my hon. Friend the Member for Nottingham, North (Mr. Allen), on 25 October 2001.

I do recognise the impact this decision will have on learners and learning providers and I am taking steps to keep them informed about developments.

Mr. Djanogly: To ask the Secretary of State for Education and Skills when her Department was first notified of possible fraud related to individual learning accounts. [17484]

John Healey: The first individual learning account provider to have been suspended because of complaints about alleged fraud was on 25 June 2001. The Department, on 11 June 2001, received the first letter in relation to this particular case. From July of this year the Department received an increasing number of similar complaints from individuals and local trading standards officers.

Pupil Exclusions

Dr. Kumar: To ask the Secretary of State for Education and Skills how many pupils have been excluded by *(a)* constituency and *(b)* local education authority in each year since 1991. [16966]

Mr. Ivan Lewis *[holding answer 22 November 2001]:* The available information on permanent exclusions by local education authority area has been placed in the House of Commons Library.

Information on permanent exclusions at Parliamentary Constituency level could be provided only at disproportionate cost.

The latest permanent exclusions data were published in a Statistical Bulletin "Permanent Exclusions from Maintained Schools, England 1999/2000" on 16 November, copies of which are available from the Library, or alternatively can be accessed from the Department for Education and Skills statistical website www.dfes.gsi.gov.uk/statistics

Departmental Staff

Annabelle Ewing: To ask the Secretary of State for Education and Skills if she will estimate the number of staff employed by her Department by region and nation of the UK; and if she will make a statement. [6858]

Mr. Ivan Lewis: I refer the hon. Member to the reply given by my hon. Friend the Parliamentary Secretary, Cabinet Office on 15 October 2001, *Official Report,* columns 1009–12W.

Higher Education

Mr. McNamara: To ask the Secretary of State for Education and Skills how much funding was given to the higher education sector in each year since 1990 *(a)* in total and *(b)* per student; and what the forecasted yearly expenditure is for the next three years. [9592]

Margaret Hodge: The available data for England are shown in the following tables. Universities also receive public funding from the research grants, the national health service and other Government Departments.

Publicly planned funding for higher education institutions in England

£ million[1] (Cash)

			Actual		
	1991–92	*1992–93*	*1993–94*	*1994–95*	*1995–96*
HE recurrent grant and contribution to fees £ million	3,679	3,976	4,291	4,559	4,696
Other funding not included above					
Capital[1]	337	319	319	322	350
Access funds and bursaries	23	23	24	27	28
Grants, loans[2], student support (inc. admin)[3]	2,036	2,615	2,907	2,688	2,417
Funding per FTE student[4]	5,300	5,060	4,900	4,830	4,750

£ million[1] (Cash)

			Estimated		
	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*
HE recurrent grant and contribution to fees £ million	4,605	4,664	4,810	5,003	5,172
Other funding not included above					
Capital[1]	243	0	0	0	150
Access funds and bursaries	22	22	39	82	87
Grants, loans[2], student support (inc. admin)[3]	2,382	2,395	2,344	1,762	1,614
Funding per FTE student[4]	4,580	4,580	4,700	4,810	4,860

£ million[1] (Cash)

		Planned	
	2001–02	*2002–03*	*2003–04*
HE recurrent grant and contribution to fees £ million	5,455	5,664	5,900
Other funding not included above			
Capital[1]	256	308	364
Access funds and bursaries	96	97	101
Grants, loans[2], student support (inc. admin)[3]	1,571	1,609	1,655
Funding per FTE student[4]	5,020	5,140	5,290

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[1] Unit funding is based on HEFCE/TTA recurrent grant and plus tuition fees, divided by the number of full time equivalent students. It excludes capital, funding for widening access and all student support.

[2] This includes capital to 1997 which was included in the unit funding calculation, and earmarked capital from 1999–2000 which is excluded from the unit cost calculation. It includes funding via HEFCE for research infrastructure, but excludes the funding for research amounting to around over £1 billion from JIF/SRIF.

[3] Resource costs of student loans including hardship loans.

[4] Also includes British Academy and DFES HE Innovations Fund. Outturn figures drop after 1997–98 due to the change from the "old" grant based system of student support to the current loan based system.

[5] Figures are rounded to nearest £10.

Alistair Burt: To ask the Secretary of State for Education and Skills how she defines higher education for the purposes of the Government's target for 18 to 30-year-olds experiencing higher education by the end of this decade. [14542]

Margaret Hodge *[holding answer 13 November 2001]:* This is the first time any Government have set a long-term participation target in Higher Education, so we are currently examining the data to ensure we provide a proper and appropriate base from which to consider progress. We shall shortly announce the results.

Private Sector Sponsorship

Dr. Kumar: To ask the Secretary of State for Education and Skills how much money was raised from private sector sponsorship for higher education in *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000 and *(e)* 2001; and if she will make a statement. [16047]

Margaret Hodge: Data on funding for higher education institutes can be found in the Higher Education Statistics Agency publication "Resources for higher education institutions", copies of which are in the Library of the House. Data for 2000 and 2001 are not yet available.

Learning and Skills Councils

Mr. Chaytor: To ask the Secretary of State for Education and Skills if she will list the total cost of administration in each of the local learning and skills councils in the current financial year. [13335]

Margaret Hodge *[holding answer 19 November 2001]:* The Learning and Skills Council (LSC) has been allocated £188 million for administration, of which £144 million has been allocated to local LSCs. The LSC has taken on a range of functions previously carried out by a number of bodies, including the Further Education Funding Council (FEFC), 72 Training and Enterprise Councils (TECs), the Department for Education and Employment (DfEE), Government Offices, and the National Advisory Council on Education and Training Targets (NACETT), as well as new work. For the latest year for which we have robust estimates available (1999–2000), our assessment is that the total spent on administration by the predecessor bodies, in relation to the relevant functions, was between £270 and £280 million.

Allocations to each local LSC are detailed in the table.

(£)

Councils	*Administration budget*
East Midlands Region	
Derbyshire	2,364,907
Nottinghamshire	2,857,567
Lincolnshire and Rutland	1,960,869
Leicestershire	2,687,889
Northamptonshire	1,798,677
	11,669,909
East of England Region	
Norfolk	2,289,251
Cambridgeshire	2,374,829
Suffolk	1,956,078
Bedfordshire and Luton	2,002,038
Hertfordshire	3,199,652
Essex	3,818,435
	15,640,283
London Region	
London North	3,197,616
London West	4,144,284
London Central	5,065,507
London East	4,529,016
London South	3,234,975
	20,171,398
North East Region	
Northumberland	1,649,535
Tyne and Wear	3,613,353
County Durham	1,854,441
Tees Valley	3,052,601
	10,169,930
North West Region	
Cumbria	1,930,697
Lancashire	3,473,852
Greater Merseyside	4,292,626
Greater Manchester	6,466,411
Cheshire and Warrington	2,299,560
	18,463,146
South East Region	
Milton Keynes/Ox/Bucks	3,497,027
Berkshire	2,927,177
Hampshire and Isle Wight	3,943,767
Surrey	3,035,428
Sussex	3,526,473
Kent and Medway	3,734,717
	20,664,589
South West Region	
Devon and Cornwall	3,968,523
Somerset	1,878,668
Bournemouth, Dorset and Poole	2,512,867
West of England	3,284,672
Wiltshire	2,156,514
Gloucestershire	2,323,839
	16,125,083
West Midlands	
Shropshire	1,586,601
Staffordshire	2,923,306
Black Country	3,032,076
Birmingham and Solihull	3,724,565
Herefordshire and Worcestershire	2,597,473
Coventry and Warwickshire	2,857,520
	16,721,541
Yorkshire and Humberside	
North Yorkshire	2,234,811
West Yorkshire	5,405,563
South Yorkshire	3,779,421
Humberside	2,851,754
	14,271,549
Allocated to local councils	143,897,428
National Employers Contracting Service	763,685

Standards Fund

Mr. Chaytor: To ask the Secretary of State for Education and Skills if she will list *(a)* the total budget for the Learning and Skills Council's Standards Fund, *(b)* the total number of funding streams within the Standards Fund and the budget for each; and, within each funding stream what is (i) the total number of projects supported to date within the following ranges (A) up to £25,000, (B) £25,000 to £50,000 (C) £50,000 to £100,000 and (D) over £100,000. [14245]

Margaret Hodge *[holding answer 21 November 2001]:* The total budget for the Learning and Skills Council's Standards Fund this year is £160 million. The total number of funding streams, and the budget for each stream are shown in the table, along with the total number of projects supported to date within the ranges specified.

		Projects supported to date			
Funding streams	*Indicative total funding (£ million)*	*Up to £25,000*	*£25,000 to £50,000*	*£50,000 to £100,000*	*Over £100,000*
Provider Improvement	51.4	487	107	56	8
Professional Development	79.9	224	10	9	21
College Governance	1.0	0	0	0	1
Centres of Vocational Excellence	10.0	0	0	0	4
Dissemination of Good Practice	10.1	9	7	9	13
National Initiatives	7.6	118	27	25	0

From next year, there will be a single, unified Standards Fund for post-16 learning with no individual ring-fenced funding streams within it.

Pregnant Teenagers

Dr. Kumar: To ask the Secretary of State for Education and Skills what specialist support is available to young women who are *(a)* pregnant, *(b)* have children and *(c)* have other caring responsibilities to enable them to continue their education (i) in England, (ii) in the Teeside region and (iii) in Middlesbrough, South and Cleveland, East constituency. [16263]

Mr. Ivan Lewis: One of the main objectives of the Government's Teenage Pregnancy strategy, being implemented and co-ordinated by the Teenage Pregnancy Unit, is to increase the numbers of teenage parents participating in education, training or employment. Support includes:

Sure Start Plus advisers providing personal support and advice to pregnant teenagers and teenage parents under 18. The Teeside pilot programme began in October 2001 and will run for three years in Middlesbrough, Redcar and Cleveland, Stockton on Tees and Hartlepool, with an annual grant of £200,000. It is one of 20 such pilot programmes that will be fully evaluated before national roll out is considered.

Teenage Pregnancy Reintegration Officers, currently available in Middlesbrough and in April 2002, in Redcar and Cleveland and Stockton-on-Tees. They are funded through the Standards Fund Teenage Pregnancy Grant and will help young women back into school after giving birth.

Furthermore, the Connexions Service being rolled out across England will give all 13 to 19-year-olds access to a Personal Adviser to help co-ordinate this specialist support. Where they exist, Sure Start Plus advisers will usually act as Connexions Personal Advisers to avoid duplication of effort.

Details of whereabouts this support is/will be available across England are set out in the table.

In addition, 193 Sure Start programmes are currently operating across England, of which eight are based in Teeside, providing valuable support to parents and their young children. By March 2004, 500 Sure Start programmes will be up and running. There are also some 17 projects across Teeside, many of which cross constituency boundaries, funded by the Single Regeneration Budget (in excess of £4 million) helping young women to continue in education. DfES is also funding a pilot childminding project in four areas of England (Blackpool, North East Lincolnshire, Greenwich and Barking and Dagenham), specifically aimed to get teenage parents back into education, training or work.

The Government published the National Strategy for carers in 1999. An extra £325 million over five years is helping local authorities to provide a wide range of services to help carers, including young carers. Guidance was also issued to schools in supporting young carers. There are over 100 local projects operating across the country and links to these and support for young carers can be accessed through the Connexions Service, Learning Mentors and Education Welfare Officers.

	Areas covered at present	*Future areas*
Sure Start Plus Pilots	Teeside, Tyne and Wear, south east London, south Yorkshire coalfields, Manchester and Salford, Liverpool and St. Helens, east London, Bradford, Sheffield, Sandwell, Nottingham City, Kingston upon Hull, Wakefield, Walsall, Leicester, Stoke-on-Trent, Wolverhampton, Plymouth, Rochdale	None planned
Teenage Pregnancy Reintegration Officers (coverage by LEA)	Barking and Dagenham, Barnsley, Birmingham, Blackpool, Bradford, Camden, Coventry, Cumbria, Doncaster, Durham, east Sussex, Greenwich, Hackney, Hammersmith and Fulham, Haringey, Hartlepool, Islington, Kensington and Chelsea, Kingston upon Hull, Knowsley, Lambeth, Lancashire, Leeds, Lewisham, Lincolnshire, Liverpool, Manchester, Middlesbrough, north east Lincolnshire, Newcastle upon Tyne, Newham, Northamptonshire, Northumberland, Nottingham, Rotherham, Salford, Sandwell, Sheffield, South Tyneside, Southwark, Stoke-on-Trent, Sunderland, Telford and Wrekin, Tower Hamlets, Walsall, Waltham Forest, Wandsworth, Westminster	To be reviewed

	Areas covered at present	*Future areas*
Connexions (Partnership areas)	Cornwall and Devon, Coventry and Warwickshire, Lincolnshire and Rutland, London north, London south, Cumbria, west of England, Black Country, Milton Keynes and Oxfordshire and Buckinghamshire, Shropshire and Telford and the Wrekin, Cheshire and Warrington, south Yorkshire, Humber, Suffolk, Merseyside	19 more areas submitting plans for April 2002 start, remaining 13 (including Tees Valley) by 2003.

Correspondence

Mr. Swayne: To ask the Secretary of State for Education and Skills when she will reply to the letter of 11 October on bullying from Reverend Alan Burgess of New Milton. [16412]

Mr. Ivan Lewis: A reply has been issued today.

Gender Stereotyping

Dr. Kumar: To ask the Secretary of State for Education and Skills what measures she is taking to eliminate gender stereotyping throughout the curriculum; and if she will make a statement. [16862]

Mr. Ivan Lewis: We have repeatedly confirmed our commitment to ensuring that all pupils, regardless of their background or gender, have an equal opportunity to achieve. The national curriculum provides an entitlement to a broad and balanced education for all pupils. Since the last national curriculum review it contains, for the first time, a statutory inclusion statement which sets out the steps which teachers should take to overcome potential barriers to learning for boys or girls.

The inclusion statement contains recommendations that teachers should create a climate where stereotypical views are challenged and pupils learn to view positively differences arising from race, gender, ability or disability. In order to respond to pupils' diverse learning needs teachers should ensure that boys and girls are able to take part in lessons fully and effectively. For example, they can take account of the interests and concerns of boys and girls by using a range of activities and contexts for work, allowing a variety of interpretations and outcomes and avoiding gender stereotyping in assigning pupils to activities or arranging access to equipment.

Substance Abuse (Education)

Dr. Kumar: To ask the Secretary of State for Education and Skills what guidance has been issued to schools on the best way of informing students of the problems of tobacco, drug and alcohol addictions; and if she will make a statement. [16872]

Mr. Ivan Lewis *[holding answer 22 November 2001]:* DfES guidance Circular number 4/95 sets out the statutory position on drug education in schools and was supplemented by the guidance "Protecting Young People" (1998) which gives detailed advice on how to deliver drug education effectively.

To further support schools, in partnership with the Department of Health, the DfES commissioned DrugScope (formerly the Standing Conference On Drug Abuse) to produce three further guidance documents for schools, "The Right Approach", "The Right Response", and "The Right Choice".

On 16 October we also announced details of a £1 million drug, alcohol and tobacco education training package for teachers that we will deliver as part of the drug strategy to achieve the target to halve the number of young people using illegal drugs by 2010. Guidance to support this package is available on the DfES website at www.dfes.gov.uk/lea/guidance/drugs alcohol tobacco.

Bullying

Dr. Kumar: To ask the Secretary of State for Education and Skills what measures she is taking to tackle bullying in schools; and if she will make a statement. [16873]

Mr. Ivan Lewis *[holding answer 22 November 2001]:* From September 1999 head teachers of maintained schools have been placed under a duty to draw up measures to prevent all forms of bullying among pupils, including racist or homophobic bullying. Bullying is a serious problem for those who experience it and schools should take all complaints seriously.

Last December we launched a new anti-bullying strategy, including a new pack for schools entitled "Bullying: don't suffer in silence" with an accompanying video aimed at pupils. Schools can order one free copy of the pack from DfES publications. There is also a new anti-bullying website at www.dfes.gov.uk/bullying. The Department is also co-funding the Parentline Plus free helpline for parents whose children are being bullied and we have produced a public information film to raise awareness of bullying. In addition Baroness Ashton has recently provided a short foreword to "Safe for All: a best practice guide to prevent homophobic bullying in secondary schools" published by Stonewall.

We have made it clear that heads can permanently exclude pupils responsible for persistent or violent bullying. However, the key message of our strategy is that victims should be able to report bullying to someone they trust and not suffer in silence.

Mr. Woodward: To ask the Secretary of State for Education and Skills what plans she has to review the implementation of anti-bullying policies. [16977]

Mr. Ivan Lewis: Anti-bullying policies became compulsory in schools in September 1999. Each school's policy should be reviewed by the head teacher on a regular basis in consultation with the rest of the school community. Whenever my officials investigate alleged bullying with a school they verify that the school has an anti-bullying policy and that this has been followed closely in the case in question.

The Framework for Inspection for the Office for Standards in Education requires inspectors to obtain the views of pupils, parents and teachers on the incidence of bullying in a school and the school's response. This includes assessment of the anti-bullying policy. We meet Ofsted regularly and discipline issues are part of our continuing discussions with them.

Mr. Woodward: To ask the Secretary of State for Education and Skills what the Government policy is on bullying in *(a)* primary and *(b)* secondary schools. [16978]

Mr. Ivan Lewis: All maintained schools in England, including primary and secondary schools, are required by law to have an anti-bullying policy. Schools should treat bullying seriously and take steps to combat it promptly and firmly whenever and wherever it occurs.

In December 2000 we launched a new anti-bullying strategy, which includes a new pack for schools entitled 'Bullying: don't suffer in silence' with an accompanying video aimed at pupils. The pack describes strategies for use in primary and secondary schools and it can be ordered from DfES Publications on 0845 602 2260. The cost is £15 although schools can order one free copy each. We have encouraged as many schools as possible to order the pack; so far about 5,000 have done so. We also have a new anti-bullying website at: www.dfes.gov.uk/bullying. The key message of our strategy is that pupils should report bullying to someone they trust and not suffer in silence.

Sure Start Birkenhead

Mr. Frank Field: To ask the Secretary of State for Education and Skills, pursuant to her answer of 16 November 2001, *Official Report*, column 927W, what the original allocation for 2000–01 was for Birkenhead. [17338]

Jacqui Smith *[holding answer 23 November 2001]:* In the 2000–01 financial year, Sure Start Birkenhead was allocated £394,500 as revenue and £266,500 as capital.

South Tyneside

Mr. Hepburn: To ask the Secretary of State for Education and Skills what percentage of children in south Tyneside remained in education after the completion of their GCSEs in the last year for which figures are available. [17402]

Mr. Ivan Lewis: The percentage of 16-year-olds in full-time education in south Tyneside local education authority was 53 per cent. in 1998–99, the latest year for which figures are available. A further 7 per cent. entered part-time education.

Participation rates by LEA for 16 and 17-year-olds are published in an annual statistical bulletin, "Participation in Education and Training by Young People Aged 16 and 17 in Each Local Area and Region, England".

Performance-related Pay

Mr. Drew: To ask the Secretary of State for Education and Skills if she will make a statement on the operation of performance-related pay for assistant head teachers, with particular reference to the subsidies granted by local education authorities in the current year. [17809]

Mr. Timms: Schools were able to appoint assistant heads posts from September 2000. Like other members of the leadership group, schools may award assistant heads additional pay points for sustained high performance. A new special grant will help schools meet the cost of performance points awarded to any teacher or leadership group member, including points awarded this school year. The grant will be worth £250 million over the next two financial years. This is in addition to continuing real terms increases in general school funding.

Mr. Drew: To ask the Secretary of State for Education and Skills if she will make a statement on the differences in the operation of performance-related pay for *(a)* heads, *(b)* deputy heads, *(c)* assistant heads and *(d)* advanced skills teachers, with specific reference to the execution of the pay spine in each case. [17823]

Mr. Timms: Members of all four groups are paid on individual pay ranges set by governing bodies. These ranges are positioned on the leadership group pay spine in the case of head teachers, deputies and assistant heads; and on the Advanced Skills Teacher (AST) pay spine in the case of ASTs. In annual pay reviews, governing bodies may award a point on the relevant pay range to members of all four groups for sustained high quality of performance taking account of performance objectives.

University Staff

Mr. Rendel: To ask the Secretary of State for Education and Skills, pursuant to her answer of 22 October 2001, *Official Report*, column 44W, on university staff, how many of the academic staff reported to have left *(a)* University of Oxford and *(b)* University of Sussex were re-engaged by their universities after 31 March (i) for the academic year until 30 September and (ii) for a longer period. [18248]

Margaret Hodge: This information is not available.

Student Finances

Chris Grayling: To ask the Secretary of State for Education and Skills what was the average (1) loan taken out by students over the lifetime of their higher education in the last three years; [16177]

(2) what the average gross repayment of student loans is over the lifetime of the loan, including interest costs. [16172]

Margaret Hodge: Information as requested is not collected centrally.

Information on student loan accounts is held by the Student Loans Company, and relates to debt owed to the state or to the private sector following the two Government debt sales.

The average debt of a borrower with a mortgage style student loan entering repayment at the start of financial years 1997–98, 1998–99 and 1999–2000, the latest year for which data are available, was £2,170, £2,840 and £3,210 respectively.

The first cohort of students on a three-year course who entered higher education under the new student support arrangements is due to start repayment in April 2002. The average income contingent loan account for borrowers entering repayment in that year is estimated to be some £6,200. These borrowers include those who have completed three years of study from the 1998–99 academic year as well as those from later cohorts on shorter courses or who have left higher education early.

Student loans are subsidised by the Government so that in real terms students repay exactly what they borrow. The real interest rate is 0 per cent. This means that in cash terms students are charged interest annually at the rate of inflation on the remaining balance of their loan.

Information on private sector debt such as overdrafts and other commercial loans is not available centrally.

Tuition Fees

Chris Grayling: To ask the Secretary of State for Education and Skills how much money was raised from tuition fees in England and Wales in the last 12 months. [16187]

Margaret Hodge: The estimated income to higher education institutions in England and Wales from tuition fees governed by the student support regulations, the mandatory award regulations and for those post-graduate students funded by the research councils is shown in table 1 and table 2. The data is only produced on a financial year basis.

Table 1: Estimated tuition fee income to English institutions

£ million

	Financial year	
	2000–01	*2001–02*
Public contributions to fees	517.0	498.2
Student contributions to fees[1]	302.5	350.1
Total	819.5	848.3

[1] The student contributions are net of an estimated 5 per cent. cost for collection and any default.

Table 2: Estimated tuition fee income to Welsh institutions

£ million

	Financial year	
	2000–01	*2001–02*
Public contributions to fees	34.6	33.5
Student contributions to fees[1]	21.3	25.0
Total	55.9	58.5

[1] The student contributions are net of an estimated 5 per cent. cost for collection and any default.

University of Buckingham

Mr. Bercow: To ask the Secretary of State for Education and Skills what plans she has to visit the University of Buckingham. [16902]

Margaret Hodge: None.

School Place Shortages

Mr. Swire: To ask the Secretary of State for Education and Skills what assessment she has made of the shortage of school places *(a)* in England and *(b)* in east Devon. [17267]

Mr. Timms: My Department does not collect detailed information on the demand for school places. The Government believe that decisions concerning the supply of school places are best taken locally—by the main partners in the provision of education who have knowledge of local needs. Local education authorities have a duty to ensure that there are sufficient school places in their area. They must publish annually a School Organisation Plan setting out how they plan to deal with any surplus or deficit of places over a five year rolling period.

Where an LEA can demonstrate overall growth in the need for school places it may apply to my Department for capital funding.

Teacher Shortages

Mr. Swire: To ask the Secretary of State for Education and Skills what assessment she has made of the shortage of teachers in *(a)* England and *(b)* east Devon. [17268]

Mr. Timms: The Department collects statistics on teacher vacancies annually. We do not collect data specifically for east Devon but in January this year the vacancy rate in Devon was 1.1 per cent. compared with a rate of 1.3 per cent. in England as a whole.

Sixth Forms

Mr. Swire: To ask the Secretary of State for Education and Skills if she will make a statement on difference in performance at GCSE between state secondary schools *(a)* with and *(b)* without a sixth form in England and east Devon. [17270]

Mr. Ivan Lewis: The proportion of 15-year-olds achieving five or more GCSEs at A* to C in 2001 was:

Percentage

	England	*East Devon*
(a) Schools with sixth forms	52.3	56.7
(b) Schools without sixth forms	42.6	[1]—

[1] There are no schools without sixth forms in east Devon.

TRANSPORT, LOCAL GOVERNMENT AND THE REGIONS

Train Operating Companies (Insurance)

Mr. Flight: To ask the Secretary of State for Transport, Local Government and the Regions how many train operating companies are operating without interruption insurance; and if public funds would be used to fund a captive insurer. [16028]

Mr. Jamieson: The majority of train operating companies currently have no business interruption insurance cover. The Strategic Rail Authority is discussing with the rail industry the option of setting up of a captive insurer. No decision has been made regarding funding.

Railtrack

Miss McIntosh: To ask the Secretary of State for Transport, Local Government and the Regions when his Department prepared the contingency plan relating to Railtrack. [R] [16030]

Mr. Jamieson: I refer the hon. Member to my right hon. Friend the Secretary of State's statement to the House of 5 November 2001, *Official Report*, columns 19–29.

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions on what date he sought legal advice on the price at which it would be necessary to compensate shareholders if Railtrack were re-nationalised. [15501]

Mr. Byers *[holding answer 16 November 2001]:* Such details are exempt from disclosure under section 2 and 4 of Part II of the Code of Practice on Access to Government Information.

Chris Grayling: To ask the Secretary of State for Transport, Local Government and the Regions if he expects Railtrack administration to last no more than six months. [17113]

Mr. Jamieson: I refer the hon. Member to the reply given by my right hon. Friend the Minister for Transport to the right hon. Member for Wokingham (Mr. Redwood) on 22 November 2001, *Official Report*, column 389W.

Chris Grayling: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 16 November 2001, *Official Report*, column 898W, on Railtrack, what advice the agencies gave the Government about *(a)* what would be required and *(b)* the minimum time scale to secure an A/A2 rating. [17210]

Mr. Jamieson: The definitions of particular credit ratings and the criteria required to achieve them are available from the individual credit rating agencies.

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 16 November 2001, *Official Report*, column 899W, on Railtrack, if he will place copies of the correspondence in the Library, as requested. [17225]

Mr. Byers *[holding answer 22 November 2001]:* There was no correspondence.

Mr. Mark Field: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made of the value on 5 October of Railtrack shares held by *(a)* local authorities as part of a general portfolio and *(b)* pension funds on behalf of local authority employees. [17670]

Mr. Jamieson: My Department does not hold this information.

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions when press officers in his Department were first briefed about the possibility that Railtrack would be put into administration. [17795]

Mr. Byers *[holding answer 23 November 2001]:* Details of internal discussions and advice are exempt from disclosure under section 2 of Part II of the Code of Practice on Access to Government Information.

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions what advice he received prior to 5 October on the status of the financial facilities held by Railtrack with the banks following the making of the administration order. [17791]

Mr. Byers *[holding answer 23 November 2001]:* Such details are exempt from disclosure under section 2 of Part II of the Code of Practice on Access to Government Information.

Peter Bradley: To ask the Secretary of State for Transport, Local Government and the Regions how many and what proportion of Railtrack shares were owned by institutional investors *(a)* at privatisation and *(b)* on 1 October for each year following. [18231]

Mr. Jamieson: The proportion of shares in Railtrack Group plc held by institutional investors at flotation on 20 May 1996 and for subsequent years—as detailed in the Annual Report and Accounts—is shown.

	Percentage
20 May 1996	42
24 April 1997	66
5 May 1998	70
30 April 1999	77
5 May 2000	82
1 May 2001	83

Peter Bradley: To ask the Secretary of State for Transport, Local Government and the Regions on how many days following privatisation Railtrack shares were worth *(a)* more and *(b)* less than their opening price; and what the highest and lowest values were of a single Railtrack share between privatisation and 1 October. [18232]

Mr. Jamieson: The closing share price for Railtrack Group plc was above the flotation price of 308p on every day between its flotation on 20 May 1996 and 4 June 2001 and also on 8 June 2001. The share price reached a peak of 1768p on 23 November 1998.

The closing share price for Railtrack Group plc was below the flotation price of 308p on the 5, 6, and 7 of June 2001 and on every day between 9 June 2001 and 1 October 2001. The lowest closing share price was 252p on 20 September 2001.

Highways Legislation

Mr. Dismore: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to legislate for changes in highways legislation, following the judgment in Goodes *v.* East Sussex county council. [16712]

Mr. Jamieson: We are continuing to consider the legal position on the winter service provided by Highway Authorities in the light of this judgment. In the meantime we strongly recommend highway authorities in England to implement winter service provisions on their roads in accordance with the Code of Practice for Maintenance "Delivering Best Practice in Highway Maintenance" published on Tuesday 10 July 2001.

Station (Wootten Bassett)

Mr. Gray: To ask the Secretary of State for Transport, Local Government and the Regions what consideration he has given to a new station at Wootten Bassett; and if Railtrack's receivership will delay its development. [17162]

Mr. Jamieson: The proposal for a new station at Wootten Bassett has been given initial consideration by the Strategic Rail Authority and is a matter for them to consider further upon receipt of further proposals. This would be unaffected by the High Court's decision to put Railtrack into administration.

Central Railway

Chris Grayling: To ask the Secretary of State for Transport, Local Government and the Regions when he will announce his decision on Central Railway's application for a hybrid Bill. [17116]

Mr. Jamieson: I refer the hon. Member to the answer I gave to him on 25 October 2001, *Official Report*, column 383W.

Renewco

Chris Grayling: To ask the Secretary of State for Transport, Local Government and the Regions (1) if he will list correspondence between his Department and the SRA concerning Renewco *(a)* since 5 October and *(b)* between 1 April and 5 October; [17138]

(2) what representations his Department made to the Strategic Rail Authority concerning the timing of the payment of money to Railtrack as part of the Renewco agreement; [17112]

(3) if he will list the meetings between his Department and the Strategic Rail Authority at which Renewco was on the agenda *(a)* between 1 April and 5 October and *(b)* since 5 October. [17137]

Mr. Jamieson: Details of commercially sensitive communications between Government agencies and their sponsor Departments are exempt from disclosure under section 2 of Part II of the Code of Practice on Access to Government Information.

Local Councillors

Mr. Vaz: To ask the Secretary of State for Transport, Local Government and the Regions how many local councillors there are; and what their political affiliation is. [17198]

Dr. Whitehead: This information is not held centrally.

Leylandii

Mr. Bercow: To ask the Secretary of State for Transport, Local Government and the Regions how many letters he has received in 2001 concerning leylandii from residents of the Buckingham constituency. [16899]

Ms Keeble: The information is not recorded in the format requested, but my Department has received a total of over 400 letters and e-mails about leylandii since 1 January.

Public Service Agreements

Mr. Bercow: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on progress towards the public service agreement target for increasing public participation and confidence in the democratic process. [16926]

Dr. Whitehead: The Home Office published the following PSA target in 1998.

> "Modernise the constitution and increase public participation in the democratic process"

I understand that this target related to the publication of the Representation of the People Bill and was met by its enactment in March 2000. There have been no subsequent PSA targets in similar terms.

Mr. Bercow: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on progress towards the public service agreement target for improving fire service efficiency. [16918]

Dr. Whitehead: Fire authorities in England and Wales, including single purpose authorities, are subject to the duty to secure continuous improvement in efficiency under best value. This is underpinned by a process of target-setting against key national performance indicators, such as the incidence of accidental fire-related death and injury in the home. For certain functions where collaboration is considered to offer the most potential scope for improved efficiency, fire authorities have been required to conduct best value reviews to a common timetable.

Regulatory Impact Assessment Costs

Mrs. Browning: To ask the Secretary of State for Transport, Local Government and the Regions what the gross costs were of the regulatory impact assessment for *(a)* the Motor Vehicles (Driving Licences) (Amendment) Regulations 2001, *(b)* the Merchant Shipping (Mandatory Surveys for Ro-Ro Ferry and High Speed Passenger Craft) Regulations 2001, *(c)* the Goods Vehicle (Authorisation of International Journeys) (Fees) (Amendment) Regulations 2001 and *(d)* the Road Vehicle (Display of Registration Marks) Regulations 2001. [17690]

Mr. Jamieson: These costs are shown in the published regulatory impact assessments which are in the House Libraries.

Index of Multiple Deprivation

Ms Buck: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the *(a)* programmes and *(b)* funding streams to which the Index of Multiple Deprivation applies (i) wholly and (ii) in part; and if he will make a statement. [17773]

Ms Keeble: The following table sets out Department for Transport, Local Government and the Regions programmes and funding streams to which the Index of Multiple Deprivation (IMD 2000) applies, either wholly or in part.

£ million

Programme	*2001–01*	*2001–02*	*2002–03*
Neighbourhood Renewal Fund	200	300	400
Neighbourhood Management		[1]45	
Land and Property Programme	—	[2]370	—

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[1] Funding for this programme runs from 1999 through to 2003.

[2] Along with the Single Regeneration Budget, this programme will be subsumed into 'single pot' for Regional Development Agencies from April 2002. The Department for Trade and Industry will have effective responsibility for all grant in aid to RDAs from November 2001.

'The Neighbourhood Renewal Fund' is distributed to authorities which figure in the 50 most deprived authorities against the six individual district level measures in the Indices of Deprivation 2000. This produces a list of 81 authorities, to which were added seven authorities that were not included in this list but were included among the 50 most deprived areas on any of the four measures under the Index of Local Deprivation 1998. The allocations are based on a standard amount per head of population living in the 10 per cent. most deprived wards nationally.

'The Neighbourhood Management Pathfinder Programme' is targeted on areas selected from among authorities which include more than one ward in the worst 10 per cent. as measured by the Indices of Deprivation 2000, but excluding any local authority where there is a New Deal for Communities Partnership.

'The Land and Property Programme' includes an element of the Indices of Deprivation 2000 for the period 2001–02 only. 80 per cent. of the budget was allocated on a criteria basis involving the use of seven indicators, one of which was based on the Indices of Deprivation 2000—a 'deprived wards' indicator which captured the number of people living in the most deprived local authority districts. The indices element therefore represents only a small aspect of the allocation methodology. The Index of Deprivation 2000 will not be used in future years due to the commitment of the new single pot for Regional Development Agencies from April 2002.

'Allocation of Housing Capital Resources' to local authorities (Generalised Needs Index and Registered Social Landlords (Housing Needs Index)) is based on needs indices that include an element of targeting of resources to deprived areas. The targeting for 2002–03 will be based on the ID 2000; targeting had previously been based on the largely 1991 Census-based Index of Local Conditions.

The way in which the indices are constructed and used means that the targeting does not allocate a specific amount of the available resources. The targeting currently accounts for 30 per cent. of the Generalised Needs Index and 15 per cent. within the Housing Needs Index (before adjustment for regional cost variations. For this reason we have not included these programmes in the table.

Ms Buck: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to review the methodology underpinning the Index of Multiple Deprivation with specific reference to *(a)* incorporation of a crime domain, *(b)* incorporation of a physical environment domain and *(c)* the impact of the access domain; and if he will make a statement. [17774]

Ms Keeble: At the time of the publication of the Indices of Deprivation, in July 2000, we acknowledged that they should be revised when further substantial small area data streams become available and could be incorporated into the indices. My Department is intending to commission a project shortly to explore what new data have come on stream since the review that led to the Indices of Deprivation 2000. This will pay particular attention to the development of measures on crime and the physical environment.

Bus Passengers (Nottingham)

Vernon Coaker: To ask the Secretary of State for Transport, Local Government and the Regions what discussions he has had with Nottingham City Transport on bus passenger numbers following the reorganisation of their bus services; and if he will make a statement. [17387]

Ms Keeble: I have had no discussions with Nottingham City Transport about bus passenger numbers since reorganisation of their bus services on 30 September. However, I would expect the city council to continue to monitor the use of public transport in the city as part of the annual reporting process for the Greater Nottingham local transport plan.

Mobile Phone Masts

Mr. Gibb: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to revise the Town and Country Planning (General Permitted Development) Order 1995, Schedule 2, Part 24 so far as the citing of mobile phone masts is concerned. [17411]

Ms Keeble: On 22 August this year we introduced changes that significantly improved the planning procedures and guidance for telecommunications mast development. The changes, which included, amendments to the 1995 Order:

strengthened public consultation requirements on mast proposals of 15 metres and below so that they are the same as for planning applications;

increased the time for an authority to deal with prior approval applications to 56 days;

underlined that school governors must be consulted on all proposals for new masts on or near a school or college; and

increased fees to enable authorities to carry out full public consultation.

We have no plans to amend further the planning arrangements for telecommunications development.

Speed Cameras

John Mann: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made of the average reduction in road speed as a result of the introduction of speed cameras. [17442]

Mr. Jamieson: Monitoring of the eight pilot areas has shown that, on average, speed at the camera sites has reduced on average by 5.6mph. On average the percentage of drivers exceeding the speed limit at pilot camera sites reduced from 55 per cent. to 16 per cent.

John Mann: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made of how many police constabularies are in favour of the use of speed cameras. [17444]

Mr. Jamieson: All police forces in the United Kingdom use technology to enforce speed limits. To date, 15 police force areas have been accepted into the new netting-off scheme and a number are preparing their case to join next year. It is envisaged that the scheme will be extended to all areas within two years. ACPO strongly support the netting-off scheme.

John Mann: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made of the reduction in *(a)* fatalities and *(b)* serious accidents as a result of the introduction of speed cameras. [17440]

Mr. Jamieson: The first year report of the netting-off scheme shows that, on average, at camera sites, the number of people killed and seriously injured fell by 47 per cent. compared to the average of the previous three years.

John Mann: To ask the Secretary of State for Transport, Local Government and the Regions how many requests he has received for additional funding for speed cameras since January. [17435]

Mr. Jamieson: Eight further bids have been received to join the netting-off scheme. Of these, seven have been approved.

John Mann: To ask the Secretary of State for Transport, Local Government and the Regions how many speed cameras there are in the United Kingdom. [17441]

Mr. Jamieson: The numbers of speed cameras in police force areas are not held centrally.

Traffic Calming Measures

John Mann: To ask the Secretary of State for Transport, Local Government and the Regions what was the cost of damage to emergency vehicles sustained from cushion-style road humps in the last year for which figures are available. [17438]

Mr. Jamieson: This information is not held centrally.

John Mann: To ask the Secretary of State for Transport, Local Government and the Regions how many 20 miles per hour zones have been adopted in England. [17445]

Mr. Jamieson: This information is not held centrally.

John Mann: To ask the Secretary of State for Transport, Local Government and the Regions what guidance his Department gives on the *(a)* height, *(b)* length and *(c)* width of cushion-style road humps. [17437]

Mr. Jamieson: The Highways (Road Humps) Regulations 1999 states that a road hump should be between 25 and 100mm in height, with no vertical face higher than 6mm and have a minimum width in the direction of traffic not be less than 900mm.

The Department has issued a range of Traffic Advisory Leaflets to all local authorities in England and Wales giving guidance on the installation of road humps. Within the scope offered by the Regulations, it is for highway authorities to decide the most appropriate design and dimension of road hump for each of their roads.

John Mann: To ask the Secretary of State for Transport, Local Government and the Regions what advice he gives on the introduction of traffic calming measures on *(a)* trunk and *(b)* residential roads. [17436]

Mr. Jamieson: Traffic calming has proved to be effective in reducing vehicle speeds and in reducing the number and severity of road accidents

The Department provides highway authorities with guidance and advice on traffic calming, through our Traffic Advisory Leaflet series of publications. We are also preparing a Local Transport Note on the design and effectiveness of traffic calming measures.

The Highways Agency has issued "Trunk Road Traffic Calming Advice" (IAN28/00) to their staff which gives guidance on the use of traffic calming measures on trunk roads. This document is currently being updated to include best practice. It is envisaged that the updated version of the advice will be incorporated into the Highways Agency "Design Manual for Roads and Bridges".

Train Accidents (Farm Animals)

Mr. Gordon Prentice: To ask the Secretary of State for Transport, Local Government and the Regions how many trains hit farm animals straying on to the track in each year since 1997; and if he will make a statement. [17414]

Mr. Jamieson: The number of incidents where trains have struck animals are contained in the Chief Inspector of Railways' Annual Reports on Railway Safety, copies of which are in the House Library.

Airline Group (NATS)

Mr. Gordon Prentice: To ask the Secretary of State for Transport, Local Government and the Regions what approaches he has received from the Airline Group concerning its ability, following 11 September, to invest the projected £50 million profits from its first year operations back into NATS. [17452]

Mr. Jamieson: The Airline Group, in conjunction with NATS, is producing a business plan, for submission to Government by the end of November.

Fuel Prices

Mr. Cox: To ask the Secretary of State for Transport, Local Government and the Regions what recent representations he has received regarding the price of petrol and diesel in England and Wales. [17883]

Mr. Jamieson: This Department receives regular representations on the price of petrol and diesel from a range of bodies and individuals. The current higher price of diesel compared to petrol is the result of increased winter demand for heating oil, which is similar in composition to diesel, as compared to petrol for which demand is generally greater in summer. In Budget 2001 the duties on ultra low sulphur petrol and ultra low sulphur diesel, the two most commonly used road fuels, were reduced to 45.82 pence per litre.

Road Accidents

Ms Drown: To ask the Secretary of State for Transport, Local Government and the Regions how many people have been *(a)* killed and *(b)* injured on the roads as a result of accidents involving (i) bus, (ii) coach and (iii) lorry drivers in each of the last three years to which the figures are available [18067]

Mr. Jamieson: The following table shows the road casualty figures for accidents in Great Britain involving buses and coaches and for accidents involving a heavy goods vehicle (HGV) of over 3.5 tonnes gvw (maximum permissible gross vehicle weight). It is not possible to present separate figures for accidents involving buses and for accidents involving coaches. The figures include driver casualties in the specified vehicle type where these occurred.

	Road users killed in accidents involving		Road users injured in accidents involving	
	a bus or coach	an HGV	a bus or coach	an HGV
1998	152	576	16,081	18,122
1999	145	620	16,567	19,180
2000	149	560	16,412	19,233

Ms Drown: To ask the Secretary of State for Transport, Local Government and the Regions how many road accidents have involved *(a)* coach, and *(b)* bus and *(c)* lorry drivers in each of the last three years for which figures are available. [18091]

Mr. Jamieson: The following table shows the figures for road accidents in Great Britain involving buses and coaches and for accidents involving a heavy goods vehicle (HGV) of over 3.5 tonnes gvw (maximum permissible gross vehicle weight). The statistics relate only to accidents that resulted in personal injury. It is not possible to present separate figures for accidents involving buses and for accidents involving coaches.

These statistics do not indicate whether the driver of the specified vehicle type was the injured party.

	Personal injury accidents involving	
	a bus or coach	an HGV
1998	11,762	14,526
1999	11,888	15,191
2000	11,733	15,194

Passenger Vehicle Safety

Mr. Edwards: To ask the Secretary of State for Transport, Local Government and the Regions what the maximum permitted number of passengers is that can be carried on a scheduled *(a)* 48 seater and *(b)* 53 seater bus if all the passengers are aged under 14 years. [17871]

Mr. Jamieson: Provided that the scheduled bus is not equipped with seat belts and has seats fitted in pairs, under the three for two rule, it would be possible to carry *(a)* in a 48 seat bus, 72 seated passengers under the age of fourteen plus any standees that are permitted and *(b)* in a 53 seater bus, 79 seated passengers under the age of fourteen plus any permissible standees. However, in practice it is likely that the vehicles will be fitted with more than one single seat so the totals in that case would be less.

Mr. Edwards: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the investigations by the Vehicles Inspectorate into breaches of regulations concerning *(a)* scheduled and *(b)* private bus and coach operators in (i) 2000 and (ii) 2001. [17877]

Mr. Jamieson: The Vehicle Inspectorate's data identify the operators of public service vehicles (PSVs), but the records do not differentiate between the operators of scheduled, private bus and coach services. In 1999–2000 investigations carried out by the Vehicle Inspectorate into breaches of the traffic regulations by operators and drivers led to 623 cases being taken to court covering a total of 1,633 offences. In 2000–01 the number of cases was 578, which covered 1,753 offences.

Rural Bus Services

Norman Lamb: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to amend the Competition Act 1998 to facilitate arrangements between bus companies, with particular reference to rural areas. [18176]

Ms Keeble: Naturally, we wish to encourage joint ticketing schemes between operators, aimed at making life easier for bus users in rural areas and elsewhere. This is an important component in delivering the Government's integrated transport policy and achieving our target of increasing bus patronage by 10 per cent. over the period of the 10 year plan.

Any proposal to amend existing competition legislation would be a matter for my right hon. friend the Secretary of State for Trade and Industry. The Director General of Fair Trading has made a block exemption Order exempting, among other things, multi-operator ticketing schemes. I understand that the Director General of Fair Trading intends to consult shortly on a revised guideline on the terms of the block exemption.

Cranford Agreement

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to review the Cranford Agreement. [17794]

Mr. Byers *[holding answer 23 November 2001]:* We recognise there is a case for reviewing the Cranford Agreement. We will do this next year in conjunction with the review of daytime westerly preference announced in the Terminal Five decision letter.

Gatwick Station

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions what plans exist for a special purpose vehicle to be created to undertake works in connection with Gatwick Station; and if he will place the plans in the Library. [17787]

Mr. Byers *[holding answer 23 November 2001]:* It is intended that a Special Purpose Vehicle (SPV) will be formed to carry out works under the new South Central franchise, including track works at Gatwick station. Discussions on the appropriate structure for the SPV are being taken forward by the Strategic Rail Authority and GoVia.

Channel Tunnel Rail Link

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions what plans exist for a special purpose vehicle to be created to undertake works in connection with the Channel Tunnel Rail Link; and if he will place the plans in the Library. [17786]

Mr. Byers *[holding answer 23 November 2001]:* Construction and financing of the Channel Tunnel Rail Link is being undertaken by London and Continental Railways who won a competition to do so in 1996. Those arrangements were restructured in 1998 and arrangements for the construction and finance of Section 2 were concluded in the summer of this year. Construction of Sections 1 and 2 is currently proceeding on time and on budget.

Deprivation (South-West)

Mr. Sanders: To ask the Secretary of State for Transport, Local Government and the Regions if he will publish in rank order the 100 most deprived wards in the Government Office South West region indicating their *(a)* local authority and *(b)* parliamentary constituency. [17865]

Ms Keeble: The information, based on the Index of Multiple Deprivation (IMD) from the Indices of Deprivation 2000, is shown in the table.

100 most deprived wards in the Government office for the south west region

Local authority	*Parliamentary constituency*	*Ward name*	*Ranking on IMD*
Bristol, City of	Bristol East	Lawrence Hill	133
Bristol, City of	Bristol South	Filwood	221
Plymouth	Plymouth Sutton	St. Peter	249
Penwith	St. Ives	Penzance East	336
Bournemouth	Bournemouth East	Boscombe West	415
Bournemouth	Bournemouth West	Wallisdown	441
Exeter	Exeter	Wonford	458
North Somerset	Weston Super Mare	Weston Super Mare South	466
Torridge	Torridge and West Devon	Westward Ho!	509
Gloucester	Gloucester	Barton	518
Kerrier	Falmouth and Camborne	Illogan South	548
North Somerset	Weston Super Mare	Weston Super Mare Ellenborough	618
Bristol, City of	Bristol North West	Southmead	628
Penwith	St. Ives	Penzance West	630
Kerrier	Falmouth and Camborne	Camborne North	646
North Devon	North Devon	Trinity	651
Plymouth	Plymouth Devonport	Ham	660
Plymouth	Plymouth Devonport	Budshead	678
Swindon	North Swindon	Whitworth	682
Kerrier	Falmouth and Camborne	Camborne West	683
North Devon	North Devon	Ilfracombe Central	710
Carrick	Falmouth and Camborne	Penwerris	717
Gloucester	Gloucester	Westgate	718
Bristol, City of	Bristol East	Knowle	733
Bristol, City of	Bristol West	Ashley	756
Kerrier	Falmouth and Camborne	Redruth North	773
Weymouth and Portland	South Dorset	Melcombe Regis	782
Taunton Deane	Taunton	Taunton Halcon	784
Penwith	St. Ives	Hayle-Gwithian	790
Swindon	Swindon South	Park	830
Torbay	Torbay	Tormohun	848
Bristol, City of	Bristol South	Whitchurch Park	921
North Devon	North Devon	St. Mary's	922
Bristol, City of	Bristol South	Bishopsworth	935
Kerrier	Falmouth and Camborne	Camborne South	948
Plymouth	Plymouth Devonport	Honicknowle	953
Plymouth	Plymouth Sutton	Sutton	957
Plymouth	Plymouth Devonport	St. Budeaux	963
Penwith	St. Ives	Marazion	980
Torbay	Torbay	Torwood	990
North Devon	North Devon	Ilfracombe East	1,007
Gloucester	Gloucester	Matson	1,033
Bristol, City of	Bristol South	Hartcliffe	1,036
Bristol, City of	Bristol East	Easton	1,043
Taunton Deane	Taunton	Taunton Lyngford	1,069
Bristol, City of	Bristol East	Lockleaze	1,095
Penwith	St. Ives	St. Ives North	1,105
Bath and NE Somerset	Bath	Twerton	1,111
Torbay	Totnes	Blatchcombe	1,159
Torbay	Torbay	Coverdale	1,169
Bristol, City of	Bristol North West	Kingsweston	1,207
Penwith	St. Ives	St. Just	1,226
Plymouth	Plymouth Devonport	Keyham	1,229
West Somerset	Bridgwater	Williton	1,239
Penwith	St. Ives	Hayle-Gwinear	1,242
Exeter	Exeter	Rougemont	1,264
Bristol, City of	Bristol South	Windmill Hill	1,278
Torridge	Torridge and West Devon	Appledore East	1,280
Sedgemoor	Bridgwater	Hamp	1,301
Penwith	St. Ives	St. Erth and St. Hilary	1,304

100 most deprived wards in the Government office for the south west region

Local authority	*Parliamentary constituency*	*Ward name*	*Ranking on IMD*
North Cornwall	North Cornwall	Bodmin St. Mary's	1,310
North Cornwall	North Cornwall	Penfound	1,332
Sedgemoor	Bridgwater	Victoria	1,352
Kerrier	St. Ives	Porthleven	1,353
Cheltenham	Cheltenham	St. Mark's	1,369
Plymouth	Plymouth Sutton	Efford	1,374
Penwith	St. Ives	St. Ives South	1,375
Bournemouth	Bournemouth West	East Cliff	1,402
Gloucester	Gloucester	Eastgate	1,407
Sedgemoor	Wells	Highbridge	1,413
Penwith	St. Ives	Penzance South	1,421
Bristol, City of	Bristol North West	Henbury	1,423
Caradon	South East Cornwall	Maker	1,452
North Cornwall	North Cornwall	Tintagel	1,461
Mendip	Wells	Glastonbury St. Benedict's	1,463
Restormel	North Cornwall	Gannel	1,478
Teignbridge	Teignbridge	Teignmouth West	1,498
Restormel	Truro and St. Austell	Treverbyn	1,518
Bournemouth	Bournemouth West	Kinson	1,534
Torbay	Torbay	Ellacombe	1,538
Torbay	Torbay	St. Marychurch	1,555
Penwith	St. Ives	Penzance Central	1,565
Torbay	Totnes	St. Peters-with-St. Marys	1,568
Christchurch	Christchurch	Grange	1,575
Exeter	Exeter	Whipton	1,580
Kerrier	St. Ives	Breage and Germoe	1,592
Bristol, City of	Bristol East	Hillfields	1,596
Restormel	South East Cornwall	St. Blaise	1,601
West Somerset	Bridgwater	Watchet	1,617
Weymouth and Portland	South Dorset	Westham East	1,625
Plymouth	Plymouth Sutton	Stoke	1,632
Cheltenham	Cheltenham	Hesters Way	1,646
Teignbridge	Teignbridge	Teignmouth East	1,659
Carrick	Falmouth and Camborne	Penryn	1,664
Swindon	South Swindon	Central	1,667
Penwith	St. Ives	Penzance North	1,668
Restormel	Truro and St. Austell	St. Stephen-in-Brannel	1,691
Torridge	Torridge and West Devon	Northam West	1,705
Carrick	Truro and St. Austell	Chacewater	1,711
North Cornwall	North Cornwall	Bodmin St. Petroc	1,717

Source:

This information is based on the ward level Index of Multiple Deprivation (IMD) from the Indices of Deprivation 2000 which is the Government's current measure of multiple deprivation. The IMD brings together information from six supporting domains of deprivation: Income, Employment, Health Deprivation and Disability, Education Skills and Training, Housing and Geographical Access to Services.

Young Drivers

David Wright: To ask the Secretary of State for Transport, Local Government and the Regions how many of those who passed the driving test in each of the past five years were under 21 years of age. [17835]

Mr. Jamieson: In the last three years the following number of candidates under 21 years of age passed the practical car driving test:

1998–99: 338,434

1999–2000: 313,048

2000–01: 301,227.

Data on numbers of tests by age of candidates were not compiled before 1998.

David Wright: To ask the Secretary of State for Transport, Local Government and the Regions what percentage of *(a)* deaths and *(b)* serious injuries in road traffic accidents occurred to passengers where they and the car driver are under 21 years of age, broken down by police authority area, in each of the last three years. [17834]

Mr. Jamieson: The percentages of road accident casualties who were aged under 21 and a passenger in a car with a driver who was also under 21 are shown in the table. It should be noted that these percentages are based on small numbers of casualties, in particular, the numbers of this category of fatalities did not exceed 10 for any police force in any of the years for which figures are shown.

	1998		*1999*		*2000*	
	Killed	*Seriously injured*	*Killed*	*Seriously injured*	*Killed*	*Seriously injured*
Metropolitan police	2	2	2	1	3	2
Cumbria	4	3	6	5	2	3
Lancashire	5	3	6	4	2	3
Merseyside	6	3	0	2	10	4
Greater Manchester	1	3	8	3	4	3

	1998		1999		2000	
	Killed	*Seriously injured*	*Killed*	*Seriously injured*	*Killed*	*Seriously injured*
Cheshire	0	4	1	2	3	3
Northumbria	6	2	1	2	0	2
Durham	18	5	3	2	4	7
North Yorkshire	1	3	4	4	1	3
West Yorkshire	2	4	6	3	3	2
South Yorkshire	5	5	6	3	0	2
Humberside	3	3	4	3	4	3
Cleveland	0	2	0	2	4	4
West Midlands	2	3	4	2	4	3
Staffordshire	4	4	2	3	6	4
West Mercia	6	4	4	3	5	4
Warwickshire	4	4	10	4	8	3
Derbyshire	5	4	0	2	3	2
Nottinghamshire	4	3	0	2	4	3
Lincolnshire	0	4	6	4	1	3
Leicestershire	8	5	3	3	3	4
Northamptonshire	2	4	5	3	7	4
Cambridgeshire	2	2	3	4	5	3
Norfolk	3	3	0	4	8	2
Suffolk	0	4	4	4	11	2
Bedfordshire	17	6	0	1	0	3
Hertfordshire	7	6	0	4	2	3
Essex	4	4	4	3	3	3
Thames Valley	3	4	3	2	5	3
Hampshire	0	3	4	3	2	3
Surrey	2	4	2	4	4	2
Kent	1	4	4	3	3	3
Sussex	2	3	5	3	3	3
City of London	0	0	0	0	0	0
Devon and Cornwall	2	3	6	3	5	3
Avon and Somerset	5	2	3	3	2	4
Gloucestershire	4	4	4	4	0	4
Wiltshire	7	3	2	2	0	5
Dorset	0	2	6	3	5	3
North Wales	5	5	2	4	3	6
Gwent	3	1	33	6	4	8
South Wales	5	3	2	6	0	5
Dyfed-Powys	4	3	2	5	3	5
Northern	2	8	3	4	2	3
Grampian	10	7	3	6	4	4
Tayside	0	7	0	2	0	2
Fife	4	5	13	4	17	4
Lothian and Borders	8	4	0	3	5	3
Central	0	2	0	3	0	4
Strathclyde	2	4	6	4	1	2
Dumfries and Galloway	6	5	0	7	0	7
Great Britain	4	3	4	3	4	3

Heavy Goods Vehicles

Mr. Cox: To ask the Secretary of State for Transport, Local Government and the Regions how many heavy goods vehicles have been inspected while driving on roads in the UK in the last 12 months. [17882]

Mr. Jamieson: The tables show the total number of different types of inspections of heavy goods vehicles carried out at roadside spot checks by vehicle examiners and traffic examiners in the period from 1 November 2000 to 31 October 2001. The number of individual heavy goods vehicles checked is not readily available.

Roadworthiness	*Number of checks*
HGV motor vehicles	55,693
Trailers	19,016
Foreign vehicles	4,149
Emission only checks	9,309
Total	88,167

Traffic checks	*Number of checks*
Total number of checks	112,111
of which:	
Vehicles weighed	48,404
Hazchem checks	7,971
Foreign vehicle checks	12,475

Housing Revenue Account

Dr. Iddon: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement about rent restructuring and the housing revenue account subsidy allocation for 2002–03. [18433]

Ms Keeble: Following extensive consultations last year, we announced our plans to make the rents charged by councils and housing associations fairer and to improve tenants' choice in our housing policy statement "Quality and Choice: A Decent Home for All—The Way

Forward for Housing" last December. Starting in April 2002, we will begin a series of gradual changes that will result in rents being linked to the value and size of a property and manual earnings in the area.

Moving to a fairer system will have real benefits

social rents will remain affordable and generally well below market levels;

there will be no large rent increases: we have set a limit of RPI + 0.5 per cent. +£2 on the annual increase in any individual rent; and

average rents will increase more slowly than in the past: in particular council rents will increase at only half the rate over the last 10 years.

I can today announce a further safeguard. Concerns have been expressed about the effect of the rent restructuring formula on a small proportion of properties in high value areas—around 0.5 per cent. of the total social housing stock. To meet these concerns we have decided that the reforms should not lead to rents exceeding a maximum £100 a week in 2002–03 for any council or housing association home. Lower figures will apply for smaller properties. The maximum will rise by RPI + 1 per cent. a year. Some social housing rents are already above these levels and they will be frozen or reduced over time. Average council rents will remain around half the maximum figure.

Housing associations are free to decide how quickly they move their rents to the levels required by rent restructuring although they should aim to complete the process as far as possible in the next 10 years. We have advised the Chairman of the Housing Corporation that, where housing associations do not need to put their rents up in order to remain financially sound, they should not be pressed to do so.

I understand that the computer systems used by some local authorities limit their ability to apply different rent changes to different properties next April. I am advising those authorities that for 2002–03 they should apply the average percentage rent change suggested in our restructuring proposals for their stock to all of their rents except where this might involve breaches of the RPI + 0.5 per cent. + £2 limit, or the maximum rents announced today. The subsidy system will not penalise authorities for not implementing the reforms at an individual property level.

We will consult further with local authorities and tenant groups about the movement from averaged rent increases to the rents which we expect to be charged for individual properties by the end of the 10-year transitional period.

Progress on rent restructuring will be kept under constant review. We will monitor the impact closely each year and will conduct further research on this.

The Government have already doubled the resources allocated to local authorities for investment in housing and are committed to increasing them further. In particular, we have committed ourselves to ensuring that all social housing meets the decent homes standard by 2010. This will involve eliminating the £19 billion council housing investment backlog we inherited.

Accordingly, my Department is today issuing consultation drafts of the Housing Revenue Account subsidy and Item 8 determinations for 2002–03 which set out proposed subsidy allocations for individual authorities. These are being issued following consultation with authorities and others in which there was general support for the objectives of the proposed changes but concerns were expressed about aspects of the proposals.

In response to these concerns I should like to make it clear that:

There is no intention that the technical changes designed to bring the assumptions within the subsidy system back into line with actual costs and revenues should be used to either reduce or increase the aggregate level of resources available to councils nationally. Indeed, the starting assumption in the forthcoming Spending Review will be that these changes should be resource neutral overall.

Some redistribution of resources between authorities is inevitable if we are to move to a fairer system for distributing resources. However, in view of the concerns expressed, we will review the formulae used in determining subsidy with local authorities to ensure that they reflect as accurately as possible the relative costs faced by different authorities. The HRA subsidy system for 2003–04 will be adjusted as necessary to reflect these consultations and the outcome of the Spending Review.

The proposal to abolish "mitigation"—the mechanism used to ensure that councils with a higher proportion of tenants in receipt of housing benefit are not heavily penalised by the rent rebate subsidy system—will not be implemented at this stage. We will consult further on this and a decision on the future of mitigation will be taken in due course. All the other changes proposed for 2002–2003 will be implemented from 1 April 2002.

Copies of the draft determinations and supporting material are being placed in the Library of the House, and will be available on my Department's website. These allocations are based on information available to us from authorities as at 29 October 2001, and may change as that information is refined. Authorities have until 17 December to comment on the draft determinations.

Council Tax

Mr. Cousins: To ask the Secretary of State for Transport, Local Government and the Regions if he will estimate *(a)* the number of council tax exempt properties on grounds of occupation by student households in each local authority with council tax setting powers and *(b)* the sums paid to those local authorities by way of compensation. [17727]

Dr. Whitehead: I refer my hon. Friend to the answer given to him on 31 October 2001, *Official Report*, column 675W. The additional amount of revenue support grant received by authorities to compensate them for properties exempted from the council tax because they consist of student households is equal to the amount of council tax forgone. We estimate therefore that the amount paid is about £90 million for England as a whole.

Rail Services (Huntingdon)

Mr. Djanogly: To ask the Secretary of State for Transport, Local Government and the Regions how many times the West Anglian Great Northern railway service between Huntingdon and King's Cross and King's Cross and Huntingdon has been late in each of the past six months, as a percentage of the total number of journeys; and what the reasons were for the delays. [17106]

Mr. Jamieson: The information is not available in the form requested. The latest performance figures for the West Anglia Great Northern (WAGN) franchise as a whole are indicated in the table. Services are deemed to be late if they arrived at their destination beyond five minutes of timetable.

Period	*Percentage late*
1 April 2001 to 29 April 2001	21.1
30 April 2001 to 27 May 2001	20.5
28 May 2001 to 24 June 2001	20.3
25 June 2001 to 22 July 2001	21.6
23 July 2001 to 19 August 2001	22.8
20 August 2001 to 16 September 2001	20.4
17 September 2001 to 14 October 2001	23.1

WAGN are still subject to 30 Emergency Speed Restrictions. These, coupled with a shortage of drivers, are the principal reasons for disruption. To remedy the driver shortage, WAGN has twice the number of drivers in training for which it currently has vacancies.

Mr. Djanogly: To ask the Secretary of State for Transport, Local Government and the Regions (1) what revision there has been of the timetable for planned track improvements between Huntingdon and King's Cross since January; [17110]

(2) what improvements are planned for the railway track between Huntingdon and King's Cross. [17108]

Mr. Jamieson: Railtrack's 2001 Network Management Statement, published in May, identifies the projects on which the company is working as well as expected completion dates. The Administrator has taken over Railtrack's contractual commitments. For the future, the East Coast Main Line upgrade proposals will feature improvements in this area. Further announcements will be made in due course. Emergency Speed Restrictions still apply across much of West Anglia Great Northern's network, while Railtrack carry out tracks maintenance and renewal of track following the Hatfield derailment last year.

Mr. Djanogly: To ask the Secretary of State for Transport, Local Government and the Regions (1) what improvements are planned to Huntingdon and St. Neots railway stations; [17104]

(2) what revision has been made to the timetable for planned improvements to Huntingdon and St. Neots railway stations. [17105]

Mr. Jamieson: Both stations are included in the Strategic Rail Authority's Incremental Outputs Statements scheme (IOS), a programme to deliver modern facilities at stations. The specific items to be provided and the timetable will be dependent on the programme's site surveys which are currently on-going. I understand that WAGN are also considering the possibility of extending the car park at St. Neots and for a bus interchange at Huntingdon.

Mr. Djanogly: To ask the Secretary of State for Transport, Local Government and the Regions how many passengers travelled on the Huntingdon to King's Cross and King's Cross to Huntingdon services in each of the past 36 months. [17107]

Mr. Jamieson: The information is not available in the form requested. Across all West Anglia Great Northern services an estimated 62.5 million passenger journeys were made in 2000–2001, 61.2 million in 1999–2000, and 55.7 million in 1998–1999. West Anglia Great Northern's Passengers In Excess of Capacity (PIXC) figures for each of the last three years were 2.3 per cent. in 2000, 1.8 per cent. in 1999 and 1.2 per cent. in 1998. Train operators are required to keep PIXC to 3 per cent. or below.

Mr. Djanogly: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to introduce a high-speed rail link between Huntingdon and King's Cross. [17109]

Mr. Jamieson: I am not aware of any plans for a high-speed link. The development of such plans would be a matter for the industry to pursue in response to demand for a high speed service.

Neighbourhood Renewal Oldham

Mrs. Fitzsimons: To ask the Secretary of State for Transport, Local Government and the Regions when he will announce his decision on additional neighbourhood renewal fund resources for Oldham. [17355]

Ms Keeble: My officials have already explained to Oldham metropolitan borough council that there are no additional neighbourhood renewal fund allocations this year. We have written to the council offering discussions on how to address particular problems they are facing. Ideally these discussions should be informed by the Oldham Independent Review looking at issues raised by the disturbances in the summer, which is due to report in December.

Planning Application, Lymm

Helen Jones: To ask the Secretary of State for Transport, Local Government and the Regions (1) what steps he intends to take to ensure that the guidance in PPG3 is complied with following the inspector's decision in the planning appeal concerning Oughtrington Lane, Lymm; [17907]

(2) what steps he intends to take to protect greenfield sites in areas where a council's committed land supply meets or exceeds regional planning guidance requirements; [17909]

(3) if he will make a statement on the implications for urban regeneration in the north-west of the recent decision concerning the planning application at Oughtrington Lane, Lymm; [17908]

(4) what steps he intends to take to protect greenfield sites in north Warrington following the recent appeal decision concerning the planning application for Oughtrington Lane, Lymm; and if he will make a statement. [17910]

Ms Keeble: Warrington borough council has challenged in the High Court the Inspector's decision in the planning appeal concerning Oughtrington Lane, Lymm. As the appeal is now the subject of a High Court challenge it would not be appropriate to comment further on the matter.

Through Planning Policy Guidance Note 3 "Housing" (PPG3) this Government have introduced a series of tough new measures designed to meet the country's future housing needs in the most sustainable way possible. PPG3 includes a sequential approach which gives priority to re-using brownfield sites in urban areas in preference to developing greenfield sites and we have a national target that, by 2008, 60 per cent. of additional housing should be provided on previously developed land and through conversions of existing buildings.

We expect local authorities to update their development plans to reflect PPG3 and to test all planning applications for housing development against the policies it contains. Local authorities are directed to consult the Secretary of State before giving planning permission for major housing developments on greenfield land allocated in their plans.

Glasgow Airport

Angus Robertson: To ask the Secretary of State for Transport, Local Government and the Regions what steps are being taken to review the security and safety arrangements in Glasgow airport with regards to the building programme in progress following the events of 11 September. [18180]

Mr. Jamieson: All construction work at an UK airport that has a security element must be registered, managed and approved by my Department prior to commencement. All significant projects are surveyed during construction and on completion to ensure compliance with the UK National Aviation Security Programme.

River Lune (Northern Bypass)

Geraldine Smith: To ask the Secretary of State for Transport, Local Government and the Regions what discussions he has had on modifications to the proposed Northern Bypass to include an additional bridge over the River Lune. [18249]

Mr. Jamieson: Ministers have not conducted any such discussions. Lancashire county council are currently reviewing proposals regarding the M6 Heysham link.

Planning

Paddy Tipping: To ask the Secretary of State for Transport, Local Government and the Regions in the last year for which figures are available how many planning applications *(a)* were decided by local authorities, *(b)* went to appeal and *(c)* were dealt with at a public inquiry. [17354]

Ms Keeble: In 2000–01, 420,000 applications for planning permission were decided in England. This resulted in 14,100 appeals against refusal or against conditions imposed in granting a permission, of which 1,400 were subsequently withdrawn. As of today's date 12,200 of the remaining appeals have been decided and 540 (4 per cent.) were decided by public inquiry.

An applicant can also appeal if an authority has not decided the application within eight weeks of its being submitted, or a longer period if agreed by both parties in writing. In 2000–01, there were 1,600 appeals against non-determination of planning applications, of which 560 were withdrawn. Of the remaining appeals, 930 have been decided and 220 (24 per cent.) were decided by public local inquiry.

PRIME MINISTER

Afghanistan

Mr. Andrew Turner: To ask the Prime Minister, pursuant to his answer of 6 November 2001, *Official Report*, column 197W, which British Muslim organisations have specifically expressed support for the coalition's military action against the Taliban regime in Afghanistan. [14709]

The Prime Minister: I have nothing further to add to my previous answer.

Islamic Society of Britain

Mr. Andrew Turner: To ask the Prime Minister when he last met representatives of the Islamic Society of Britain; and what plans he has to do so in future. [15122]

The Prime Minister: I have had a number of meetings recently with representatives of the faith communities including representatives of the Muslim community. As with previous Administrations, it is not my practice to provide details of such meetings.

Mr. Andrew Turner: To ask the Prime Minister if the Islamic Society of Britain has signified its support for the Coalition's military action against the Taliban regime in Afghanistan. [15123]

The Prime Minister: It would not be appropriate for me to comment on behalf of the Islamic Society of Britain.

Cabinet Secretary

Mr. Gordon Prentice: To ask the Prime Minister what factors he will take into account when deciding who to appoint as Cabinet Secretary; whether the successful applicant will be drawn from the civil service; and if he will make a statement. [17360]

The Prime Minister: The Secretary of the Cabinet reaches retirement age in October 2002. I will make a statement on his succession when I am ready to do so.

House of Lords

Norman Baker: To ask the Prime Minister whether individuals appointed by him to the House of Lords to act as Ministers following further reforms will be expected to serve a minimum time in that capacity in order to qualify for life membership of the Chamber. [17972]

The Prime Minister: As the Government's White Paper on further reform of the House of Lords, "The House of Lords—Completing the Reform" (Cm 5291), makes clear, there will be no life membership of the second Chamber, other than as a transitional measure for existing life peers at the time that the reforms come into force.

The Government are consulting on the length of the terms for appointed members, with the choice being between terms of five, 10 or 15 years.

CULTURE, MEDIA AND SPORT

Departmental Expenditure (Scotland)

Mrs. Lait: To ask the Secretary of State for Culture, Media and Sport if she will list, in real terms, for each year since 1979 *(a)* the total sums of money spent directly by her Department in Scotland and *(b)* the total sums of money allocated by her Department for spending in Scotland through (i) the Scottish Office, (ii) the Scotland Office and (iii) the Scottish Executive. [16182]

Mr. Caborn: The information requested is not readily available. Public expenditure information by territory and function is available in Public Expenditure Statistical Analyses 2001–02 (Cm 5101) for the years 1995–96 to 1999–2000, and earlier years are available in previous PESA publications. Copies of these publications are available in the Library of the House of Commons.

Local Bodies

Mr. Andrew Turner: To ask the Secretary of State for Culture, Media and Sport if she will list those local bodies which were set up under legislation which is the responsibility of her Department and its predecessors since May 1997. [17578]

Mr. Caborn: The Department for Culture, Media and Sport has not set up any local bodies under legislation since May 1997.

World Athletics Championships

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport who made the decision to support the staging of the 2005 World Athletics Championships. [16654]

Tessa Jowell: The decision to bid for the 2005 World Athletics Championships was taken by UK Athletics with the support of the Government, Sport England and UK Sport.

Regional Arts Development

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport what schemes and programmes are available to support and encourage the development of artists and musicians in the regions, with particular reference to the Teeside area. [17800]

Mr. Caborn *[holding answer 23 November 2001]:* Funding for the Arts is a matter for the Arts Council of England and the Regional Arts Boards. As a result of last year's spending review, however, the Arts Council's grant-in-aid budget will increase by over £100 million, from £233 million in 2000–01 to £338 million in 2003–04. Northern Arts, which includes the Teesside area, will see its budget for supporting the arts increase by £1.4 million, or nearly 11 per cent., over the same period.

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the support provided by her Department for the arts in the regions. [17799]

Mr. Caborn *[holding answer 23 November 2001]:* My Department issues grant-in-aid to the Arts Council of England, the main funding body for the arts in England, which is in turn committed to delegating increasing amounts of that funding to the regions. Grant-in-aid to the Arts Council itself is worth £253 million this year, of which £107 million is going directly to the regions. Grant-in-aid is set to increase to £338 million, of which £143 million will go directly to the regions, by 2000–04.

Listed Places of Worship (Grant)

Mr. Lidington: To ask the Secretary of State for Culture, Media and Sport (1) when she intends to announce details of the grant scheme for listed places of worship; [17640]

(2) if she has selected a preferred bidder to become operator of the grant scheme for listed places of worship. [17641]

Mr. Caborn *[holding answer 23 November 2001]:* The Listed Places of Worship (LPW) Grant Scheme is an interim scheme which will return in grant aid the difference between 5 per cent. and the actual amount spent on VAT on eligible repairs and maintenance to listed places of worship. It is intended to bridge the two-year gap leading up to the 2003 review by the European Commission of the permitted reduced VAT rates in the sixth VAT Directive. Full details of the scheme operator, its criteria and application forms will be available in early December.

Television Licences

Mr. Alan Campbell: To ask the Secretary of State for Culture, Media and Sport how many older people are in receipt of a free television licence in the Tynemouth constituency. [18003]

Mr. Caborn: Everyone aged 75 or over is entitled to benefit from a free television licence. TV Licensing, which administers this concession for the BBC as Licensing Authority, is not able to provide geographical breakdowns of the number of free licences issued. However, estimates based on the 1991 Census indicate that there were approximately 7,000 people aged 75 or over in the Tynemouth constituency.

Lottery Funding

Andy Burnham: To ask the Secretary of State for Culture, Media and Sport what the average lottery funding to date is for parliamentary constituencies in *(a)* England and *(b)* the United Kingdom. [16980]

Mr. Caborn: According to my Department's National Lottery Awards database, which holds information supplied to us from the lottery distributors, the average lottery funding to date for parliamentary constituencies in England is £12.9 million and is £12.4 million for the United Kingdom.

Football

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport how many football matches she has attended since 7 June in her official capacity. [17199]

Tessa Jowell: I have attended no football matches in an official capacity. However, my right hon. Friend the Minister for Sport has attended four England international matches, but no domestic matches.

Giant's Causeway

Lady Hermon: To ask the Secretary of State for Culture, Media and Sport what responses she has made to the UNESCO World Heritage Centre regarding the Giant's Causeway. [16785]

Mr. Caborn: The UK Government recently received a request from UNESCO's World Heritage Centre for a report on the current situation at the Giant's Causeway. My Department has lead responsibility for compliance with the World Heritage Convention and will be responding to that request as soon as possible, and certainly before the next meeting of the World Heritage Committee in Helsinki in December.

As yet there is no tangible threat to the integrity or heritage value of the Giant's Causeway World Heritage Site. The competition devised by Moyle district council for the development of its land has not yet resulted in a firm planning proposal coming before the Department of the Environment, Northern Ireland. As and when such a proposal does materialise, it will be considered carefully in accordance with the requirements of the Northern Ireland planning system; the need to protect the integrity and setting of the site will obviously be a material and significant factor. My Department intends to keep UNESCO fully informed of developments.

Public Appointments

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport how many public appointments she has made and to what position in the last 12 months. [17200]

Tessa Jowell: In the last 12 months, my predecessor, my right hon. Friend the Member for Islington, South and Finsbury (Chris Smith) and I made 107 public appointments to public bodies as detailed. This does not include appointments to bodies sponsored by my Department where my role is to advise on appointments made by my right hon. Friend the Prime Minister, or through him, by Her Majesty the Queen.

Chair and one Member: Advisory Committee on Historic Wreck Sites

Chair and four Members: Arts Council of England

Chair and three Members: British Library

Chair and one Commissioner: Broadcasting Standards Commission

Three Commissioners: Commission for Architecture and Built Environment

10 Members: The Community Fund

Deputy Chair and four Commissioners: English Heritage

Five Members: Film Council

Chair and four Members: Football Licensing Authority

Chair and one Member: Gaming Board of Great Britain

One Trustee: Geffrye Museum

Deputy Chair and three Members: Historic Royal Palaces

One Trustee: Horniman Museum

One Member: Horserace Betting Levy Appeals Tribunal for England and Wales

Chair: Horserace Betting Levy Board

Deputy Chair and three Members: Independent Television Commission

Chair: Museum of Science and Industry in Manchester

Six Trustees: National Museums and Galleries on Merseyside

One Commissioner: National Lottery Commission

Chair and nine Members: NESTA

Chair and 10 Members: New Opportunities Fund

One Member: Public Lending Right Advisory Committee

Registrar: Public Lending Right Registrar

Two Members: Radio Authority

Two Members: Reviewing Committee on the Export of Works of Art

One Member: Royal Armouries

Two Members: S4C

Two Members: Sport England

Chair and three Trustees: Theatres Trust

One Member: TOTE

Chair and four Members: Treasure Valuation Committee

Chair: UK Sport

Chair: Yorkshire and Humber Regional Cultural Consortium.

TREASURY

Railtrack

Matthew Taylor: To ask the Chancellor of the Exchequer whether the Financial Services Authority is undertaking investigations into potential insider dealing regarding Railtrack shares in the period immediately before the suspension of shares in Railtrack; and if he will make a statement. [16687]

Mr. Andrew Smith: Until midnight on 30 November, the Financial Services Authority has no power to investigate or prosecute insider dealing. Until then the primary responsibility for investigating and prosecuting insider dealing rests with the Department of Trade and Industry.

Private Finance Initiative

Chris Grayling: To ask the Chancellor of the Exchequer what the total current gross liabilities are of the public sector under PFI and PPP scheme, *(a)* set up since 1996–97 and *(b)* that are planned. [17130]

Mr. Andrew Smith: Table C18 of the 2001 *Financial Statement and Budget Report* shows the total estimated payments for services under all signed PFI contracts to be made by the public sector from 2000–01 to 2025–26, based on information provided by Departments. However, the collation of detailed information apportioning estimated payments by year of contract signature could be done only at disproportionate cost.

Compliance Costs

Mr. Edward Davey: To ask the Chancellor of the Exchequer what studies he has commissioned since April 2000 on the compliance costs imposed on businesses by the tax system; and when these studies will be published. [17211]

Dawn Primarolo: Studies have been commissioned into the compliance costs of VAT, Corporation Tax, Customs procedures for international trade, and excise gambling duties. Ministers will consider the results at the completion of each study.

Mr. Edward Davey: To ask the Chancellor of the Exchequer what his latest estimate is of the administrative cost to British business of the UK tax system; and if he will make a statement. [17212]

Dawn Primarolo: It is precisely to address this question that we have asked the Inland Revenue and Customs to carry out a four year research programme into the compliance costs of the tax system.

Cigarette Imports

Mr. Gibb: To ask the Chancellor of the Exchequer, pursuant to his answer of 19 November 2001, *Official Report*, column 141W, on cigarette imports, on what basis the minimum indicative level of 800 was calculated. [17749]

Mr. Boateng: The indicative levels for importations of excise goods for own use were agreed unanimously by the Finance Ministers of the EU member states at the ECOFIN meeting of 24 June 1991 and incorporated into Council Directive 92/12/EEC. 800 cigarettes were considered a reasonable indicator, with other factors laid down in Directive 92/12, to help distinguish between smuggling and legitimate imports for own use.

VAT (Sixth-form Colleges)

Mr. Hancock: To ask the Chancellor of the Exchequer what plans he has to re-assess the charging of value added tax on purchases made by sixth-form colleges; and if he will make a statement. [17675]

Mr. Boateng: There are no such plans. The funding of sixth-form colleges takes into account the VAT they incur on their purchases.

Smuggling

Mr. Hepburn: To ask the Chancellor of the Exchequer how many vehicles were seized for illegally importing alcohol or tobacco in *(a)* 2000 and *(b)* 2001; and how many were destined for (i) the north-east and (ii) south Tyneside. [17403]

Mr. Boateng: Customs' records of the number of vehicles seized do not disaggregate between either the nature of the offences or the destination of the vehicles involved in each case.

For the number of vehicles seized by Customs I refer the hon. Gentleman to the answer I gave to the hon. Member for Aylesbury (Mr. Lidington) on 30 October 2001, *Official Report*, column 625W.

VAT (Medical Equipment)

Mr. Gibb: To ask the Chancellor of the Exchequer what his policy is regarding the recovery of VAT by *(a)* doctors' surgeries and *(b)* local patients' participation groups on the purchase of medical equipment. [17386]

Mr. Boateng: Under longstanding agreements governing EC and UK VAT law VAT can only be recovered to the extent that it relates to taxable activities. Purchases of medical equipment by doctors for use in their surgeries, including through local patient participation groups, are not connected with the making of taxable supplies and cannot therefore be recovered.

Gambling Review

Sir Teddy Taylor: To ask the Chancellor of the Exchequer what assessment he has made of the impact on tax revenue if recommendation 75 of the gambling review is initiated. [17352]

Mr. Boateng *[holding answer 23 November 2001]:* As recommendation 75, if implemented, would not apply to pubs that already had more than two machines when the gambling review was published, the Government believe there would be a negligible effect upon tax revenues.

Dr. Ladyman: To ask the Chancellor of the Exchequer what assessment he has made, following the publication of the Budd report into gambling, of the impact on Government revenue if *(a)* all the recommendations, *(b)* those concerning the National Lottery, *(c)* those concerning gaming machines in social clubs, *(d)* those concerning gaming machines in public houses and *(e)* those concerning small stake gaming machines and amusement-with-prize machines in seaside arcades will be accepted. [17370]

Ruth Kelly: It is not possible to give accurate estimates of the revenue effects of individual elements of the package.

Mr. Bellingham: To ask the Chancellor of the Exchequer what estimate he has made of the loss of income to the Treasury that would ensue if all local authorities used their powers under Recommendation 43 of the Gambling Review report to ban all types of gambling in their locality. [18073]

Ruth Kelly: The Government have made no such estimate.

Pensions

Mr. Boswell: To ask the Chancellor of the Exchequer what information he collates on the proportion of assets in funded public sector pension schemes represented by companies subject to regulation as utilities. [18024]

Mr. Andrew Smith: None.

Mr. Webb: To ask the Chancellor of the Exchequer if he will estimate the value of the tax relief given in respect of individual pension accounts in the current financial year. [18028]

Ruth Kelly: Claims for tax relief from pension providers for individual pension accounts are not recorded separately from those for personal and stakeholder pensions in general, the information from administrative sources is therefore not available.

Mr. Cousins: To ask the Chancellor of the Exchequer (1) of the members of the post-1989 private occupational pension schemes, if he will estimate the numbers of members earning *(a)* up to £25,000 per annum, *(b)* £26,000 to £35,000, *(c)* £36,000 to £45,000, *(d)* £46,000 to £55,000 *(e)* £56,000 to £65,000, *(f)* £66,000 to £75,000, *(g)* £76,000 to £85,000 and *(h)* £86,000 to £95,000 in the last year for which he has data; [17811]

(2) if he will estimate the number of members in pre-1987 private sector occupational pension schemes earning *(a)* £10,000 to £20,000 per annum, *(b)* £21,000 to £30,000, *(c)* £31,000 to £40,000, *(d)* £41,000 to £50,000, *(e)* £51,000 to £60,000, *(f)* £61,000 to £70,000, *(g)* £71,000

to £80,000, *(h)* £81,000 to £90,000, *(i)* £91,000 to £100,000 and *(j)* £101,000 and above in the last year for which he has data; [17820]

(3) if he will estimate the number of members of a private occupational pensions scheme established on or after 14 March 1989, or who became members of a previously established scheme on or after 1 June 1989; [17810]

(4) if he will estimate the numbers contributing to AVC and FSAVC schemes earning up to £95,400 in 2001–02; [17818]

(5) if he will estimate the number of members who joined private sector occupational pension schemes before 14 March 1989 earning between, *(a)* £10,000 to £20,000 per annum, *(b)* £21,000 to £30,000, *(c)* £31,000 to £40,000, *(d)* £41,000 to £50,000, *(e)* £51,000 to £60,000, *(f)* £61,000 to £70,000, *(g)* £71,000 to £80,000 *(h)* £81,000 to £90,000, *(i)* £91,000 to £100,000 and *(j)* £101,000 and above in the last year for which he has data. [17819]

Ruth Kelly: Administrative data on these are not held centrally and estimates are therefore not available.

Climate Change Levy

Mr. Djanogly: To ask the Chancellor of the Exchequer what recent representations he has received in support of the climate change levy; and from whom. [17483]

Mr. Boateng: Numerous representations were received during the development of the levy, and these are listed in Table A.3 of Lord Marshall's November 1998 Report "Economic Instruments and the business use of energy".

More recently, the Government have received representations supporting the levy from a variety of environmental organisations and other interested parties.

National Insurance Numbers

Mr. Frank Field: To ask the Chancellor of the Exchequer, pursuant to his answer of 12 November 2001, *Official Report*, column 538W, on national insurance numbers, if he will disaggregate the payroll errors found in the tax year 2000–01 by type. [17224]

Dawn Primarolo *[holding answer 22 November 2001]:* Following my answer of 12 November 2001, *Official Report*, column 538W, the breakdown of payroll discrepancies found in the tax year 2000–01 by type is as follows:

Type of discrepancy	*Number of discrepancies*
Personal details on payroll—resolved without amendment to national insurance record	420,937
Personal details on national insurance record—resolved with amendment to national insurance record	281,559
None of these has security/benefit fraud implications	31,010
Incomplete/incorrect national insurance numbers on payroll	36,802
Total	770,308

Of the total figure, 22,777 cases were referred for potential fraud investigation. None of the 31,010 unresolved personal details cases were referred for investigation.

Leukaemia

Mr. Steen: To ask the Chancellor of the Exchequer how many cases of leukaemia have occurred in *(a)* adults and *(b)* children over the last 10 years in (i) Plymouth and (ii) Devon; and how these figures compare to the average in England and Wales. [17335]

Ruth Kelly *[holding answer 23 November 2001]:* The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Anthony Steen, dated 26 November 2001:

As National Statistician, I have been asked to reply to your parliamentary question on how many cases of Leukemia have occurred in (a) adults and (b) children over the last ten years in (i) Plymouth and (ii) Devon; and how these figures compare to the average in England and Wales. (17335)

The numbers of registrations of newly diagnosed cases of leukaemia[1] in children and adults in Plymouth Unitary Authority, the whole of Devon, and England and Wales in 1989–1998 (the most recent 10 years for which figures are available) are given in the table below. The corresponding age standardised rates are shown to enable comparisons to be made between areas.

	Plymouth UA	*Devon*	*England and Wales*
Children (0–14) years			
Number of cases	24	76	4,206
Rate[2]	5.0	4.2	4.2
Adults (15 years and over)			
Number of cases	314	1,358	49,642
Rate[3]	12.7	11.0	9.7

[1] Leukaemia was identified in 1989–1994 by ICD9 codes 202.4 and 204–208; and in 1995 onwards by ICD10 codes C91-C95

[2] Rates per 100,000 population. Directly age standardised using equal weights for the three age groups, 0–4, 5–9 and 10–14

[3] Rate per 100,000 population. Directly age standardised using the European standard population truncated by removing the age group 0–14

Mortgages

Mr. Flight: To ask the Chancellor of the Exchequer what assessment he has made of the ability of mortgage lenders to implement the new regulatory regime for the selling of mortgages by August 2002. [17713]

Ruth Kelly *[holding answer 23 November 2001]:* The Financial Services Authority (FSA) is considering this as part of a wider review of the responses to the consultation on its draft mortgage sourcebook—published by the FSA as CP 98.

Mr. Flight: To ask the Chancellor of the Exchequer what representations have been received on the proposal for mortgage lenders to monitor mortgage brokers' adherence to the new rules for regulating the selling of mortgages. [17714]

Ruth Kelly *[holding answer 23 November 2001]:* I refer the hon. Member to the answer I gave to my hon. Friend the Member for Stafford (Mr. Kidney) on 20 November 2001, *Official Report*, column 137W.

Mr. Love: To ask the Chancellor of the Exchequer (1) what recent discussions he has had with the Financial Services Authority regarding the implementation of the new regulatory regime for mortgages; and if he will make a statement; [18033]

(2) what representations he has received from the Council of Mortgage Lenders on *(a)* the inclusion of mortgage advice and mortgage intermediaries in the new regulatory regime and *(b)* on moving the date of N3 from August 2002 to 2003; and if he will make a statement. [18034]

Ruth Kelly: I hope to make an announcement about the timing of N3 and related matters shortly.

Mr. Kidney: To ask the Chancellor of the Exchequer if he will modify his proposals for mortgage regulation by *(a)* limiting the circumstances in which pre-application disclosure will apply and *(b)* putting back N3 to February 2003. [18168]

Ruth Kelly: I hope to make an announcement on the timing of N3 and related matters shortly.

Insurance (Genetic Information)

Mr. David Stewart: To ask the Chancellor of the Exchequer what guidance he issues on the use of individual genetic information by insurance companies. [17393]

Ruth Kelly *[holding answer 23 November 2001]:* The Government have established an advisory body, the Genetics and Insurance Committee (GAIC), to consider applications by the insurance industry on the use of specific genetic tests and to make recommendations on whether particular tests are appropriate for use by the insurance industry. Insurance companies have agreed to abide by the decisions of GAIC.

The Government published their response to the Fifth Report from the Science and Technology Committee, on genetics and insurance, on 23 October 2001. The Government support the strengthened Association of British Insurers moratorium on the use of genetic test results by insurance companies, which commenced on 1 November 2001.

Foot and Mouth

Mr. Peter Duncan: To ask the Chancellor of the Exchequer what guidance *(a)* has been and *(b)* will be given to regional offices of the collector of taxes as regards collection of (i) income tax and (ii) national insurance balances outstanding, as a result of foot and mouth disease. [17394]

Dawn Primarolo *[holding answer 23 November 2001]:* Comprehensive guidance has been given to regional and local offices throughout the FMD outbreak. The Revenue is currently working on further guidance with Customs, which will be issued shortly. It is impractical and premature to give details in advance.

The Revenue's initial guidance outlined the need to be sympathetic, considerate and helpful to people and business adversely affected by FMD.

They introduced a number of measures to help businesses during this very difficult time and continue to offer sympathetic support on a case by case basis to those that have been affected by the outbreak.

Departmental Promotions

Dr. Cable: To ask the Chancellor of the Exchequer how much his Department spent on information literature, advertising and campaign material in the financial years *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98, *(d)* 1998–99, *(e)* 1999–2000 and *(f)* 2000–01; and if he will make a statement. [12254]

Ruth Kelly: The information requested is not available and could be obtained only at disproportionate cost.

VAT Registrations

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the *(a)* stock and *(b)* net change to stock of businesses as measured by VAT registrations in each region and nation of the UK in each year since 1996, (i) in total and (ii) per capita of population. [17725]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Jim Cousins, dated 26 November 2001:

As National Statistician I have been asked to reply to your recent question concerning the stock and net change of businesses as measured by VAT registrations in each region and nation of the UK since 1996 (17725).

The information requested is shown in the following two tables.

Number of VAT-based enterprises in the UK by standard statistical region and year

	Count 1996	Count 1997	Net change 1996–97	Count 1998	Net change 1997–98	Count 1999	Net change 1998–99	Count 2000	Net change 1999–2000	Count 2001	Net change 2000–01
North	56,375	56,080	–295	55,705	–375	56,215	510	56,395	180	56,175	–220
North West	135,350	136,585	1,235	138,145	1,560	139,900	1,755	141,225	1,325	140,885	–340
Yorkshire and Humberside	114,060	113,940	–120	113,700	–240	114,670	970	115,325	655	115,010	–315
East Midlands	105,780	105,830	50	107,515	1,685	108,310	795	109,700	1,390	110,420	720
West Midlands	131,110	130,515	–595	131,470	955	133,000	1,530	134,695	1,695	134,585	–110
East Anglia	62,620	62,465	–155	63,510	1,045	63,930	420	64,690	760	65,350	660
South East	551,375	560,475	9,100	578,680	18,205	591,625	12,945	602,400	10,775	606,580	4,180
South West	141,700	142,490	790	145,225	2,735	147,765	2,540	150,260	2,495	151,250	990
Wales	73,505	72,990	–515	72,915	–75	72,240	–675	72,525	285	72,425	–100
Scotland	114,455	114,365	–90	115,280	915	116,085	805	116,665	580	116,665	0
Northern Ireland	51,315	51,440	125	51,795	355	51,965	170	52,955	990	53,675	720
Total	1,537,175	1,547,175	9,530	1,573,935	26,760	1,595,705	21,770	1,616,835	21,130	1,626,025	6,190

Source:

National Statistics

Inter Departmental Business Register

Number of VAT-based enterprises per 1,000 people

	1996	*1997*	*1998*	*1999*	*2000*	*2001*
North	18	18	18	18	18	18
North West	21	21	22	22	22	22
Yorkshire and Humberside	23	23	23	23	23	23
East Midlands	26	25	26	26	26	26
West Midlands	25	25	25	25	25	25
East Anglia	29	29	29	29	29	29
South East	30	31	31	32	32	33
South West	29	29	30	30	30	30
Wales	25	25	25	25	25	25
Scotland	22	22	23	23	23	23
Northern Ireland	31	31	31	31	31	31
Total	26	26	27	27	27	27

Source:

National Statistics

Inter Departmental Business Register, Population estimates (1996–2000) and projections (2001)

Stamp Duty

Mr. Flight: To ask the Chancellor of the Exchequer what the cost was of administering and collecting *(a)* stamp duty on shares, *(b)* stamp duty on property and *(c)* inheritance tax in the last financial year. [15926]

Ruth Kelly: Figures for collection costs per £ collected, for stamp duty and inheritance tax in 2000–01, will appear in the Board of Inland Revenue's next report.

Mr. Flight: To ask the Chancellor of the Exchequer what assessment he has made of the impact of stamp duty on shares on the competitiveness of the UK financial services industry. [15918]

Ruth Kelly: There is no convincing evidence that stamp duty on shares harms the competitiveness of the UK financial services industry. Stamp duty applies to shares in UK companies wherever they are traded so there is no discrimination between London markets and foreign markets.

Mr. Swire: To ask the Chancellor of the Exchequer what additional revenue he raised in 2000–01 from property and land transactions in the East Devon constituency as a result of the increases in stamp duty in the March 2000 Budget. [17273]

Ruth Kelly: I regret that this information is not available.

Mr. Bercow: To ask the Chancellor of the Exchequer what additional revenue he raised in 2000–01 from property and land transactions in the Buckingham constituency as a result of the increases in stamp duty in the March 2000 Budget. [17840]

Ruth Kelly: This information is not available.

Economic Growth

Peter Bradley: To ask the Chancellor of the Exchequer (1) what the growth rate was of the *(a)* urban and *(b)* rural economy (i) in the last financial year, (ii) in the last five years and (iii) in the last 10 years; [17147]

(2) what the per capital GDP was in the last financial year for people in *(a)* inner city, *(b)* urban, *(c)* towns with population of less than 10,000 and *(d)* rural areas. [17146]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Peter Bradley, dated 26 November 2001:

As National Statistician, I have been asked to reply to your two recent questions on estimates of economic growth and GDP per head in rural and urban areas of the United Kingdom (17146/7).

The Office for National Statistics (ONS) does not currently produce estimates of GDP per head on an urban/rural basis. ONS is aware of the growing need for statistics and information to be available on rural and urban geographies. To this end, we are playing an active role on a cross government group being led by officials from the Department for Transport, Local Government and the Regions, which is developing guidance on common definitions of rural and urban areas. These definitions will then form the basis of developing statistics for those geographies.

ONS currently compiles and publishes estimates of GDP and GDP per capita by Nomenclature of Units for Territorial Statistics (NUTS) areas. There are five levels of NUTS in the UK and GDP estimates are produced for the first three. NUTS level 3 is the geography that is most closely aligned to county councils, unitary authority and metropolitan areas and is also the lowest geographical level that data are available.

ONS last published estimates of GDP at the NUTS level 3 in April 2001, providing annual (calendar year) estimates for 1993 to 1998. These data are available through the House of Commons library. ONS plans to publish estimates for 1999 in the first half of 2002.

Suicides

Paul Flynn: To ask the Chancellor of the Exchequer what was the *(a)* total and *(b)* percentage of suicides in each year since 1988, broken down by (i) teenage men, (ii) teenage women, (iii) doctors, (iv) chemists, (v) farmers and (vi) clergymen. [16894]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Paul Flynn, dated 26 November 2001:

As National Statistician I have asked to reply to your question concerning the total number and percentage of suicides in each year since 1988 broken down by (a) teenage men, (b) teenage women, (c) doctors, (d) chemists (e) farmers, and (f) clergymen (16894).

The data requested can be found in the table below:

Mortality from suicide and undetermined injury (E950-E959, E980-E989 excluding E988.8) selected age, or by selected occupation, persons in England and Wales, calendar years 1988–2000

	All suicides	*Teenaged men*		*Teenaged women*		*Doctors*		*Chemists*		*Farmers*		*Clergymen*	
Year	*No.*	*No.*	*%*	*No.*	*%*	*No.*	*%*	*No.*	*%*	*No.*	*%*	*No.*	*%*
1988	5933	191	3.22	52	0.88	14	0.24	8	0.13	88	1.48	6	0.10
1989	5316	160	3.01	57	1.07	19	0.36	3	0.06	71	1.34	6	0.11
1990	5543	163	2.94	40	0.72	25	0.45	8	0.14	79	1.43	5	0.09
1991	5479	157	2.87	49	0.89	26	0.47	3	0.05	77	1.41	2	0.04
1992	5484	138	2.52	34	0.62	18	0.33	5	0.09	70	1.28	2	0.04
1993	5250	127	2.42	32	0.61	18	0.34	3	0.06	78	1.49	5	0.10

Mortality from suicide and undetermined injury (E950-E959, E980-E989 excluding E988.8) selected age, or by selected occupation, persons in England and Wales, calendar years 1988–2000

	All suicides	*Teenaged men*		*Teenaged women*		*Doctors*		*Chemists*		*Farmers*		*Clergymen*	
Year	*No.*	*No.*	*%*	*No.*	*%*	*No.*	*%*	*No.*	*%*	*No.*	*%*	*No.*	*%*
1994	5142	109	2,12	28	0.54	25	0.49	4	0.08	67	1.30	3	0.06
1995	5157	97	1.88	46	0.89	13	0.25	6	0.12	57	1.11	4	0.08
1996	4892	104	2.13	44	0.90	13	0.27	10	0.20	65	1.33	1	0.02
1997	4981	137	2.75	39	0.78	16	0.32	2	0.04	59	1.18	2	0.04
1998	5154	129	2.50	36	0.70	17	0.33	5	0.10	72	1.40	4	0.08
1999	5188	125	2.41	43	0.83	17	0.33	2	0.04	67	1.29	2	0.04
2000	4921	140	2.84	47	0.96	22	0.45	3	0.06	48	0.98	3	0.06

European Commission

Mr. Bercow: To ask the Chancellor of the Exchequer if he will make a statement on his policy towards European Community support for the *(a)* A Soul for Europe project and *(b)* Ecumenical Centre in Brussels. [17619]

Ruth Kelly: The managers of any project or centre can make a case to the European Commission for support from the EC budget. The European Commission implements the EC budget in accordance with the Treaty, EC legislative decisions, and the amounts agreed in the annual EC budget by the budgetary authority (Council and European Parliament).

Mr. Bercow: To ask the Chancellor of the Exchequer if he will make a statement on the nature of the *(a)* United Kingdom and *(b)* European Community support for (i) Caritas Europe, (ii) the Churches' Commission for Migrants in Europe, (iii) the Commission of the Bishops' Conference of the European Community, (iv) the Conference of European Justice and Peace Commissioners, (v) the Jesuit Refugees Service Europe and (vi) the Quaker Council for European Affairs. [17623]

Ruth Kelly: Any body or organisation can make a case to the European Commission for support from the EC budget. The European Commission implements the EC budget in accordance with the Treaty, EC legislative decisions, and the amounts agreed in the annual EC budget by the budgetary authority (Council and European Parliament).

Mr. Bercow: To ask the Chancellor of the Exchequer what European Community funds have supported the organisation 200 Jeunes pour une citoyenneté Européenne de l'an 2000; and what is the UK share thereof. [17618]

Ruth Kelly: The UK contributes to the EC budget as a whole and not to individual programmes. For the 2000 EC budget the UK gross contribution after abatement was 15.09 per cent.

EU Economic Reform Proposals

Mr. Howard: To ask the Chancellor of the Exchequer if he will make a statement listing the United Kingdom's progress in implementing each of the economic reform proposals agreed at the Lisbon Summit. [17741]

Ruth Kelly: The Government are committed to implementing the economic reform proposals agreed at the Lisbon Summit. We have made progress in numerous areas, including: an integrated and liberalised EU telecoms market; the e-Money Directive; research networks; the Small Firms Charter; the Multi-Annual Programme for Enterprise; and the legal framework for unbundling of the local shop. European economic reform will be the subject of a forthcoming White Paper, which will be published for the Spanish Presidency.

EU Fraud and Waste

Mr. Spring: To ask the Chancellor of the Exchequer if he will make a statement on the Government's policy on combating fraud and waste in the EU's budget following the Court of Auditors report of 12 November. [17384]

Ruth Kelly: The Government's policies and actions taken to combat fraud and waste are set out in the latest White Paper on European Community Finances which was published in July. The Government are considering carefully the European Court of Auditor's (ECA) report and will send their detailed comments to the Commission by 20 December as part of the normal follow-up procedure, ensuring that both Houses receive an advance copy. Any amount of fraud or waste in the EC budget is unacceptable. That is why the Government are a strong supporter of Commission reform and why they advocated the creation of the new anti-fraud office, OLAF. It is important to note however, that the irregularities reported by the ECA are not all fraud and waste; the majority are small administrative errors which are corrected at a later date.

Census

Matthew Green: To ask the Chancellor of the Exchequer what percentage of census forms have been returned. [17570]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Matthew Green, dated 26 November 2001:

As National Statistician and Registrar General for England and Wales I have been asked to reply to your recent question about the percentage of census forms that have been returned (17570).

Currently ONS estimates that the 2001 Census response rate will reach 98 per cent. of households.

Postback response for England and Wales as a whole was estimated to be around 88 per cent. of forms. Estimates from field managers reports suggest a further 7 per cent. of forms were collected by the field staff in the follow-up exercise. Judging from our 1991 knowledge possibly 3 per cent. of forms are expected to relate to vacant properties or second residences.

Public Bodies

Mr. Andrew Turner: To ask the Chancellor of the Exchequer if he will list those local bodies which were set up under legislation which is the responsibility of his Department since May 1997. [17614]

Ruth Kelly: No local bodies have been set up under legislation that is the responsibility of HM Treasury.

Mr. Andrew Turner: To ask the Chancellor of the Exchequer (1) if he will list those public bodies which are the responsibility of his Department and which are not listed in Public Bodies 2000; [17613]

(2) if he will list those public bodies to which his Department appoints members and which are not listed in Public Bodies 2000. [17612]

Ruth Kelly: Public Bodies 2000 sets out information on non-departmental public bodies (NDPBs), certain public corporations (including nationalised industries) and NHS bodies. There are four types of NDPB: executive NDPBs; advisory NDPBs; tribunal NDPBs; and boards of visitors to penal establishments. The next edition will be published around the end of the year. Information about taskforces, annual reports and ad hoc advisory groups and reviews is set out in an annual report, published by the Cabinet Office.

Copies of Public Bodies 2000 are in the Library of the House and this publication may be accessed via the Cabinet Office website http://www.official-documents.co.uk/document/caboff/pb00/pb00.htm. Copies of the annual report on taskforces and similar bodies have also been placed in the Library of the House and the annual report is being made available on the Cabinet Office website.

Ministers of the Chancellor's Departments and agencies make appointments to a number of bodies that are not public bodies so are not listed in "Public Bodies. These bodies, their status and the numbers of ministerial appointments are listed in the table:

Name of body	*Status of body*	*Number of ministerial appointments*
Building Societies Commission[1]	Part of the Registry of Friendly Societies (Government body)	8 Commissioners
Crown Estate Commission	Crown Office	8 Commissioners
Financial Services Authority	Private Company limited by Guarantee	14 Appointments
Friendly Societies Commission[1]	Part of the Registry of Friendly Societies (Government body)	6 Appointments
Public Works Loan Board	Government body	16 Appointments

[1] These bodies will cease to exist in their current form on 30 November 2001 with the bringing into force of the FSMA.

Treasury Ministers also make a total of nine non-executive appointments to the Management Boards of the Royal Mint, Office for National Statistics and National Savings, as well as 105 part-time lay appointments to VAT and Duties Tribunals.

Regulatory Impact Assessments

Mrs. Browning: To ask the Chancellor of the Exchequer what were the gross costs of the regulatory impact assessment for *(a)* The Insurance (Fee) Regulations 2001, *(b)* the Credit Unions (Increase in Limits on Periods by Persons Too Young to be Members of Periods for Repayments of Loans) Order 2001, *(c)* the Financial Services and Markets Act 2000 (Promotion of Collective Investment Schemes) (Exemptions) Order 2001 and *(d)* the Open-Ended Investment Companies Regulations 2001. [17698]

Ruth Kelly: These costs are shown in the published Regulatory Impact Assessments copies of which can be found in the House Libraries.

Mrs. Browning: To ask the Chancellor of the Exchequer what were the gross costs of the regulatory impact assessment for *(a)* the Value Tax (Conversions of Buildings) Order 2001, *(b)* Starting Up in Business, *(c)* the Replacement of Personal Pensions Transfer Regulations, *(d)* the Capital Allowance Bill, *(e)* the Abolition of Withholding Tax on Bond Interest and Extensions of Routine Information Powers on Savings Income, *(f)* the Authorised Mileage Rates and *(g)* Internet Filing of Tax Information. [17699]

Dawn Primarolo: These costs are shown in the Regulatory Impact Assessments for each of the measures which are in the House Libraries and published on departmental internets.

Working Families Tax Credit

Mr. Howard: To ask the Chancellor of the Exchequer how much of the total annual running cost to firms of administering the working families' tax credit he estimates is borne by firms with no working families' tax credit recipients. [17740]

Dawn Primarolo: None.

Higher Rate Taxpayers (Folkestone and Hythe)

Mr. Howard: To ask the Chancellor of the Exchequer how many higher rate taxpayers there were in the constituency of Folkestone and Hythe for each year since April 1997. [17736]

Dawn Primarolo: There were 2,700 higher rate income taxpayers in the constituency of Folkestone and Hythe in the 1999–2000 tax year. This estimate is based on the Survey of Personal Incomes. I regret that estimates are not available for earlier years.

Higher Rate Taxpayers (Buckingham)

Mr. Bercow: To ask the Chancellor of the Exchequer how many higher rate taxpayers there were in the Buckingham constituency in each year since April 1997. [17849]

Dawn Primarolo: There were 10,200 higher rate income taxpayers in the constituency of Buckingham in the 1999–2000 tax year. This estimate is based on the Survey of Personal Incomes. I regret that estimates are not available for earlier years.

Unemployment (Buckingham)

Mr. Bercow: To ask the Chancellor of the Exchequer how many people aged 18 to 24 were unemployed for more than six months in each year since May 1992 in the Buckingham constituency. [17847]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. John Bercow, dated 26 November 2001:

As National Statistician I have been asked to reply to your parliamentary question on the number of people aged 18 to 24 years who were unemployed for more than six months for each year since May 1992 in the constituency of Buckingham. (17847)

The Office for National Statistics (ONS) compiles statistics for unemployment from surveys following the internationally standard International Labour Organisation definition. However, for the Buckingham parliamentary constituency the survey sample size is too small to provide estimates. ONS also compiles statistics of claimants of unemployment-related benefits. The claimant count consists of all people claiming Jobseeker's Allowance or National Insurance credits at Employment Service local offices. They must declare that they are out of work, capable of, available for and actively seeking work during the week in which the claim is made.

Prior to January 1996 comparable figures for earlier years are not available on the same geographical basis. Information on computerised claims by age and duration for parliamentary constituencies from January 1996 were based on the ward boundaries of the 1991 census while figures before are based on the ward boundaries of the 1981 census and are available from June 1985 to January 1996.

The information requested is given in the attached table

Claimant aged 18 to 24 claiming for six months or more in the Buckingham Parliamentary Constituency for each May 1992 to May 2001 (Computerised claims only)

	18 to 24
May 1992	187
May 1993	217
May 1994	140
May 1995	113
May 1996	79
May 1997	38
May 1998	24
May 1999	11
May 2000	5
May 2001	1

Occupational Pensions

Mr. Webb: To ask the Chancellor of the Exchequer what estimate is provided by the Government Actuary's latest survey of occupational pension schemes on *(a)* the proportion of such shares which undertake annual reviews of the level of pensions currently payable, *(b)* the proportion of occupational pensioners who have received post-retirement pension increases which are equivalent to, or better than, limited price indexation and *(c)* the average proportion of trustees of such schemes who are appointed by the employer. [17996]

Ruth Kelly: Information about pensions increases is given in chapter 9 of "Occupational Pension Schemes 1995—Tenth Survey by the Government Actuary". Further information on the relationship between pension increases granted by a scheme and the appointment of trustees is not readily available.

Mr. Webb: To ask the Chancellor of the Exchequer when he expects to publish the report of the Government Actuary's Department 2000 survey of occupational pensions. [17995]

Ruth Kelly: The Government Actuary will release the results of his survey of occupational pension schemes as at 2000 in mid 2002.

Global Downturn

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer what measures introduced since 1997 have enabled the United Kingdom to become better placed to withstand a global downturn; and if he will make a statement. [16976]

Ruth Kelly: While no country can fully insulate itself from global conditions, the Government's reforms to the macroeconomic framework and their tough decisions on tax and spending are helping to ensure the UK is better placed to respond than on previous occasions to developments in the world economy. The Government's latest views on economic and policy developments will be set out in the Chancellor's pre-Budget statement to the House on 27 November.

Oil Prices

Mr. Cousins: To ask the Chancellor of the Exchequer if he will make a statement on the sensitivity of revenues to oil price changes. [17726]

Dawn Primarolo: Estimates of the impact of changes in oil prices on revenues can be found in box B2 of the pre-Budget report 2000, which is available in the Library of the House.

Departmental Stress Audit

Mr. Cousins: To ask the Chancellor of the Exchequer if he will place in the Library the conclusions on his Department's stress audit presented to the Treasury Management Board in *(a)* 2000 and *(b)* 2001. [17669]

Ruth Kelly: The Department accepted in full the findings of the 1999 stress audit and has been responding to its recommendations. The Department proposes to carry out a follow-up audit in 2002.

Euro

Mr. Andrew Turner: To ask the Chancellor of the Exchequer what costs his Department has incurred in achieving EMU compliance. [17710]

Ruth Kelly: An update on euro preparations was included in the Fifth Report on Euro Preparations, published on 4 November 2001. Copies of the report are available in the Library of the House.

Mr. Bercow: To ask the Chancellor of the Exchequer if he will make a statement on planned expenditure in the United Kingdom from the Pericles programme to cover euro-counterfeiting; and if Europol officers will be involved. [17624]

Ruth Kelly: The Pericles programme is not expected to entail significant new expenditure. Most of the costs of the programme will be met by the Community. The costs associated with training UK staff are likely to be met from existing budgets for that purpose within the agencies concerned—principally the National Criminal Intelligence Service and the Bank of England.

Contributors to the Pericles programme will be invited from all the international organisations with relevant expertise, including Europol and Interpol.

Mr. Bercow: To ask the Chancellor of the Exchequer (1) what analysis he has made of the establishment of monitors of price stability during the currency switchover period in Eurozone countries; who will fulfil such a role in the context of the UK joining the euro; and if he will make a statement; [17625]

(2) what assessment his Department has made of the effect of the introduction of the euro on inflation in European economies, with reference to the consequential effect on the United Kingdom economy; and if he will make a statement. [17626]

Ruth Kelly: Background to developments in the euro area was set out in the Fifth Report on Euro Preparations, published on 4 November. Preparations for the possibility of the UK joining the single currency are addressed in the second Outline National Changeover Plan, published in March 2000. Copies of both documents are in the Library of the House.

Fair Trade

Mr. Weir: To ask the Chancellor of the Exchequer (1) what fairly traded products, other than tea and coffee, have been purchased by his Department in each of the last five years; and what was their value; [17567]

(2) what is the value of fairly traded *(a)* tea and *(b)* coffee used in his Department in each of the last five years. [17566]

Ruth Kelly: The information requested could be provided only at disproportionate cost.

FOREIGN AND COMMONWEALTH AFFAIRS

Overseas Detainees

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs how many UK nationals are detained in overseas prisons. [13444]

Mr. Bradshaw: As of 1 November we were aware of 3,485 British nationals in prison overseas.

Appointments

Mr. Collins: To ask the Secretary of State for Foreign and Commonwealth Affairs how many appointments he has made to public bodies since 7 June; and how many are in his gift. [15483]

Mr. Bradshaw: The Foreign and Commonwealth Office made five ministerial appointments between 7 June and 31 October 2001. The FCO is responsible for 50 ministerial appointments.

Language Charter

Andrew George: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress the Government have made in reviewing the case to specify the inclusion of additional UK languages within the European Charter for Regional or Minority Languages. [15864]

Mr. MacShane: I refer the hon. Member to the reply given to my hon. Friend the Member for Leicester, East (Mr. Vaz) on 17 January 2001, *Official Report*, column 233W. This remained the position when the Government ratified the Charter on 27 March 2001. The assessment of whether Cornish also meets the definition of a regional or minority language is not yet completed.

Council of Europe

Andrew George: To ask the Secretary of State for Foreign and Commonwealth Affairs which Council of Europe *(a)* conventions, *(b)* charters and *(c)* other agreements the United Kingdom (i) has signed and responded to with a report, (ii) has signed but not yet prepared a report, (iii) has under consideration for signature and (iv) has rejected for signature since 1971. [15862]

Mr. MacShane: The UK has signed and ratified 107 of the 186 Council of Europe legal instruments. The need to produce a report is exceptional and required by only four of its legal instruments: the European Social Charter, the Framework Convention for the protection of national minorities, the European Charter for regional or minority languages, and the Code of Social Security. The UK has produced reports on its application of the provisions of the first two instruments. A report on implementation of the Languages Charter is due by 1 July 2002. The UK has neither signed nor ratified the Code of Social Security.

Concerning parts (iii) and (iv) of the question, the work involved in gathering the required information on the 62 legal instruments which the UK has not signed would entail disproportionate costs.

British Dependent Territories

Mr. Nigel Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on *(a)* health care facilities and *(b)* education provision in each of the British Dependent Territories. [16153]

Mr. Bradshaw: Health and education are the responsibility of the locally elected Governments under the constitutions of the Overseas Territories. Health and education facilities are available on all the inhabited territories commensurate with the size of the populations and available public funds. Reciprocal health agreements for the referral of patients exist between the United Kingdom and Gibraltar, British Virgin Islands, Turks and Caicos Islands, Anguilla, Montserrat, St. Helena and the Falklands Islands.

The table sets out facilities available.

	Education	Health
Anguilla		
Primary schools	7 (includes 1 private)	
Secondary schools	1	
Colleges	0	
Doctors		13 (includes private practice)
Clinics		5
Hospitals		1
BVI		
Primary schools	23 (7 private, 1 special needs)	
Secondary	4 (1 private)	
Community college	1	
Doctors		39 (16 private
Health centres		12 (3 private)
Hospitals		2 (1 private)
Bermuda		
Primary schools	18	
Secondary schools	2	
Middle schools	5	
Pre-schools	12	
Colleges of higher education	1	
Doctors		113 in active practice
Public health centres		4
Hospitals		1 general and 1 psychiatric
Cayman Islands		
Primary schools	20 (9 private)	
Secondary schools	9 (6 private)	
Colleges	2 (1 private)	
Doctors		84 (41 private)
Clinics		37 (24 private)
Hospitals		4 (1 private)
Falkland Islands	[1]—	
Doctors		4 (1 P/T)[2]
Hospital		1 (in Stanley)[2]
There are no separate clinics or health centres		
Gibraltar	No figures available	
Hospitals		2[3]
Montserrat		
Primary schools	2	
Secondary school	1	
	[4]—	
Doctors		3 (hospital)
Chief Medical Officer		1
Private practices		3 (1 P/T)
Clinics		4
Hospitals		1
St. Helena		
Primary schools	7	
Secondary schools	1	
Doctors		4
Dentist		1
Hospital		1
South Georgia and the South Sandwich Islands	[5]—	
Doctors		1
Medical centre		1[6]
Turks and Caicos		
Primary schools	34 (24 private)[7]	
Secondary schools	5 (1 private)[7]	
Colleges	3	
Doctors		24 (10 private)
Clinics		15 (4 private, 1 specialist)
Hospitals		2

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[1] In the Falkland Islands, one primary school and one secondary school in Stanley, plus a system of Camp education which includes four settlement (primary) schools and a team of travelling teachers who visit 15 locations.

[2] These figures are for facilities provided by the FIG and GSGSSI; they take no account of the modest health and educational facilities funded by the MOD for military personnel and dependants.

[3] There are some referrals across the border to La Linea.

[4] There are no colleges in Montserrat, although a Community College is planned. Sixth form has also resumed this academic year.

[5] There are no children, therefore there are no educational facilities.

[6] For the use of the scientific and administrative communities.

[7] Many of these are quite small private ventures, and will include Haitian schools. It must be remembered that the population of these islands is dispersed throughout six inhabited islands, each of which has its education establishments.

NATO

Mr. Alan Duncan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish details of the recent discussions he has had with the Russian Government concerning NATO expansion in *(a)* the Baltic states and *(b)* East-Central Europe. [16566]

Mr. Bradshaw: The Foreign Secretary has regular discussions with his Russian counterpart Igor Ivanov on a wide range of policy issues. They met most recently at the UN General Assembly in New York on 12 November.

Middle East

Mr. Alan Duncan: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to assist the economies of *(a)* Israel, *(b)* Jordan, *(c)* Syria, *(d)* the Palestinian Territories and *(e)* Lebanon. [16579]

Mr. Bradshaw: *(a)* The Government have no bilateral economic assistance or aid packages for Israel.

(b) The current planned level of bilateral assistance to Jordan is £3.5 million per annum. Through the UK's contribution to the EC's MEDA funds, we are also providing approximately £6.5 million per annum in assistance to Jordan.

(c) Provisional estimates for Syria's allocation of the EC's MEDA funds for 2000 are £1.5 million. The share attributed to the UK is 19.01 per cent. The UK is also supporting Syria's economic reform programme.

(d) UK bilateral assistance to the Palestinians is £14 million in 2001. The Government also contribute to budgetary aid through our share of the EC MEDA programme—equivalent to £15 million this year.

(e) Provisional estimates for Lebanon's allocation of the EC's MEDA funds for 2000 are £25.77 million. The share attributed to the UK is 19.01 per cent.

Over the past four years the UK has substantially increased its contributions to the work of the UN Relief and Works Agency (UNRWA) which provides services to Palestinians throughout the region. In 2001 the UK contribution is £25 million.

Palestine

Ms Stuart: To ask the Secretary of State for Foreign and Commonwealth Affairs what criteria he will apply to determine whether a future Palestinian state is viable. [16271]

Mr. Bradshaw: HMG remain convinced that an independent, democratic and peaceful Palestinian state should emerge as part of a negotiated settlement that guarantees peace and stability for Israel, secure within recognised borders and viewed as an equal partner in the region.

The details are for agreement between the parties in permanent status negotiations. HMG believe the characteristics of such a viable Palestinian state might include for example a high degree of territorial contiguity, responsibility for internal security, and the development of a full range of institutions necessary for effective governance.

Diplomatic Passports

Michael Fabricant: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give hon. Members diplomatic passports on the same basis as British Members of the European Parliament. [16826]

Peter Hain: The Government do not issue diplomatic passports to MEPs.

Representation Offices

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will open representation offices for the devolved Administrations. [17239]

Mr. Straw: Under the terms of the Memorandum of Understanding and the concordat on International Relations between the UK Government and the devolved Administrations, the devolved Administrations may establish offices within the framework of their responsibility for devolved matters in consultation with the FCO. The FCO and the United Kingdom Permanent Representation to the European Union have already assisted the devolved Administrations to establish offices in Brussels. The FCO will continue to assist the Administrations and to provide such advice as they require. Considerable efforts are also made within the UK to consult the devolved Administrations on EU matters. Ministers from each of the devolved Administrations are members of a Cabinet Committee which I chair.

Entertainment Budget

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish his Department's entertainment budget for the last financial year. [17237]

Mr. MacShane: Total worldwide entertainment expenditure in 2000–01 amounted to £11.4 million. Expenditure on entertainment covers a wide range of activities including promotional and trade events, receptions in honour of high level visitors, sustaining contacts with politicians and parliamentarians worldwide and events to establish and cultivate contacts. All are undertaken in pursuit of FCO objectives, both at home and in our posts overseas.

In addition, the FCO administered Government Hospitality Fund drawn upon by all Government Departments when entertaining overseas visitors, spent £1.6 million in 2000–01.

Northern Ireland Executive

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance the United Kingdom Representation at Brussels has extended to the Northern Ireland Executive in helping them to establish an office in Brussels. [17238]

Mr. Straw: The office of the Northern Ireland Executive in Brussels is responsible to the Northern Ireland devolved administration. As with the Brussels offices of the Scottish Executive and the National Assembly for Wales, assistance has been extended to ensure that the Northern Ireland (EU) office is able to operate under the umbrella of the United Kingdom Permanent Representation to the European Union, with which it has close working relations. The office's Director and Deputy Director have been accredited to the Belgian authorities as members of the Permanent Representation. In March/May 2001, the Director was given temporary office accommodation in the Permanent Representation while work was completed on the Northern Ireland Executive's new premises in Brussels.

Zimbabwe

Tony Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the support given by *(a)* Zimbabwean and *(b)* other SADC parliamentarians for the electoral recommendations to Zimbabwe by the SADC Parliamentary Forum. [16235]

Mr. Bradshaw: We welcome the commitment shown by SADC parliamentarians to democratic norms in the conduct of elections in their region, reflected in the recommendations agreed at the SADC Parliamentary Forum meeting in Windhoek on 25 March 2001. SADC parliamentarians clearly have a valuable role to play in ensuring their recommendations are followed in all SADC countries. We hope they will urge respect for these recommendations in the run up to the forthcoming Zimbabwean Presidential election.

Tony Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what international efforts are being made to encourage the Government of Zimbabwe to implement the recommendations on elections endorsed at the meeting of the SADC Parliamentary Forum at Windhoek in March. [16236]

Mr. Bradshaw: The UK, the Commonwealth, the Southern African Development Community, the EU, the US and other concerned members of the international community continue to urge the Government of Zimbabwe, at every opportunity, to create a climate conducive to free and fair elections, and to admit international election observers in good time. The recommendations of the SADC Parliamentary Forum set important benchmarks for the whole region.

Tony Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he has taken to support the SADC Parliamentary Forum proposals for elections in Zimbabwe. [16237]

Mr. Bradshaw: We continue to urge the Government of Zimbabwe, at every opportunity, to create a climate conducive to free and fair elections.

With our EU partners, we shall focus on the electorial process during forthcoming consultations with the Government of Zimbabwe, under Article 96 of the Cotonou agreement, including the norms and standards set by SADC for elections in Southern Africa.

Tony Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations *(a)* his Department and *(b)* international organisations have made to the Zimbabwe Government to ensure that a politically neutral election commission is in place to administer the forthcoming presidential election in Zimbabwe. [16238]

Mr. Bradshaw: We continue to urge the Government of Zimbabwe, at every opportunity, to create a climate conducive to free and fair elections, including a neutral Electoral Supervisory Commission. We are also working with our EU colleagues to encourage a free and fair electoral process in Zimbabwe in the context of consultations with the Government of Zimbabwe under Article 96 of the Cotonou Agreement.

Tony Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what British representations have been made to the Government of Zimbabwe relating to *(a)* free access for all parties to up to date copies of the electronic voters roll, *(b)* freedom of private media, *(c)* equal access of all parties to state controlled media during the presidential election campaign and *(d)* agreement to the admission of election observers bound by the SADC Parliamentary Forum Code. [16239]

Mr. Bradshaw: We urge the Government of Zimbabwe, at every opportunity, to create a climate conducive to free and fair elections and to admit international election observers in the lead up to, and during, the forthcoming Presidential elections. We shall, with our EU partners, also focus on the electoral process during forthcoming consultations with the Government of Zimbabwe, under Article 96 of the Cotonou agreement.

Tony Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the South African Government about the situation in Zimbabwe; and if he will make a statement. [16240]

Mr. Bradshaw: My noble Friend Baroness Amos discussed Zimbabwe with South African Ministers in October.

Data Protection Act (Notifications)

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the notifications of the Intelligence Service and GCHQ in relation to Part III of the Data Protection Act 1998 are up to date; whether these agencies are to notify purposes associated with the processing of personal data *(a)* to assist the police and *(b)* to protect the economic well-being of the state; and if he will make a statement. [17190]

Mr. Straw: The notifications of the Secret Intelligence Service and GCHQ under Part III of the Data Protection Act are up to date and are available on the Data Protection Register which can be viewed on the website of the Information Commissioner www.drp.gov.uk. There is no intention to make any notification in respect of the statutory functions of SIS and GCHQ as defined by the Intelligence Service Act 1994. The requirement for an exemption to safeguard national security under Section 28 of the Data Protection Act is not dependent upon the personal data being processed for a national security purpose.

British Council Offices

Mr. Heath: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to establish permanent offices of the British Council in *(a)* Bishkek, *(b)* Astana and *(c)* Yerevan. [17157]

Peter Hain: British Council activities in Kyrgystan are currently managed from Almaty. The opening of an office in Bishkek is currently under discussion. There are no plans to open an office in Astana. British Council activities in Kazakhstan are directed from Almaty. A British Council office opened in Yerevan in June 2001.

Diplomatic Representation (Central Asia)

Mr. Heath: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to change the permanent diplomatic presence in *(a)* Dushanbe, *(b)* Bishkek, *(c)* Ashgabat and *(d)* Tashkent. [17156]

Peter Hain: The Government hope to have diplomatic representation in Dushanbe soon; we also plan to open a full embassy in Bishkek in 2003, and a diplomat will be posted to Bishkek early next year to supervise the setting up of the mission; there are no current plans to change the diplomatic presence in Ashgabat; the embassy in Tashkent will be shortly reinforced with a defence attaché, and a drugs liaison officer will be posted in the summer of 2002.

Mr. Heath: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to enhance diplomatic representation in Central Asia. [17158]

Peter Hain: The Government hope to have diplomatic representation in Dushanbe soon; we also plan to open a full embassy in Bishkek in 2003, and a diplomat will be posted to Bishkek early next year to supervise the setting up of the mission; the embassy in Tashkent will be shortly reinforced with a defence attaché, and a drugs liaison officer will be posted in summer 2002. We have recently reinforced the embassy in Ashgabat with a drugs liaison officer, and a regional defence attaché has been posted to Almaty. The opening of an embassy in Bishkek and an office in Dushanbe will also strengthen the capabilities of the embassies in Almaty and Tashkent respectively, which currently cover those countries, by freeing up resources.

Drugs Liaison Officer (Tashkent)

Mr. Heath: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will appoint a full-time drugs liaison officer to Tashkent. [17159]

Mr. Bradshaw: We plan to post a drugs liaison officer to Tashkent from summer 2002. This will reinforce our drug liaison capacity in the region following the recent posting of a drugs liaison officer to Ashgabat, Turkmenistan.

NATO Intelligence

Dr. Julian Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the impact on the security of intelligence within NATO arising from *(a)* the recent changes in senior personnel in Polish intelligence services and *(b)* the expulsion from Poland of the representative of the United States Federal Bureau of Investigation. [17036]

Mr. Bradshaw: We do not believe that either event will have any impact on the security of intelligence within NATO.

Russia (International Coalition)

Dr. Julian Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the assistance rendered to *(a)* British and *(b)* other coalition forces by Russia since 11 September. [17034]

Mr. Bradshaw: President Putin's statement of 24 September committed Russia to supporting the coalition, opening its airspace to humanitarian flights, intelligence co-operation, search and rescue, and support for western bases in central Asia.

Russia has realised this commitment.

Muslim Fundamentalism

Dr. Julian Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment he has made of the threat of Muslim fundamentalism to the political stability of countries bordering Afghanistan. [17032]

Mr. Bradshaw: Religious beliefs, peacefully held, should pose no threat to any Government. But the extremist belief that the violent pursuit of political goals is justified poses a threat to the people of many countries, including those that border Afghanistan. However, extremists prepared to use indiscriminate violence in support of their religious, political or ideological aims form only a small proportion of the population of the countries bordering Afghanistan. We will continue to work bilaterally and multilaterally with these countries to preserve regional stability.

Commonwealth Heads of Government

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs when the next Commonwealth Heads of Government meeting will be held. [16791]

Mr. Bradshaw: The next Commonwealth Heads of Government meeting will take place from 2 to 5 March 2002 in Queensland, Australia.

Chechnya (Al-Qaeda)

Mr. Ian Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the involvement of al-Qaeda in the murder of three British hostages in Chechnya in 1998. [16834]

Mr. Bradshaw: We are aware of and have condemned the links between some extremist groups fighting in Chechnya and Osama bin Laden/the Taliban. We do not know for certain the circumstances behind the deaths of the four men in December 1998. To date we have not seen any corroborating evidence that bin Laden or the Taliban ordered the deaths of the four men.

We first became aware of the allegation last year, when it appeared in an official Russian publication called "Chechnya: The White Paper". A similar article appeared in the Russian newspaper "Gazeta" on 24 October 2001. To date, we have been unable to verify the story, although we have been in contact with the Russian authorities and the author of the "Gazeta" article.

Afghanistan

Dr. Julian Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs what criteria he will apply in deciding to recognise the new Government of Afghanistan. [17035]

Mr. Bradshaw: Since 1980, it has been HMG's policy to recognise States, not Governments.

As regards a future Government in Afghanistan, UN Security Council Resolution 1378 (2001) in paragraph 1:

> "Expresses its strong support for the efforts of the Afghan people to establish a new and transitional administration leading to the formation of a government, both of which should be broad-based, multi-ethnic and fully representative of all the Afghan people."

Dr. Julian Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs what his policy is on the role of the former King of Afghanistan *(a)* in the future constitution and *(b)* in the future Government of the country. [17033]

Mr. Bradshaw: The future Government and constitution of Afghanistan is for Afghans to decide, with the support of the United Nations, UN Special Representative Brahimi and the international community.

The ex-King is a respected figure in Afghanistan and he could play a useful role in garnering supporting among all Afghans for these efforts. We welcome the meeting of Afghan representatives in Bonn on 27 November at which the ex-King will be represented.

DEFENCE

Bicester (Defence Estate)

14. **Tony Baldry:** To ask the Secretary of State for Defence if he will make a statement on the future of the defence estate at Bicester. [15088]

Dr. Moonie: There are a number of Ministry of Defence sites in the Bicester area. The Defence Logistics Organisation Caversfield (formerly DCTA Caversfield) is operational. The adjacent Caversfield married quarters are occupied, in the main, by United States forces personnel. RAF Bicester is being promoted through the review of the local plan and is likely to be sold by 2004–05, once the planning issues have been resolved.

At the Defence Storage and Distribution Agency Bicester there are three sites (A, B and G) which are surplus to the long-term requirements of the agency and will no longer be required by them after 2004 or earlier.

The former RAF Upper Heyford site, which became surplus some years ago is subject to a joint venture agreement with North Oxfordshire Consortium.

Aldermaston

18. **Mr. Rendel:** To ask the Secretary of State for Defence what changes he has made to the level of Ministry of Defence police security at AWE Aldermaston since 11 September. [15092]

Dr. Moonie: There have been no changes to the Ministry of Defence police complement at AWE Aldermaston since 11 September.

The standing level of security at AWE Aldermaston is maintained at a high level, irrespective of fluctuations in the security alert states that may apply to other Government establishments or MOD installations. Security arrangements at AWE Aldermaston are kept under constant review.

Sierra Leone

19. **Mr. Borrow:** To ask the Secretary of State for Defence how many British troops are in Sierra Leone. [15093]

28. **Mr. Neil Turner:** To ask the Secretary of State for Defence how many British troops are in Sierra Leone. [15102]

Mr. Ingram: There are approximately 400 British service personnel deployed ashore in Sierra Leone at the present time. As my right hon. Friend the Secretary of State for Defence announced on 1 September, we are in the process of re-configuring our forces in support of the Sierra Leone Army and the Military Reintegration Process, and this figure will reduce to 360 by 1 January 2002. We are also currently contributing 15 military observers and eight headquarters staff officers to UNAMSIL, the UN operation in Sierra Leone.

RNAS Yeovilton

21. **Mr. Heath:** To ask the Secretary of State for Defence when he will take a decision on the future role of RNAS Yeovilton. [15095]

Mr. Ingram: The Strategic Defence Review confirmed that RNAS Yeovilton will remain a major Royal Naval and Defence establishment, and recommended the transfer of the Sea Harrier squadrons and support staff from RNAS Yeovilton to RAF Cottesmore and Wittering in 2003, as part of the Joint Force Harrier initiative.

The precise mix of aircraft types to be based at RNAS Yeovilton in the next decade remains under review. Any emerging proposals for change would be announced in due course and would be subject, where appropriate, to consultation.

As part of the study into the basing strategy of the Joint Helicopter Command, I have recently agreed to the recommendation, based on operational and cost grounds, that helicopters based at RAF Odiham and 9 Regiment AAC Dishforth should remain in their current locations, rather than move to RNAS Yeovilton.

Exercise Saif Sareea 2

22. **Mrs. Gillan:** To ask the Secretary of State for Defence what the cost of exercise Saif Sareea 2 was. [15096]

Mr. Ingram: The estimated cost for Saif Sareea 2 was £90.3 million. A final figure will not be available until later in the financial year. However, initial post exercise figures indicate a slight reduction in anticipated costs. This is mainly due to the withdrawal from the exercise of some elements for operational reasons.

Pensions

23. **Jane Griffiths:** To ask the Secretary of State for Defence if he will give unmarried couples serving in the armed forces pension rights equivalent to those enjoyed by married couples. [15097]

Mr. Ingram: The Ministry of Defence has no current plans to amend the Armed Forces Pension Scheme or the War Pension Scheme to provide unmarried couples with pension rights equivalent to those of married couples. However, following public consultation on a comprehensive review of the Armed Forces Pension Scheme, we will be considering representations on a range of issues including that of benefits for unmarried partners.

Mr. Swayne: To ask the Secretary of State for Defence if he will make a statement about the terms of reference of the review of the armed forces pension scheme. [15234]

Mr. Ingram: Following Sir Michael Bett's Independent Review of the Armed Forces Manpower, Career, and Remuneration Structures it was recommended that there should be a review of the Armed Forces Pension Scheme (AFPS). The aim of the AFPS review is to consider future pension arrangements for new entrants and current serving members of the armed forces which will meet the essential needs of the armed services for the foreseeable future for recruitment, retention and motivation in a manner that is fair, cost-effective and affordable. It was agreed that the review would need to examine structures and levels of payment, commutation arrangements, arrangements for future funding, arrangements for dependants, reviews and appeals. An analysis of the comments received on the AFPS review is now being undertaken.

International Terrorism

24. **Linda Gilroy:** To ask the Secretary of State for Defence if he will make a statement on his plans for the future involvement of British forces in combating international terrorism. [15098]

Mr. Hoon: As I said earlier today, given the rapid pace of events, I have concluded that it is no longer necessary for all the units placed on 48 hours notice to move 10 days ago to remain at this state of readiness. With the exception of elements of 2 PARA and 16 Air Assault Brigade and their key enablers, the bulk of these forces will revert to their previous readiness state and will be able to move within one week.

Before any decisions are taken to deploy any of these forces to Afghanistan, we will take account of the situation on the ground, including reports from the detachment in Bagram; the progress of the political process being set in train in Bonn this week; and consultation within the coalition.

26. **Dr. Desmond Turner:** To ask the Secretary of State for Defence if he will make a statement on his plans for the future involvement of British forces in combating international terrorism. [15100]

Mr. Hoon: I refer my hon. Friend to the answer I gave earlier today to my hon. Friends the Members for North Durham (Mr. Jones) and for Newcastle-under-Lyme (Paul Farrelly), *Official Report*, column 668.

27. **Michael Fabricant:** To ask the Secretary of State for Defence if he will make a statement on the role of the Royal Marines in the coalition against terrorism. [15101]

Mr. Hoon: I refer the hon. Member to the answer I gave earlier today to my hon. Friend the Member for Wirral, South (Mr. Chapman), *Official Report*, columns 662–63.

36. **Gillian Merron:** To ask the Secretary of State for Defence what recent discussions he has had with his NATO counterparts on international terrorism. [15111]

37. **Mr. Wyatt:** To ask the Secretary of State for Defence what recent discussions he has had with his NATO counterparts on international terrorism. [15112]

Mr. Hoon: Since the terrorist attacks on the United States on 11 September, and NATO's decision to invoke Article 5 of the Washington Treaty on 12 September, there have been extensive and continuing discussions at ministerial, official and military levels on how best to counter the threat posed by international terrorism. I have taken part in both formal and informal discussions with my counterparts from other NATO nations on numerous occasions. An enhanced package of counter-terrorist measures has already been adopted by the Alliance, with a range of further actions under consideration.

This robust and swift response to international terrorism has demonstrated once again both the solidarity of the Alliance and its continuing relevance in the post-Cold War era.

Gender and Racial Equality

25. **Mr. Watts:** To ask the Secretary of State for Defence what recent steps the armed forces have taken to promote *(a)* gender and *(b)* racial equality within the services. [15099]

Mr. Ingram: The armed forces goal is to achieve an environment free from harassment, intimidation and discrimination. All three services have in place a wide range of measures to support and promote that goal. These include confidential advice and support help lines, a network of equal opportunities advisers, equality training programmes and outreach initiatives.

Test Ban Treaty

29. **Mr. Tynan:** To ask the Secretary of State for Defence what recent discussions he has had with *(a)* the US and *(b)* Russia in relation to the Comprehensive Test Ban Treaty. [15103]

Mr. Hoon: I have had no recent substantive discussions on the Comprehensive Test Ban Treaty with the United States or with Russia.

Strike Fighter Project

30. **Mr. Jack:** To ask the Secretary of State for Defence if he will make a statement on the securing of design authority with reference to the joint strike fighter project. [15104]

Mr. Hoon: The exchange of letters in January 2001 with the then United States Defence Secretary Cohen allows for the UK to have a national joint strike fighter (JSF) support capability, if required. Establishment of a UK design authority would fall under this heading.

Ministry of Defence officials are working closely with their US counterparts to ensure that US information is released in a timely manner to enable UK industry to put forward cost-effective options for JSF support.

Prisoners of War

31. **Peter Bradley:** To ask the Secretary of State for Defence how many applications for the ex gratia payment to former prisoners of the Japanese announced on 7 November 2000 have been *(a)* accepted, *(b)* rejected and *(c)* remain to be determined. [15105]

Dr. Moonie: As at 12 November, 22,622 applications for the ex gratia payment have been accepted. 3,741 have been rejected and 1,240 remain to be determined.

Afghanistan

32. **Mr. Simon Thomas:** To ask the Secretary of State for Defence if he will make a statement on the deployment of members of the armed forces to assist the humanitarian effort in Afghanistan. [15106]

39. **Bob Russell:** To ask the Secretary of State for Defence what assets his Department has made available for the delivery of humanitarian aid in Afghanistan; and if he will make a statement. [15114]

Mr. Hoon: We have made available a number of service personnel and service assets to assist the humanitarian effort in Afghanistan.

A detachment of Royal Marines has been deployed to Bagram as part of a coalition mission to help make the airport usable by United Nations and other diplomatic and humanitarian missions.

We also have a small team of armed forces personnel in Islamabad where, along with United States colleagues, they are liaising with aid agencies, as well as other personnel in the United States who are assisting with the planning and co-ordination of the coalition humanitarian effort.

In addition, the Canberra PR9 reconnaissance aircraft which we have deployed to the region can assist in the targeting of humanitarian assistance by identifying concentrations of displaced persons. We will, of course, consider making other assets available as necessary.

Caroline Flint: To ask the Secretary of State for Defence how many women are on active duty as part of the Afghanistan campaign. [15094]

Mr. Hoon: Approximately 300 women are currently on active duty as part of the UK contribution to the international coalition against terrorism.

European Defence Initiative

33. **Mr. Clapham:** To ask the Secretary of State for Defence what progress has been made to encourage NATO to share information with the European defence initiative. [15108]

Mr. Hoon: The EU and NATO have been working closely together on the development of the European Security and Defence Policy. NATO has assisted in the analysis of capability requirements and has been involved in the assessment of national offers towards the pool of forces.

The EU's Political and Security Committee (PSC) and NATO's North Atlantic Council (NAC), as well as the EU's and NATO's respective Military Committees, meet on a regular basis and at least once per Presidency. Further meetings may be requested.

NATO has agreed in principle to allow the EU access to its assets and capabilities and we are discussing the details of the arrangements. An EU-NATO security agreement is also being established to allow the exchange of classified information between NATO and the EU.

Cadet Forces

34. **Mr. Kidney:** To ask the Secretary of State for Defence what assessment he has made of the strength of cadet forces. [15109]

Dr. Moonie: As at 1 April this year, the total strength of the cadet forces was 128,304. Although this represents a decrease of 3,650, or 2.8 per cent., since April 2000, cadet numbers have been relatively stable over recent years. The cadet forces continue to offer a wide range of military, adventurous and sporting activities, and the opportunity to gain nationally recognised qualifications as well as enhance personal development. We strongly encourage young people and adult volunteers to join and the Services will continue to offer practical support for the cadet forces' recruitment activities wherever possible.

Armed Forces Establishment

35. **Simon Hughes:** To ask the Secretary of State for Defence what the total establishment of the armed forces is; and how many vacancies are unfilled. [15110]

Mr. Ingram: The current trained requirement of the armed forces, as at 1 October, was 197,243 against a total trained strength of 187,699, showing a shortfall of 9,544.

Armed Forces Recruitment

38. **Syd Rapson:** To ask the Secretary of State for Defence what changes there have been to rates of recruitment and retention in the armed forces since 11 September. [15113]

Mr. Ingram: Apart from an increase in the number of inquiries about armed forces careers, there have been no discernible changes to the rates of recruitment or retention which might normally be expected at this point in the year.

Low Flying

Hywel Williams: To ask the Secretary of State for Defence what arrangements are in place to monitor low flying by the RAF. [15081]

Dr. Moonie: The number of hours booked for military low flying in the UK Low Flying System is monitored throughout the training year from April to March. As part of the monitoring process, the RAF police carry out regular covert surveys of military low flying, often assisted by the deployment of a Skyguard radar system which measures accurately the heights and speeds of aircraft. These checks confirm a healthy respect for the regulations. A copy of the statement on the pattern of military low flying for the training year to March 2001 was placed in the Library of the House on 17 July.

Capabilities Initiative

Mr. Viggers: To ask the Secretary of State for Defence if he will make a statement on the defence capabilities initiative. [15090]

Mr. Hoon: NATO's Defence Capabilities Initiative was launched at the Washington Summit in April 1999 with a view to addressing shortfalls in military capabilities across the Alliance. Since then NATO nations have been working hard to implement the initiative. Progress has been made in many capability areas, including air to air refuelling; air and sealift and precision-guided munitions. The UK's own performance within the Defence Capabilities Initiative compares very well with the Alliance average.

Land Mines

Mr. Gray: To ask the Secretary of State for Defence what progress has been made on new technology to detect and remove land mines; and if he will make a statement. [15133]

Dr. Moonie *[holding answer 20 November 2001]:* The Ministry of Defence's on-going generic mine detection research programme is currently assessing the following technologies:

Ground penetrating radar
Metal detection
Polarised thermal imaging
Ultra wide-band radar
Quadrupole resonance.

This research has resulted in the demonstration last year of an integrated three-sensor portable mine detector and a four-sensor vehicle mounted mine detection system.

Research is also under way on a Portable Humanitarian Mine Detector. A pre-production demonstrator system will be completed by July 2002 for assessment by humanitarian de-mining organisations.

The Ministry of Defence and QuinetiQ have also developed a pyrotechnic torch for destroying anti-personnel and anti-tank mines with minimal collateral damage and improved safety of deployment. Current procurement action for this system is aimed at delivering 2000 units into military service by early 2002.

The Defence Procurement Agency placed contracts in October with Ultra Electronics Ltd. of High Wycombe, Bucks and Hunting Engineering Ltd. (now Insys Ltd.) of Ampthill, Bedfordshire for the Competitive Assessment Phase of the Mine Detection, Neutralisation and Route Marking System (MINDER) Programme, with an initial capability to enter service by 2005.

Progress has also been made to improve the effectiveness of minefield breaching operations, and techniques have been developed to improve ploughing efficiency and survivability. Investigations into individual mine neutralisation are also taking place.

RAF Bases

Mr. Gray: To ask the Secretary of State for Defence what estimate he has made of the contribution made by RAF Lyneham to the local economy. [17041]

Mr. Ingram: The Ministry of Defence has not produced a formal estimate of the current contribution made by RAF Lyneham to the local economy. As I announced on 22 November 2001, *Official Report*, column 367W, a study has been commissioned as part of the Department's normal planning process, to consider the future roles of RAF Lyneham, RAF Brize Norton and RAF St. Mawgan and an economic appraisal of all three sites will be conducted as part of this work. It is understood that previous local estimates have placed the contribution to the local economy in the region of £18 million a year and this figure will be validated as part of the study.

Mr. Gray: To ask the Secretary of State for Defence how many planes are based at *(a)* RAF Brize Norton and *(b)* RAF Lyneham; and how this total will change in the next five years to reflect (i) the introduction of the A400M and the C130J and (ii) the phasing out of the VC10 and Tristar. [17154]

Mr. Ingram: There are currently 33 aircraft based at RAF Brize Norton and 54 aircraft based at RAF Lyneham. On current plans, three Hercules C130K aircraft based at RAF Lyneham will be retired within the next five years in the last element of the rolling programme to replace part of the Hercules C130K fleet with C130Js. No other changes in aircraft numbers at RAF Lyneham and RAF Brize Norton are currently planned in the next five years as a result of the procurement of the A400M and C130J or the phasing out of the VC10 and Tristars.

Mr. Gray: To ask the Secretary of State for Defence how many vacant rooms there are at RAF Brize Norton *(a)* officers accommodation and *(b)* other ranks accommodation. [17039]

Dr. Moonie: As at 20 November 2001 there were *(a)* 31 rooms vacant in Officers' Mess accommodation out of a total of 183 and *(b)* four rooms vacant in the other ranks single living accommodation out of a total of 1,289. All 31 rooms vacant in the Officers' Mess are out of use as a result of repair work currently being carried out in one wing of the mess.

Mr. Gray: To ask the Secretary of State for Defence what square footage of *(a)* hangers for aircraft maintenance and repairs and *(b)* apron parking there is at (i) RAF Lyneham and (ii) RAF Brize Norton; and what the total acreage is of each base. [17255]

Mr. Ingram: Hangars used for aircraft maintenance and repairs cover approximately 27,500 square metres at RAF Lyneham and approximately 19,970 square metres at RAF Brize Norton. The area of apron parking is approximately 270,000 square metres at RAF Lyneham and 470,000 square metres at RAF Brize Norton. RAF Lyneham covers approximately 1,164 acres and RAF Brize Norton approximately 1,184 acres.

Mr. Gray: To ask the Secretary of State for Defence how many officers and other ranks live in single accommodation at *(a)* RAF Lyneham and *(b)* RAF Brize Norton. [17038]

Dr. Moonie: As at 20 November 2001, there were 112 officers and 861 other ranks living in single living accommodation at RAF Lyneham. On the same date 152 officers and 1,275 other ranks were living in single living accommodation at RAF Brize Norton.

Mr. Gray: To ask the Secretary of State for Defence how many married quarters' houses there are at *(a)* RAF Lyneham and *(b)* RAF Brize Norton; and how many married quarters houses at RAF Brize Norton are unoccupied. [17256]

Dr. Moonie: There are 764 service families' accommodation at RAF Lyneham and 1,286 at RAF Brize Norton. 241 properties at Brize Norton are unoccupied although they are shortly to be handed back to Annington Homes. 68 are being refurbished or awaiting major repairs and 23 have been allocated to service families.

Mr. Gray: To ask the Secretary of State for Defence what length the runway is at *(a)* RAF Lyneham and *(b)* RAF Brize Norton. [17378]

Mr. Ingram: The length of the main runway available for take off or landing at RAF Lyneham is 2,386 metres. The length of the secondary runway is 1,826 metres. The runway at RAF Brize Norton available for take off and landing is 3,050 metres long.

British War Graves

Mr. Swayne: To ask the Secretary of State for Defence how much his Department has spent on the maintenance of non-world war I and world war II war graves overseas in each of the last 10 years for which figures are available. [15235]

Dr. Moonie: Precise figures are not available before financial year 1997–98; however it is estimated that £150,000 per annum was spent. A payment is also made to the Commonwealth War Graves Commission (CWGC) who maintain a number of non-world war graves on behalf of the Ministry of Defence. The figures are set out in the table.

£000

Financial year	*Actual spend*	*CWGC payment*
1992–93	[1]150	431
1993–94	[1]150	471
1994–95	[1]150	579
1995–96	[1]150	533
1996–97	[1]150	536
1997–98	[1]150	513
1998–99	152	578
1999–2000	116	600
2000–01	302	557
2001–02	[2]—	627

[1] Estimated

[2] Not available

Mr. Swayne: To ask the Secretary of State for Defence what contribution his Department has made to the South African Heritage Resources Agency for the maintenance of British war graves in each of the last 10 years. [15233]

Dr. Moonie: The Ministry of Defence has contributed the following amounts to the South African Heritage Resources Agency (SAHRA), formerly the National Monuments Council, over the last 10 years:

Year	*£*
1992	3,100
1993	10,000
1994	10,000
1995	10,000
1996	10,000
1997	10,000
1998	10,000
1999	15,000
2000	15,000
2001	15,000

Mr. Swayne: To ask the Secretary of State for Defence what his annual departmental budget is for the maintenance of non-world war I and world war II war graves overseas. [15236]

Dr. Moonie: It is estimated that in financial year 2001–02 £627,000 will be paid to the Commonwealth War Graves Commission (CWGC) for the maintenance of overseas non-world war Graves (NWG) which the CWGC maintain on our behalf. A further £185,000 will be spent on the maintenance of NWG in countries where the UK formerly had garrisons, and which are maintained under the auspices of the Defence Attachés, either through contracts or local organisations.

Mr. Swayne: To ask the Secretary of State for Defence what arrangements are in place for the maintenance of British war graves overseas of servicemen who perished in conflicts other than world wars I and II; and if he will make a statement. [15237]

Dr. Moonie: The term overseas non-world war graves (NWG) includes those who have died from normal causes or accidents, and who were buried overseas. It also includes dependants in countries where there are existing garrisons (Cyprus, Falkland Islands, Germany etc.). Non-war graves are maintained by property managers who are under the control of the local commander. In Korea, 885 British NWG are maintained by the UN commission to which we make an annual contribution. In South Africa there are 20,000 graves in 340 sites and these are maintained by the South African Heritage Resources Agency. In Malaysia and Hong Kong there are 3,694 graves in 20 sites maintained by local firms under contracts managed by the local Defence Adviser and Vice Consul respectively. In 11 other countries there are a total of 852 graves which are maintained through a variety of agreements with ex patriots, Christian churches or local communities, for which we pay basic costs. All these are managed through Defence Attachés.

Procurement

Mr. Jenkin: To ask the Secretary of State for Defence what plans the Defence Procurement Agency has to centralise the information on the number of small and medium enterprises with which his Department has signed procurement contracts. [16158]

Dr. Moonie: The Ministry of Defence is considering whether it should centralise information on the number of small and medium enterprises with which it has signed procurement contracts. I will write to the hon. Member when this work is completed, and place a copy of my letter in the Library of the House.

Swift Sword II

Mr. Swayne: To ask the Secretary of State for Defence on how many occasions the Army used *(a)* civilian contractors and *(b)* the Omani armed forces for the purpose of transporting tanks in connection with exercise Swift Sword II. [17076]

Mr. Ingram: No civilian contractors were used to transport Challenger 2 tanks during the exercise.

Saif Sareea was a combined UK/Omani exercise, designed to practice and improve the interoperability of each nations' armed forces. Working closely together with the Omanis was therefore, by design, a major feature of the exercise. A total of 30 tanks and other heavy armoured vehicles were transported by the Omanis to facilitate their recovery from the exercise area to the port of departure from Oman.

Mr. Swayne: To ask the Secretary of State for Defence how many tank transporters were unserviceable during exercise Swift Sword II; and if he will make a statement. [17075]

Mr. Ingram: Thirty tank transporters were deployed on exercise Saif Sareea. The harsh desert environment and high tempo of activity during the exercise made this a very demanding test. Inevitably, routine maintenance and servicing led to occasional periods of non-availability of individual tank transporters. Overall, however, their average availability during the exercise was in excess of 85 per cent.

Given the known limitations of the current fleet of tank transporters and the testing conditions in which the exercise was conducted, this was an entirely satisfactory figure. Notwithstanding, we are now in the final states of negotiations for a replacement and are confident that this will be in service by late 2003.

Suez Campaign Medal

Mr. Francois: To ask the Secretary of State for Defence, pursuant to his answer of 5 November 2001 to the hon. Member for Coventry, South (Mr. Cunningham), *Official Report*, column 26W, on the Suez campaign, what recent discussions he has had with ex-servicemen's organisations on the question of awarding a medal for service in the Canal Zone in the early 1950s. [17953]

Dr. Moonie: The Ministry of Defence has not had any recent discussions with ex-servicemen's organisations about the retrospective institution of a new campaign medal to mark service in the Canal Zone during the early 1950s.

Public Bodies

Mr. Andrew Turner: To ask the Secretary of State for Defence (1) if he will list those public bodies to which his Department appoints members and which are not listed in Public Bodies 2000; [17579]

(2) if he will list those public bodies which are the responsibility of his Department and which are not listed in Public Bodies 2000. [17580]

Dr. Moonie: Public Bodies 2000 sets out information on Non Departmental Public Bodies (NDPBs), certain public corporations (including nationalised industries) and NHS bodies. There are four types of NDPB: executive NDPBs; advisory NDPBs; tribunal NDPBs; and boards of visitors to penal establishments. The next edition will be published around the end of the year. Information about taskforces, annual reports and ad hoc advisory groups is set out in an annual report published by the Cabinet Office. Copies of Public Bodies 2000 are in the Library of the House and may be accessed via Cabinet Office's website: http://www.official-documents.co.uk/document/caboff/pb00/pb00.htm. Copies of the annual report on taskforces and similar bodies have also been placed in the Library of the House and the report is being made available on Cabinet Office's website.

The Ministry of Defence currently sponsors 33 Non Departmental Public Bodies (seven executive NDPBs and 26 advisory NDPBs):

Executive NDPBs

Fleet Air Arm Museum
National Army Museum
Oil & Pipelines Agency
RAF Museum
Royal Marines Museum
Royal Naval Museum
Royal Navy Submarine Museum

Advisory NDPBs

Advisory Committee on Conscientious Objectors[1]
Advisory Group on Medical Countermeasures
Animal Welfare Advisory Committee
Armed Forces Pay Review Body
Central Advisory Committee on War Pensions
Dartmoor Steering Group (jointly sponsored with DEFRA)
Defence Nuclear Safety Committee
Defence Scientific Advisory Council
Independent Board of Visitors for the Military Corrective Training Centre
National Employers Liaison Committee
Review Board for Government Contracts
Royal Military College of Science Advisory Council
Nuclear Research Advisory Committee
War Pensions Committees (13 separate committees)

[1] Appointments to the ACCO are made by the Lord Chancellor

The MOD currently sponsors the following reviews/task forces:

Depleted Uranium Oversight Board
Independent Panel on Vaccines Interaction Research
Services Families' Task Force.

In addition, the MOD also has a small number of bodies that involve significant membership from outside the civil service, but which are not classified as NDPBs or reviews/taskforces. These are:

The Navy Army Air Force Institute (NAAFI)

Two "ethnics" committees (to provide oversight of defence research)

The Historic Buildings Advisory Group.

NAAFI and the ethnics committees are currently being reviewed to determine whether they should be re-classified as NDPBs.

Ex Gratia Pension Payments

Chris Grayling: To ask the Secretary of State for Defence if he will make ex gratia pension payments to non-commissioned members of the armed forces who served prior to 1975 and did less than 22 years service. [18076]

Dr. Moonie: No. Priory to April 1975, there was no legal requirement for any public or private sector pension scheme to preserve pension rights for those who left service before reaching the normal retirement age. However, in the armed forces a pension could be paid after 22 years' reckonable service (16 years' reckonable service in the case of officers). Engagements for shorter periods were on non-pensionable terms, though gratuities were awarded to those who served less than the 22 years but had completed 12 years' reckonable service (nine years' in the case of officers). Most public and private sector pension schemes offered lesser benefits.

September 11

Mr. Hancock: To ask the Secretary of State for Defence what are the major changes in the Strategic Defence Review following *(a)* 11 September and *(b)* the campaign against international terrorism; and if he will make a statement. [17449]

Mr. Hoon: I refer the hon. Member to the answer I gave to the hon. Member for Blaby (Mr. Robathan) on 29 October 2001, *Official Report*, column 509W.

Commonwealth War Graves

Mr. Jenkin: To ask the Secretary of State for Defence if he will make a statement on the future of Commonwealth war graves in France in relation to the construction of the proposed new airport at Chaulnes. [18638]

Dr. Moonie: The Commonwealth War Graves Commission (CWGC), which has the responsibility for the maintenance of the graves of all British and Commonwealth troops who died during the two world wars and the memorials to those who have no known grave, has asked the French Government to provide more details about the proposals.

If the proposals do appear to affect war graves cemeteries containing British and Commonwealth graves, the CWGC will firmly resist any plans to disturb the war dead.

Gibraltar

Mr. Keetch: To ask the Secretary of State for Defence what joint exercises have been held between UK and Spanish forces over the past five years; which have used facilities at Gibraltar; and if he will make a statement. [17975]

Mr. Ingram: The following exercises have been held between UK and Spanish forces over the past five years. None have used facilities at Gibraltar.

Exercise name	*Date*	*Description*
Britannia Way/Iberian Focus	September 1997	Infantry company exchange exercise
Tapon 1998	June 1998	Maritime exercise
Britannia Way/Iberian Focus	September 1998	Infantry company exchange exercise
Tapon 1999	June 1999	Maritime exercise
Alcudra	July 1999	Maritime exercise
Britannia Way/Iberian Focus	September 1999	Infantry company exchange exercise
Britannia Way/Iberian Focus	September 2000	Infantry company exchange exercise
Acrobatic Sapper	September 2000	Engineer exercise

Mr. Keetch: To ask the Secretary of State for Defence what UK forces visited Gibraltar *(a)* on their way to and *(b)* returning from (i) Exercise Saif Sareea and (ii) Operation Veritas; and if he will make a statement. [17981]

Mr. Ingram: The following UK forces visited Gibraltar on their outwards journey to the Middle East:

Exercise Saif Sareea: RFA Oakleaf; HMS Ocean with elements of 40 Commando embarked; and elements of 845 and 847 Squadrons.

Operation Veritas: RFA Brambleleaf.

On the return journey from the Middle East, as of 21 November, the following UK forces have visited Gibraltar:

Exercise Saif Sareea: RFA Fort Austin.

Operation Veritas: None.

Mr. Keetch: To ask the Secretary of State for Defence what UK forces are deployed in Gibraltar; and if he will make a statement. [17982]

Mr. Ingram: The UK retains a sizeable defence presence on Gibraltar, key elements of which are the Gibraltar regiment (staffed predominantly by Gibraltarians), the Gibraltar Squadron (which includes two coastal patrol vessels and two rigid hull inflatable boats) and the detachment at RAF Gibraltar, as well as Headquarters and support units. There are currently a total of around 427 UK-based military personnel deployed to Gibraltar.

RAF Halton

Mr. Lidington: To ask the Secretary of State for Defence, pursuant to his answer of 19 November 2001, *Official Report*, column 20W, on the Defence

Estates, Aylesbury, which Government accounting rules require him to dispose of surplus sites as quickly as possible. [17807]

Dr. Moonie: I refer the hon. Member to Chapter 24 of paragraph 24.2.1 of Government Accounting, which outlines Treasury policy on the Disposal of Surplus Government Assets.

MOD Police

Norman Baker: To ask the Secretary of State for Defence how much has been received from the US authorities towards the costs of MOD police activities in the financial year 2000–01. [17971]

Dr. Moonie: The financial arrangements governing the Ministry of Defence Police (MDP) presence at Ministry of Defence establishments made available to the US are covered by a Memorandum of Understanding between the UK and US Governments.

The total amount received from the US authorities towards the cost of MDP policing bases made available to the US authorities during the financial year 1 April 2000 to 31 March 2001 was £5.497 million.

TRADE AND INDUSTRY

Special Advisers and Press Officers

Pete Wishart: To ask the Secretary of State for Trade and Industry how many *(a)* special advisers and *(b)* press officers were employed (i) full-time, (ii) part-time and (iii) on a contract basis by her Department in each year since 1992. [6881]

Ms Hewitt: *(a)* I refer the hon. Member to the answer given by my hon. Friend the Parliamentary Secretary, Cabinet Office to the hon. Member for Banff and Buchan (Mr. Salmond) on 21 November 2001, *Official Report*, column 340W.

(b) The number of Press Officers (all full-time) is given in the table:

As at 1 March	
1995	15
1996	17
1997	17
1998	17
1999	24
2000	[1]21
2001	[1]21
1 September 2001	[2]23

[1] Includes one contract press officer.

[2] Includes two contract press officers.

Note:

Information from earlier years is not available.

Hepatitis C

Dr. Gibson: To ask the Secretary of State for Trade and Industry if she will name the *(a)* grants and *(b)* laboratories awarded Medical Research Council funds for research into hepatitis C in the last five years; and what the amounts were in each case. [15724]

Ms Hewitt: Over the last five years, the MRC has made new awards for research into hepatitis C for four projects at two MRC units and has also funded 10 projects at universities or other institutes. Details are provided in the table.

Host institution	*Title*	*Amount awarded (£000)*	*Period*
University of Leeds	Functional analysis of the hepatitis C virus non-structural proteins	271	January 1999 to January 2002
UMIST	Oxidative stress and anti-oxidants associated with hepatitis C virus infections	302	January 2001 to January 2004
Imperial College of Science Tech and Med	Functional imaging of diffuse liver disease: can it predict progression to cirrhosis?	516	December 1999 to November 2004
University of Southampton	T lymphocyte and Hepatic Stellate Cell interactions in chronic hepatitis C	179	October 2000 to September 2003
University of Leeds	Structure and function of the P7 protein of hepatitis C virus	153	April 2001 to April 2004
University of Glasgow	Development of a system to study hepatitis C virus replication	287	December 1998 to December 2001
UMIST	Mechanisms and Regulation of RNA Function in Gene Expression	350	June 2001 to May 2004
University of Warwick	Treatment of persistent virus infections by gene therapy	50	May 1999 to May 2000
University of Nottingham	MHC-tetramer binding analysis of human HCV-specific CD8 positive liver-derived and peripheral blood T cells	123	February 1999 to January 2001
Institute of Child Health (London)	Epidemiology and surveillance based on anonymous neonatal testing with data linkage	108	October 1996 to June 1998
MRC Biostatistics Unit	Statistical modelling of HIV and hepatitis C progression: incubation period immunological and other markers and HLA phenotyne	145	FY 1995–96 to 1997–98
MRC Virology Unit	Hepatitis C; protein crystallography; HSV and bunyavirus suppressor mutations	590	FY 1995–96 to 1997–98
MRC Virology Unit	Analysis of the structure and function of hepatitis C virus proteins	371	FY 1998–99 to 2000–01
MRC Virology Unit	The basis of host range and tissue tropism for hepatitis viruses	557	FY 1998–99 to 2000–01

Supermarkets

Andrew George: To ask the Secretary of State for Trade and Industry (1) what mechanisms she has put in place to ensure that individual farmers and other food suppliers are protected from the effects of purchasing practices of large supermarkets; [16399]

(2) what recent discussions she has had with farmers and agricultural industry representatives regarding her Department's Code of Practice for supermarkets engaged in purchase policies with farmers and farmers' groups. [16401]

Miss Melanie Johnson: I refer the hon. Member to the answer I gave to the hon. Member for South-East Cornwall (Mr. Breed) on 9 November 2001, *Official Report*, column 442W.

Post Delivery (Bexhill)

Mr. Barker: To ask the Secretary of State for Trade and Industry what steps she will take to tackle the problems with the postal delivery service in Bexhill. [16460]

Mr. Alexander *[holding answer 20 November 2001]:* The Government have established an independent regulatory body, the Postal Services Commission, whose responsibilities include setting and enforcing standards of service for Consignia, and a Consumer Council for Postal Services, Postwatch, with powers to investigate customer complaints. I will draw the hon. Member's concern about the postal delivery service in Bexhill to the attention of these two bodies.

Fireworks

Dr. Tonge: To ask the Secretary of State for Trade and Industry if she will introduce plans to ban the sale of fireworks to the general public. [16455]

Miss Melanie Johnson *[holding answer 20 November 2001]:* We have no plans to ban the sale of fireworks to the general public.

Mr. Dhanda: To ask the Secretary of State for Trade and Industry what action her Department is taking to restrict the sale of those category 3 fireworks which cause excessive noise pollution. [16346]

Miss Melanie Johnson *[holding answer 20 November 2001]:* The Fireworks (Safety) Regulations 1997 prohibit from sale to the public several types of noisy category 3 fireworks such as aer[illegible]lls and restrict the size of others. We will, of co[illegible] consider any representations that are made.

Wind Farms

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry if she will list the operational wind farm sites in *(a)* Scotland, *(b)* England, *(c)* Wales and *(d)* Northern Ireland, giving their output in kilowatt hours. [16333]

Mr. Wilson *[holding answer 20 November 2001]:* The list provided is based on the best available information but it may not be wholly accurate, up-to-date or comprehensive. Very small projects (below 50 kilowatts installed capacity) are excluded.

Output for individual wind farm sites cannot be given for reasons of commercial sensitivity, but the table provides the installed capacity of each wind farm in kilowatts.

Operating wind farms in the UK

Site name	*Location*	*Farm installed capacity (kW)*
(a) Scotland		
Beinn Ghlas	Barguillean, Taynuilt, Argyll	8,400
Hagshaw Hill	Hazelside, Douglas, Lanarkshire	15,600
Novar (Bendealt)	Bendealt, Novar Estates, Evanton, Easter Ross, Highlands	9,000
Novar (Meall an Tuirc)	Meall an Tuirc, Novar Estates, Evanton, Easter Ross, Highlands	8,000
Windy Standard (Gallow Rig)	Windy Standard, Carsphairn, Gallow Rig, Kirkcudbrightshire, Dumfries and Galloway	10,800
Windy Standard (Polwhat Rig)	Windy Standard, Carsphairn, Gallow Rig, Kirkcudbrightshire, Dumfries and Galloway	10,800
Dun Law	Oxton, Lammermuir	17,160
Burgar Hill	Evie, Orkney	1,300
Burradale	Lerwick, Shetland	1,980
Thorfin	Evie, Orkney	2,000
Benbecula	—	50
Berriedale	Caithness	75
Castle Hill	Lothian	700
Fair Isle	Shetland	60
Fair Isle	Shetland	100
Findhorn	Forees, Morayshire	75
Hare Hill	Ayrshire	13,000
Inganess Bay	Kirkwall, Orkney	75
Island of Foula	Shetland	60
Lanarkshire	Lanarkshire	50
Rothienorman	Grampian	60
Scalloway	Shetland	60
Susetter Hill	Shetland	750
Thorfin	Evie, Orkney	1,500
Westertown	Aberdeenshire	60
White Rashes	Aberdeenshire	60
(b) England:		
Chelker	Skipton Road, Addingham, Ilkley, West Yorkshire	1,200
Deli (Delibole)	Nr. Delabole, Cornwall	4,000
Kings Bush Farm	Godmanchester, Huntingdon, Cambridge, Cambridgeshire	225
Kirkby Moor	Nr. Ulverston, Cumbria	4,800
Ovenden (Thornton)	Oxenhope, Keighley, Denholme, West Yorkshire	9,200
Blood Hill	Winterton-on-Sea, Norfolk	2,250
Blyth Harbour	Northumberland	2,700
Carland Cross	Mitchell, Cornwall	6,000
Caton Moor	Lancaster, Lancashire	3,000

Operating wind farms in the UK

Site name	*Location*	*Farm installed capacity (kW)*
Coal Clough Farm	Cornholme, West Yorkshire	9,600
Cold Northcott	Launceston, Cornwall	6,300
		500
Four Burrows	Blackwater, Truro, Cornwall	4,500
Goonhilly Downs	Cury, Helston, Cornwall	5,600
Haverigg I	Kirkstanston Airfield, Millon, Cumbria	1,125
J Stobbard and Sons	Wigton, Cumbria	200
		400
Naylor Hill Quarry	Howarth, Keighley, West Yorkshire	225
Royd Moor Farm	Thurlstone, Penistone, South Yorkshire	5,850
St. Breock	St. Breock Downs, Cornwall	4,950
St. Mary's Road	Ramsey, Cambridgeshire	250
West Beacon Farm	Woodhouse Eaves, Loughborough, Leicestershire	50
Great Eppleton Farm	North Lane, Hetton Le Hole, Tyne and Wear	3,000
Harlock Hill	Pennington, Nr. Ulverston, Cumbria	2,500
Haverigg II (Kirkstanton Airfield)	Hemplands Farm, Haverigg, Nr. Millom, Cumbria	2,400
Lynch Knoll	Partfield Farm, Tinkley Lane, Nympsfield, Stonehouse, Gloucestershire	500
Great Orton	Nr. Carlisle, Cumbria (replanting of NFFO 2 Orton Airport scheme)	2,640
Royal Seaforth Dock	Port of Liverpool, Bootle, Sefton, Merseyside	3,600
Askam (Far Old Park Farm)	Ireleth, Askam-in-Furness, Cumbria	4,620
Bears Down	St. Colomb, Cornwall	9,600
Lowca	Nr. Workington, Cumbria	4,620
Oldside	Workington, Cumbria	5,400
Siddick	Workington, Cumbria	4,200
Ecotech Centre	Swaffham, Norfolk	1,500
Somerton (Blood Hill)	Great Yarmouth	1,500
Kirkheaton	West Farm, Kirkheaton, Northumberland	1,800
Blyth Harbour offshore	Northumberland	1,800
Lambrigg	Nr. Kendall	6,500
Great Orton	Nr. Carlisle, Cumbria (replanting of NFFO 2 Orton Airport scheme)	1,320
Winscales (East Town End Farm)	Egremont, Cumbria	1,980
Blyth Harbour offshore	Northumberland	2,000
Cassop School	County Durham	50
Faccombe	Andover, Hampshire	300
Helston	Cornwall	150
Hexham	Northumberland	50
Holm Firth	Huddersfield	75
Jarrow Eco Office	Tyne and Wear	80
Wansbeck Hospital	Ashington, Northumberland	100
Weaverthorpe	Malton, North Yorkshire	80
Wollaston School	London	50
(c) Wales:		
Bryn Titli (Marchi)	Rhayader, Powys	9,900
Dyffryn-Brodyn	Blaenwaun, Whitland, Dyfed	5,500
Llangwyryfon	Dyfed	6,000
Llidiartywaun (combined with Penrhyddlan)	Llandinam, Powys	18,000
Penrhyddlan (combined with Llydiartywaun)	Llandinam, Powys	12,900
Rhyd-y-Groes	Rhosgoch, Anglesey, Gwynedd	7,200
Taff-Ely	Mid Glamorgan	9,000
Center for Alternative Technology (Mynydd Glandulas)	Pantperthog, Machynlleth, Powys	600
Hafotty Ucha	Cerrigydrudion, Clwyd	600
Parc Cynog	Pendine, Carmarthenshire	3,600
Rheidol	Banc Bwa Drain, Goginan, Aberystwyth, Dyfed	2,400
Carno A	Cwn Cledan, Carno, Powys	16,800
Carno B	Trannon Moor, Carno, Powys	16,800
Llanbabo	Llyn Alaw, Anglesey, Gwynedd	20,400
Mynydd Gorddu	Elerch, Tal-y-Bont, Ceredigion, Dyfed	4,200
		6,000
Trysglwyn	Trysglwyn Fawr, Rhosbol, Anglesey, Gwynedd	5,600
(d) Northern Ireland:		
Bessy Bell	Baronscourt Estate, Newton Stewart, Omagh, County Tyrone	5,000
Corkey	Slievenahanaghen Mountain, Corkey Road, Clough Mills, Country Antrim	5,000
Elliot's Hill	Elliot's Hill, Tildarg, Nr. Ballyclare, County Antrim	5,000
Owenreagh	Craignagapple, Nr. Stravane, County Tyrone	5,000
Rigged Hill	Nr. Limavady, County Londonderry	5,000
Slieve Rushen	Derrylin, Nr. Enniskillen, County Fermanagh	5,000
Lendrum's Bridge	Fivemiletown, County Tyrone	5,280

Operating wind farms in the UK

Site name	*Location*	*Farm installed capacity (kW)*
Slievenabanaghan	Reservoir Road, Corkey South, Loughguile, County Antrim	1,000
Rathlin Island		99
Lendrum's Bridge	Fivemiletown, County Tyrone	660

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry if she will list the proposed wind farm sites awaiting planning permission in *(a)* Scotland, *(b)* England, *(c)* Wales and *(d)* Northern Ireland, giving their predicted output in kilowatt hours. [16332]

Mr. Wilson *[holding answer 20 November 2001]:* The following list provided is based on the best available information, but it may not be wholly accurate, up-to-date or comprehensive. In particular, some of the wind farm applications shown may have been withdrawn, rejected or approved. There are also schemes in preparation, both onshore and offshore, where planning permission has not yet been sought.

Information on predicted output of the proposed wind farms has not been collected, but the table shows the capacity of each wind farm in megawatts (MW) declared net capacity.

In addition, planning consents for the following proposed larger wind farms over 50 MW installed capacity are being sought under section 36 of the Electricity Act 1989. Figures are given for the proposed installed capacity of these wind farms.

Scotland:

Paul's Hill, Morayshire—56MW

Caim Uish, Morayshire—65MW

England:

Scroby Sands, Norfolk (offshore)—75MW

Wales:

Cefn Croes, Ceredigion—60MW

Northern Ireland:

None.

Proposed wind farms awaiting planning permission[1]

Site name	*Site address*	*Capacity MW DNC*
Scotland		
Causey Mire	—	17.2
Penbreck & Carmacoup Forest	Penbreck & Carmacoup Forest, Near Glespin	11.61
An Suidhe	Between Loch Awe and Loch Fyne	6.17
Eredine Forest	On the eastern shore of Loch Awe	6.17
Meikle Carewe	Rickarton Farms, Stonehaven, Aberdeenshire	5.74
Meall Mhor Wind Farm	Kintarbert, Argyll	0.96
Hill of Lybster	Forss, Caithness	0.85
Little Kilmain (Benquhat Hill)	East Ayrshire	0.75
Little Kilmain (Benquhat Hill)	East Ayrshire	3.763
England		
Brundish Wind Turbine, Norfolk	East of Brundish Road, Stockton, Norfolk	0.63
Wharrels Hill Wind Farm, Cumbria	Wharrels Hill, Bothel, Cumbria	4.04
Stockton Wind Turbine, Norfolk	East of Layden Lane, Track, Norwich, Norfolk	0.63
Forestmoor Wind Project	Stowford Cross, Bradworthy, Devon	0.76
Coldham	Cws Coldham Estate, March, Cambridgeshire	0.843
Darcey Load (formerly Sears)	Sears Farm, Manea, Cambridgeshire	0.843
Honey Hill	Honey Hill Farm, Chatteris, Cambridgeshire	0.843
The Old Racecourse	Bratton Fleming, North Devon	0.947
Hore Down Windfarm	Ilfracombe, North Devon	0.947
Windmill Hill	Tinkley Lane, Stonehouse, Gloucestershire	0.632
Mablethorpe STW	Mile Road, Mablethorpe, Lincolnshire	0.25
Wales		
Mynydd Yr Hendre Wind Farm, Powys (now known as Cwm Llwyd)	Mynydd Yr Hendre Cefn Coch Newton Powys	12.492
Mynydd Clogau Wind Farm	Mynydd Clogau, Mynydd Bwrch-y-gors and Mynydd Cerrigllwydion, near Adfa, Newtown, Powys	4.253
Gelligaer 'A' Wind Farm	Mynydd Fochriw, Fochriw, Mid Glamorgan	4.214
Gelligaer 'B' Wind Farm, Mid Glamorgan	Mynydd Fochriw, Fochriw, Mid Glamorgan	4.214
Nant Carfan Wind Farm, Powys	Machynlleth, Powys	8.951
Cefn Croes Wind Farm, Ceredigion	Canolbarth Forest Devils Bridge Ceredigion	16.55
Tir Mostyn and Foel Goch Wind Farm	Nantglyn, Denbighshire	9.14
Llethercynnon Farm Wind Farm	Nr. Garthbrengy, Powys, Wales	3.04
Fforch	Nant Y Moel, Bridgend, Mid Glamorgan	0.937
Hirddywell Windfarm	Southwest Of Newtown, Nr. Llangurig, Powys	6.38
Bryn Du	Bryn Du Hills, South of A44 at Pont Rydgaled, Powys (LLangurig area)	7.059
Northern Ireland		
Lough Hill	—	3.44
Garrane	—	7.525
Callegheen	—	5.59

[1] Information as supplied September 2001

Aerospace Industry

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what assessment she has made of the downturn in the aerospace industry since 11 September. [16721]

Mr. Wilson: Officials in the Department of Trade and Industry remain in close contact with the UK aviation industry in co-operation with the Department for Transport, Local Government and the Regions.

The Government remain in close contact with the aerospace industry, as we are with other sectors, and with the trade associations in order to understand and evaluate the effect of the events of 11 September. It remains too early to say what will be the effect on the aerospace industry. When the impact has been fully assessed, we will be in a position to consider how best Government and the aerospace industry can work together to ensure a successful future for the industry.

Westinghouse

Mr. Sayeed: To ask the Secretary of State for Trade and Industry which division of Westinghouse is now a part of BNFL. [16743]

Mr. Wilson: In March 1999 BNFL and Morrison Knudsen (MK) completed the joint acquisition of CBS's US nuclear services company, Westinghouse. The Westinghouse acquisition comprised two businesses: Energy Systems—which provided nuclear products and services in the US and internationally, and Government and Environmental Services—which managed and operated environmental clean-up programmes for the US Department of Energy and provided services to the US Department of Defense.

A new structure for Westinghouse was agreed; BNFL became a 100 per cent. owner of the Energy Systems business (renamed Westinghouse Electric Company), took a 40 per cent. economic interest in the 100 per cent. MK owned defence related portion of Government Services (renamed Westinghouse Government Services Company) and 40 per cent. ownership of the non-defence related Government Services business (renamed Westinghouse Government Environmental Services Company), with MK owning the remaining 60 per cent.

Energy Industry

Mr. Sayeed: To ask the Secretary of State for Trade and Industry if she will make a statement on the effect of deregulation and privatisation of the energy industry. [16740]

Mr. Wilson: The Government's central energy policy objective is to ensure secure, diverse and sustainable energy supplies at competitive prices. They consider that competitive markets and companies are the key to achieving this. Government's role is to set the right framework and to deal with issues that the market alone, as it emerged following energy privatisations, may be unable to address. The Government have, therefore, provided the appropriate legal framework for competitive energy markets and the economic development of Britain's energy resources consistent with safety and environmental protection. They have also further modernised the framework of energy regulation through the Utilities Act 2000 to give primary importance to protecting the interests of consumers, while minimising the regulatory burden on industry wherever possible.

Gas Transportation Tariffs

Lady Hermon: To ask the Secretary of State for Trade and Industry what representations she has made to *(a)* Ofgem and *(b)* Centrica plc concerning the gas transportation tariffs in the United Kingdom, with particular reference to their effect on Northern Ireland. [16783]

Mr. Wilson: In Great Britain gas transportation tariffs are levied by Transco and regulated by Ofgem through licence conditions (including the licence condition relating to the price control). Ofgem recently consulted on proposals for the price control for the period from 2002–07. While the Department has had discussions with Ofgem about its proposals we have made no specific representations regarding transportation tariffs.

Gas is supplied to Northern Ireland under a contract between Centrica plc and Phoenix Natural Gas plc, the main gas supplier in Northern Ireland. Like all other shippers who use Transco's system, Centrica pay gas transportation tariffs and I understand that the level of these charges is reflected in the price Centrica charges customers such as Phoenix. This is however a commercial matter.

Centrica plc

Lady Hermon: To ask the Secretary of State for Trade and Industry when she last met the Managing Director of CEMG, Centrica plc; and what was discussed. [16784]

Mr. Wilson: My ministerial colleagues and I meet representatives of Centrica plc from time to time to discuss a range of current energy matters.

Most recently my right hon. Friend the Secretary of State for Trade and Industry met senior management from Centrica on 19 November and I am due to meet representatives from Centrica on 6 December.

Economic Development Zone (Lancaster)

Geraldine Smith: To ask the Secretary of State for Trade and Industry what concerns were identified as part of the EOI Review about Lancaster city council's priority 3 economic development zone bid. [16696]

Ms Hewitt *[holding answer 21 November 2001]:* Lancaster's "expression of interest" (EOI) in an Economic Development Zone (EDZ) under the North West's Objective 2 Programme for 2000–06 was assessed as high priority and has since resulted in a fully detailed bid for EDZ status and European Regional Development Fund (ERDF) funding. The independent consultants who appraised the EOIs met with Lancaster in October to discuss a range of issues around the nature of activity proposed in the EDZ, the scale of support needed and funding profiles.

Online Trading

Mr. Swire: To ask the Secretary of State for Trade and Industry how many small businesses trade online in the constituency of East Devon. [17287]

Mr. Alexander: The International Benchmarking Study, which measures the number of businesses trading online, measures trading online at the level of the region but not of the constituency. A copy of the 2001 study is available from the Libraries of the House.

Clean Coal Technology

Mr. Swire: To ask the Secretary of State for Trade and Industry what the total level of investment, in real terms, has been into research into clean coal technology from her Department since 1997. [17279]

Mr. Wilson: The table shows levels of investment into research into clean coal technology both in actual money of the day and : constant 1995 prices using the GDP deflator.

£ million

Year	*Actual*	*At constant 1995 prices*
1996–97	7.4	7.1
1997–98	4.1	3.8
1998–99	3.4	3.1
1999–2000	2.9	2.6
2000–01	2.6	2.3
2001–02[1]	4.9	4.2
2002–03[1]	8.4	7.0
2003–04[1]	8.4	6.8

[1] Budget

Local Government Finance

Mr. Swire: To ask the Secretary of State for Trade and Industry how much of her Department's allocation was spent in the constituency of East Devon *(a)* in real terms and *(b)* as a percentage of the total budget in the last financial year. [17286]

Ms Hewitt: The DTI does not hold centrally information on resources spent in particular constituencies. To provide the information requested for most departmental programmes and schemes would require individual examination of a large number of individual cases, which would incur disproportionate cost. It would also raise problems of definition: some expenditure for example supports firms or organisations operating on a national basis. Information on expenditure at constituency level is however available for two departmental schemes and programmes.

1. Government Office South West advise that in 2000–01 £32,753.25 was paid out under the SMART scheme in East Devon (0.14 per cent. of total SMART expenditure and 0.002 per cent. of the Department's total Trade and Industry budget as voted by Parliament).

2. There were no applications for Enterprise Grants—and hence no expenditure—in East Devon in 2000–01. Departmental expenditure on Enterprise Grants in 2000–01 was £3.6 million.

Steel Imports

Mr. Allan: To ask the Secretary of State for Trade and Industry what recent discussions she has had with *(a)* the UK steel industry, *(b)* the European Commission and *(c)* the US Government, concerning tariffs on steel imports into the USA. [17383]

Mr. Wilson: My right hon. Friend the Secretary of State for Trade and Industry met with representatives of the Iron and Steel Trade Confederation on 18 October and with representatives of Corus on 29 October when issues surrounding international trade in steel were discussed. My right hon. Friend the Secretary of State for Trade and Industry and my noble Friend Baroness Symons of Vernham Dean also raised the issue at a high level with the US Administration when they visited the US in July. The Government remain concerned at the prospect of US unilateral action under Section 201 of the Trade Act 1974 which would severely disrupt international trade in steel and damage UK steel manufacturing and employment interests. We support the view that Commissioner Lamy has expressed: the cost of restructuring the US steel industry should not be shifted on to the rest of the world. The appropriate way to address global steel trade issues is through multilateral discussion.

Regulatory Impact Assessments

Mrs. Browning: To ask the Secretary of State for Trade and Industry (1) what were the gross costs of the regulatory impact assessment for *(a)* the Weights and Measures (Intoxicating Liquor) (Amendment) Order 2001 and the Measuring Equipment (Capacity Measures) (Amendment) Regulations 2001, *(b)* the Unit of Measurement Regulations 2001, *(c)* the Weights and Measures (Metrication Amendment) Regulations 2001, *(d)* the Offshore Combustion Installation (Prevention and Control of Pollution) Regulations 2001 and *(e)* the Company Business Names (Amendment) Regulations 2001; [17696]

(2) what were the gross costs of the regulatory impact assessment for *(a)* the Shop Now Orders (EC Directive) Regulations 2001, *(b)* the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001, *(c)* the Noise Emission in the Environment by Equipment for Use Outdoors Regulations 2001 and *(d)* the Wireless Telegraphy (Licence Charges) (Amendment) Regulations 2001; [17697]

(3) what were the gross cost of the regulatory impact assessment for *(a)* the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2001, *(b)* the Merger (Fees) (Amendment) Regulations 2001, *(c)* the Employment Tribunals (Constitution and Rule of Procedure) Regulations 2001, *(d)* the Measuring Equipment (Cold-water Meters) (Amendment) Regulation 2001 and *(e)* the Wireless Telegraphy (Exemption) (Amendment) Regulations 2001. [17695]

Ms Hewitt: These costs are shown in the published regulatory impact assessments which are in the Libraries of the House.

Miners' Compensation

Mr. Todd: To ask the Secretary of State for Trade and Industry what progress has been made to resolve the potential liability for compensation to those who suffered injury from dust from working in surface areas in the mining industry; and if she will make a statement. [17705]

Mr. Wilson: The Department's initial proposals for handling surface only claims under the Claims Handling Agreement (CHA), put to the Claimants' Solicitors Co-ordinating Group (CG) in July 2000, were rejected.

To move matters forward, the Department and the CG have carried out a joint study of the impact of surface dust on surface only workers. The Department has proposed that the parties' medical experts should meet in December to discuss their findings. Their conclusions will help to inform the way forward. Offers are already being made to 'mixed' claimants (who worked both underground and in surface dusty occupations) with the agreement of the CG.

World Trade

Mr. Weir: To ask the Secretary of State for Trade and Industry what discussions she has had with her counterparts in other nations represented at the World Trade Organisation mechanisms on reviewing the delivery of promised improvements to developing countries in *(a)* previous and *(b)* the current WTO rounds. [16798]

Ms Hewitt *[holding answer 22 November 2001]:* I refer to my statement to the House, reporting on the successful outcome of the WTO Ministerial Conference in Doha, on 15 November 2001, *Official Report,* columns 997–1008.

As well as agreeing a Ministerial Declaration launching a development-focused trade round, which we believe offers the best route for the developing world to escape from poverty, the WTO Ministerial Conference also agreed a Decision on Implementation-Related Issues and Concerns addressing many of the concerns raised by developing countries over the operation of existing WTO Agreements and, as part of the Ministerial Declaration itself, agreed that other outstanding concerns should be addressed as a matter of priority.

Fair Trade

Mr. Weir: To ask the Secretary of State for Trade and Industry what is the value of fairly traded *(a)* tea and *(b)* coffee used in her Department in each of the last five years. [17546]

Mr. Alexander: I can answer only in respect of coffee supplied to the Department's preferred catering supplier over the last two years; further information could be obtained only at disproportionate cost.

£000

Year	*Value*
2000	15
2001[1]	31

[1] To date

Nuclear Installations

Mr. Weir: To ask the Secretary of State for Trade and Industry if the Nuclear Installations Inspectorate has set up a special group to look at the question of security at nuclear power stations and nuclear installations following the events of 11 September. [16803]

Mr. Wilson *[holding answer 22 November 2001]:* My officials have consulted the Nuclear Installations Inspectorate as the safety regulator, and are working closely with the industry to review safety and security at civil nuclear facilities in the light of the attacks in the United States on 11 September.

Mr. Weir: To ask the Secretary of State for Trade and Industry what representations the Nuclear Installations Inspectorate have received in relation to security at nuclear installations following the events of 11 September. [16802]

Mr. Wilson *[holding answer 22 November 2001]:* Security at licensed nuclear sites is regulated by the Office for Civil Nuclear Security, the independent security regulator within the Department. The Health and Safety Executive's Nuclear Installations Inspectorate is the independent nuclear safety regulator. All inquiries to Government organisations relating to security at nuclear installations are referred to the DTI. My officials and I have received a number of representations from hon. Members on behalf of their constituents, from the public, and from the nuclear industry in relation to security at nuclear installations.

Mr. Weir: To ask the Secretary of State for Trade and Industry if she has instructed the Nuclear Installations Inspectorate to consider the security at nuclear installations following the incidents on 11 September. [16797]

Mr. Wilson *[holding answer 22 November 2001]:* Ensuring UK civil nuclear installations comply with security regulations is the responsibility of the Office for Civil Nuclear Security (OCNS), the security regulators. OCNS works closely with the Health and Safety Executive's Nuclear Installations Inspectorate (NII), the safety regulator. Both regulators are working together to review all relevant precautions in the light of the terrorist attacks in the United States on 11 September.

Telecom Services

Mr. Weir: To ask the Secretary of State for Trade and Industry what representations she has made to *(a)* Oftel and *(b)* BT regarding transfer of existing telephone numbers from former customers of Atlantic Telecom to BT lines. [16811]

Mr. Alexander *[holding answer 22 November 2001]:* I have discussed with the Director General of Telecommunications the issues faced by the customers of Atlantic Telecom. I have also raised this directly with the Chief Executive of BT. A number of options were discussed with the administrators and we are actively pursuing all possible solutions to minimise disruption to Atlantic subscribers. My officials and Oftel are taking these issues forward with BT.

Electricity Generation

Mr. Drew: To ask the Secretary of State for Trade and Industry what percentage of the total cost of electricity generation by *(a)* gas, *(b)* coal and *(c)* nuclear is accounted for by the primary fuel source in the latest year for which figures are available. [17808]

Mr. Wilson: The Department does not publish statistics relating to the cost of fuel as a proportion of the total cost of generating electricity. However, the OECD Nuclear Energy Agency (NEA) and International Energy Agency (IEA) periodically undertake comparative studies of the projected costs of baseload electricity generation in different countries. The most recent study was published in 1998, which forecast the generating costs of various technologies and plant types that could be commissioned by 2005–10.

As a share of the total cost of generation, the latest comparative study estimated the following figures:

Fuel Type	*Percentage share of total cost*
Gas	64
Coal	36
Nuclear	12

Source:

Pages 68–69, table 16, Projected Costs of Generating Electricity—Update 1998 (NEA and IEA). Figures in the table refer to the percentage shares of levelised costs at 10 per cent. discount rate and are averages of least expensive plant options in each country surveyed.

Space Technology Sector

Mr. McWilliam: To ask the Secretary of State for Trade and Industry what assessment her Department has made of the economic importance of the UK space technology sector in terms of *(a)* the extent to which it can help the UK's manufacturing industry develop export markets, *(b)* the extent to which it can help the United Kingdom manufacturing industry create jobs and *(c)* the impact of her Department's assessment on the United Kingdom's decision to provide funds to support the Galileo project; and if she will make a statement. [R] [17805]

Ms Hewitt: The United Kingdom's space technology is world class in a number of areas including telecommunications payloads, small satellites and synthetic aperture radar. About two thirds of UK space industry turnover results from export business. Latest published figures show that approximately 6,000 people are employed directly in space activities, without taking into account employment in those sectors which are reliant on satellite based services. The size and health of the UK space industry is currently being surveyed by the British National Space Centre and the results should be published early in 2002.

The Department for Transport, Local Government and the Regions is the lead department on Galileo. My Department has been working closely with them, and others in Whitehall, to develop the United Kingdom's position on Galileo.

Railtrack

Mr. Swire: To ask the Secretary of State for Trade and Industry which *(a)* local authorities, *(b)* privatised industries and *(c)* pension funds held shares in Railtrack prior to the company being taken into administration; and how many shares were held by each. [17283]

Mr. Jamieson: I have been asked to reply.

My Department does not hold this information.

Aggregates Levy

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what amount of pre-cast concrete products was supplied to Great Britain from Northern Ireland by weight in the last 12 months for which figures are available; and what assessment she has made of the likely change in this figure following the introduction of the aggregates levy. [16705]

Ruth Kelly: I have been asked to reply.

No such figures are available.

Profitability

Mr. Swire: To ask the Secretary of State for Trade and Industry what the level of profitability of United Kingdom industry was *(a)* in total for the last 12 months, *(b)* per quarter since 1997 and *(c)* by region in each year since 1997. [17280]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Hugo Swire, dated 26 November 2001:

As National Statistician I have been asked to reply to your recent question on the level of profitability of United Kingdom industry (17280).

A First Release of the Profitability of UK Companies was published by the Office for National Statistics on 5 October 2001 and is available on the National Statistics website (www.statistics.gov.uk). This release covers UK Private Non-Financial Companies and gives quarterly data from 1989 to the second quarter of 2001.

Profitability data is not available on a regional basis.

Manufacturing Jobs

Mr. Hoyle: To ask the Secretary of State for Trade and Industry how many *(a)* management and *(b)* shop floor jobs in manufacturing have been lost in (i) Lancashire and (ii) the United Kingdom in each of the last three years. [16720]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Lindsay Hoyle, dated 26 November 2001:

As National Statistician, I have been asked to reply to your Parliamentary Question about job losses in manufacturing in Lancashire and the United Kingdom. (16720).

The Labour Force Survey (LFS) provides estimates of the numbers of people employed in manufacturing in Lancashire and the United Kingdom. The LFS does not classify occupations in terms of 'management' and 'shopfloor'. However, it does provide estimates of the numbers of people employed in manufacturing by social class based on occupation (formerly known as Registrar General's Social Class), up to and including winter (December to February) 2000–01.

The attached table gives the LFS estimates of the numbers of people employed in manufacturing in Lancashire and the United Kingdom for winter (December to February) 1997–98 to winter (December to February) 2000–01 by social class.

All persons employed in manufacturing[1] *by social class; United Kingdom and Lancashire; winter (December to February) 1997–98 to winter (December to February) 2000–01; not seasonally adjusted*

Thousand

	Winter			
	1997–98	*1998–99*	*1999–2000*	*2000–01*
United Kingdom				
All persons employed in manufacturing[2]	5,006	4,959	4,806	4,614
Professional, intermediate and skilled non-manual occupations	2,078	2,080	2,034	1,965
Skilled manual, partly skilled and unskilled occupations	2,916	2,868	2,760	2,636
Lancashire				
All persons employed in manufacturing[2]	120	112	129	117
Professional, intermediate and skilled non-manual occupations	45	47	53	43
Skilled manual, partly skilled and unskilled occupations	75	65	75	73

[1] Standard Industrial Classification 1992 sector D: Manufacturing

[2] Includes people who did not state their occupation

Source:

ONS Labour Force Survey

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Energy Efficiency

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs how many households in the Isle of Wight have benefited from the *(a)* Home Energy Efficiency Scheme and *(b)* HEES Plus since 1 June. [16121]

Mr. Meacher *[holding answer 19 November 2001]:* The home energy efficiency scheme (HEES) was launched on 1 June 2000. It is managed by two scheme managers, Eaga Partnership and TXU Warm Front Ltd., and offers two levels of grant:

> HEES—£1,000 for households with children under 16 and in receipt of an income-related, disability or long-term illness benefit.
>
> HEES Plus—£2,000 for over-60s in receipt of an income-related benefit.

The table shows the number of householders, on the Isle of Wight, who have benefited from either a HEES or HEES Plus grant since the launch of the scheme on 1 June 2000.

HEES	*Isle of Wight householders who have received help*
Householders	660
Plus householders	590

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs how many complaints have been received in *(a)* England, *(b)* the South East and *(c)* the Isle of Wight in respect of work carried out in the home energy efficiency scheme. [16124]

Mr. Meacher *[holding answer 19 November 2001]:* Over 250,000 householders have been assisted since the launch of the home energy efficiency scheme (HEES) on 1 June 2000. The table shows the number of complaints received by the scheme managers, Eaga Partnership and TXU Warm Front Ltd., concerning work carried out either in respect of workmanship or faulty equipment. The total number of complaints is 4,700.

	Complaints received concerning work carried out	*Percentage of total number of householders completed since 1 June 2000*
England	1,400	0.5
South East	220	0.08
Isle of Wight	11	0.004

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs how many households have made a financial contribution to work carried out under the home energy efficiency scheme since 1 June. [16119]

Mr. Morley *[holding answer 19 November 2001]:* The home energy efficiency scheme (HEES) was launched on 1 June 2000. It is managed by two scheme managers, Eaga Partnership and TXU Warm Front Ltd., and offers two levels of grant:

> HEES—£1,000 for households with children under 16 and in receipt of an income-related, disability or long-term illness benefit.
>
> HEES Plus—£2,000 for over-60s in receipt of an income-related benefit.

Where the grant is insufficient to meet the full cost of work the appointed scheme manager will attempt to obtain contributions from other programmes funds such as energy suppliers' energy efficiency commitment schemes. If that is unsuccessful the client will be asked to make the appropriate contribution. Of the 250,000 householders assisted since the start of the scheme, 6,900 (or 3 per cent. of the total) made such a contribution.

We will shortly review the grant levels taking into account advice from the scheme managers on the expected rates of labour and materials for the forthcoming year.

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs how many households in *(a)* England and *(b)* the Isle of Wight have qualified for the full grant of £2,000 in respect of the home energy efficiency scheme. [16117]

Mr. Meacher *[holding answer 19 November 2001]:* The home energy efficiency scheme (HEES) was launched on 1 June 2000. It is managed by two scheme managers, Eaga Partnership and TXU Warm Front Ltd., and offers two levels of grant:

HEES—£1,000 for households in receipt of an income-related benefit.

HEES Plus—£2,000 for over-60s in receipt of an income-related benefit.

The table identifies the number of households who have qualified for the HEES Plus grant.

HEES Plus householders

	Number
England	152,200
Isle of Wight	840

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what assessment she has made of the annual energy savings which would result from the application of minimum energy performance standards as envisaged by the proposed EC Directive on the Energy Performance of Buildings to new residential and commercial buildings; [12101]

(2) if she will estimate the annual energy savings which would result from the application of minimum energy performance standards as envisaged by the proposed EC Directive on the Energy Performance of Buildings to renovation projects on buildings *(a)* larger than 1000 square metres, *(b)* larger than 500 square metres and *(c)* larger than 100 square metres. [12103]

Mr. Meacher *[holding answer 8 November 2001]:* In England and Wales, it is envisaged that the minimum energy performance standards provisions of the draft Energy Performance of Buildings Directive would be implemented through Part L of the Building Regulations, which are estimated to provide annual savings of 1.45 MtC (about 2 per cent.) from improved standards for new buildings and refurbishment of existing buildings.

For the European Community as a whole, the European Commission has estimated that the potential energy savings through energy efficiency measures in buildings as a result of the draft Directive would be around 22 per cent. of present consumption, and that this could be realised by the year 2010. Data have not been made available by the Commission on savings for each of the individual measures in the proposal.

Mr. Burstow: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 9 November 2001, *Official Report,* column 452W, on warm front grants, if her Department has received representations from other sources; and if she will publish for each of the last three years for which information is available, by region *(a)* the average cost of work under the scheme and *(b)* the maximum level set for grants paid for individual householders. [15181]

Mr. Meacher *[holding answer 15 November 2001]:* The new Home Energy Efficiency Scheme (HEES) was launched on 1 June 2000 and is marketed as the Warm Front Team. HEES provides two levels of financial assistance:

HEES—£1,000 for low income households with children under 16, disabled persons or suffering long-term sickness on a qualifying benefit; and

HEES Plus—£2,000 for over-60s on an income-related benefit.

In addition, HEES Plus recipients who live in a Home Office designated high crime area may be able to have security measures—door and window locks—provided, though from separate Home Office grant.

The Department keeps the level of grant maximum for individuals under review. From time to time representations are received from trade associations. In addition, the two appointed scheme managers monitor the cost of measures being installed under HEES, taking into account material and labour costs in their appointed areas.

The tables identify the average cost of work in each of the four regions for the 2000–01 to 2001–02 financial years.

HEES—£1,000 grant maximum

£

Region	*Average cost of grants 2000–01*	*Average cost of grants 2001–02*
London and South East	240	300
Eastern, East Midlands and Yorkshire and Humber	270	280
South West and West Midlands	270	300
North West and North East	270	310

HEES—£2,000 grant maximum

£

Region	*Average cost of grants 2000–01*	*Average cost of grants 2001–02*
London and South East	270	650
Eastern, East Midlands and Yorkshire and Humber	460	510
South West and West Midlands	280	850
North West and North East	360	810

Foxhunting

Mr. Challen: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact on the fox population of the ban on hunting during the foot and mouth crisis. [15334]

Alun Michael: There is no information collected centrally which could provide the basis for an answer to this question.

Ovine BSE (Research)

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs (1) when she first was informed of the results of the tests conducted by the Laboratory of the Government Scientist in relation to BSE in sheep; and if she will make a statement; [9916]

(2) on what basis the time of publication of the findings of the Government Scientist in relation to the work of the Institute of Animal Health on BSE in sheep was decided. [9917]

Margaret Beckett: The results of DNA testing undertaken by the Laboratory of the Government Chemist (LGC) were made known to me on the afternoon of Wednesday, 17 October. Only at around 6.00 pm on Wednesday evening was information received suggesting that the material analysed by the LGC might be representative of the brain pool used in the Institute of Animal Health experiment.

The finding that there was no sheep material in the sample sent to the LGC was a totally unforeseen development. Nevertheless, a statement was made the same evening and within a few hours of Ministers being informed of the results. This statement was given to the Press Association at about 9.00 pm, then issued to other news organisations.

Educational Attainment (Rural Areas)

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of young people living in rural areas in the United Kingdom gained five GCSEs at grade levels A* to C compared to the national average in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000 and *(f)* 2001. [16582]

Alun Michael: The Department for Education and Skills, which is responsible for the publication of statistics on participation in education, does not produce figures on the basis of an urban/rural breakdown. Figures for individual local education authorities and local skills councils are available in their statistical bulletins available on their website.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of young children living in rural areas in the United Kingdom did not reach the national average for Key Stage 2 assessment in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000 and *(f)* 2001. [16534]

Alun Michael: The Department for Education and Skills, which is responsible for the publication of statistics on participation in education, does not produce figures on the basis of an urban/rural breakdown. Figures for individual local education authorities and local skills councils are available in their statistical bulletins. The Key Stage 2 publication is a Statistical First Release 40/2001 "National Curriculum Assessment Assessments of 7, 11 and 14-year-olds by Local Education Authority" available on their website.

Lord Haskins

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she has taken to ensure that the responsibilities of Lord Haskins within the Prime Minister's office are co-ordinated with the priorities, objectives and work of her Department. [16395]

Alun Michael: My noble Friend Lord Haskins does not have any responsibilities within the Prime Minister's office. His report as rural recovery co-ordinator for Cumbria was submitted to me on 2 October. My noble Friend Lord Haskins continues to chair the Better Regulation Task Force, which submits reports to Government on regulatory issues. The response of Government to any specific report is co-ordinated by the Government Department which has lead responsibility for the policy area covered by that report.

Agriculture Council

Mr. Hood: To ask the Secretary of State for Environment, Food and Rural Affairs what the outcome was of the Agriculture Council held in Brussels on 20 November; what the Government's stance was on each issue discussed, including its voting record; and if she will make a statement. [17454]

Margaret Beckett: I represented the United Kingdom at the meeting of the Agriculture Council in Brussels on 20 November, Agriculture Ministers of the devolved Administrations in Scotland, Wales and Northern Ireland attended.

It was not possible to reach agreement on the main item of business, the proposed reform of the sheepmeat regime. I am disappointed with this outcome since I believe that a satisfactory outcome was close. I hope that the Council will be able to complete discussions at its next meeting.

The Council reviewed the situation in the beef and veal market and the Commission, while not proposing any new action, agreed to monitor developments closely. I supported several member states who stressed that high standards of animal welfare should be maintained when cattle are exported live from the EU; the Commission did not however accept that export refunds on this trade should be discontinued. The Council received information on the current situation with regard to action to control BSE in the member states. The Commission reported that it was examining the compatibility with EU law of recent action by the French trade in respect of beef imports from other EU members. I reminded the Council that one member state had still to lift its ban on imports of British beef.

On sheepmeat, the Commission noted that the EU's Scientific Steering Committee (SSC), which provides advice on food safety and risk management issues, had considered but not approved the further requirements that France proposed to introduce in respect of Specified Risk Material (SRM), especially spinal cord, in carcases. France was invited to supply further information for consideration by the SSC and meanwhile to defer implementation of the measures.

The Council took note of a report from the Commission to the European Parliament and the Council on the evaluation of active substances in pesticides. The Council also congratulated the Commission on the successful conclusion of the discussions on agriculture at the Doha meeting of the WTO.

Foot and Mouth

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what was the average time taken between the initial identification of positive cases of foot and mouth disease and *(a)* disinfection of carcases and *(b)* disposal of carcases in each month from February to October. [11739]

Margaret Beckett *[holding answer 1 November 2001]:* The table provided shows average times from the initial report of potential foot and mouth disease to disposal. Information on disinfection of carcases is not available as the initial cleansing and disinfection relates to the whole premises.

Month	*Average time taken (hours)*
February	201
March	135
April	93
May	93
June	45
July	36
August	83
September	26
Average	105

Source:

DEFRA Disease Control System Database as at 17:30 30 October 2001. Figures subject to revision as more data become available.

Lembit Öpik: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the risks of spreading foot and mouth disease associated with *(a)* fox hunting with dogs, *(b)* riding a horse, *(c)* walking a dog and *(d)* rambling; and if she will make a statement. [14402]

Alun Michael: A full list of Veterinary Risk Assessments relating to foot and mouth disease can be found on the DEFRA website at http://www.defra.gov.uk/footandmouth/disease/risks/index/htm. No. 4 deals with opening footpaths to the public; No. 10 deals with Horse Race meetings; No. 12 deals with specified equestrian events; No. 14 deals with official equestrian events and non agricultural land, and No. 26 covers activities relating to hunting with dogs.

Information is also available to advise dog owners how they can guard against spreading foot and mouth disease. This can be found at http://www.defra.gov.uk/footandmouth/about/animals/dogs.asp.

I have placed a printed copy of this information in the Library of the House of Commons.

Green Minister's Report

Jon Cruddas: To ask the Secretary of State for Environment, Food and Rural Affairs when she will publish the next Green Minister's report. [18840]

Mr. Meacher: I am delighted to announce that "Greening Government: Third Annual Report 2001" will be published tomorrow. The report will be presented in two parts; Part 1 is a summary of the achievements across Government against the commitments set out in the work programme in last year's report. Part 2 of the report will be in the form of a database giving details of the performance of every Department. The database will be available on the Government's sustainable development website: www.sustainable-development.gov.uk.

The information contained within Part 2 will be transferred to a CD-Rom and placed alongside copies of Part 1 in the Libraries of both Houses.

Jet Skis

Tim Loughton: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with the insurance industry about compulsory third party cover for jet skis operated in coastal waters. [12594]

Mr. Jamieson *[holding answer 5 November 2001]:* I have been asked to reply.

My Department takes the view that compulsory third party insurance is not an option that should be pursued and discussions with the insurance industry have therefore not been necessary.

It is the responsibility of UK local authorities and harbour authorities to regulate personal watercraft using local byelaw powers. However, the Department has produced a nationally distributed 'Voluntary Code of Practice for Leisure Users' which provides safety guidelines and encourages third party insurance.

Tim Loughton: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with her European counterparts about the regulation of jet skis operated in coastal waters. [12595]

Mr. Jamieson: *[holding answer 5 November 2001]:* I have been asked to reply.

My Department has not consulted European colleagues about the regulation of jet skis operated in coastal waters as regulation through local byelaw powers is considered to be adequate. The Inter Departmental Review of byelaws in 1998 recommended that local authorities should be given more general powers to regulate activities affecting the wider environment and coastal zones, including the use of recreational craft.

Social Housing

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs how much social housing by local authority defined as rural was available to rent in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000 and *(f)* 2001; and what proportion of such housing was filled during these years. [15907]

Ms Keeble: I have been asked to reply.

Estimates of residential housing stock and vacancy levels are reported by local authorities annually on Housing Investment Programme returns. Total social housing stock and derived levels of occupation as at 1 April in each year, distinguishing between stock owned by local authorities and by Registered Social Landlords, in authorities categorised as either "mixed rural" or "deep rural", are as follows:

Social housing stock

Thousand

As at 1 April	*Number*	*of which occupied: (percentage)*
Local authority owned		
1996	508.1	98.5
1997	489.0	98.4
1998	472.2	98.3
1999	436.9	98.1
2000	410.7	97.9
2001	374.1	98.0

Social housing stock

As at 1 April	Number	*Thousand* of which occupied: (percentage)
Registered Social Landlord owned		
1996	176.4	98.6
1997	193.5	98.5
1998	206.9	98.6
1999	235.1	98.5
2000	254.8	98.5
2001	291.2	98.6

A certain level of vacancy is a usual feature of housing management, reflecting turnover and movement within the stock, including those vacant for very short periods between tenants and those requiring minor repairs before re-letting.

Photo-voltaic Technology

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what measures she is taking to support the development of photo-voltaic technology. [15510]

Mr. Wilson *[holding answer 16 November 2001]:* I have been asked to reply.

The Department has had a Solar Photovoltaics Research and Development Programme for a number of years, in collaboration with industry, and the Engineering and Physical Sciences Research Council (EPSRC) has also had a programme of basic and applied research with the Universities. Research and development projects on PV technology continue to be supported under the Department's Sustainable Energy Programme, via a six monthly call process, and PV secured the largest share of any renewable technology under the EPSRC's Renewable and New Energy Technologies Programme.

We are also funding around thirty demonstration projects on clusters of homes under the DTI's Domestic PV Systems Field Trial, with a budget of £5.4 million, and have just launched the Large Scale Building-Integrated Field Trial for Public Buildings with a budget of £3 million. This should enable us to support around 15 projects on schools, universities, hospitals, visitor centres and central and local Government buildings.

Looking to the future, we are currently designing the first phase of the Major PV Demonstration Programme, which was announced in the Government's "Opportunity for All" White Paper in February this year. We have a £20 million budget for this over the next 2–3 years, and it is intended that capital grants will be available for all sizes and types of PV installations on both domestic and non-domestic buildings.

Fuel Cell Research

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what measures she proposes to support the development of fuel cell research. [15511]

Mr. Wilson *[holding answer 16 November 2001]:* I have been asked to reply.

The Department has been supporting fuel cells research and development for many years, through the DTI Sustainable Energy Programme and the Engineering and Physical Science Research Council. Since 1992 the DTI has supported 147 fuel cell projects with a total DTI spend of £11.8 million. The current DTI programme is spending about £2 million per annum, with the Engineering and Physical Sciences Research Council (EPSRC) spending about the same on basic research related to fuel cells.

The Energy Review currently being conducted by the Performance and Innovation Unit is considering the role of new technologies including fuel cells, in conjunction with other energy matters, as part of its review of strategic issues surrounding energy policy. It is due to report to my right hon. Friend the Prime Minister by the end of the year. Fuel cells may also be used to replace or supplement the internal combustion engine in vehicles. The Government will shortly be issuing a consultation draft of their "Powering Future Vehicles" strategy for promoting the development, introduction and take-up of hybrid, fuel cell and other low-carbon vehicle technologies.

Refrigerants

Mrs. Brooke: To ask the Secretary of State for Environment, Food and Rural Affairs what assistance and guidance she has given to local councils for the disposal of refrigerators after 1 January 2002. [12688]

Mr. Meacher *[holding answer 8 November 2001]:* From 1 January 2002, the EC Regulation on Ozone Depleting Substances will require 'controlled substances' (including CFCs) in coolants and in insulating foam to be removed before recycling or reclamation of domestic refrigerator units. All local authorities have been informed of the requirements of the Regulation and my Department is currently assessing what financial assistance local authorities will require, in keeping with the new burdens procedure. We expect to finalise shortly guidance on the storage of waste refrigeration equipment, prior to CFC extraction.

Countryside Visitors

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of people travelled by *(a)* private transport, *(b)* train, *(c)* bus and *(d)* other forms of transport to the countryside in the 12 months from November 2000. [16727]

Alun Michael: Figures are not currently available on the mode of transport used to visit the countryside since November last year. However, I understand that the English Tourism Council's United Kingdom Tourism Survey reports annually, and that information is collected on the mode of transport used to visit the countryside. Figures for 2001 should be available early in 2002.

LORD CHANCELLOR'S DEPARTMENT

Embezzlement of Public Funds

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the costs to public funds of *(a)* criminal damage and *(b)* embezzlement of public funds and investigations thereof in the latest year for which figures are available. [15245]

Mr. Denham: I have been asked to reply.

The most recent Home Office estimate of the economic and social cost of crime was published in a report in December 2000, "The economic and social cost of crime" (Home Office Research Study 217). This includes estimates of the costs to public funds of crime, as well as estimates of the costs to victims of crime. All figures mentioned here relate to costs in the 1999–2000 financial year.

The study estimates that criminal damage, both to private and public property, had a cost to public funds of £360 million in 1999–2000.

Home Office figures for fraud are based on the legislative definition of fraud; this includes all fraud and does not separate frauds committed against the public sector from other types of fraud.

However, a Home office commissioned study carried out by National Economic Research Associates (NERA) estimated that the cost of fraud committed against Government and the amount of public funds engaged in counter-fraud activity to be between £4 and £9 billion. These costs include the estimated value of fraud as well as expenditure on counter-fraud activity, but excluded Criminal Justice System (CJS) costs.

Estimated cost to public funds of public embezzlement

£ million

	Low estimate	*High estimate*
Benefits Fraud	2,600	5,600
Civil Service employee fraud	2	2
Customs and Excise + VAT fraud	900	2,500
Local authorities	10	10
NHS fraud	7	150
Inland Revenue	50	400
Total Public Sector Fraud	4,000	9,000

Notes:

1. Totals may not sum due to rounding of figures.
2. Figures exclude any costs to the criminal justice system.

Source:

The Economic Cost of Fraud, NERA, 2000

Asylum

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on progress towards the public service agreement target for reducing asylum appeals decision time. [16925]

Ms Rosie Winterton: The Lord Chancellor's Department does not have a public service agreement for reducing asylum appeals decision time for the year 2001–02. The Service Delivery Agreement target for the Immigration Appellate Authority for the year 2002–03 is to process 65 per cent. of all cases through both tiers within four months of receipt.

Public Service Agreements

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on the public service agreement target for the respect of the rights of defendants and their fair treatment. [17061]

Ms Rosie Winterton: I refer the hon. Member to the answer that I gave him on 23 November 2001, *Official Report*, columns 550–51W.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on progress towards the public service agreement target for reducing delay in the criminal justice system. [17056]

Mr. Wills: The Government regard the removal of unnecessary delay from the criminal justice process to be one of its most important tasks. They have taken a number of steps, notably those contained in the Crime and Disorder Act 1998, to reduce delay. In June 1997, the average time for defendants in all criminal proceedings in the magistrates courts from first listing to completion was 35 days. By March 2001 this had reduced to 30 days, an improvement of over 14 per cent.

Public expenditure settlements for the various Departments within Government were set in July 2000 for three years expiring at the end of March 2004. The Government are considering carefully what targets to set for the balance of that period.

Nottingham Crown Court

Vernon Coaker: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment the Lord Chancellor has made of the support available to barristers who are disabled at Nottingham Crown court; and if he will make a statement. [15758]

Mr. Wills: In 1999 a Disability Discrimination Act accessibility audit was conducted at Nottingham Crown court, and all other Court Service courts. The audit found that the court at Nottingham is accessible to disabled court users. Court managers are willing to discuss the needs of all users in advance of them attending court.

HOME DEPARTMENT

Warden Force

Dr. Kumar: To ask the Secretary of State for the Home Department what plans he has *(a)* to assess the success of the warden force within the Metropolitan police area and *(b)* to reproduce it in police forces (i) across the country and (ii) in Cleveland. [16441]

Mr. Denham *[holding answer 20 November 2001]:* The Government have commissioned a national evaluation of the Neighbourhood Wardens programme. This is now under way and due for completion by mid-2003. The evaluation is intended to provide an assessment of scheme impacts and to understand the processes of scheme implementation. The methodology includes in-depth investigations in eight case study schemes, comprehensive household surveys in a further seven, and surveys of wardens and scheme managers in all areas.

It is not possible to consider each and every scheme in the same detail but care is taken to ensure that all regions receive roughly equal coverage that enables a picture of national-level impact to be established.

In addition, schemes are encouraged to undertake local-level evaluations appropriate to their needs.

Street warden schemes in England have yet to start and will be subject to a similarly rigorous evaluation process.

Chemical or Biological Attack (Civil Defence)

Ms Walley: To ask the Secretary of State for the Home Department what representations he has received on establishing *(a)* a local emergency and *(b)* civil defence services to deal with a chemical or biological attack. [16690]

Mr. Denham: There have been a small number of representations received from individual members of the public suggesting the establishment of civil defence services to respond to a variety of local or national threats, including chemical or biological (CB) attack.

I am not aware of any representations from civil protection professionals or organisations, either directly in response to the events of 11 September or as part of the Emergency Planning Review following the publication of the consultation document on 23 August, which have called for the establishment of civil defence services. There are comprehensive and well-developed inter-agency arrangements for dealing with emergencies in the United Kingdom whatever their cause. It has long been accepted by civil protection professionals, including the emergency services, that disaster response would not be helped by the creation of anything in the nature of a national squad and that prime responsibility for handling disasters should be at the local level where the resources and expertise are found.

An analysis of all the responses to the Emergency Planning Review will be made to Ministers and a report on the outcomes will be made to the Central Local Partnership.

There have been requests from local authorities, both directly and through the Local Government Association and the Emergency Planning Society for specific guidance about CB and other novel threats. In mid-October, guidance 'Response to the Deliberate Release of Chemicals and Biological Agents' was issued to local authorities. Separate specific guidance about anthrax was issued to general practitioners and health authorities, also in October.

Emergency Strategies (Yorkshire and Humber)

Lawrie Quinn: To ask the Secretary of State for the Home Department if he will make a statement on emergency planning strategies in Yorkshire and the Humber. [9283]

Mr. Denham *[holding answer 31 October 2001]:* Emergency planning strategies are a local matter and, in this instance, are a matter for the responding agencies in Yorkshire and Humber.

Guidance has been issued on emergency planning which promotes the principles of Integrated Emergency Management, under which all organisations likely to be involved in the response, including the emergency services and local authorities, share their plans and participate in strategic meetings, joint exercises and training.

The Cabinet Office Review into the Future of Emergency Planning in England and Wales raises the issue of monitoring local emergency planning services and has invited specific comments and suggestions about it.

Communications Interception

Mr. Allen: To ask the Secretary of State for the Home Department how many requests he has received to approve a warrant for the interception of a person's communications in each of the years since 1997; and how many he has refused. [17170]

Mr. Blunkett: The figures relating to the numbers of warrants issued are published annually in the reports of the Commissioners initially appointed under the Interception of Communications Act 1985 (IOCA) and now the Regulation of Investigatory Powers Act 2000 (RIPA) Copies are placed in the Library.

Records of refusals or withdrawal of requests are not kept in a form which would enable the information requested to be extracted without disproportionate cost.

Police Specials

Mr. Hoyle: To ask the Secretary of State for the Home Department how many police specials are working in the police service. [15163]

Mr. Denham: The number of serving special constables in England and Wales as at 31 March 2001 is 12,738.

The Government are committed to increasing the Special Constabulary and we are looking at radical improvements in their management, welfare and deployment as part of the police reform process.

Public Service Agreements

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on progress towards the Public Service Agreement target (1) for the reconviction rate for offenders serving prison sentences; [17073]

(2) for the reconviction rate for offenders serving community sentences; [17071]

(3) of ensuring just processes and just and effective outcomes. [17062]

Beverley Hughes: Ensuring just processes and just and effective outcomes is one of the key objectives in the 2001–02 Criminal Justice Business Plan. It will be measured using the Public Service Agreement target to reduce the rate of reconvictions of all offenders punished by imprisonment or by community supervision by 5 per cent. by 2004 compared to the predicted rate.

Reducing the rate of reconvictions is one of this Government's key delivery priorities with a delivery plan in place. The delivery strands which will contribute towards the target have been selected on the principles of 'What Works' based on research evidence of effectiveness.

The Public Service Agreement target also included a commitment to reduce the rate of reconvictions of all young offenders by 5 per cent. by 2004 compared to the predicted rate. The Youth Justice Board is taking this forward using a similar approach.

I have asked to see regular reports on the progress towards this target.

Data Protection

Harry Cohen: To ask the Secretary of State for the Home Department what assessment he has made of whether the notification of the Security Service in relation to Part III of the Data Protection Act 1998 is accurate and up to date; whether the Service is to notify purposes associated with the processing of personal data *(a)* to assist the police in relation to serious crime and *(b)* to protect the economic well-being of the state; and if he will make a statement. [17192]

Mr. Denham: I understand from the Security Service that it has notified the Information Commissioner that it processes data for three purposes. These are staff administration, building security Closed Circuit Television (CCTV) and commercial agreements. The Security Service has also acknowledged in its notification that it processes data for other purposes, although these have not been separately notified. The notification is accurate and up to date.

At the moment, the Security Service does not intend to make any notification in respect of its statutory duties as defined by the Security Service Acts 1989 and 1996, sections 1 and 1(1) respectively.

Police Funding

Dr. Kumar: To ask the Secretary of State for the Home Department if he will make a statement on whether he takes into account *(a)* actual and *(b)* anticipated levels of external funding to police forces for the neighbourhood local renewal fund when allocating funds for the (i) recruitment and (ii) training of police officers. [16354]

Mr. Denham: The only funds allocated to police forces specifically for the recruitment and training of police officers are provided through the crime fighting fund. Allocations of crime fighting fund recruits to forces took no account of the neighbourhood local renewal fund.

Antisocial Behaviour Orders

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on the cost in *(a)* 1999–2000, *(b)* 2000–01 and *(c)* 2001–02 of antisocial behaviour orders. [17325]

Mr. Denham: Information on the cost of antisocial behaviour orders (ASBOs) for each year since their introduction is not held centrally. Nevertheless, based on a survey of 21 cases conducted in April this year, the average cost of applying for an antisocial behaviour order was calculated to be £4,800. This is the cost to either the local authority or the police, and includes staff costs associated with evidence gathering, preparing the case and attending court. It does not include dealing with appeals and breaches. Fuller details will be included in the review of ASBOs which we are aiming to publish shortly.

CARATS Programmes

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on the cost in *(a)* 2000–01 and *(b)* 2001–02 of CARATS programmes in prisons. [17320]

Beverley Hughes: Funding provided under the Comprehensive Spending Review and Spending Review 2000 for Counselling, Assessment, Referral, Advice and Throughcare services (CARATS) in prisons was *(a)* £9,000,000 in 2000–01 and *(b)* £12,000,000 in 2001–02.

Prisons

Mr. Hendrick: To ask the Secretary of State for the Home Department what plans he has to change male prisons to female use. [18424]

Beverley Hughes: The number of women in prison continues to rise steeply, dramatically exceeding the most recent population projections. Extra capacity is urgently needed and the Prison Service has decided that the best way of providing this is a further change of function of male accommodation. Buckley Hall prison near Rochdale has been selected as the most suitable option in terms of suitable accommodation, geographical location, staffing arrangements and other related factors. The prison is expected to be ready to accept female prisoners from early next year.

DEPUTY PRIME MINISTER

Fair Employment

Mr. McNamara: To ask the Deputy Prime Minister what fair employment measures his Cabinet Secretary has put in place in each Government Department to encourage applications from Northern Ireland. [17236]

Mr. Leslie: Home civil service Departments and agencies have a great deal of autonomy in their personnel policies. However, corporate civil service equal opportunities policy provides that all eligible people must have equality of opportunity for employment and advancement on the basis of their suitability for work. There must be no unfair discrimination on the basis of age, disability, gender, marital status, sexual orientation, race, colour, nationality, ethnic or national origin, or (in Northern Ireland) community background.

There are 10 home civil service Departments and agencies in Northern Ireland covered by Northern Ireland's fair employment legislation. These Departments and agencies are taking measures to improve the balance of representation in their work force. These include: the publication of Affirmative Action Plans; increasing outreach measures in under-represented sectors of the community; setting recruitment and promotion goals and monitoring closely job applications from each community. The Cabinet Office reports on fair employment issues in HCS Departments and agencies to the Equality Commission for Northern Ireland.

The civil service reform programme aims to achieve a dramatic increase in diversity and tackle under-representation. The Cabinet Secretary reports to the Prime Minister annually on the range of action being taken by the Cabinet Office and Departments to ensure the civil service accelerates progress on diversity.

Fair Trade Goods

Mr. Weir: To ask the Deputy Prime Minister what his Department's policy is in relation to departmental spending for supplies concerning the purchase of Fair Trade goods. [15201]

Mr. Leslie: Cabinet Office purchasing policy is based on value for money principles. We have no specific policy on Fair Trade goods. Purchases are considered on the basis of fitness for purpose and whole-life cost. Where these considerations are equal, the choice of goods would be influenced by ethical and environmental factors. The Cabinet Office will, however, consider the availability of Fair Trade goods in the Department's refreshment facilities.

Energy Review

Mr. Key: To ask the Deputy Prime Minister (1) if the *(a)* Scottish Executive and *(b)* Scottish Parliament are represented on the Advisory Group for his review of the UK's future energy needs; [10654]

(2) if the Scottish *(a)* Executive and *(b)* Parliament are represented on the Advisory Group for the review of the UK's future energy needs. [10117]

Mrs. Roche: Since energy policy is a reserved matter, the Minister of State at the Scotland Office represents Scotland's interests on the Advisory Group.

The Scotland Office and other UK Government Departments have been continuing to work in close co-operation with the Scottish Executive on energy issues which impinge on devolved responsibilities. The Minister of State has had regular discussions with Scottish Executive Ministers and officials about the issues raised by this Energy Review.

Mr. Key: To ask the Deputy Prime Minister if he will make a statement on the progress of the Energy Review. [10653]

Mrs. Roche: I refer the hon. Member to the answer given to the hon. Member for East Surrey (Mr. Ainsworth) by my right hon. Friend the Prime Minister on 12 November 2001, *Official Report*, column 546W.

WORK AND PENSIONS

Disability Discrimination Act

Mr. Berry: To ask the Secretary of State for Work and Pensions when a code of practice on the final phase of the provisions of the Disability Discrimination Act 1995 on access to goods, facilities and services will be laid before Parliament. [18839]

Maria Eagle: A Code of Practice prepared by the Disability Rights Commission was laid before Parliament today. This explains the current duties on service providers and the duties that will come into force on 1 October 2004. Under the new duties, where reasonable, a service provider may have to remove, alter or avoid physical features that make access to his service impossible or unreasonably difficult for a disabled person. In addition, a report of the consultation on the code and on regulatory proposals was placed in the Library today.

Service providers have no need to be apprehensive about these new duties, as they will never have to make unreasonable changes because of them. The code will help service providers decide what it might be reasonable to do in particular circumstances. There are over 8.5 million disabled people in the UK with a collective spending power in excess of £45 billion a year. It makes good economic sense as well as being right to attract as many of these customers as possible by improving access to services. The Government have allowed a long transitional period for the new duties, and the Commission will be publishing the code early, so that service providers can plan adequately and, for example, make access improvements before 2004 as part of refurbishment or other work. I would strongly encourage them to do this.

New Deal

Mr. Lazarowicz: To ask the Secretary of State for Work and Pensions, pursuant to his answer to the hon. Member for Hertsmere (Mr. Clappison), of 12 November 2001, *Official Report*, column 569W, on new deal programmes, if the number of sanctions imposed on people participating in the new deal for the long-term unemployed is now available. [18841]

Mr. Nicholas Brown: Up to September 2001, 10,719 sanctions had been imposed on people participating in New Deal 25 plus.

Source:

Employment Service Labour Market Statistics

Mr. Clappison: To ask the Secretary of State for Work and Pensions what proportion of the pre-April 2001 entrants to the new deal for the long-term unemployed who undertook the full time education and training option *(a)* left the option for employment before completing their course, *(b)* completed their course and *(c)* obtained an accredited qualification. [9423]

Mr. Nicholas Brown: The latest results for the new deal for long-term unemployed are contained in the Statistical First Release which is available in the Library. Information on numbers completing options and on qualifications gained is not available.

Lone Parents

Mr. Willetts: To ask the Secretary of State for Work and Pensions what changes have been made to housing benefit to support the policy that 16 to 17-year-old lone parents should be housed in semi-independent adult-supervised accommodation. [7907]

Malcolm Wicks: The Social Exclusion Unit report on Teenage Pregnancy recommended that parents under 18 years old who are unable to remain at home with their parents are provided with supported housing.

This will be achieved by using existing accommodation, with on-site or floating support, and the provision of new purpose-built facilities mainly provided by Registered Social Landlords.

So far the Housing Corporation has approved funding for over 720 new supported units, estimated to constitute between a third and a half of the total additional supported accommodation needed for full implementation of the policy. They are currently considering a further round of bids.

After careful consideration we concluded that, pending further progress in providing supported housing, it would not be appropriate to make changes to the Housing Benefit entitlement of 16 to 17-year-old lone parents at the present time.

Minimum Income Guarantee

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will place a copy of the new piloted minimum income guarantee claim form in the Library. [8964]

Mr. McCartney: The new minimum income guarantee form was placed in the Library on 29 October 2001.

Mr. Willetts: To ask the Secretary of State for Work and Pensions when the new minimum income guarantee claim form will be introduced for all applicants, and if he will place a copy in the Library. [9810]

Mr. McCartney: The new minimum income guarantee claim form was introduced on 29 October 2001 and placed in the Library on the same day.

Pension Fund Transfers

Mr. Wiggin: To ask the Secretary of State for Work and Pensions what plans he has to ensure pension providers transfer funds from one provider to another in a timely and proper fashion. [9428]

Mr. McCartney: The law sets requirements as to the time allowed to trustees and managers of occupational pension schemes to calculate and provide cash equivalent transfer values, and the manner in which they do so. Members' interests are adequately protected by those requirements. We have no plans to make any further provision.

Child Support Agency

Mr. Webb: To ask the Secretary of State for Work and Pensions if the CSA is required to recalculate maintenance liabilities back to the beginning of a claim in cases where a parent with care is shown to have been fraudulently claiming income support for some or all of the period during which the CSA was involved. [10432]

Malcolm Wicks: The CSA can supersede a maintenance assessment from the date that it came into effect if a parent with care is discovered to have given false information that has resulted in an increase in maintenance liability. In practice, however, few parents with care have sufficient income to affect the maintenance assessment. The discovery that a claim for income support was fraudulent will, therefore, often have no effect on the amount of maintenance due.

Norman Lamb: To ask the Secretary of State for Work and Pensions how many complaints have been made to the Child Support Agency in each of the last five years by hon. Members on behalf of their constituents. [10826]

Malcolm Wicks: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member.

Letter from Doug Smith to Norman Lamb, dated 23 November 2001:

I am replying to your Parliamentary Questions to the Secretary of State for Work and Pensions about the Child Support Agency.

Mr. Smith is unavailable and therefore I am writing to you on his behalf.

You asked how many complaints have been made to the Child Support Agency in each of the last five years by honourable Members on behalf of their constituents.

Some of the information you have requested is not available, as it is not collected in the format you have asked for.

The Agency began counting the number of complaints received from Members of Parliament as a separate statistical figure from July 2000.

From July 2000 to September 2001, the number of complaints received by the Agency from Members of Parliament on behalf of their constituents was 6,640.

I hope this is helpful.

Mr. Alan Simpson: To ask the Secretary of State for Work and Pensions what is the average waiting time between submission of the complaint and completion of the investigation of CSA cases referred to the Independent Case Examiner in the last 12 months. [15650]

Malcolm Wicks: The Independent Case Examiner's average clearance time, from November 2000 to October 2001, was 33.5 weeks.

Mr. Hunter: To ask the Secretary of State for Work and Pensions what was the backlog of Child Support Agency cases awaiting the attention of the Independent Case Examiner at *(a)* 1 January 2000, *(b)* 1 July 2001, *(c)* 1 January 2001 and *(d)* 1 July 2001. [13726]

Malcolm Wicks: Details of the Child Support Agency cases which were awaiting the attention of the Independent Case Examiner, on the specified dates, are in the table.

Date	Number of cases awaiting initial action	Number of cases awaiting investigation of evidence	Total
1 January 2000	16	130	146
1 July 2000	152	8	160
1 January 2001	213	36	249
1 July 2001	290	51	341
Current position	0	182	182

Mr. Andrew Turner: To ask the Secretary of State for Work and Pensions (1) what recent representations he has received on delays in estimation of absent parents' contributions to child support; [17292]

(2) what measures are available to ensure that parents with care do not lose financially as a result of delayed estimation of absent parents' contributions to child support; [17293]

(3) what targets he has set the Child Support Agency to improve times taken to determine absent parents' contributions to child support; [17291]

(4) when he last discussed with the Chief Executive of the Child Support Agency the time taken to determine absent parents' contributions to child support; [17289]

(5) what assessment he has made of the time taken by the Child Support Agency to determine absent parents' contributions to child support. [17290]

Malcolm Wicks *[holding answer 21 November 2001]:* My right hon. Friend holds regular meetings with the Chief Executive of the Child Support Agency, Mr. Doug Smith, to discuss all aspects of Child Support Agency performance. The time taken to complete a child support assessment is monitored on a monthly basis. For information about the latest performance information I refer the hon. Member to the answer I gave him on 15 November 2001, *Official Report*, column 1339. The agency has received 6,375 complaints from customers and 1,584 from Members of Parliament about delays in making maintenance assessments in the last 12 months.

Delays in completing assessments are largely due to the complexity of the current scheme. The simpler child support arrangements to be introduced for the new cases from April 2002 will allow this work to be completed more quickly. We will expect the agency to get child support flowing within six weeks for the majority of applicants.

In common with other agencies, the Child Support Agency compensates clients for financial loss arising from maladministration. Delays caused by the clients themselves, however, and the inevitable length of the current process are not covered by these arrangements.

Child Benefit

Ms Buck: To ask the Secretary of State for Work and Pensions how many child benefit payments have been *(a)* suspended pending further inquiries and *(b)* terminated as a consequence of this summer's identity confirmation exercise; and what proportion each figure constitutes of the number of claimants for each region of the UK. [10565]

Malcolm Wicks: The Department carries out a number of initiatives to confirm identity information each year. An initiative to which this question may be referring is one that checks a sample number of child benefit recipients who receive payment by automated credit transfer.

This initiative is continuing and the latest figures available are for the period June 2000 to March 2001:

168,000 customers included in exercise

3,711 ChB accounts suspended.

Information is not available on the number of payments terminated or on a regional basis.

Benefit Take-up

Mr. Sarwar: To ask the Secretary of State for Work and Pensions what recent estimate he has made of the total annual amount of unclaimed benefit, broken down by individual benefits, in *(a)* Scotland and *(b)* the United Kingdom. [10755]

Malcolm Wicks: Information is available only for Great Britain. This is contained in the publication "Income Related Benefits Estimates of Take-Up in 1999/2000", a copy of which is in the Library.

Paul Flynn: To ask the Secretary of State for Work and Pensions how the reports on *(a)* take-up of income-related benefits and *(b)* households below average income in 1999–2000 can be accessed through his Department's website; and if he will take steps to clarify the procedure to be followed by users of the site. [13725]

Mr. McCartney: Reports on the take-up of income-related benefits can be found at: http://www.dss.gov.uk/asd/tu9900f.pdf

The households below average income survey can be found at: http://www.dss.gov.uk/publications/dss/2001/hbai/index.htm

An improved Department for Work and Pensions website will be launched in December. The homepage of this site will include a link to research reports produced by the Department.

Disability Benefit

Malcolm Bruce: To ask the Secretary of State for Work and Pensions how many disability benefit claimants there are in *(a)* the United Kingdom and *(b)* the constituency of Gordon; and how many disability benefit claimants will be liable to attend work-focused interviews as a result of the Social Security (Jobcentre Plus Interviews) Regulations 2001 in *(a)* the United Kingdom and *(b)* the constituency of Gordon. [11496]

Mr. Nicholas Brown: Jobcentre Plus will ensure that for the first time there is a single gateway to the benefit system for people of working age. We want to make sure that everyone of working age has the opportunity to find out what support is available to help them to work. At the same time, this gives us the opportunity to get more help to people who cannot work.

National roll out of Jobcentre Plus will start next year. At present, only people of working age living within areas that are served by Jobcentre Plus pathfinders or work-focused interview sites making new or repeat claims will be required to attend a work-focused interview. No such office is currently serving the Gordon constituency. Information on the number of people who have attended interviews since Pathfinder offices were opened on 22 October will be available in December.

The number of people of working age claiming benefit on the basis of sickness or disability is in the table.

	Thousand
May 2001	
Great Britain	2,984.1
Gordon	2.0

Notes:

1. Working age is 16–59 for women and 16–64 for men. The table includes people claiming incapacity benefit, severe disablement allowance, disability living allowance and income support with the disability premium.

2. Cases are allocated to each Parliamentary Constituency by matching the postcode against the 2000 version 1 of the Postcode Directory and represent Parliamentary Constituency boundaries as at May 1997.

3. Figures are rounded to the nearest hundred.

4. Figures for Northern Ireland are not included. Social security matters in Northern Ireland are the responsibility of the Northern Ireland Assembly.

Source:

Client Group Analysis of DWP Information Centre 5 per cent. statistical samples relating to May 2001.

Housing Benefit

Mr. Kirkwood: To ask the Secretary of State for Work and Pensions how many representations he has received from individual local authorities, local government associations and pressure groups on the administrative complexity of the housing benefit/council tax benefit system. [12946]

Malcolm Wicks *[holding answer 14 November 2001]:* Information on representations made to the Department is not held in the format requested and could be provided only at disproportionate cost.

Medical Assessments

Mr. Djanogly: To ask the Secretary of State for Work and Pensions what assessment he has made of the work conducted by SEMA doctors on behalf of his Department in Cambridgeshire; and if he will make a statement. [17479]

Mr. Nicholas Brown: The work of all SchlumbergerSema doctors on behalf of the Department for Work and Pensions is closely monitored by SchlumbergerSema and the Department. The performance of doctors in Cambridgeshire has in general met the required standards and no major issues of concern over quality standards have emerged. Where monitoring identifies there is room for improvement of a doctor's performance, appropriate feedback is given to the doctor concerned.

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will make a statement on the extension of SEMA's contract. [18227]

Mr. Nicholas Brown: I refer the hon. Member to the written answer I gave to my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke) on 22 November 2001, *Official Report*, column 447W.

Basic Pension

Mr. Boswell: To ask the Secretary of State for Work and Pensions what plans he has to review the £85 pension threshold for clawback of incapacity benefit. [14365]

Mr. McCartney *[holding answer 13 November 2001]:* While we keep all social security benefits constantly under review we have no plans to change the threshold at which occupational and personal pensions are taken into account in assessing incapacity benefit for new claims.

Disabled People (Heating Costs)

Mr. Boswell: To ask the Secretary of State for Work and Pensions what recent studies he has *(a)* conducted and *(b)* commissioned into the exceptional heating costs of different categories of disabled persons. [14366]

Maria Eagle *[holding answer 13 November 2001]:* The Department itself has not conducted or commissioned studies of this sort. For England the main source of information on fuel poverty is the five-yearly English House Condition Survey (ECHS). The survey does not look at the different categories of disabled persons. The latest edition for which figures on fuel poverty are available relates to 1996. Figures for households in fuel poverty in 1998 have been produced from the 1998 Energy Follow Up Survey to the English House Condition Survey, although the analysis available from this survey is more limited than that from the ECHS.

The UK Poverty Strategy, published by the Government in February 2001, aims to seek an end to fuel poverty and the first priority is to ensure that by 2010 no vulnerable household in the UK need risk ill health due to a cold home.

Hospital Downrating

Mr. Bercow: To ask the Secretary of State for Work and Pensions how many persons had their state pensions cut as a result of a hospital stay of more than *(a)* six weeks and *(b)* 52 weeks in each year since May 1997. [14384]

Mr. McCartney: The information requested is not available in the format requested. Such information as is available is in the table.

The number of people as of 31 March in each individual year with their pension downrated was:

	Number downrated		
	6–52 weeks	*Over 52 weeks*	*Total*
March 1998	19,000	13,000	32,000
March 1999	20,000	12,000	32,000
March 2000	22,000	10,000	32,000
March 2001	23,000	10,000	33,000

Notes:

1. Figures rounded to nearest 1,000

2. Information is not available prior to 1997–98

3. Administrative data only records information at an individual point in time. It is therefore not possible to give the total number of people that have their pension downrated during the course of a year, only the total number at a particular point in time.

Automated Credit Transfer

Mr. Willetts: To ask the Secretary of State for Work and Pensions, pursuant to his answer of 26 October 2001, *Official Report*, column 442W, on benefit payouts (ACT), what information is collected about benefit recipients and automated credit transfer. [15173]

Malcolm Wicks: Statistical information, by benefit, is collected quarterly and annually on the number of customers currently receiving benefit by ACT in GB and overseas. Data are also collected on the number of GB customers choosing ACT when they make a new claim to benefit. Historical data on the percentage of new and existing GB customers receiving payment by ACT are also collated.

Currently around 40 per cent. of customers choose ACT as their method of payment.

Public Appointments

Mr. Collins: To ask the Secretary of State for Work and Pensions how many appointments he has made to public bodies since 7 June; and how many are in his gift. [15479]

Mr. McCartney: Information about numbers of ministerial appointments to public bodies is included in the Cabinet Office's annual report, "Public Bodies". Copies of this are placed in the Library of the House and the report is published on the Cabinet Office's internet website. The next edition of "Public Bodies", which will include number of appointments at March 2001, will be published around the end of the year.

DWP—Public Bodies—Appointments 7 June to 31 October 2001

	Total	*In gift of Secretary of State*	*Since 7 June 2001*
Advisory Committee for Disabled People in Employment and Training (ACDET)	13	0	[1]13
Disability Living Allowance Advisory Board (DLAAB)	20	20	2
Disability rights Commission (DRC)	15	15	0
Industrial Injuries Advisory Council (IIAC)	14	14	10
Occupational Pensions Regulatory Authority (OPRA)	10	10	0
Pensions compensation Board (PCB)	3	3	1
Pensions Ombudsman (PO)	1	1	1
Race Education and Employment Forum (REEF)	18	0	0
Remploy Ltd.	14	0	5
Social Security Advisory Committee (SSAC)	14	14	3

[1] Following Ministerial agreement on 28 August 2001 to extend the term of ACDET until March 2002 all appointments for the Committee were extended until 31 March 2002.

Notes:

1. Information based on DWP public bodies as in the Cabinet Office publication "Public Bodies".
2. The Appeals Service information is not included as the Lord Chancellors Department makes the appointments.

Income-related Benefits

Dr. Kumar: To ask the Secretary of State for Work and Pensions how many people living in the Middlesbrough, South and Cleveland, East constituency were in receipt of income-related benefits in each of the last four years. [16437]

Malcolm Wicks *[holding answer 20 November 2001]:* The available information is in the tables.

Income-related benefit recipients in the Middlesbrough, South and Cleveland, East constituency

	May 1998	*May 1999*	*May 2000*	*May 2001*
Income Support	6,400	6,200	6,900	7,400
Jobseeker's Allowance[1]	2,400	2,200	1,800	1,600
Family Credit/Working Families' Tax Credit[2]	1,800	1,600	2,000	2,400
Disability Working Allowance/Disabled Person's Tax Credit[2]	32	30	45	54
Total	10,600	10,000	10,700	11,400

[1] Income based

[2] Family Credit and Disability Working Allowance were replaced by Working Families' Tax Credit and Disabled Person's Tax Credit in October 1999 and are tax credits rather than Social Security benefits.

Notes:

1. Figures (other than Disability Working Allowance/Disabled Person's Tax Credit which is a 100 per cent. count of all cases) are based on a 5 per cent. sample and are therefore subject to a degree of sampling error.
2. Income Support, Jobseeker's Allowance (Income Based), Family Credit/Working Families' Tax Credit and "Total" figures have been rounded to the nearest hundred.
3. Income Support/Jobseeker's Allowance claimants in receipt of Family Credit/Working Families' Tax Credit or Disability Working Allowance/Disabled Person's Tax Credit are not shown in Income Support/Jobseeker's Allowance totals.
4. Disabled Working Allowance/Disabled Person's Tax Credit figures are for April each year.
5. Totals may not sum owing to rounding.

Source:

Income Support Quarterly Statistical Enquiries May 1998-May 2001
Jobseeker's Allowance Quarterly Statistical Enquiries May 1998-May 2001
Family Credit/Working Families' Tax Credit Quarterly Statistical Enquiries May 1998-May 2001
Disability Working Allowance/Disabled Person's Tax Credit Quarterly Statistical Enquiries April 1998-April 2001

Housing Benefit and Council Tax Benefit figures are not available for the Middlesbrough, South and Cleveland, East constituency but are available for Middlesbrough and Redcar and Cleveland local authorities.

Housing Benefit and Council Tax Benefit caseload for Middlesbrough local authority

Date	*Housing Benefit*	*Council Tax Benefit*
May 1998	17,680	20,330
May 1999	17,560	20,510
May 2000	17,230	20,130
May 2001	16,670	19,560

Housing Benefit and Council Tax Benefit caseload for Redcar and Cleveland local authority

Date	*Housing Benefit*	*Council Tax Benefit*
May 1998	12,830	16,620
May 1999	12,940	16,830
May 2000	12,590	16,580
May 2001	12,550	16,740

Notes:

1. Middlesbrough, South and Cleveland, East parliamentary constituency is covered in part by the Middlesbrough and Redcar and Cleveland local authority areas. Figures are not therefore representative of the constituency area.

2. The data refer to households, which may be a single person or a couple.

3. The figures have been rounded to the nearest 10 cases.

Source:

Housing Benefit and Council Tax Benefit Management Information System quarterly 100 per cent. caseload stock-count taken each May from 1998 to 2001

Social Exclusion (Wycombe)

Mr. Goodman: To ask the Secretary of State for Work and Pensions how many *(a)* men, *(b)* women and *(c)* children of each ethnic group in the Wycombe constituency are classified as socially excluded. [14872]

Malcolm Wicks: Poverty and social exclusion are complex multi-dimensional issues, affecting many aspects of people's lives—including income, health, housing, the quality of their environment and opportunities to learn. There is therefore no single measure that can be used to classify people as socially excluded.

Miners' Compensation

Rachel Squire: To ask the Secretary of State for Work and Pensions how much benefit was paid by the Department of Trade and Industry to the Department of Social Security and the Department of Work and Pensions in respect of miners' occupational lung disease claims under the Social Security Act 1997 (Recoupment of Benefit Provisions); how many cases were involved; and how much benefit in those cases was set off and deducted from the compensation by the Department of Trade and Industry. [17111]

Maria Eagle: The amount recovered is in respect of payments to miners as a consequence of their illness and is recovered direct from the Department of Trade and Industry, not the miners themselves.

The available information is in the table.

Miners occupational lung diseases	*Number of cases*	*Amount paid (£)*
Chronic bronchitis and emphysema	2,020	7,673,339.86
Asthma	7	115,304.50
Mesothelioma	7	55,437.89
Chest/lung condition	1	8,399.40
Pneumoconiosis	1	3,309.88
Total	2,036	7,855,791.53

Information about the amount of deductions made by the Department of Trade and Industry in lieu of benefit paid is not currently available. My hon. Friend the Minister for Energy and Industry will write to my hon. Friend with the information when it becomes available.

Parliamentary Questions

Malcolm Bruce: To ask the Secretary of State for Work and Pensions if he will answer question no. 11496, tabled on 26 October, relating to disability claimants; and for what reason it was not answered on the due date of 30 October. [17328]

Mr. Nicholas Brown: I refer the hon. Member to the answer I gave to him today at columns 708-09W.

Mr. Burstow: To ask the Secretary of State for Work and Pensions when he will reply to WPQ numbers *(a)* 13442 and *(b)* 11001. [17826]

Maria Eagle: The questions were answered on 23 November and 19 November respectively.

Occupational Pensions

Mr. Boswell: To ask the Secretary of State for Work and Pensions how much has been paid to the private sector in refunded contributions on account of opted-out occupational pensions schemes in each of the last five years. [18025]

Mr. McCartney: The information is not available in the format requested. Such information as is available is in the table.

National Insurance contribution rebates for occupational pension schemes

Year	*£ billion*
1996–97	5.25
1997–98	5.24
1998–99	5.77
1999–2000	5.79
2000–01	6.21

Notes:

1. All figures rounded to nearest £10 million.

2. The table shows the total amount of National Insurance contribution rebates made in respect of membership of both private sector and public sector contracted-out occupational pension schemes.

Source:

Government Actuary's Department

State Pension

Mr. Nicholas Winterton: To ask the Secretary of State for Work and Pensions what is the average state pension for *(a)* men and *(b)* women. [16419]

Mr. McCartney: The information requested is contained in the publication, "Retirement Pension Summary of Statistics—31 March 2001". The publication is available in the Library and can be found on the internet at www.dss.gov.uk/asd/online.html.

HEALTH

Anti-bioterrorism Strategy

Adam Price: To ask the Secretary of State for Health what steps he is taking to inform the medical profession of the Government's anti-bioterrorism strategy. [9857]

Ms Blears: As part of on-going contingency planning, arrangements are in place to mitigate the effects of a bioterrorist act and to ensure response and recovery in conjunction with other Government Departments, the national health service and key public health agencies. Further guidance was issued in October to regional directors of public health and health authorities to ensure the NHS is ready to address bioterrorist threats, including anthrax, smallpox, botulism, plague or other unknown biological or chemical agents. At the same time, guidance for medical staff was made available on the Public Health Laboratory Service website.

Dr. Julian Lewis: To ask the Secretary of State for Health what assessment he has made of the role of vaccination in countering terrorist biological threats. [13828]

Jacqui Smith: The Department's on-going planning activity includes a review of the impact of terrorist biological threats and the countermeasures necessary, including vaccination where appropriate. We are working closely with the Ministry of Defence to address the issues of possible biological threats. We are in discussions with the United States of America, the European Union and other Governments to share information on planning and response, including vaccine supplies. There is a strategic reserve of vaccination, which could be rapidly deployed.

Halifax Hospital

Mr. Sheerman: To ask the Secretary of State for Health what the original estimate was of the cost of the new Halifax hospital; and what the latest estimate is of the total cost. [10663]

Jacqui Smith: In 1994, the board of the Calderdale Healthcare National Health Service Trust submitted an outline business case (OBC) to rationalise services from three hospital sites on to one. The costs in this OBC, £34.85 million, related to construction costs only for a combination of new build and refurbishment.

Further work led to a full business case (FBC) being developed in 1996. The scheme that was put forward was significantly enhanced from the OBC proposal. This included detailed internal design work, creating additional clinical space and more single areas with en-suite facilities. It also included the addition of new build mental health villas that were excluded from the original OBC. The cost of the FBC was £60.96 million.

The original costs of £34.85 million did not include all the elements of the scheme; it covered only a distinctly different and small scheme. It therefore is not possible to make comparisons between the costs at OBC stage and at FBC stage.

The FBC included a three-level diagnostic ward block, new mental health villas, a refurbished children's and women's block, other refurbished buildings, and modern systems to support the new facilities.

The design strategy was further changed in 1998, as it became apparent that the layout would still not meet the need. These changes added a fourth level to the diagnostic ward block to house a new maternity block, and demolition of the existing women and children's block.

These changes resulted in a new build and refurbishment scheme totalling £76 million. When the costs of borrowing and insurance of the private sector partner, Catalyst, are included in the total cost, the figure is £103 million.

Waiting Lists

Mr. Simmonds: To ask the Secretary of State for Health what plans he has to reduce waiting lists in Boston and Skegness. [11549]

Jacqui Smith: As part of the NHS plan, the national health service is working towards reducing the current maximum in-patient wait of 18 months to 15 months by March 2002, 12 months by March 2003, nine months by March 2004 and finally six months by the end of 2005. The maximum out-patient waiting time will fall from over six months today to six months by March 2002 and three months by 2005.

The health community in Lincolnshire has an excellent record in consistently reducing waiting times across the majority of specialties. It is acknowledged that there are short term pressures around some waiting lists at present. A number of innovative schemes have been introduced to address this. The situation is kept under regular review and the health community is confident that it will be able to maintain its agreed action plan.

Mr. Cameron: To ask the Secretary of State for Health how many operations were cancelled in Oxfordshire in each of the last five years. [16020]

Ms Blears: Statistics on the number of operations cancelled for non-medical reasons in each health authority are collected on a quarterly basis. Copies are available in the Library. The latest figures are for quarter one (April–June) of the 2001–02 financial year.

Mental Health Services

Mr. Heald: To ask the Secretary of State for Health what proportion of people in contact with specialist mental health services are able to access crisis resolution services at any time. [11525]

Jacqui Smith *[holding answer 31 October 2001]:* The latest information held centrally indicates that there were 35 crisis resolution teams in place as at October 2000. The NHS plan has a set target of having 335 crisis resolution teams established by 2004. Progress towards meeting this target is being monitored through the comprehensive review process. By 2004 all people in contact with specialist mental health services will be able to access crisis resolution services.

Secure Hospitals

Mr. Heald: To ask the Secretary of State for Health how many patients have moved from high secure hospitals to more appropriate accommodation in the current financial year. [11533]

Jacqui Smith *[holding answer 31 October 2001]:* Between 1 April 2001 and 30 September 2001 (the last date for which accurate information is available) 65 people moved from high secure hospitals to more appropriate accommodation.

Additional Health Services

Mr. Heald: To ask the Secretary of State for Health how many *(a)* early intervention teams, *(b)* crisis resolution teams and *(c)* assertive outreach teams (i) have been and (ii) will be established in the current financial year. [11524]

Jacqui Smith *[holding answer 31 October 2001]:* The information available in response to the number of assertive outreach teams at (i) have been and (ii) will be established in the current financial year, is set out in the table.

Number of assertive outreach teams (AOTs)

	[1]*June 2001*	[2]*2001–02*
England	173	207
Northern and Yorkshire	30	31
Trent	19	20
West Midlands	20	22
North West	18	28
Eastern	20	21
London	24	31
South East	26	37
South West	16	17

[1] Estimate as at the end of quarter one of the 2001–02 financial year.
[2] Forecast for the end of the 2001–02 financial year taken at the end of quarter one.

Source:
Quarterly Monitoring 2001–02

The precise numbers of early intervention teams and crisis resolution teams that (i) have been and (ii) will be established in the current financial year are being collected. A census earlier this year showed there were 35 crisis resolution teams and 12 early intervention teams in England.

Insulin Pumps

Clive Efford: To ask the Secretary of State for Health if he will make a statement on the supply of insulin pumps to people with uncontrolled diabetes. [12548]

Ms Blears: We announced on 31 July that we were referring insulin pump therapy to the National Institute for Clinical Excellence for appraisal. The institute appraises the clinical and cost effectiveness of treatments and issues authoritative, evidence-based guidance to the national health service, to help to deliver equity of access to effective treatments wherever patients may live.

National Institute for Clinical Excellence

Matthew Green: To ask the Secretary of State for Health what assessment he has made of the work of the National Institute for Clinical Excellence. [12376]

Ms Blears: We welcome the progress which the National Institute for Clinical Excellence has already made. Authoritative, evidence-based guidance has been issued on a wide range of subjects, particularly drug treatments. NICE has also established six collaborating centres for the development of clinical guidelines, and has already published four guidelines.

Local Authority Performance Indicators

Mr. Hinchliffe: To ask the Secretary of State for Health what the methodology was used in determining the local authority social services departments' performance rating announced on 19 October; which social services performance assessment framework indications were used to make the judgments and how they were prioritised; when local authorities were informed of the judgments; what measurements of quality of provision were undertaken in addition to measurements of activity; and if he will make a statement. [11323]

Jacqui Smith *[holding answer 6 November 2001]:* The methodology used to calculate the top and bottom Social Services Departments was as follows:

A council was classified as one of the best performing if it was in the top one third of councils based on the proportion of indicators banded three or higher this year and had on average three quarters or more of its indicators banded as three or higher over the past three years.

A council was classified as one of the least well performing if it was in the bottom third of councils based on the proportion of indicators banded three or higher this year and had on average 55 per cent. or less of its indicators banded as three or higher over the past three years.

Banding of the performance indicators was introduced last year to help clarify what level of performance is generally good in relation to a performance indicator. Bands range from "investigate urgently" to "very good". Band three represents a council performing at a level which is "acceptable but with possible room for improvement".

This calculation excluded the three authority based interface indicators (A5, A6 and D41) in each year; excluded indicators that were not applicable for a council in that particular year; only included indicators for which data are available for that particular year, for example data for indicators C33 and E45 are not available for 2000–01 and therefore were excluded from the calculation of the percentage for that year; and included indicators for which data were missing (and therefore awarded the lowest band).

A list of the indicators which were included in the calculation of the proportion for each year is as listed. There were 32 such indicators in 1998–99, 34 in 1999–2000 and 43 in 2000–01. None of these were prioritised—each had the same weight as all the other indicators.

List of the indicators included in the calculation of the proportion of indicators banded as acceptable or better in each of the last three years

1998–99

A1, A3, B7, B8, B9, B10, B11, B12, B13, B14, B15, B16, B17, C20, C21, C22, C23, C25, C26, C27, C28, C29, C30, C31, C32, C33, C34, D35, D37, D38, D39, E44.

Total number of indicators: 32

1999–2000

A1, A2, A3, B7, B8, B9, B10, B11, B12, B13, B14, B15, B16, B17, C20, C21, C22, C23, C25, C26, C27, C28, C29, C30, C31, C32, C33, C34, D35, D37, D38, D39, E44, E45.

Total number of indicators: 34

2000–01

A1, A2, A3, B7, B8, B9, B10, B11, B12, B13, B14, B15, B16, B17, C18, C19, C20, C21, C22, C23, C24, C25, C26, C27, C28, C29, C30, C31, C32, C34, D35, D36, D37, D38, D39, D40, D42, E44, E46, E47, E48, E49, E50.

Total number of indicators: 43.

Local authorities were informed of these judgments when the data were analysed just before my right hon. Friend the Secretary of State's announcement on 19 October. The judgments were based solely upon social services performance indicators, not upon qualitative data. From next summer we will introduce star ratings based upon all information about council's performance including indicator data, inspections and in-year assessments of performance. The indicator data give important information on performance showing where action may need to be taken either to spread good performance in service delivery or to turn around poor performance.

Hospital Trusts (North West)

Mr. Jack: To ask the Secretary of State for Health for each acute hospital trust in the north west region, what is *(a)* the size of population it serves, *(b)* the number of CT and MRI scanners available, *(c)* the number of each type of scanner per thousand head of population served by each trust and *(d)* the age of each scanner. [11888]

Jacqui Smith *[holding answer 6 November 2001]:* The table details the CT and MRI Scanners in acute hospital trusts within the north west region and the age of each. Information is not available on the population served by each trust.

However, the 45 CT and 24 MRI scanners in the north west region serve a population of approximately 6.6 million people. This equates to figures of approximately 6.8 CT and 3.6 MRI scanners per million head of population. English national average figures are approximately six CT and four MRI scanners per million head of population.

CT MRI: North West region—October 2001

Trust	*Hospital*	*CT installed*	*MRI installed*
Aintree Hospitals NHST	University Hospital, Aintree	[1]2001	No MRI
Aintree Hospitals NHST	University Hospital, Aintree	2001	No MRI
Blackburn, Hyndburn and Ribble Valley Healthcare NHST	Blackburn Royal Infirmary	1998	1998
Blackpool Victoria Hospital NHST	Victoria Hospital, Blackpool	1997	1998
Bolton Hospitals NHST	Royal Bolton Hospital	1996	No MRI
Burnley Health Care NHST	Burnley General Hospital	[2]1992	No MRI
Bury Health Care NHS Trust	Bury General Hospital	[1]2001	No MRI
Cardiothoracic Centre—Liverpool NHST	Broadgreen—CTC Hospital	2000	No MRI
Central Manchester Healthcare Trust	Manchester Royal Infirmary (neuro)	[2]1995	1995 and 1997
Central Manchester Healthcare Trust	Manchester Royal Infirmary (main)	[2]1994	1995 and 1997
Chorley and South Ribble NHST	Chorley and South Ribble DGH	1995	No MRI
Christie Hospital NHST	Christie Hospital and Holt Radium Institute	[1]2001	1993
Christie Hospital NHST	Christie Hospital and Holt Radium Institute	1999	1993
Clatterbridge Centre for Oncology NHST	Clatterbridge Centre for Oncology	[1]2001	[3]2002
Clatterbridge Centre for Oncology NHST	Clatterbridge Centre for Oncology	1997	[3]2002
Countess of Chester Hospital NHST	Countess of Chester Hospital	2000	1993
East Cheshire NHST	Macclesfield District General Hospital	[1]2001	1995
Manchester Children's Hospitals NHST	Royal Manchester Children's Hospital	2000	1995
Manchester Children's Hospitals NHST	Booth Hall Children's Hospital	[1]2001	1995
Mid Cheshire Hospitals NHST	Leighton Hospital	[2]1992	1999
Morecambe Bay Hospitals NHST	Furness General Hospital	[2]1993	[3]2001
Morecambe Bay Hospitals NHST	Royal Lancaster Infirmary	[1]2001	[3]2001
North Cheshire NHST	Halton General Hospital	[2]1994	1996
North Cheshire NHST	Warrington District General Hospital	[2]1994	1996
North Manchester Healthcare NHST	North Manchester General Hospital	[2]1994	1995
Oldham NHST	Royal Oldham Hospital	[2]1992	1999
Preston Acute Hospitals NHST	Royal Preston Hospital	[2]1994	[3]2001
Preston Acute Hospitals NHST	Royal Preston Hospital	2000	[3]2001
Rochdale Healthcare NHST	Rochdale infirmary	1997	No MRI
Royal Liverpool and Broadgreen University Hospitals NHST	Royal Liverpool Hospital (A/E)	[2]1994	1993
Royal Liverpool and Broadgreen University Hospitals NHST	Royal Liverpool Hospital	1999	1993
Royal Liverpool Children's NHST	Royal Liverpool Children's Hospital	2000	1994
Salford Royal Hospitals NHST	Hope Hospital	[1]2001	1993
Salford Royal Hospitals NHST	Hope Hospital	[2]1992	1993
South Manchester University Hospitals NHST	Wythenshawe Hospital	[2]1994	[3]2001
South Manchester University Hospitals NHST	Withington Hospital	[1]2001	[3]2001
Southport and Ormskirk Hospital NHST	Southport General Infirmary	[2]1994	1994
Southport and Ormskirk Hospital NHST	Ormskirk and District General Hospital	[2]1993	1994
St. Helens and Knowsley Hospitals NHST	Whiston Hospital, Prescott	[1]2001	2001
Stockport NHST	Stepping Hill Hospital, Stockport	[2]1994	No MRI

CT MRI: North West region—October 2001

Trust	*Hospital*	*CT installed*	*MRI installed*
Tameside Acute Care NHST	Tameside General Hospital	2000	No MRI
Trafford Healthcare NHST	Trafford General Hospital	1995	No MRI
Walton Centre for Neurology and Neurosurgery NHST	Walton Centre for Neurology and Neurosurgery	[2]1993	1991, 1998, 1996
Wrightington, Wigan and Leigh Health Services NHST	Royal Albert Edward Infirmary	1999	No MRI
Wirral Hospital NHST	Arrowe Park Hospital	2000	No MRI

[1] CT Recently installed under central programme

[2] CT will be replaced under central programme and installed by 2003

[3] Allocated under New Opportunities Fund (NOF) cancer initiative

Note:

National allocations of a further 50 additional CT scanners and 50 additional MRI scanners, as outlined in the NHS Cancer Plan, have not yet been made and are therefore not included in this list

Health Funding

Clive Efford: To ask the Secretary of State for Health which primary care trusts receive funding centrally at an *(a)* regional and *(b)* sub-regional level to meet the cost of expensive drugs or treatment. [13266]

Ms Blears: The Department makes unified allocations annually to health authorities. Health authorities then allocate resources directly to their primary care groups/trusts within national guidelines.

Health authorities in partnership with PCG/Ts and other local stakeholders determine how best to use their funds to meet national and local priorities for improving health, tackling health inequalities and modernising services. PCTs do not therefore receive direct funding from the Department for specific drugs or treatments.

Prescribed Heroin

Paul Flynn: To ask the Secretary of State for Health what his estimate is of the numbers of individuals who have been prescribed heroin in each of the past 12 years. [13721]

Ms Blears: The figures give details of heroin prescribing between 1997 and 1996. As the addicts index from which these figures were taken ceased in 1997 we are not able to provide any statistics for later years.

Year	*Number*
1977	232
1978	211
1979	189
1980	162
1981	208
1982	214
1983	189
1984	182
1985	213
1986	179
1987	186
1988	194

Source:

"Drug Addicts recorded as receiving notifiable drugs in treatment of their addiction at 31 December by the type of drug of treatment"

Since 1998 the figures have been presented differently and the heading since then has been "All drug addicts notified to the Home Office in (1989, 1990 etc) by treatment of notifiable drugs at first notification in (1989, 1990 etc)". The figures for the years 1989 to 1996 (the year when statutory notification ceased) are as follows:

Year	*New addicts*	*Re-notified addicts*
1989	10	59
1990	26	90
1991	17	106
1992	25	92
1993	30	144
1994	22	133
1995	14	128
1996	8	111

Breast Cancer

Dr. Evan Harris: To ask the Secretary of State for Health what percentage of patients presenting with breast cancer are seen within 14 days when GP written referral request was received within 24 hours for *(a)* each health authority and *(b)* in total in England for the last two years for which figures are available. [13615]

Ms Blears: The two week waiting time standard was introduced for urgent cases of suspected breast cancer from April 1999. Performance data for the last two years by health authority are shown in the table.

Percentage of patients seen for first out-patient appointment within two weeks when urgently referred by their GP with suspected breast cancer, and the referral being received by the NHS Trust within 24 hours: England and host health authority

Percentage

	1999–2000				*2000–01*				*2001–02*
Health authority	*Quarter 1*	*Quarter 2*	*Quarter 3*	*Quarter 4*	*Quarter 1*	*Quarter 2*	*Quarter 3*	*Quarter 4*	*Quarter 1*
England	91.1	95.0	96.4	96.1	96.0	97.1	95.9	95.9	95.8
Hillingdon	97.4	100.0	85.5	100.0	100.0	97.3	92.2	80.0	93.7
Kensington, Chelsea and Westminster	100.0	100.0	100.0	98.8	100.0	100.0	100.0	100.0	100.0
Enfield and Haringey	76.9	94.4	100.0	100.0	92.6	100.0	100.0	100.0	—
Redbridge and Waltham Forest	85.7	100.0	98.5	98.4	100.0	96.2	98.7	92.4	66.4
Bedfordshire	97.8	98.8	99.1	92.9	94.9	99.3	97.5	97.6	95.4
Berkshire	98.4	94.8	79.0	79.0	93.2	86.8	85.3	94.6	89.5

Percentage of patients seen for first out-patient appointment within two weeks when urgently referred by their GP with suspected breast cancer, and the referral being received by the NHS Trust within 24 hours: England and host health authority

Percentage

	1999–2000				2000–01				2001–02
Health authority	*Quarter 1*	*Quarter 2*	*Quarter 3*	*Quarter 4*	*Quarter 1*	*Quarter 2*	*Quarter 3*	*Quarter 4*	*Quarter 1*
Buckinghamshire	96.9	96.9	97.7	96.5	96.5	95.3	96.1	98.1	94.7
Bexley and Greenwich	100.0	100.0	100.0	100.0	100.0	98.2	100.0	96.4	—
Bromley	100.0	100.0	100.0	100.0	94.7	100.0	100.0	100.0	—
Croydon	100.0	100.0	92.1	58.2	98.4	98.7	98.9	100.0	100.0
East Kent	95.4	100.0	99.0	96.1	97.8	99.0	97.6	96.1	96.2
West Kent	86.3	92.6	95.4	77.2	90.9	93.4	86.6	87.1	79.3
Kingston and Richmond	93.5	96.6	100.0	97.0	100.0	100.0	100.0	100.0	97.8
Lambeth, Southwark and Lewisham	93.2	98.3	100.0	97.4	98.0	98.1	99.6	98.0	97.9
Merton, Sutton and Wandsworth	95.3	100.0	100.0	98.6	99.2	99.3	99.7	99.7	100.0
East Surrey	100.0	100.0	100.0	99.3	98.7	100.0	100.0	100.0	100.0
West Surrey	96.8	97.0	96.2	97.6	99.1	99.2	100.0	97.6	99.4
East Sussex Brighton and Hove	87.7	86.2	90.7	67.7	61.1	94.5	81.1	74.6	62.4
West Sussex	94.7	95.8	98.0	98.0	98.8	96.1	92.5	96.0	94.9
Barking and Havering	100.0	100.0	99.1	100.0	100.0	99.2	99.4	47.6	100.0
Barnet	87.9	96.2	100.0	97.1	98.5	98.9	96.6	82.0	—
Brent and Harrow	83.4	93.1	91.2	97.3	66.9	76.7	100.0	97.9	100.0
Camden and Islington	86.8	98.5	92.2	97.0	98.6	90.8	96.5	94.8	97.2
Ealing, Hammersmith and Hounslow	70.7	100.0	100.0	95.9	95.3	96.9	99.5	96.3	96.0
East London and City	60.0	77.5	92.2	90.9	89.6	90.8	90.1	93.2	100.0
North Essex	82.1	95.7	100.0	100.0	100.0	99.6	99.7	100.0	99.6
South Essex	100.0	99.2	99.5	92.8	99.5	100.0	100.0	99.1	90.8
South Lancashire	44.3	84.0	93.5	92.1	100.0	100.0	100.0	100.0	100.0
Liverpool	80.4	100.0	99.5	99.5	92.6	100.0	100.0	96.8	98.2
Manchester	40.7	52.0	91.4	97.7	99.5	95.5	96.9	99.5	96.2
Morecambe Bay	70.4	91.9	94.2	78.3	74.8	79.6	94.2	95.6	88.2
St. Helens and Knowsley	100.0	57.6	90.0	89.8	97.5	100.0	98.8	100.0	85.4
Salford and Trafford	44.2	82.9	94.8	93.3	66.7	90.8	95.5	92.9	93.4
Sefton	76.2	88.2	95.0	100.0	96.3	100.0	98.7	99.6	99.6
Stockport	91.4	99.2	100.0	99.1	99.3	100.0	100.0	100.0	100.0
West Pennine	53.8	68.8	97.7	98.0	88.0	98.7	96.3	97.0	98.6
Northamptonshire	82.2	96.8	99.5	97.9	100.0	99.4	98.1	98.6	100.0
Oxfordshire	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Suffolk	94.8	98.9	97.3	99.1	98.5	98.9	100.0	100.0	100.0
Barnsley	91.1	100.0	100.0	71.1	71.0	100.0	100.0	100.0	96.1
North Derbyshire	92.2	100.0	100.0	81.4	91.5	96.2	100.0	95.7	98.0
Southern Derbyshire	98.8	100.0	96.0	97.8	98.7	100.0	99.4	99.5	99.4
Doncaster	98.8	100.0	100.0	100.0	100.0	100.0	100.0	100.0	99.8
Leicestershire	99.3	99.4	99.4	98.6	89.0	82.4	97.4	100.0	99.4
Lincolnshire	89.3	100.0	100.0	99.5	100.0	99.1	99.7	100.0	99.3
North Nottinghamshire	85.5	92.6	98.5	97.3	85.7	100.0	97.6	100.0	98.4
Nottingham	98.1	97.2	92.1	99.0	90.5	97.7	93.3	92.0	92.5
Rotherham	96.3	97.8	100.0	97.7	100.0	66.1	96.3	100.0	100.0
Sheffield	96.[illegible]	98.2	97.7	100.0	100.0	99.3	97.9	92.5	100.0
Bury and Rochdale	60.[illegible]	85.0	89.1	96.0	94.2	100.0	100.0	100.0	100.0
North Cheshire	94.9	90.2	89.4	97.6	94.7	94.7	95.6	100.0	95.2
South Cheshire	95.5	98.6	99.4	96.7	95.0	98.5	98.1	95.8	96.9
East Lancashire	85.3	86.8	85.3	91.1	93.1	100.0	100.0	100.0	100.0
North West Lancashire	56.5	76.7	73.7	75.8	75.5	84.5	91.4	99.1	100.0
North and Mid Hampshire	100.0	95.8	99.4	99.4	92.1	94.4	97.5	98.3	95.3
Portsmouth and SE Hampshire	99.0	90.0	100.0	99.7	97.8	98.5	91.1	82.9	—
Southampton and SW Hampshire	97.1	100.0	95.6	90.6	99.4	96.0	98.1	97.9	99.0
Isle of Wight	100.0	86.5	89.1	87.7	95.9	100.0	96.4	100.0	—
Somerset	94.9	97.8	99.7	96.5	100.0	98.1	92.6	94.3	99.6
South and West Devon	100.0	100.0	98.9	100.0	92.7	99.3	100.0	100.0	98.6
Wiltshire	100.0	99.7	99.7	99.7	99.2	99.8	100.0	97.8	98.6
Avon	100.0	98.0	99.5	98.4	97.0	94.7	94.6	95.3	98.2
Birmingham	96.1	99.8	99.1	98.9	99.0	98.7	91.9	94.9	94.7
Wigan and Bolton	63.7	70.3	86.1	92.8	95.0	99.4	100.0	92.9	95.8
Wirral	42.0	64.0	67.3	93.7	87.5	83.5	84.8	99.4	100.0
Bradford	93.5	92.2	97.7	91.0	99.1	98.0	86.5	88.1	96.8
County Durham and Darlington	97.8	100.0	100.0	100.0	100.0	99.5	100.0	100.0	93.6
East Riding and Hull	37.3	72.4	100.0	99.0	100.0	99.5	94.6	100.0	100.0
Gateshead and South Tyneside	100.0	100.0	100.0	100.0	98.3	96.8	98.4	98.6	95.7
Leeds	92.0	96.1	96.3	95.9	94.5	93.9	92.6	100.0	93.3
Newcastle and North Tyneside	69.0	95.1	99.4	100.0	99.5	96.9	66.7	100.0	100.0
North Cumbria	96.6	97.1	97.5	84.9	83.8	99.1	71.1	92.9	99.3
South Humber	74.3	88.2	98.1	99.1	99.5	97.9	100.0	100.0	99.2
Northumberland	96.0	98.0	92.3	95.2	96.5	94.2	56.4	88.9	57.7
Sunderland	100.0	100.0	100.0	100.0	100.0	100.0	99.2	100.0	100.0
Tees	100.0	100.0	100.0	99.4	99.4	100.0	99.2	98.0	96.5
Wakefield	99.1	99.1	91.3	96.4	77.9	83.0	100.0	100.0	69.9
North Yorkshire	71.3	79.0	79.7	69.2	87.4	95.8	91.8	95.1	99.2
Calderdale and Kirklees	99.5	100.0	99.3	100.0	100.0	98.1	92.6	99.4	100.0

Percentage of patients seen for first out-patient appointment within two weeks when urgently referred by their GP with suspected breast cancer, and the referral being received by the NHS Trust within 24 hours: England and host health authority

Percentage

	1999–2000				*2000–01*				*2001–02*
Health authority	*Quarter 1*	*Quarter 2*	*Quarter 3*	*Quarter 4*	*Quarter 1*	*Quarter 2*	*Quarter 3*	*Quarter 4*	*Quarter 1*
Cornwall and Isles of Scilly	97.9	100.0	100.0	100.0	99.5	99.5	100.0	91.1	97.7
Dorset	99.7	99.8	100.0	99.2	99.8	100.0	99.4	100.0	100.0
North and East Devon	100.0	100.0	100.0	100.0	96.0	100.0	100.0	100.0	100.0
Gloucestershire	100.0	100.0	100.0	97.5	100.0	98.2	100.0	100.0	99.3
Coventry	92.4	99.1	99.6	98.3	98.9	98.6	99.3	99.6	98.9
Dudley	98.6	95.8	68.9	100.0	99.4	100.0	100.0	100.0	100.0
Herefordshire	100.0	100.0	100.0	100.0	87.7	99.0	100.0	96.9	94.8
Sandwell	100.0	100.0	58.3	89.3	98.6	88.1	100.0	100.0	100.0
Shropshire	100.0	100.0	100.0	98.4	100.0	99.5	97.6	99.3	97.8
North Staffordshire	99.4	94.3	97.7	100.0	100.0	90.2	97.6	99.5	94.7
South Staffordshire	100.0	99.3	99.1	98.4	97.8	96.0	75.3	73.2	77.6
Walsall	99.1	100.0	100.0	100.0	100.0	100.0	100.0	100.0	99.8
Warwickshire	99.1	98.0	99.5	93.8	96.1	94.4	99.3	100.0	100.0
Wolverhampton	95.2	88.8	100.0	99.3	100.0	99.4	99.4	100.0	96.2
Worcestershire	100.0	94.8	100.0	95.2	95.9	96.4	96.3	90.4	89.3
East and North Hertfordshire	77.2	91.6	95.1	94.8	78.8	94.4	96.7	94.0	—
West Hertfordshire	73.9	77.5	100.0	97.1	97.8	99.1	99.5	89.5	—
Cambridgeshire	93.8	99.3	99.7	100.0	99.7	100.0	100.0	99.8	99.8
Norfolk	99.7	91.8	98.2	99.7	98.0	96.5	95.6	100.0	99.6
Isle of Wight, Portsmouth and South East Hampshire	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	86.3
Barnet, Enfield and Haringey	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	99.1
Hertfordshire	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	97.0
Bexley, Bromley and Greenwich	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	99.1

[1] Not applicable due to health authority mergers in 2001–02

Source:

Department of Health form QMCW

Scottish Devolution

Mrs. Lait: To ask the Secretary of State for Health what his policy is regarding consultations prior to the publication of proposals involving the transfer of powers to the Scottish Executive by *(a)* primary legislation and *(b)* Order in Council. [13827]

Ms Blears: Transfer of powers to the Scottish Executive takes place only after agreement between the Administrations. There are two routes: when power is conferred by primary legislation the Sewell Convention requires the prior approval of the Scottish Parliament through the Scottish Executive. When conferred by secondary legislation, the Order follows procedures set out in the Scotland Act 1998; approval by both Houses of Parliament and the Scottish Parliament is required.

Smoking

Mr. Steinberg: To ask the Secretary of State for Health what proposals he has to ban smoking in *(a)* the workplace and *(b)* all public places. [13605]

Jacqui Smith: We have no plans for legislation in these areas.

Following a consultation process the Health and Safety Commission has recommended the introduction of an Approved Code of Practice on smoking in the workplace. We are giving careful consideration to this proposal.

Control of smoking in public places is the responsibility of the management of such premises. The Public Places Charter, agreed with the hospitality industry, provides customers with clear information on the type of smoking policy operating in a particular establishment, and allows them to make an informed choice.

Carers and Disabled Children Act

Mr. Edwards: To ask the Secretary of State for Health (1) what plans he has to monitor the duties of local authorities in implementing the Carers and Disabled Children Act 2000; [14004]

(2) what research he has commissioned into the implementation of the Carers and Disabled Children Act 2000; [14003]

(3) if he will make a statement about the duties of local authorities in implementing the Carers and Disabled Children Act 2000. [14008]

Jacqui Smith: The provisions in the Act relating to assessment, carer services, and direct payments for disabled 16 and 17-year-olds, carers and people with parental responsibility for disabled children came into force in England in April. The provisions relating to vouchers are planned to come into force in April 2002. The social services inspectorate monitors the performance of local authority social services departments. The Department also has regular contact with voluntary organisations who are able to share their local knowledge about the delivery of services to carers. We will be considering the nature of the research which we should commission when the voucher system comes into force. The implementation of the Act in Wales is a matter for the National Assembly of Wales.

Child Psychiatric Posts

Mrs. Humble: To ask the Secretary of State for Health how many vacancies there are in consultant child psychiatric posts *(a)* nationally and *(b)* in north-west Lancashire. [14537]

Jacqui Smith: Information about consultant vacancies is collected through the national health service vacancy survey, which has been conducted in March each year since 1999. Vacancy rates are not, however, collected separately for all disciplines within the mental health sector and information is not held about vacancies in consultant child psychiatric posts. Vacancy rates in consultant child psychiatry posts are included in the total consultant vacancy rate figure.

Beta Interferon

Mr. McNamara: To ask the Secretary of State for Health when he will complete his discussions with the pharmaceutical industries on the provision of beta interferon for relapsing-remitting MS sufferers. [14799]

Ms Blears: We have no precise timetable, but are aiming to conclude the discussions as soon as possible in the light of the National Institute for Clinical Excellence's final guidance.

Porton Down (NHS Data)

Matthew Taylor: To ask the Secretary of State for Health on what dates since 3 August officials in his Department have held meetings with the Medical Research Council regarding the provision and confidentiality of National Health Service data for an epidemiological study into volunteers who took part in experiments at the chemical and biological defence establishment, Porton Down. [14750]

Jacqui Smith: Officials were made aware of this study by the Medical Research Council but there have been no meetings or substantive discussions on the subject.

Blood Donors (South Tyneside)

Mr. Hepburn: To ask the Secretary of State for Health how many people gave blood in South Tyneside in *(a)* 1999, *(b)* 2000 and *(c)* 2001; how many are projected to do so in 2002; and what plans he has to encourage blood-giving. [15025]

Jacqui Smith: Information on blood donation is available only by financial year. In south Tyneside, the number of blood donors were:

	Number
1999–2000	6,258
2000–01	5,979
April 2001 to end of October 2001	3,449
2001–02[1]	5,767

[1] Projected figure

This year the National Blood Service (NBS) are working with south Tyneside council's 'Partners for Life' initiative, south Tyneside hospital's 'Saving Lives Together' campaign and south Tyneside college to recruit new blood donors.

The NBS have undertaken national and regional television and radio advertising, as well as direct mailing, to target new and existing donors. They have also run more public blood donor sessions and are reviewing the donation process to find ways of reducing waiting times for donors.

Medicines (Safeguards)

Mr. Burstow: To ask the Secretary of State for Health what recent assessment his Department has made of the adequacy of the safeguards in place in *(a)* care homes, *(b)* NHS hospitals and continuing care, *(c)* private hospitals and *(d)* the community in respect of covert administration of medicines by nurses, midwives and health visitors. [14957]

Jacqui Smith *[holding answer 15 November 2001]:* As regulated professionals, registered nurses, midwives and health visitors are expected to work to guidance issued by the United Kingdom Central Council for Nursing, Midwifery and Health Visiting. Registered nurses, midwives and health visitors may administer medicines in the absence of consent where doing so is in the best interests of the patient, where it has been agreed following discussion within the full care team and with the involvement of the person's family or representative.

The covert administration of medicines should be exceptional, determined on a case-by-case basis, and never a matter of routine practice. Where it is determined to be appropriate, the decision and the medicines administered must be fully documented.

We expect national health service hospital and community organisations to have local policies about the administration of medicines as part of its clinical governance responsibilities for standards of clinical care, for which each chief executive is accountable. For people in care homes, "The National Minimum Standards for Care Homes", produced by the National Care Standards Commission, apply. The Department finished consultation on draft standards for private acute care in October and is currently considering the responses.

For the treatment of mental disorder in situations where patients cannot or do not consent to medication, nurses are required to act in accordance with the provisions of the Mental Health Act 1983.

Mental Illness

Mr. Heald: To ask the Secretary of State for Health what guidance he gives to medical practitioners on prescribing medicines for those suffering from mental illness, in relation to obtaining patients' consent to treatment. [17339]

Jacqui Smith *[holding answer 23 November 2001]:* Chapter 16 of the 'Code of Practice on the Mental Health Act 1983' provides guidance on the provisions in Part IV of the Act relating to consent by patients being treated for mental disorder.

Except where provisions of Part IV on the Mental Health Act 1983 apply, consent to treatment is governed by the common law. In March 2001, the Department issued the 'Reference Guide to consent for examination or treatment', which provides guidance to practitioners on law and good practice in this field.

Nurses

Mr. Heald: To ask the Secretary of State for Health (1) how many nurses *(a)* in the mental health field and *(b)* in total left the NHS in each of the last 10 years; [14143]

(2) how many nurses worked in mental health in the NHS in each of the last 10 years. [14144]

Jacqui Smith *[holding answer 15 November 2001]:* Data collected by the Department do not identify the number of nurses who leave the national health service or the total number of nurses working in mental health. The non-medical work force census does identify the number of community psychiatry and other psychiatry nurses. The data are in the table.

NHS hospital and community health services (HCHS) qualified nursing staff in the community psychiatry and other psychiatry areas of work in England as at 30 September each year

Numbers[1]

	Community psychiatry	*Other psychiatry*
1991	3,630	34,640
1992	4,040	34,600
1993	4,190	31,470
1994	4,610	30,390
1995	8,560	29,930
1996	9,330	29,490
1997	9,740	29,370
1998	10,230	27,910
1999	10,550	28,450
2000	11,080	28,450

[1] Headcount.

Notes:

1. Figures are rounded to the nearest 10.
2. Figures exclude learners and agency staff.
3. A new classification of the non-medical work force was introduced in 1995.
4. Information based on this classification is not directly comparable with earlier years.

Source:

Department of Health non-Medical Workforce Census.

Hearing Aids

Mr. Heath: To ask the Secretary of State for Health what private sector companies were used to *(a)* design, *(b)* provide facilities for and *(c)* manage the modernising NHS hearing aid services project. [15599]

Jacqui Smith: Discussions were held with all hearing aid companies during the design of the modernising national health service hearing aid services project. The following companies supplied goods and or services and training:

A&M Hearing Ltd.

GN Resound Ltd.

Starkey Laboratories UK

Oticon Ltd.

PC Werth Ltd.

Lavis Medical Systems Ltd.

The project is managed on behalf of the Department by the Royal National Institute for the Deaf.

Ms Walley: To ask the Secretary of State for Health what the timetable is for the allocation of funding for the purchase of digital hearing aids; and if he will make a statement. [15807]

Jacqui Smith: The Institute of Hearing Research is evaluating the modernisation project on behalf of the Department. Subject to favourable evaluation, we will make decisions about how best to spread the modernised services, including the provision of digital hearing aids throughout the national health service. We have earmarked funds to begin roll-out and have said that up to £25 million will be invested by 2003–04. Funding decisions for 2002–03 will be made in time to allow sites to make plans for delivering services for that financial year.

NHS Dentistry

Mr. Gordon Prentice: To ask the Secretary of State for Health how many salaried dentists have been employed in each health authority area in England since the publication of the Government's plan for NHS dentistry. [15470]

Ms Blears: Information on the number of salaried dentists employed in each health authority as at September 2000—the month of publication of "Modernising NHS Dentistry—Implementing the NHS Plan" is shown in table 1. The same information as at September 2001 is shown in table 2.

The figures are for number of dentists and take no account of part-time working. Some dentists work in more than one HA and are included each time in the individual HA figures but only once in the England total. Dentists working in more than one dental service are included each time.

Information on salaried dentists employed in community dental services and hospital dental services is available only for September 2000.

Table 1: Number of salaried dentists in the salaried service of the general dental service, personal dental service, community and hospital dental services at September 2000—England

Health authority	*Salaried service of GDS*	*PDS salaried dentists*	*Community and hospital salaried dentists*[1]
Avon HA	0	0	11
Barking and Havering HA	13	0	1
Barnet, Enfield and Haringey HA	0	0	3
Barnsley HA	0	0	—
Bedfordshire HA	4	0	3
Berkshire HA	0	0	4
Bexley, Bromley and Greenwich HA	8	3	4
Birmingham HA	0	0	17
Bradford HA	0	0	3
Brent and Harrow HA	0	0	2
Buckinghamshire HA	1	18	5
Bury and Rochdale HA	0	0	2
Calderdale and Kirklees HA	0	0	3

Table 1: Number of salaried dentists in the salaried service of the general dental service, personal dental service, community and hospital dental services at September 2000—England

Health authority	*Salaried service of GDS*	*PDS salaried dentists*	*Community and hospital salaried dentists*[1]
Cambridge HA	10	0	5
Camden and Islington HA	1	0	12
Cornwall and Isles of Scilly HA	2	25	4
County Durham HA	0	0	1
Coventry HA	0	0	2
Croydon HA	0	0	2
Doncaster HA	0	0	1
Dorset HA	0	0	3
Dudley HA	0	0	1
Ealing, Hammersmith and Hounslow HA	0	0	1
East Kent HA	1	0	3
East Lancashire HA	0	0	3
East London and The City HA	10	0	7
East Riding HA	2	2	3
East Surrey HA	6	0	—
East Sussex, Brighton and Hove HA	0	0	4
Gateshead and South Tyneside HA	0	0	1
Gloucestershire HA	0	29	5
Herefordshire HA	3	0	1
Hertfordshire HA	0	0	3
Hillingdon HA	0	0	—
Isle of Wight, Portsmouth and South East Hampshire HA	0	7	4
Kensington, Chelsea and Westminster HA	7	0	5
Kingston and Richmond HA	0	0	3
Lambeth, Southwark and Lewisham HA	0	0	18
Leeds HA	0	0	7
Leicestershire HA	0	0	4
Lincolnshire HA	5	0	3
Liverpool HA	0	0	10
Manchester HA	0	0	15
Merton, Sutton and Wandsworth HA	3	0	4
Morecambe Bay HA	1	0	2
Newcastle and North Tyneside HA	0	0	12
Norfolk HA	4	0	4
North and East Devon HA	2	0	2
North and Mid Hampshire HA	1	0	2
North Cheshire HA	0	0	3
North Cumbria HA	0	0	1
North Derbyshire HA	0	0	1
North Essex HA	0	0	3
North Nottingham HA	0	0	—
North Staffordshire HA	2	0	1
North West Lancashire HA	1	0	3
North Yorkshire HA	0	0	5
Northamptonshire HA	0	0	2
Northumberland HA	0	0	—
Nottingham HA	0	0	3
Oxfordshire HA	8	0	4
Redbridge and Waltham Forest HA	0	0	1
Rotherham HA	1	0	1
Salford and Trafford HA	0	0	2
Sandwell Ha	0	0	1
Sefton HA	0	0	2
Sheffield HA	0	0	9
Shropshire HA	0	7	2
Solihull HA	1	0	—
Somerset HA	2	0	2
South and West Devon HA	15	0	5
South Cheshire HA	4	0	3
South Derbyshire HA	0	1	4
South Essex HA	0	0	2
South Humber HA	0	0	1
South Lancashire HA	2	3	1
South Staffordshire HA	0	0	2
Southampton and South West Hampshire HA	0	21	4
St. Helena and Knowsley HA	0	6	1
Stockport HA	0	0	1
Suffolk Ha	2	0	3
Sunderland HA	0	0	2
Tees HA	0	0	4

Table 1: Number of salaried dentists in the salaried service of the general dental service, personal dental service, community and hospital dental services at September 2000—England

Health authority	*Salaried service of GDS*	*PDS salaried dentists*	*Community and hospital salaried dentists*[1]
Wakefield HA	0	0	1
Walsall HA	0	0	1
Warwickshire HA	0	0	2
West Kent HA	3	0	5
West Pennine HA	0	0	2
West Surrey HA	3	0	5
West Sussex HA	0	12	3
Wigan and Bolton Ha	4	6	3
Wiltshire HA	4	6	3
Wirral HA	0	8	1
Wolverhampton HA	0	5	1
Worcestershire HA	0	17	1
Special Hospitals	0	0	3
England	132	175	353

[1] England total for CDS and HDS salaried dentists counts dentists only once, in their main HA.

Table 2: Number of salaried dentists in the salaried service of the general dental service, personal dental service, community and hospital dental services at September 2001—England

Health authority	*Salaried service of GDS*	*PDS salaried dentists*	*Community and hospital salaried dentists*[1]
Avon HA	0	10	n/a
Barking and Havering HA	13	0	n/a
Barnet, Enfield and Haringey HA	0	2	n/a
Barnsley HA	0	0	n/a
Bedfordshire HA	6	29	n/a
Berkshire HA	0	0	n/a
Bexley, Bromley and Greenwich HA	6	8	n/a
Birmingham HA	0	39	n/a
Bradford HA	0	0	n/a
Brent and Harrow HA	0	0	n/a
Buckinghamshire HA	1	27	n/a
Bury and Rochdale HA	0	5	n/a
Calderdale and Kirklees HA	0	0	n/a
Cambridge HA	7	0	n/a
Camden and Islington HA	1	0	n/a
Cornwall and Isles of Scilly HA	2	32	n/a
County Durham HA	0	0	n/a
Coventry HA	0	0	n/a
Croydon HA	0	0	n/a
Doncaster HA	0	0	n/a
Dorset HA	0	0	n/a
Dudley HA	0	0	n/a
Ealing, Hammersmith and Hounslow HA	0	0	n/a
East Kent HA	0	0	n/a
East Lancashire HA	0	3	n/a
East London and The City HA	9	0	n/a
East Riding HA	0	8	n/a
East Surrey HA	0	0	n/a
East Sussex, Brighton and Hove HA	0	1	n/a
Gateshead and South Tyneside HA	0	0	n/a
Gloucestershire HA	0	23	n/a
Herefordshire HA	0	0	n/a
Hertfordshire HA	0	0	n/a
Hillingdon HA	2	0	n/a
Isle of Wight, Portsmouth and South East Hampshire HA	0	13	n/a
Kensington, Chelsea and Westminster HA	8	0	n/a
Kingston and Richmond HA	0	0	n/a
Lambeth, Southwark and Lewisham HA	0	0	n/a
Leeds HA	0	0	n/a
Leicestershire HA	0	3	n/a
Lincolnshire HA	2	8	n/a
Liverpool HA	0	7	n/a
Manchester HA	0	1	n/a
Merton, Sutton and Wandsworth HA	3	0	n/a
Morecambe Bay HA	1	2	n/a
Newcastle and North Tyneside HA	0	0	n/a

Table 2: Number of salaried dentists in the salaried service of the general dental service, personal dental service, community and hospital dental services at September 2001—England

Health authority	*Salaried service of GDS*	*PDS salaried dentists*	*Community and hospital salaried dentists*[1]
Norfolk HA	0	0	n/a
North and East Devon HA	0	5	n/a
North and Mid Hampshire HA	0	0	n/a
North Cheshire HA	0	15	n/a
North Cumbria HA	0	0	n/a
North Derbyshire HA	0	0	n/a
North Essex HA	0	0	n/a
North Nottinghamshire HA	0	0	n/a
North Staffordshire HA	0	19	n/a
North West Lancashire HA	0	1	n/a
North Yorkshire HA	0	7	n/a
Northamptonshire HA	0	0	n/a
Northumberland HA	0	0	n/a
Nottingham HA	0	0	n/a
Oxfordshire HA	0	17	n/a
Redbridge and Waltham Forest HA	0	0	n/a
Rotherham HA	1	0	n/a
Salford and Trafford HA	0	2	n/a
Sandwell Ha	0	3	n/a
Sefton HA	0	0	n/a
Sheffield HA	0	0	n/a
Shropshire HA	0	6	n/a
Solihull HA	0	11	n/a
Somerset HA	1	8	n/a
South and West Devon HA	14	12	n/a
South Cheshire HA	0	7	n/a
South Derbyshire HA	0	1	n/a
South Essex HA	0	0	n/a
South Humber HA	0	0	n/a
South Lancashire HA	2	3	n/a
South Staffordshire HA	0	13	n/a
Southampton and South West Hampshire HA	0	20	n/a
St. Helena and Knowsley HA	0	10	n/a
Stockport HA	0	0	n/a
Suffolk Ha	0	3	n/a
Sunderland HA	0	0	n/a
Tees HA	0	0	n/a
Wakefield HA	0	0	n/a
Walsall HA	0	4	n/a
Warwickshire HA	0	6	n/a
West Kent HA	2	0	n/a
West Pennine HA	1	0	n/a
West Surrey HA	0	44	n/a
West Sussex HA	0	17	n/a
Wigan and Bolton Ha	0	0	n/a
Wiltshire HA	4	7	n/a
Wirral HA	0	9	n/a
Wolverhampton HA	0	6	n/a
Worcestershire HA	0	21	n/a
England	86	498	n/a

[1] The number of salaried dentists in the CDS and HDS is not available centrally

David Wright: To ask the Secretary of State for Health what central Government funding programmes will be available to support NHS dentistry after March 2002. [15309]

Ms Blears: An estimated £1.1 billion will be spent on the general dental service and a further £57 million will be invested on personal dental service pilot schemes in the current financial year. Figures for future years are not yet available.

David Wright: To ask the Secretary of State for Health what support his Department is giving to health authorities and individual practices to provide NHS dental services. [15306]

Ms Blears: We have invested almost £100 million extra over the last two years towards helping health authorities and individual practices provide NHS dental services.

In addition to this financial support the Government have made it easier for health authorities to influence dentistry provision in their area. Health authorities can now commission local spot contracts with dentists. Health authorities can also bid for Government money to support the establishment of personal dental service pilot schemes, which are an alternative way by which to provide NHS dentistry and allow for the creation of a service more tailored to the needs of local communities.

Information Management

Mr. Todd: To ask the Secretary of State for Health how data quality for information management purposes is managed within the NHS. [15401]

Ms Blears: Information used for management purposes should be accurate, relevant and timely to inform decision making which is appropriate and based on evidence. National health service managers are responsible for ensuing that the data collected and used by their organisation are of sufficient quality to meet their needs. Ideally, data should be collected once only, and verified as close as possible to the source of the data. Most NHS information systems have in-built validation routines which can check the quality of data as they are entered on to the system.

Further data quality checks are usually made as data pass between organisations. Data used to support commissioning, for example, are exchanged via the NHS-wide Clearing Service. Within this process, data quality reports are produced and returned to the data originator. In addition, the Department's regional offices provide feedback to NHS hospital trusts on the quality of data held in the NHS-wide clearing service database. The Department also produces data quality reports on the records received as hospital episode statistics, as well as validating other centrally required returns based on aggregated information.

Information Technology

Mr. Todd: To ask the Secretary of State for Health which body within the Department of Health has responsibility for drawing up information technology strategy. [15398]

Ms Blears: The Department's information services group has responsibility for drawing up the information technology strategy for the Department.

The information policy unit has overall responsibility for the delivery of the information strategy for the national health service, ensuring that it is kept up to date and is co-ordinated with information and IT issues surrounding policy development.

Professor Denis Protti

Mr. Todd: To ask the Secretary of State for Health whether he has received the assessment of Professor Denis Protti of the information for Health Strategy; and if he will make a statement. [15400]

Ms Blears: The report of professor Denis Protti has not been received.

Dental Care Development Fund

David Wright: To ask the Secretary of State for Health which health authorities benefited from the dental care development fund in 2000–01; and how much finance was awarded in each case. [15305]

Ms Blears: Information on the health authorities receiving dental care development fund awards and the amounts awarded are shown in the table.

Health authorities receiving dental care development funding 2000–01

£000

Health authority	*Amount granted*
Avon	70
Barnsley	15
Bedfordshire	50
Berkshire	125
Birmingham	35
Bradford	50
Buckinghamshire	110
Bury and Rochdale	40
Calderdale and Kirklees	30
Cambridge	60
Cornwall and the Isle of Scilly	80
Coventry	40
Doncaster	20
Dorset	110
Ealing, Hammersmith and Hounslow	30
East and North Hertfordshire	50
East Kent	95
East Lancashire	50
East London and the City	30
East Riding and Hull	95
East Surrey	80
East Sussex, Brighton and Hove	35
Enfield and Haringey	25
Gloucestershire	95
Herefordshire	30
Isle of Wight	65
Kingston and Richmond	40
Leeds	60
Leicestershire	70
Lincolnshire	95
Merton, Sutton and Wandsworth	30
Morecambe Bay	40
Norfolk	60
North and East Devon	50
North and Mid Hampshire	50
North Cheshire	20
North Cumbria	65
North Derbyshire	25
North Essex	35
North Nottinghamshire	40
North Staffordshire	80
North West Lancashire	50
North Yorkshire	125
Northamptonshire	60
Nottingham	30
Oxfordshire	95
Portsmouth and SE Hampshire	95
Rotherham	15
Sefton	20
Sheffield	25
Shropshire	80
Solihull	30
Somerset	80
South and West Devon	95
South Cheshire	60
South Essex	20
South Humber	20
South Lancashire	30
South Staffordshire	50
Southampton and SW Hampshire	50
Southern Derbyshire	60
St. Helens and Knowsley	20
Stockport	20
Suffolk	110
Wakefield	20
Walsall	15
Warwickshire	50

Health authorities receiving dental care development funding 2000–01

£000

Health authority	Amount granted
West Hertfordshire	25
West Surrey	110
West Sussex	60
Wiltshire	95
Worcestershire	50
England	3,940

Care Homes for Young People

Mr. Cameron: To ask the Secretary of State for Health what representations he has received about the planned national standards for care homes for young people. [16024]

Jacqui Smith: Draft national minimum standards for younger adults' care homes were published for consultation between 29 June 2001 and 21 September 2001. 500 responses were received, expressing a range of views. We are now considering those responses and will publish the final version of the standards shortly.

Registered Nursing Beds

Miss McIntosh: To ask the Secretary of State for Health how many registered nursing beds in *(a)* general and mental nursing homes, *(b)* private hospitals and *(c)* clinics there were in the North Yorkshire Health Authority area in (i) 1999 and (ii) 2000; and how many there are now. [15949]

Jacqui Smith: The information available is given in the table. Details relating to 31 March 2001 will be published at the end of November 2001, in the Statistical Bulletin "Community Care Statistics 2001: Residential personal social services for adults, England".

Number of registered nursing beds in nursing homes and private hospitals and clinics in 1999 and 2000 for North Yorkshire health authority[1]

Number

	1999	2000
Registered beds in nursing homes[2]	3,974	4,198
Registered nursing beds in private hospitals and clinics	480	122

[1] As at 31 March

[2] Registered nursing beds in general and mental nursing homes

Source:

Department of Health annual returns

Mr. Fallon: To ask the Secretary of State for Health how many residential and nursing home beds are available in Kent; and how many were available in 1997. [17422]

Jacqui Smith: The table shows the number of residential care beds in the shire county of Kent and the number of registered nursing beds in East Kent and West Kent health authorities in 1997 and 2000. Details relating to 31 March 2001 will be published at the end of November 2001, in the Statistical Bulletin, "Community Care Statistics 2001: Residential personal social services for adults, England".

Registered residential and nursing care beds in Kent area in 1997 and 2000[1]

Number

	[2]1997	2000
Residential beds[3]	16,009	13,518
Nursing beds[4]	4,712	5,051

[1] As at 31 March

[2] Figures for registered nursing beds relates to registered beds during the period 1 October 1996 to 31 March 1997

[3] Beds registered within Kent local authority, exclude children's beds

[4] Beds registered within East Kent and West Kent health authorities, all client groups

Source:

Department of Health's annual returns

Community Care Plans (Replacement)

Mr. Berry: To ask the Secretary of State for Health when he plans to launch the consultation on replacing community care plans; and if he will make a statement. [17262]

Jacqui Smith: The consultation process seeking views to remove section 46 of the National Health Service and Community Care Act 1990, which requires councils to produce a community care plan, was completed on 5 November 2001. By that date, 115 responses were received.

Prisons

Mr. Heald: To ask the Secretary of State for Health which NHS trusts provide psychiatrists and other staff to prisons. [16629]

Jacqui Smith *[holding answer 22 November 2001]:* Psychiatrists and other mental health staff work in prisons under a range of different organisational arrangements, full details of which are not held centrally.

Mr. Heald: To ask the Secretary of State for Health how many general practices provide primary care services to prisons; and if he will make a statement. [16630]

Jacqui Smith *[holding answer 22 November 2001]:* Information on the number of general practices providing primary care in prisons is not held centrally. However, a survey this year of doctors who work in prisons showed that from the 225 who identified themselves as general practitioners, 180 were part time with 120 contracted to work for less than 10 hours a week.

There is no single model governing the recruitment of doctors to prison health care. Historically the system is one of mixed provision in which primary care is provided by doctors directly employed by the Prison Service, general practitioners under contract and locums, or by a combination of these arrangements. This flexibility allows for the most effective use of local labour markets.

Prisoners (Mental Health)

Mr. Heald: To ask the Secretary of State for Health how many prisoners have been transferred to NHS mental health facilities on temporary licence since 13 July 2000; and what funding arrangements have been made in respect thereof. [16609]

Jacqui Smith *[holding answer 22 November 2001]:* The Prison Service does not collect information about the number of prisoners transferred to national health service mental health facilities on temporary licence but it would expect there to be few, if any, such cases. The objective is to ensure that prisoners who are so severely mentally disordered that they required in-patient treatment in hospital are diagnosed, assessed and transferred as quickly as possible. Some 750 prisoners a year are transferred from prison to hospital by direction of my right hon. Friend the Home Secretary under sections 47 and 48 of the Mental Health Act 1983. The costs of their treatment in hospital are borne by the national health service.

Atypical Anti-psychotic Drugs

Mr. Heald: To ask the Secretary of State for Health what estimate he has made of the number of patients not receiving atypical anti-psychotic drugs who could benefit from them. [17217]

Jacqui Smith *[holding answer 22 November 2001]:* This estimate has not been made. The National Institute for Clinical Excellence (NICE) has been asked to appraise the clinical and cost effectiveness of atypical antipsychotics in schizophrenia. This guidance is due to be published in March 2002.

Mind Out for Mental Health Campaign

Mr. Heald: To ask the Secretary of State for Health whether he intends to continue to provide funding for the Mind Out for Mental Health campaign in 2002–03. [16618]

Jacqui Smith *[holding answer 22 November 2001]:* Decisions have not yet been made on communications expenditure for 2002–03.

Mr. Heald: To ask the Secretary of State for Health if he will make a statement on the availability of leaflets for employers under the Mind Out for Mental Health campaign. [16619]

Jacqui Smith *[holding answer 22 November 2001]:* One thousand Working Minds tool kits were produced for use by human resource managers as part of the Mind Out for Mental Health campaign. The tool kits have been extremely popular and have now been distributed to employers and groups working with employers. There are currently no stock of the tool kit available. However, the information contained in the tool kit is available on the campaign website www.mindout.net, and can be downloaded free of charge by users.

Working Minds Programme

Mr. Heald: To ask the Secretary of State for Health what changes in employers' policy and practice the Working Minds programme seeks to achieve; and if he will make a statement on how he intends to monitor progress and measure success. [17091]

Jacqui Smith *[holding answer 22 November 2001]:* The Working Minds programme is working in partnership with employers to: increase awareness and improve understanding of mental health issues among employers and employees; eliminate discrimination on the grounds of mental health within the workplace and during employee recruitment; improve workplace policies on mental health and promote best practice in the management of mental health at work; and promote improved management and fair treatment of staff experiencing mental health problems in the workplace.

The campaign does not dictate changes in policy and practice, but provides the information to encourage employers to take action, along with signposts to further resources provided by specialist organisations. Every employer is different, so each will want to develop specific policies and practices that are appropriate for their own size, structure, objectives and culture, within a time scale that is appropriate for them.

Changing individual behaviour and organisational culture will take a sustained effort on behalf of employers and a considerable amount of time. We would therefore not expect to see immediate improvements in workplace policy and practice on mental health. However, we are able to monitor the immediate impact of the campaign. At the start of the Working Minds programme, we conducted research among human resource managers to evaluate their awareness of, and approach to, mental health in the workplace. We will repeat this research at intervals to measure the progress the campaign is making in putting mental health on the workplace agenda. We are also embarking on an evaluation programme which will measure take-up of campaign materials and specifically evaluate how useful employers have found the information, and what action they are taking as a result of the campaign.

Heart Operations

Mr. Hepburn: To ask the Secretary of State for Health what the *(a)* longest and *(b)* shortest waiting times were for heart operations (i) in South Tyneside and (ii) nationally in (A) 1997, (B) 1998, (C) 1999, (D) 2000 and (E) 2001. [17405]

Jacqui Smith: Information relating to in-patient waiting times for cardiology and cardiothoracic specialities for Gateshead and South Tyneside health authority and England is shown in the tables.

Waiting times data for cardiology speciality

		Of those waiting, number who have waited:						
Month ending	*Number of in-patients waiting in cardiology speciality*	*0–2 months*	*3–5 months*	*6–8 months*	*9–11 months*	*12–14 months*	*15–17 months*	*18+ months*
Data for Gateshead and South Tyneside HA (QDG)								
31 March 1997	236	84	92	43	17	0	0	0
31 March 1998	103	54	30	13	6	0	0	0
31 March 1999	85	33	17	19	16	0	0	0
31 March 2000	68	41	19	3	5	0	0	0
31 March 2001	118	67	35	13	3	0	0	0

Waiting times data for cardiology speciality

Month ending	*Number of in-patients waiting in cardiology speciality*	*Of those waiting, number who have waited:*						
		0–2 months	*3–5 months*	*6–8 months*	*9–11 months*	*12–14 months*	*15–17 months*	*18+ months*
Data for England								
31 March 1997	20,408	10,596	5,430	2,549	1,313	313	177	30
31 March 1998	21,634	11,655	5,191	2,877	1,467	340	104	0
31 March 1999	18,924	10,949	4,541	1,989	1,084	296	65	0
31 March 2000	21,721	12,216	5,346	2,444	1,108	406	201	0
31 March 2001	23,702	13,319	5,939	2,771	1,193	379	101	0

Waiting times data for cardiothoracic specialitypa

Month ending	*Number of in-patients waiting in cardiothoracic speciality*	*Of those waiting, number who have waited:*						
		0–2 months	*3–5 months*	*6–8 months*	*9–11 months*	*12–14 months*	*15–17 months*	*18+ months*
Data for Gateshead and South Tyneside HA (QDG)								
31 March 1997	113	33	43	24	13	0	0	0
31 March 1998	106	51	27	19	9	0	0	0
31 March 1999	120	39	33	25	23	0	0	0
31 March 2000	125	55	32	26	12	0	0	0
31 March 2001	120	45	37	23	15	0	0	0
Data for England								
31 March 1997	12,759	5,138	3,497	2,385	1,303	327	102	7
31 March 1998	14,412	5,524	4,001	2,660	1,677	420	130	0
31 March 1999	14,470	5,394	3,755	2,672	1,735	736	178	0
31 March 2000	15,724	5,633	3,770	2,813	2,029	1,115	364	0
31 March 2001	14,555	5,717	3,593	2,579	1,698	758	210	0

Source:

QF01 quarterly return

Social Services (Winter Pressures)

Mr. Syms: To ask the Secretary of State for Health if he will list by local authority the money allocated to social services to alleviate winter pressures for *(a)* winter 2000–01 and *(b)* winter 2001–02. [17627]

Jacqui Smith *[holding answer 23 November 2001]:* In order to manage winter pressures it is crucial that the national health service and social services work closely together. In winter 2000–01, we allocated an additional £116 million for winter pressures via the NHS for use in joint planning to address local issues in both health and social care. This was followed up with an additional £100 million for social services in 2001–02 to enable them to continue to meet commitments from last winter. On 9 October we announced a further £100 million for social services in 2001–02 to tackle capacity issues and reduce delays in discharge from hospital.

Ambulance Service

Patrick Mercer: To ask the Secretary of State for Health what plans he has to waive the requirement for applicants for posts in the Ambulance Service to hold a category D1 driver's licence. [15943]

Mr. Jamieson: I have been asked to reply.

All drivers, including ambulance drivers, are required to hold the appropriate driving entitlement relative to the types of vehicle they drive. Category D1 entitlement is required for vehicles with more than eight but no more than 16 seats. The Government have no plans to change the driver licensing rules in this area.

Written Answers to Questions

Tuesday 27 November 2001

SOLICITOR-GENERAL

Fair Trade

Mr. Weir: To ask the Solicitor-General what is the value of fairly traded *(a)* tea and *(b)* coffee used in her Department in each of the last five years. [17548]

The Solicitor-General: Nil.

Mr. Weir: To ask the Solicitor-General what fairly traded products, other than tea and coffee, have been purchased by her Department in each of the last five years; and what was their value. [17555]

The Solicitor-General: None. The Crown Prosecution Service is currently exploring the provision of fairly traded confectionery by its catering service provider.

TRANSPORT, LOCAL GOVERNMENT AND THE REGIONS

London Underground

Ms Buck: To ask the Secretary of State for Transport, Local Government and the Regions when he expects to *(a)* receive and *(b)* publish the Ernst & Young report on the value for money of the proposed PPP for London Underground; and if he will make a statement. [14483]

Mr. Coleman: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to *(a)* order and *(b)* publish an independent review of the value for money of the proposed public private partnership of the London Underground; and if he will make a statement. [14515]

Mr. Jamieson: I refer my hon. Friends to the reply given to my hon. Friend, the Member for Hendon (Mr. Dismore) on 23 November 2001, *Official Report*, column 493W. Ernst & Young are due to deliver their conclusions before decisions are taken on the value for money of final bids for the Government's modernisation plans for the London Underground. The Secretary of State is still considering the timing of publication.

Matthew Taylor: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 7 November 2001, *Official Report*, column 289W, if he will place in the Library the PricewaterhouseCoopers and the Ernst & Young studies and if he will make a statement. [16594]

Mr. Jamieson: I refer the hon. Member to the answer given to my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck) on 12 November 2001, *Official Report*, column 503W, and to the answer given today to my hon. Friend, the Member for Hammersmith and Fulham (Mr. Coleman) (PQ 14515) at column 745W.

New Deal for Communities

Dr. Kumar: To ask the Secretary of State for Transport, Local Government and the Regions when he expects to commence the funding mechanism that will replace the new deal for communities programme; and if he will make a statement. [16049]

Ms Keeble: There will be no third round of NDC but the existing 39 partnerships will continue piloting many of the ideas in the National Strategy for Neighbourhood Renewal. The Government are committed to learning as much as possible from them over the next 10 years and spreading best practice.

Real delivery in turning round deprived areas requires high-quality public services in all neighbourhoods, rather than specific programmes shoring up poor public services in only a few areas. The main focus of Neighbourhood Renewal is to reshape the way mainstream resources are used and the lessons learned from NDC will help identify ways to achieve this.

Railtrack

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions on what date he instructed parliamentary drafters to draft *(a)* the Railway Administration Order Rules 2001 and *(b)* legislation to give him powers to direct the Rail Regulator. [15624]

Mr. Byers *[holding answer 16 November 2001]:* Details of internal communications are exempt from disclosure under section 2 of Part II of the Code of Practice on Access to Government Information.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions when he will announce the *(a)* board of *(b)* financial backers of and *(c)* advisers to the proposed not-for-profit company he wishes to take over the assets and liabilities of Railtrack plc. [16369]

Mr. Spellar: A bid team is being established to propose a company limited by guarantee which will put a bid to the Administrator to have transferred to it Railtrack plc's railway assets and its role as Network Operator. Information on the company's board, financial backers and advisers will be announced at the appropriate time.

Mr. Howard: To ask the Secretary of State for Transport, Local Government and the Regions if he has made a revised estimate of the total cost of the rail element of the 10-year transport plan since the administration of Railtrack; and if he will make a statement on alterations to previous forecasts, broken down by the *(a)* private and *(b)* public elements of the plan. [17743]

Mr. Spellar: The level of rail funding provided for the 10-year plan for transport has not changed as a result of the Railtrack administration.

Street Lighting

Ms Walley: To ask the Secretary of State for Transport, Local Government and the Regions what progress he has made in developing *(a)* comprehensive inventories, *(b)* risk management strategies and *(c)* management systems to fund street lighting. [16080]

Mr. Jamieson: A working group representing DTLR and representatives from local government and industry was set up in September to take forward these issues. The need for a comprehensive inventory has been recognised as an important step and proposals in draft form are being produced in a form which could be readily adopted by local authorities.

Research into a street lighting risk management strategy is being considered. This will be dependent on the collection of accurate information on street lighting stock and condition which is one of the aims of the street lighting inventory.

When inventories are in place showing sufficient information on street lighting stock at a local and national level, DTLR will consider ways in which this information could be used to allocate funding to highway authorities that would allow them to deal with their street lighting backlog.

Ms Walley: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to deal with street lighting dereliction; and if he will make a statement. [16081]

Ms Keeble: The Government are committed in the 10-year plan for transport to tackling the local road maintenance backlog, including the backlog for street lighting. Over £30 billion is being provided for local road maintenance over the next 10 years, and extra £9 billion above the funding levels in the previous 10 years.

Homeless Families

Chris Ruane: To ask the Secretary of State for Transport, Local Government and the Regions what was the average cost in the last 12 months of housing a homeless family in *(a)* bed and breakfast and hostel accommodation and *(b)* private leasing of unsold properties from property developers. [16096]

Ms Keeble *[holding answer 19 November 2001]:* Information reported to the Department by local authorities about expenditure on accommodation provided under homelessness legislation does not identify average unit costs. Available information derived from the report "Homelessness Statistics 1999–2000 Actuals", published by the Chartered Institute of Public Finance and Accountancy (CIPFA) is as follows:

Average weekly charges per unit[1]

£

	England	Wales
Bed and breakfast	276.92	246.54
Hostels[2]	90.42	76.90

[1] Based on gross charges before deduction of any rent rebate. The figures for bed and breakfast accommodation represent an average for the year 1999–2000, while those for hostels reflect charges in the last rent week of March 2000.

[2] Includes any units in privately-owned hostels (e.g. owned by charities or voluntary organisations) used by local authorities to house homeless families.

Average rental costs for properties leased from the private sector are not collected centrally.

Local Government Finance

Mr. Swire: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the methodology changes made since 1997 to the formulae for calculating the standard lending assessment and aggregate external finance figures for *(a)* Devon county council and *(b)* east Devon district council; and if he will make an assessment of the net financial effect of these changes. [17272]

Dr. Whitehead: There were 15 changes in the method of determining Standard Spending Assessments (SSAs) for the 1998–99 Local Government Finance Settlement; and 20 changes for the 1999–2000 Local Government Finance Settlement.

In 1999–2000 the Government introduced a new damping grant, Central Support Protection Grant (CSPG), to ensure that no authority received less grant than the year before, and that authorities which had education and personal social services responsibilities received at least 1.5 per cent. more than the year before.

The July 1998 Local Government White Paper announced a three-year review of Revenue Grant Distribution. It said that the Government did not expect to make fresh changes to the method of calculation of SSAs except where there are changes in the functions of councils, or the funding of particular services.

In 2000–01 there were therefore only limited adjustments to SSAs to accommodate the establishment of the Greater London Authority and related changes, most notably those arising from the alterations to the boundary of the Metropolitan Police District and the Essex Hertfordshire and Surrey police areas. CSPG was retained in 2000–01.

In 2001–02 there was only one change in the method of determining SSAs to reflect the transfer of funding for nursery education for four-year-olds. CSPG was replaced for those authorities with education and personal social services responsibilities by floors and ceilings, which guaranteed that no authority would receive less than a 3.2 per cent. increase and that no authority could get more than a 6.5 per cent. increase.

Changes in the method of determining SSAs are contained in circular letters to local authorities, dated 2 December 1997, 2 December 1998, 25 November 1999 and 27 November 2000, copies of which are in the Library. For convenience, copies of the relevant extracts have been placed in the Library.

The following table shows the net percentage change in SSAs against adjusted SSAs for the previous year for Devon and east Devon over the period, together with the percentage change due to changes in methodology. It is inappropriate to compare actual SSA between years because of changes to the services financed by grants allocated using SSAs. Adjusted SSAs enable a like-for-like comparison between years.

Percentage

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Devon				
Percentage change against adjusted SSAs	3.2	5.7	5.0	5.0
Of which: percentage change due to methodology	–0.7	–0.6	0.0	0.0
East Devon				
Percentage change against adjusted SSAs	–1.0	4.3	2.9	5.0
Of which: percentage change due to methodology	–0.8	–0.6	0.0	0.0

Note:

It is not possible to perform a similar analysis for aggregate external finance.

Jim Knight: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 16 November 2001, *Official Report*, column 914W, on the local government finance settlement, what plans he has made regarding the announcement of the provisional local government finance settlement. [19269]

Mr. Raynsford: We now expect to make an announcement to the House on Tuesday 4 December, subject to the progress of parliamentary business.

Homelessness

Mr. Burstow: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer, 15 November 2001, *Official Report*, column 832W, on homelessness, if he will list by *(a)* bed and breakfast accommodation and *(b)* temporary local authority accommodation where in (i) 1997 and (ii) 2000 members of households identified as vulnerable due to old age resided. [17575]

Ms Keeble: The information requested is not held centrally.

Automatic Train Protection

Mr. Jack: To ask the Secretary of State for Transport, Local Government and the Regions if the automatic train protection equipment built in to Pendolino trains will be fully operable following the cancellation of phase II of the west coast mainline upgrade. [17373]

Mr. Spellar: Discussions on the options for taking forward the west coast main line upgrade are still under way between the Government and stakeholders. At this stage we cannot predict the outcome of those discussions. The protection system for the Pendolino trains will be subject to an acceptance procedure under the aegis of Railway Safety, which will ensure that it meets the requirements of HSE.

The HSE is considering with the Government and industry the implementation of the recommendation of the Joint Inquiry into Train Protection Systems that the European Train Control System (ETCS) should be installed on principal routes of the network.

Departmental Intervention

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made with regard to possible interventions by *(a)* his Department, *(b)* Department of Health and *(c)* the Department of Education and Skills into the running of services by (i) Walsall MBC, (ii) Hillingdon LBC, (iii) Derby City Council, (iv) Malvern Hills DC and (v) Waltham Forest LBC. [17733]

Mr. Byers: My policy is to take intervention action based on clear evidence of a local authority's failure to comply with the best value requirements in Part I of the Local Government Act 1999. Such evidence would usually be identified in a best value inspection conducted by the Audit Commission and I would expect the Commission to make recommendations to me about the use of intervention powers. I have received no recommendations from the Audit Commission regarding any of these authorities.

Underground Environment

Mr. Page: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the formulas *(a)* stated for the calculation of the state of the Underground environment as follows:

$$A=\frac{\sum_{p}QASAS_{p}\times W^{S}_{p}+\sum_{jL}QATAS_{jL}\times W^{T}_{jL}+\sum_{kL}QATAS_{kL}\times W^{T}_{kL}}{\sum_{p}W^{S}_{p}+\sum_{jL}W^{T}_{jL}+\sum_{kL}W^{T}_{kL}}\text{ and (b)}$$

for the state of the train ambience as follows:

$$TMS=\sum_{j}\left(\frac{QATAS_{j}\times W^{T}_{j}}{\sum_{j}W^{T}_{j}+\sum_{k}W^{T}_{k}}\right)+\sum_{k}\left(\frac{QATAS_{k}\times W^{T}_{k}}{\sum_{j}W^{T}_{j}+\sum_{k}W^{T}_{k}}\right);$$

what each of the letters stand for; where it is a value, how that value is calculated; and what methods were used in the formulas' production. [17123]

Mr. Jamieson *[holding answer 22 November 2001]:* *(a)* The formula the hon. Member refers to is a weighted average of scores for different aspects of the passenger environment. The PPP contracts refer to this environment, which is an important part of the infrastructure companies' performance, as Ambience.

The letters in the formula represent:

A—is the total ambience score, which is calculated each quarter and used to adjust the payments London Underground makes to the infrastructure companies. Total Ambience covers both trains and stations on all lines for which an infrastructure company is responsible.

$QASAS_{ks}$—is the quarterly average survey score for a particular aspect of Ambience, such as the level of litter or graffiti, at a particular station.

$QATAS_{jL}$—is the quarterly survey score for similar aspects of Ambience on trains on a particular line.

$QATAS_{kL}$—is the quarterly score for specific aspects of Ambience on trains that are measured according to engineering techniques rather than surveys, for example smoothness of ride and on-train noise.

W^{S}_{ks}, W^{T}_{jL}, W^{T}_{kL}—are the weights applied by London Underground to these various scores in order to calculate the weighted average.

In each case the letter used in the formula represent values. The scores are calculated primarily from periodic surveys undertaken by mystery shoppers, a technique for measuring Ambience that London Underground has used for a number of years and which has been adapted for the PPP contracts. Where appropriate, some scores are calculated from engineering tests. The weights are fixed values, set out in the contracts, which have been derived from London Underground's customer research.

(b) The formula referred to is a weighted average of the Ambience scores for trains only. Under the PPP contracts, the infrastructure companies are measured according to the level of Ambience on trains and stations separately, as well as according to the total level of Ambience on the lines for which they are responsible.

The letters in the formula represent:

TMS—is the train Ambience score, which is calculated each quarter.

$QATAS_{j}$—is the quarterly average survey score for a particular aspect of Ambience, such as the level of litter or graffiti, on trains.

$QATAS_{k}$—is the quarterly score for specific aspects of Ambience on trains that are measured according to engineering techniques rather than surveys, for example smoothness of ride and on-train noise.

W^{T}_{j}, WT_{k}—are the weights applied by London Underground to these various scores in order to calculate the weighted average.

In each case the letters used in the formula represent values. The scores are calculated primarily from periodic surveys undertaken by mystery shoppers, a technique for measuring Ambience that London Underground has used for a number of years and which has been adapted for the PPP contracts. Where appropriate, some scores are calculated from engineering tests. The weights are fixed values, set out in the contracts, which have been derived from London Underground's customer research.

Housing (London Boroughs)

Mr. Andrew Turner: To ask the Secretary of State for Transport, Local Government and the Regions how many *(a)* private rented units, *(b)* social rented units and *(c)* owner-occupied units there were in each London borough in (i) 1990, (ii) 1995 and (iii) 2000. [17687]

Ms Keeble: A breakdown of owner-occupied units on a borough by borough basis is not currently available for the years in question. However, the Survey of English Housing (SEH) gives a breakdown of social rented, private rented and owner-occupied units at a regional level as follows:

As at 31 March 2000, London had:

1,806,000—owner-occupied dwellings

472,000—private rented dwellings

779,000—social rented dwellings

3,057,000—total dwellings

Source:

Housing Statistics 2000 publication

Local Bodies

Mr. Andrew Turner: To ask the Secretary of State for Transport, Local Government and the Regions if he will list those local bodies which were set up under legislation which is the responsibility of his Department and its predecessors since May 1997. [17611]

Dr. Whitehead: The Greater London Authority Act 1999 created the Greater London Authority and its five functional bodies: the London Development Agency, the London Fire and Emergency Planning Authority, the Metropolitan Police Authority, Transport for London and the London Transport Users' Committee. As far as I am aware, there are no other bodies at local level, created under primary legislation which has been introduced since 1997 and is the responsibility of my Department.

Public Bodies

Mr. Andrew Turner: To ask the Secretary of State for Transport, Local Government and the Regions (1) if he will list those public bodies which are the responsibility of his Department and which are not listed in Public Bodies 2000; [17610]

(2) if he will list those public bodies to which his Department appoints members and which are not listed in Public Bodies 2000. [17609]

Dr. Whitehead: 'Public Bodies 2000' sets out information on non-departmental public bodies (NDPBs), certain public corporations (including nationalised industries) and NHS bodies. There are four types of NDPB: executive NDPBs; advisory NDPBs; tribunal NDPBs; and boards of visitors to penal establishments. The next edition will be published around the end of the year. Information about task forces, annual reviews and ad hoc advisory groups is set out in an annual report, published by Cabinet Office. Copies of Public Bodies 2000 are in the Library of the House and this publication may be accessed via Cabinet Office's website: http://www.official-documents.co.uk/document/caboff/pb00/pb00.htm.

Copies of the annual report on task forces and similar bodies have also been placed in the Library of the House and the annual report is being made available on Cabinet Office's website.

Since publication of Public Bodies 2000 the Department has created two further executive NDPBs, the Standards Board for England and the Strategic Rail Authority.

In addition Ministers make appointments to the following bodies for which the Department is also responsible:

Arson Control Forum
Central Fire Brigades Advisory Council
Fire Service Examinations Board
Fire Service Research and Training Trust
Inner Cities Religious Council
Mersey Conservancy (Acting Conservator for the River Mersey)
National Cycling Strategy Board for England.

The Secretary of State appoints the Chair of the national Rail Passengers' Council and seven of the regional Rail Passengers' Committees.

The Secretary of State make appointments to the following Trust Ports:

Poole (Chair only)
Dover
Harwich
London
Milford Haven
Shoreham
Tyne.

The Department has responsibility for the School Travel Advisory Group.

Fair Trade

Mr. Weir: To ask the Secretary of State for Transport, Local Government and the Regions what is the value of fairly traded *(a)* tea and *(b)* coffee used in his Department in each of the last five years. [17564]

Dr. Whitehead: Fair traded tea and coffee is available through the staff restaurant and for internal meetings. Information on the value of these products is not available due to disproportionate costs.

Smoke Alarms

Ross Cranston: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 19 November 2001, *Official Report*, column 43W, what smoke alarm installation work he encourages; and if he will make a statement. [17879]

Dr. Whitehead: We encourage the fire service to provide and install smoke alarms to householders as part of their general community fire safety work. Brigades focus their efforts mainly on those households deemed to be at high risk from fire. The implementation of such work is down to individual brigades to determine, using local data and statistics to highlight where within their brigade area fires are most likely to occur.

Supporting People Strategy

Mr. Hancock: To ask the Secretary of State for Transport, Local Government and the Regions how much money is being given to local authorities to fund the Supporting People Strategy; and if he will make a statement. [17955]

Ms Keeble: The Government have allocated £40 million to local authorities to fund the implementation of the Supporting People Programme in 2002–03. This is in addition to the £15.2 million allocated to local authorities in 2001–02.

East Coast Main Line

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions what plans exist for special purpose vehicles to be created to undertake works in connection with the East Coast Main Line; and if he will place the plans in the Library. [17789]

Mr. Byers *[holding answer 23 November 2001]:* I refer the hon. Member to the reply given to my hon. Friend the Member for Basildon (Angela Smith) on 2 April 2001, *Official Report*, column 8W.

Terminal 5

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his statement of 20 November 2001, on Terminal 5, what the first date would be on which *(a)* a new regime for night flight quotas and *(b)* other arrangements to reduce noise nuisance from night flights would come into practice following completion of the consultation exercise. [17793]

Mr. Byers *[holding answer 23 November 2001]:* Any changes would be introduced after appropriate consideration but before the opening of Terminal 5.

Children's Social Services (Seaside Authorities)

Mr. Sanders: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made of the ability of the children's social services SSA to meet the demands found in seaside resort unitary authority areas; and if he will make a statement. [17962]

Dr. Whitehead: The overall level of formula grant that Government make available to local government, including that for social services, is decided as part of our spending review process. Decisions are based on an assessment at the national level of pressures on services, the scope for greater cost-effectiveness, and what is affordable. We have not made an assessment specific to seaside resort authorities. The SSA formulae are the means by which we allocate this total level of grant between authorities. The grant distribution formulae are currently being reviewed in order to develop a system that is more transparent and fairer to all authorities. To date, the review has not made an assessment of the fairness of the current children's social services SSA formula as it relates specifically to seaside resort authorities. As part of the review, the Department of Health are commissioning research on the children's formula. Such an assessment would be difficult to make until further progress has been made.

Timber

Ms Shipley: To ask the Secretary of State for Transport, Local Government and the Regions what guidance he provides for local authorities regarding their procurement of timber and timber products which have been independently certified as originating from well-managed forests. [18009]

Dr. Whitehead: Local authorities are independent and autonomous and responsible within the law for making their own decisions on procurement matters. It is for them to decide whether or not to procure timber and timber products which have been independently certified as originating from well-managed forests. In doing so they will need to have regard to the need to achieve value for money.

Central Government Departments were formally reminded of the Government's policy to procure timber and timber related products from sustainable and legal sources in a note dated 2 January 2001 issued jointly by HM Treasury and the then Department for the Environment, Transport and the Regions. Central Government have not given advice on this subject directly to other parts of the public sector but the Government's advice is widely available and can be adapted or adopted by other organisations.

Parish and Town Councils

Richard Younger-Ross: To ask the Secretary of State for Transport, Local Government and the Regions what the average level of precept was for *(a)* parish and town councils, *(b)* parish councils and *(c)* town councils in England in each of the last five years. [18063]

Dr. Whitehead: The only information on parish and town council precepts collected by the Department is the total amount received by each English billing authority on behalf of parish and town councils in its area. Separate amounts for parish and town councils are not therefore available, nor are precise figures for the number of parish or town councils in England in any particular year. Total precepts for each year from 1997–98 to 2001–02 inclusive are given in the following table:

Financial year	*Parish and town council precepts, England total (£ million)*	*Percentage increase over previous year*
1997–98	144	8.3
1998–99	154	6.9
1999–2000	165	7.1
2000–01	181	9.7
2001–02	193	6.6

The Department estimates that there are currently about 8,700 parish or town councils in England, so the average precept in 2001–02 is about £22,000, with precepts for individual councils ranging from zero to several hundred thousand pounds.

Voting Age

Lembit Öpik: To ask the Secretary of State for Transport, Local Government and the Regions if he plans to grant 16-year-olds the vote; and if he will make a statement. [18017]

Dr. Whitehead: We have no plans to propose legislation to lower the voting age. We would, however, welcome a public debate on the issue. It is also open to the Electoral Commission to consider it and make recommendations for future policy.

Aviation Industry

Mr. Donohoe: To ask the Secretary of State for Transport, Local Government and the Regions what assistance he is giving to *(a)* airports, *(b)* airlines and *(c)* other service providers in respect of insurance premiums to cover against acts of war or terrorism. [18453]

Mr. Jamieson: The Government have made available third-party war risk insurance to UK airports, airlines and other service providers in accordance with Community rules and guidance on state aid. In the case of airlines, premiums were waived initially but are now being applied in accordance with guidelines issued by the European Commission on 23 October 2001. Airports and ground service providers have been charged premiums since the inception of assistance on 23 September 2001.

Challenge for Home Zones

Mr. Lidington: To ask the Secretary of State for Transport, Local Government and the Regions when he will announce the successful bids under the Government Challenge for Home Zones. [18185]

Ms Keeble *[holding answer 26 November 2001]*: We hope to announce the winners before Christmas.

A556

Mr. George Osborne: To ask the Secretary of State for Transport, Local Government and the Regions how many *(a)* road fatalities and *(b)* road accidents there were on the A556 in each of the last 10 years. [18448]

Mr. Jamieson: The numbers of personal injury road accidents and fatalities on the A556 were as shown.

Year	*Road accident fatalities*	*Personal injury accidents*
1991	1	96
1992	3	97
1993	2	99
1994	7	100
1995	2	86
1996	4	78
1997	3	101
1998	5	108
1999	1	76
2000	1	46

Detling Beacon

Hugh Robertson: To ask the Secretary of State for Transport, Local Government and the Regions whether the air corridor either side of Detling Beacon in Kent has been altered since 11 September. [18470]

Mr. Jamieson: The Civil Aviation Authority has confirmed that there has been no alteration to the airspace route structure either side of the Detling Beacon since 11 September.

Rents

Ms Buck: To ask the Secretary of State for Transport, Local Government and the Regions what he estimates to be the maximum capped rent payable in 2002–03 at current prices for tenants in *(a)* four bed, *(b)* three bed, *(c)* two bed, *(d)* one bed and *(e)* bedsit properties. [18660]

Ms Keeble: The maximum capped rent payable by tenants of councils and housing associations in 2002–03 at current prices will be *(a)* £100 a week, *(b)* £95 a week, *(c)* £90 a week, *(d)* £85 a week and *(e)* £85 a week.

Parliamentary Ombudsman

Mr. Chope: To ask the Secretary of State for Transport, Local Government and the Regions how many formal notices his Department has received in the last year from the Parliamentary Ombudsman expressing an intention to carry out an investigation; and in respect of each notice how long it took to respond. [18767]

Dr. Whitehead: The number of cases received since last November by DETR or (after 11 June 2001) DTLR is as follows.

Number/date received from PCA	*Due date to PCA*	*Date replied*	*Number of working days taken*
1. 13 November 2000	27 December 2000	4 January 2001	36
2. 16 February 2001	12 March 2001	13 March 2001	18
3. 21 February 2001	14 March 2001	15 March 2001	17
4. 8 June 2001	20 July 2001	24 July 2001	33
5. 21 June 2001	11 July 2001	9 July 2001	13
6. 11 September 2001	2 October 2001	26 September 2001	12
7. 17 September 2001	15 October 2001	15 October 2001	21
8. 18 September 2001	9 October 2001	3 October 2001	12
9. 24 September 2001	2 November 2001	5 November 2001	31
10. 19 October 2001	29 November 2001	[1]—	[2]—
11. 22 October 2001	19 November 2001	16 November 2001	20
12. 15 November 2001	20 December 2001	[1]—	[2]—

[1] Outstanding

[2] Deadline not reached

Motorway Speed Limits

Mr. Martyn Jones: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to impose 50mph speed limits on motorways; and if he will make a statement. [17649]

Mr. Jamieson: There are no plans to introduce 50mph speed limits on motorways.

Mr. Martyn Jones: To ask the Secretary of State for Transport, Local Government and the Regions what research his Department has *(a)* commissioned and *(b)* evaluated on reducing speed limits on motorways in order to increase traffic flows. [17651]

Mr. Jamieson: The Highways Agency is currently trialling variable speed limits on sections of the M25. The Controlled Motorway Project automatically adjusts the speed limit to reflect prevailing conditions, and is enforced with speed cameras.

Independent monitoring and assessment of the scheme by TRL during the first year of operation confirmed its success. The monitoring indicated that traffic flow had improved, with drivers reporting more "comfortable", less aggressive driving conditions, with fewer very short, dangerous spaces between vehicles and fewer long (inefficient) spaces and more even use of the carriageway. There were also indications of improved road safety, and shorter and more reliable journey times.

Mr. Martyn Jones: To ask the Secretary of State for Transport, Local Government and the Regions what factors underlay the decision to introduce variable speed limits on motorways. [17650]

Mr. Jamieson: Research into traffic congestion and traffic flow improvement found that road capacity was not being maximised.

Effective speed control has the capability of increasing the capacity of the existing motorway network without the need for an extensive road building programme and evens out speed distribution increasing capacity.

Physical Agents (Vibration) Directive

Mr. Key: To ask the Secretary of State for Transport, Local Government and the Regions what estimate he has made of the costs to British business of the Physical Agents (Vibration) Directive. [17424]

Dr. Whitehead: I refer the hon. Member to my answer of 8 November 2001, *Official Report*, column 337W.

Press Interviews

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the press interviews he gave between 5 and 12 October. [18776]

Mr. Byers: As is already a matter of public record, I gave a number of press interviews in the period between 5 and 12 October.

RenewCo

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the decisions outstanding on the establishment of RenewCo as at 1 October. [18760]

Mr. Byers: As at 1 October the Government awaited the decision of the Office for National Statistics on whether the RenewCo proposal would be classified as Government borrowing.

In addition, I wished to consider the RenewCo proposal in the light of Railtrack's request for further Government support under its "Rainbow" proposal.

Housing (Radon Emissions)

Mr. Steen: To ask the Secretary of State for Transport, Local Government and the Regions what financial provision his Department gives local authorities and housing associations to undertake remedial work on housing stock to protect against radon emissions. [18355]

Ms Keeble: Local housing authorities may provide discretionary Private Sector Renewal Grants to assist homeowners with radon remedial works to their properties where the annual average concentration of the gas exceeds the action level.

The cost of such works to existing registered social landlord (RSL) dwellings contaminated by radon is eligible for Social Housing Grant, funded through the Housing Corporation's Approved Development Programme. The funding is subject to the RSL obtaining a survey report from the National Radiological Protection Board indicating that the remedial works are necessary.

Mushrooms

Mr. Gordon Prentice: To ask the Secretary of State for Transport, Local Government and the Regions in how many instances trading standards officers have discovered since December 2000 Dutch mushrooms being sold in United Kingdom supermarkets as British mushrooms; what steps are taken to authenticate the source of mushrooms sold as British; and if he will make a statement. [16392]

Mr. Morley: I have been asked to reply.

The information requested is not available. It is not obligatory for the country of origin of mushrooms to be declared, although general food labelling rules require this information to be given if its omission would be misleading. Consideration is being given to the inclusion of mushrooms in EC Horticultural Marketing Standards which do require the country of origin to be given.

DEFENCE

HMS Renown

Phil Sawford: To ask the Secretary of State for Defence if he has reached a decision on the proposals to dismantle HMS Renown; and if he will make a statement. [18933]

Dr. Moonie: In my answer on 11 May 2000, *Official Report*, column 447W, to my hon. Friend the Member for Dunfermline, West (Rachel Squire), I announced that we would be investigating the options for the land storage of decommissioned nuclear-powered submarines. I also informed the House that we had separately received an unsolicited commercial proposal from Babcock Rosyth Defence Ltd. (BRDL), the owners of Rosyth Royal Dockyard, to dismantle the reactor compartment of the decommissioned nuclear-powered submarine, HMS Renown, and store the components. At that time we had agreed that planning and feasibility work could proceed, but I assured the House that the proposals would not be implemented until Ministers and the relevant regulatory authorities were entirely satisfied and that I would make a further statement.

Since May 2000, much valuable work has been undertaken by BRDL to demonstrate the feasibility of their proposals. While I am satisfied on the matter of feasibility, it is clear that the necessary regulatory approvals to commence dismantling Renown will not be in place until next year. Even if the approvals are granted, and that is a matter for the independent regulators, it would be many months before the work to dismantle Renown could be completed. We have already begun the process of inviting industry proposals on the best solution for the land storage of decommissioned nuclear submarines generally and it would therefore be too late for the knowledge gained from dismantling Renown to inform this process. As a result, I have decided that there would be no advantage in proceeding with the dismantling of Renown ahead of the other decommissioned submarines stored at Devonport and Rosyth.

Renown will continue to be stored afloat at Rosyth until such time as the final decisions on land storage are implemented. These decisions are unlikely to be taken for some two to three years and will be subject to full and open consultation.

Plastic Baton Rounds (Northern Ireland)

Mr. McNamara: To ask the Secretary of State for Defence what steps he has taken to bring guidelines covering the use of plastic baton rounds in Northern Ireland into line with the regime governing use of these weapons by the police; what remedies are available for those who wish to complain about any aspect of army use of baton rounds; and if he will place the operational guidelines in the Library. [17752]

Mr. Ingram: Differences between the guidelines for the police and the Army on the use of baton rounds stem entirely from the differences in their respective operational structures and practices. In the case of the Army the guidelines have worldwide applicability. There are therefore no plans to bring the guidelines exactly into line with the regime governing the use of those weapons by the police.

If a member of the public had cause to complain about the Army firing a baton round, for example if they were injured, it should be reported to the police so that they can conduct an investigation. They would receive the full co-operation of the Army and would be able to confiscate any items (ie a baton gun) that they deemed necessary for them to conduct their inquiries effectively. If a member of the public wishes to complain on other aspects of the use of baton rounds by the Army then they can write to headquarters Northern Ireland.

I am unable to place a copy of the guidelines in the Library of the House as it is a classified document.

September 11

Mr. Hancock: To ask the Secretary of State for Defence what plans he has to consult the public on work to meet the additional challenges posed by asymmetric threats following 11 September; and if he will make a statement. [17448]

Mr. Hoon: As I informed the House on 4 October, it is my intention to conduct the work on the new chapter to the Strategic Defence Review in an open and inclusive manner. As part of this, I welcome views and contributions from the public at any time. I expect to publish discussion material early in the new year outlining the areas we are examining, reflecting emerging thinking and seeking views.

Afghanistan

Mr. McNamara: To ask the Secretary of State for Defence what legal protection is available for individuals detained by Her Majesty's armed forces engaged in duties in or around Afghanistan; what facilities are available to house prisoners captured in the course of the conflict; and what codes of conduct govern their interrogation. [17753]

Mr. Hoon: The treatment of prisoners of war is governed by national and international law, which also prescribes how they are interrogated. The international coalition currently has no facilities to house prisoners captured in the course of the conflict, although this will be kept under review as circumstances change.

Royal Marines

Mr. Barker: To ask the Secretary of State for Defence how many soldiers in the Royal Marines have been discharged for drug offences in each of the last four years. [17346]

Mr. Ingram *[holding answer 23 November 2001]:* A total of 17 Royal Marines have been administratively discharged in the last four years through illegal drug use as follows:

Year	*Number*
1997	2
1998	2
1999	5
2000	8

Fair Trade

Mr. Weir: To ask the Secretary of State for Defence what the value is of fairly traded *(a)* tea and *(b)* coffee used in his Department in each of the last five years. [18160]

Dr. Moonie: This information is not held centrally and could be provided only at disproportionate cost.

Depleted Uranium

Chris Ruane: To ask the Secretary of State for Defence how many depleted uranium shells have been used in the Afghan conflict. [17486]

Mr. Ingram: None.

Service Vacancies

Mr. Laws: To ask the Secretary of State for Defence how many vacancies there are at present in the *(a)* Army, *(b)* Navy and *(c)* Air Force; and if he will make a statement. [18751]

Dr. Moonie: I refer the hon. Member to the answer I gave to the hon. Member for North Essex (Mr. Jenkin) on 26 October 2001, *Official Report*, column 403W.

"Survive to Fight"

Mr. Swayne: To ask the Secretary of State for Defence (1) when the new edition of "Survive to Fight" will be *(a)* published and *(b)* distributed throughout the armed forces; [17704]

(2) if he will make a statement setting out the budgetary arrangements for paying for the new edition of "Survive to Fight". [17706]

Mr. Ingram: The new edition of the publication "Survive to Fight" (Joint Services Publication 410) is currently in the final stages of editing. Barring technical problems, it is anticipated that the issue programme of this publication will commence in early 2002. The publication is currently funded from the adjutant-general's top level budget.

Local Bodies

Mr. Andrew Turner: To ask the Secretary of State for Defence if he will list those local bodies which were set up under legislation which is the responsibility of his Department since May 1997. [17581]

Dr. Moonie: The Ministry of Defence has not set up any local bodies since May 1997.

Territorial Army (Civil Defence)

Mr. Edwards: To ask the Secretary of State for Defence if he will make a statement about the role of the Territorial Army in civil defence since 11 September. [17874]

Dr. Moonie: As part of the work announced in March 2001, under the Strategy for the Army (a version of which was placed in the Library) we were already looking at ways of increasing the contribution the Territorial Army makes to our Defence Plans. Following the attacks on 11 September, work is being undertaken to ensure that we have the right capabilities in place to deal with international terrorism. The range of options being considered includes the role of the TA in providing assistance to the civil community in an emergency.

Recruitment

Patrick Mercer: To ask the Secretary of State for Defence how many have been recruited through Operation London Soldier. [18064]

Mr. Ingram: During the month of October, the number of inquirers at London area recruiting offices has shown an increase of some 25 per cent. over the same period last year. This is a direct result of Operation London Soldier. As yet, it is too early to know what proportion of these additional inquiries are converting into actual enlistments.

Gibraltar

Mr. Keetch: To ask the Secretary of State for Defence how many UK ships or aircraft have been *(a)* refused entry and *(b)* had additional operational restriction placed on them by the Spanish Government in the last five years with respect to access to (i) ports and (ii) airports after visiting Gibraltar; and if he will make a statement. [17979]

Mr. Ingram *[holding answer 26 November 2001]:* We have no record of any such instances involving military ships or aircraft.

Mr. Keetch: To ask the Secretary of State for Defence what deployments outside Gibraltar have been made in the past five years by the Royal Regiment of Gibraltar; and if he will make a statement. [17978]

Mr. Ingram *[holding answer 26 November 2001]:* In the past five years, units of the Royal Gibraltar Regiment of between platoon and company size have deployed to the UK nine times, Kenya once, Canada once, Cyprus once and Morocco twice, all for training purposes. Individual career development training is also conducted in the UK.

Many individuals from the Regiment have also deployed in support of operational deployments in Northern Ireland, Bosnia, Kosovo and Sierra Leone.

Mr. Keetch: To ask the Secretary of State for Defence if he will list the visits to HM Base Gibraltar over the past two years by NATO forces; and if he will make a statement. [17974]

Mr. Ingram: *[holding answer 26 November 2001]:* In addition to the many UK military visits to Gibraltar, ships and aircraft from other NATO nations visit on a regular basis for training, logistic support and stand-off. Since November 1999, a total of 40 non-UK warships and 59 non-UK military aircraft have visited or operated from Gibraltar. Land forces from non-UK NATO nations also make use of Gibraltar for training purposes.

The only visit to Gibraltar actually under the NATO flag over the past two years was a joint UK/Canadian detachment of Maritime Patrol Aircraft, which operated out of Gibraltar in support of NATO exercise Linked Seas in May 2000.

Mr. Keetch: To ask the Secretary of State for Defence how many citizens of *(a)* Spain and *(b)* Gibraltar applied to join HM armed forces over the past five years; and if he will make a statement. [17977]

Mr. Ingram *[holding answer 26 November 2001]:* Details are not available for the five year period requested. Since 1998 two citizens of Gibraltar have applied to join the armed forces. In that time there have been some inquiries from Spanish citizens about UK armed forces employment but these people were ineligible because they did not qualify under our nationality entry rules. A number of British citizens have made inquiries and applied to join the armed forces while living in Spain or Gibraltar but records of this are held separately from the recruitment of British citizens living in the United Kingdom.

RAF Halton

Mr. Lidington: To ask the Secretary of State for Defence when his Department gave instructions to their agents to submit a planning application to Aylesbury Vale district council in respect of the Princess Mary Hospital site, RAF Halton. [17645]

Dr. Moonie *[holding answer 26 November 2001]:* Instructions were given to the agents in December 2000.

Mr. Lidington: To ask the Secretary of State for Defence for what reason his Department has submitted two identical planning applications to Aylesbury Vale district council in respect of the Princess Mary Hospital site, RAF Halton. [17643]

Dr. Moonie *[holding answer 26 November 2001]:* This is known as a 'twin track' application, a practice widely used in the planning system, and one which Defence Estates uses to avoid delays in dealing with planning applications. Such a twin track approach allows one application to be appealed if the eight-week determination period has elapsed without a decision (in this case 16 weeks due to the Environmental Impact Regulations). The remaining application can be subject to further negotiations and if considered satisfactory, the outstanding appeal can then be withdrawn.

Defence Procurement

Mr. Jim Cunningham: To ask the Secretary of State for Defence how many defence contracts made between 1997 and 2001 are expected to over-run in *(a)* cost and *(b)* time. [17242]

Dr. Moonie: The information requested is not held centrally and could be provided only at disproportionate cost.

Mr. Jim Cunningham: To ask the Secretary of State for Defence if he will make a statement on the use of cost-plus contracts. [17243]

Dr. Moonie: Cost-plus contracts are the contracting method of last resort. They now account for less than 1 per cent. of the Ministry of Defence's business (both by value and number). Within a stated limit of liability the contractor is paid all costs reasonably and properly incurred, together with a sum for profit, calculated by applying either a percentage profit or a fixed fee to the costs so incurred. The rate of profit applied to cost-plus work is calculated by reference to the Government Profit Formula which includes a "Non Risk" rate, which is set below that used for prices agreed before work commences; thus the MOD recognises the reduced risk to the contractor.

Mr. Jim Cunningham: To ask the Secretary of State for Defence if he will make a statement on *(a)* partnering, *(b)* smart acquisition, *(c)* post-costing and *(d)* should-cost-data in UK defence procurement. [17244]

Dr. Moonie: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Mr. Jim Cunningham: To ask the Secretary of State for Defence what percentage of defence procurement deals were put to competition in the last three years; and if he will make a statement. [17245]

Dr. Moonie: Obtaining the greatest advantage from competitive leverage at prime and sub-contract level remains our primary tool in defence procurement. Over the last three financial years, the percentage of Ministry of Defence contracts (including amendments), by value, placed by competition was as follows:

Financial year	*Percentage*
1998–99	68
1999–2000	71
2000–01	65

Mr. Jim Cunningham: To ask the Secretary of State for Defence what are the responsibilities of the integrated project teams in procurement; and if he will make a statement. [17246]

Dr. Moonie: The Integrated Project Team (IPT) was born out of Smart Procurement's objective to deliver projects within the performance, time and cost parameters approved at the time that major investment decisions are taken. The IPT is responsible for managing the project from concept to disposal.

This means that the IPT is responsible for translating the equipment capability customer's requirements into an output-based statement of what a system or equipment must do to meet these requirements. The IPT devises and costs equipment solutions, and produces the material required to support the customer's main gate approval, and manages the development, manufacture, in-service support and eventual disposal of the equipment.

Mr. Jim Cunningham: To ask the Secretary of State for Defence what percentage of contracts *(a)* had an agreed fixed price at the start and *(b)* arrived to cost and on schedule in the last 12 months. [17247]

Dr. Moonie: The latest available data relate to the 12 month period from October 2000 to September 2001. During this period, over 99 per cent. of contracts by number had agreed prices at the outset.

Information on the percentage of contracts that arrived to cost and on schedule is not held centrally and could be provided only at disproportionate cost.

Cluster Bombs

Mr. Drew: To ask the Secretary of State for Defence what types of cluster bombs are used by the British Army; and what stockpiles of each are held. [18352]

Mr. Ingram: Although the Army does not use cluster bombs, BL755, IBL755 and RBL755 cluster bombs are used by the RAF.

I am withholding information on the stockpiles of these weapons in accordance with Exemption 1 (Defence, Security and International Relations) of the Code of Practice on Access to Government information.

Veterans' Affairs

Mr. Swayne: To ask the Secretary of State for Defence, pursuant to his answer of 13 November 2001, *Official Report*, column 630W, if he will list the representatives of the veterans community who attended his task force meeting on 6 November. [16141]

Dr. Moonie: The veterans community was represented at the Task Force meeting on 6 November by Major General (Retired) Nigel Richards CB, OBE, Chair of the Confederation of British Service and Ex-Service Organisations (COBSEO) and by Brigadier (Retired) Ian Townsend, General Secretary of The Royal British Legion (TRBL).

A400M

Mr. Gray: To ask the Secretary of State for Defence what is *(a)* the preferred and *(b)* the minimum length of runway for the A400M; and what discussions he has had with his (i) German and (ii) French counterparts about their preferred length of runway for the A400M. [17379]

Dr. Moonie: We are not planning on the basis of 'preferred' or 'minimum' runway lengths. The requirement is to support operations at the aircraft's Maximum All Up Weight. Our preliminary assessment is that this will mean a runway length of around 8,000 feet. However, runway length requirements for A400M operations will not be confirmed until the aircraft's Performance and Flying Qualities test programme is completed, on current plans, in 2008. The Secretary of State for Defence has not discussed the issue of A400M runway lengths with his French and German counterparts.

Defence Exports (Employment)

Ann McKechin: To ask the Secretary of State for Defence how many jobs are dependent on defence exports in *(a)* the regions of England, *(b)* Scotland, *(c)* Wales and *(d)* Northern Ireland. [17361]

Dr. Moonie: We are currently reviewing our methodology on the estimation of employment figures dependent on UK defence expenditure and exports. Therefore, "UK Defence Statistics 2001" does not contain any new figures for employment. The Defence Analytical Services Agency expects to publish relevant employment estimates in the first part of 2002. I will write to my hon. Friend in due course and a copy of my letter will be placed in the Library of the House.

Ballistics Protection

Mr. Swayne: To ask the Secretary of State for Defence what is his Department's budget for developing techniques for ballistics protection. [17702]

Dr. Moonie: Funding for research into ballistic protection for personnel in the current financial year is approximately £2 million.

Mr. Swayne: To ask the Secretary of State for Defence what was spent by his Department on developing techniques for ballistics protection in each of the last 10 years. [17703]

Dr. Moonie: Figures covering the last 10 years are not held centrally and could be provided only at disproportionate cost. The amount spent on developing ballistic protection over the past three years for which figures are available is:

Year	*Amount spent (£ million)*
1998–99	3.0
1999–2000	2.9
2000–01	3.2

These figures include the costs of developing ballistic protection work within the Corporate Research Programme undertaken by Dstl at Porton Down and other developmental work by the Defence Clothing and Textiles Integrated Project Team, now part of the Defence Logistics Organisation.

Military Exports

Dr. Cable: To ask the Secretary of State for Defence when he expects his Department's report into financial support for military exports will be published. [18605]

Dr. Moonie: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Aircraft Procurement

Mr. Laws: To ask the Secretary of State for Defence if he will make a statement on his future procurement objectives in relation to *(a)* fixed wing aircraft and *(b)* helicopters. [18758]

Dr. Moonie: I refer the hon. Member to the answer which my right hon. Friend the Secretary of State for Defence gave on 29 October 2001, *Official Report*, columns 513–14W, to my hon. Friend the Member for Bassetlaw (John Mann).

Defence Equipment Demonstrations

Dr. Cable: To ask the Secretary of State for Defence (1) what has been the cost to his Department of providing armed service personnel support to defence equipment demonstrations in the financial years *(a)* 1999–2000 and *(b)* 2000–01; [18606]

(2) what were the net operating costs of DESO and related support functions in financial years *(a)* 1999–2000 and *(b)* 2000–01. [18607]

Dr. Moonie: I refer the hon. Member to the answers I gave him on 17 July 2001, *Official Report*, column 144W.

NORTHERN IRELAND

Parades Commission

Mrs. Anne Campbell: To ask the Secretary of State for Northern Ireland if he will give further details of the proposed review of the Parades Commission. [18974]

Jane Kennedy: The Government have appointed Sir George Quigley to undertake the review of the Parades Commission, which forms part of the measures proposed on 1 August following the Weston Park talks.

The review has the following terms of reference:

> "To review the operation of the Parades Commission, since it took its current form in February 1998, and the legislation under which it was established and to consider whether there are any changes which could promote further public confidence on all sides, respect for the rights of all and the peaceful resolution of disputes on parades."

The review is to report to the Secretary of State for Northern Ireland. Any recommendations for legislative change would not be implemented until after summer 2002.

Terrorist Prosecutions

Mr. Barnes: To ask the Secretary of State for Northern Ireland by what process suspected terrorists who are wanted for alleged crimes are having prosecutions against them stopped; and if he will list their names, giving in each case the details of the charges that are being dropped and the known paramilitary affiliations. [12932]

Jane Kennedy: Where decisions as to prosecution arise, the prosecuting authorities, who act independently of Government, reach decisions in accordance with the Test for Prosecution.

In the light of the proposal emerging from the Weston Park talks, the Government have agreed to provide new arrangements to facilitate the return to Northern Ireland of persons who may otherwise be liable to possible prosecution in respect of certain qualifying offences. We are currently considering the mechanism for delivering this.

INTERNATIONAL DEVELOPMENT

Conflict Diamonds

Dr. Tonge: To ask the Secretary of State for International Development what action her Department is taking to address the issue of *(a)* conflict diamonds and *(b)* exploitation of other minerals from conflict zones. [18191]

Clare Short: *(a)* DFID is working with other Government Departments to support the Kimberley Process, in order to build support for an international certification scheme for rough diamonds.

Together with the Government of Sierra Leone, DFID has commissioned a study to investigate different approaches for the management of diamond producing areas in Sierra Leone. This focuses on how the Government can re-establish control of the diamond areas and industry, establish and maintain a secure environment and effectively manage the industry.

DFID together with other agencies is supporting the work of Partnership Africa Canada, which aims to build the capacity of Civil Society Organisations to monitor the use of revenues from the trade in diamonds in Africa.

(b) DFID is currently preparing a joint strategy with the Foreign and Commonwealth Office and Ministry of Defence to address the Economic Causes of Conflict, including the exploitation of mineral resources from conflict areas.

DFID has commissioned research on the exploitation of minerals from conflict zones, to find practical ways of addressing this issue, including research on the impact of oil in Sudan.

HMG are also providing support and information to a UN Experts Panel, looking into links between specific conflicts and the exploitation of economic resources.

Zimbabwe

Dr. Tonge: To ask the Secretary of State for International Development what representations she has made to the Government of Zimbabwe regarding their involvement in mineral exploitation in the Democratic Republic of Congo. [18186]

Clare Short: No representations have been made to the Government of Zimbabwe concerning resource exploitation in the Democratic Republic of Congo. We welcome the report from the UN Panel investigating the illegal exploitation of mineral resources in DRC, which was presented to the international community last week. We are reading the recommendations contained in the report with interest, and are presently considering what action to take to respond.

Dr. Tonge: To ask the Secretary of State for International Development what representations she has made to the Government of Zimbabwe regarding their policy on allowing aid agencies to distribute emergency food supplies to those affected by the famine. [18190]

Clare Short: We have been closely involved in the development of a humanitarian assistance plan by the United Nations Development Programme in Zimbabwe which assigns a key role to United Nations agencies and non-governmental organisations in ensuring that assistance is properly targeted. This plan is being discussed by UNDP with the Government of Zimbabwe on behalf of all potential providers of funds.

Afghanistan

Dr. Tonge: To ask the Secretary of State for International Development what plans the Government have to provide long-term support to de-mining operations in Afghanistan. [18193]

Clare Short: I announced an allocation of £2 million for immediate humanitarian mine action assistance to Afghanistan on 15 November. Our assistance will be channelled through the United Nations Mine Action Service (UNMAS) with whom we will discuss appropriate requirements.

Agricultural Export Subsidies

Mr. Win Griffiths: To ask the Secretary of State for International Development what assessment she has made of the impact of agricultural export subsidies of *(a)* the EU and *(b)* other countries in the developed world on the economies of the countries which her Department is committed to help; and what plans she has to phase out the subsidies. [17921]

Clare Short: Many developing countries suffer from subsidised food being dumped on their markets. Due to the complexity of subsidies and the widespread use of subsidies in industrialised nations, it is difficult to determine exactly which developing countries are being harmed by dumped subsidised food and to what extent. However, the EU is one of the principal users of subsidies. In response to this, my department is working with DEFRA to push for fundamental reform of the CAP.

Tariff/Quota-Free Exports

Mr. Win Griffiths: To ask the Secretary of State for International Development what plans she has to act to make developed countries' exports for the developed world *(a)* tariff and *(b)* quota free. [17919]

Clare Short: The UK supported the European Commission's 'Everything But Arms' initiative that was implemented in March this year providing immediate duty-and quota-free access to the EU for most products from the least developed countries. The European Commission has been calling for other developed countries to follow his lead, and objective that all WTO Members signed up to at the Ministerial meeting in Doha earlier this month.

We have to ensure a reform of the European Union's generalised system of preferences that is as generous as possible to developing countries.

The agreement at Doha to launch a new round of trade negotiations put the interests of developing countries at its core. This should be a development round, which includes serious improvements in market access for developing countries.

Democratic Republic of Congo

Dr. Tonge: To ask the Secretary of State for International Development if she will make a statement on the UN Addendum report on the illegal exploitation of natural resources in the Democratic Republic of Congo regarding the involvement of Uganda and Rwanda. [18187]

Clare Short: We welcome the publication of the revised report last week. We are studying it in detail. We shall raise any specific allegations with the Governments concerned and press them to take action to investigate substantiated allegations against groups and individuals.

Angola

Dr. Tonge: To ask the Secretary of State for International Development if the Government will increase financial assistance to humanitarian projects to provide basic health care assistance and clean water to internally displaced persons living in Angola. [18192]

Clare Short: We recognise that the situation of many people in Angola is very bad. Since 1999, my Department has provided more than £8.5 million in humanitarian assistance. The absence of peace and a lack of Government commitment to pro-poor policies cause continuing suffering.

Street Children

Mr. Cox: To ask the Secretary of State for International Development what financial help is being given by her Department to organisations who work with street children. [17885]

Clare Short: We are currently providing financial support of nearly £2 million to a number of organisations, such as CHILDHOPE, Concern Worldwide, GOAL, Save the Children and World Vision who are working directly with street children. We also support many more organisations working to tackle the poverty, deprivation and social exclusion which force children to live on the street.

EDUCATION AND SKILLS

Ageism

Ms Atherton: To ask the Secretary of State for Education and Skills what action her Department has taken to tackle discrimination against older people. [14954]

John Healey: The Department for Education and Skills is committed to tackling age discrimination against older people. Our commitment is demonstrated through raising awareness of age issues throughout the Department and eliminating age discrimination against older people. Age is a key element of the Equal Opportunities Strategy and Policy.

We have recently upgraded our membership with the Employers Forum on Age (EFA) to a 'core member', and have provided access to the EFA website through our intranet. In addition we continuously improve our systems to analyse management information relating to age, which includes information on internal vacancy filling and promotion competitions.

The Department promotes age diversity and tackles age discrimination when translating its commitment to equality of opportunity into effective strategies and actions. We supported the Better Government for Older People Programme and contributed to the Performance and Innovation Unit report on Active Aging, "Winning the Generation Game".

Buckingham

Mr. Bercow: To ask the Secretary of State for Education and Skills what plans she has to visit the Buckingham constituency to meet teachers. [16898]

Mr. Timms: My right hon. Friend the Secretary of State regularly visits schools and values the opportunity to meet teachers and to hear their ideas and their concerns. At present, she has no plans to visit the Buckingham constituency.

New Schools

Chris Grayling: To ask the Secretary of State for Education and Skills what provision has been made in budgetary planning for new schools in areas of new housing development in south east England in the last three years. [17117]

John Healey: The table shows those local education authorities in south east England, including London, which have benefited from central Government support for new pupil places in the three years from 1999–2000 to 2001–02. This support reflects the need for additional school places in areas of population growth where there is no more capacity in all schools in the surrounding area. It is shown in the context of the total capital support allocated to those authorities in the same period.

Information on whether this capital support is used to build new schools in areas of new housing development, or to expand existing schools, is not kept centrally. Local authorities may supplement the centrally provided support from their own resources, particularly where there is new housing development which can generate developer contributions to building new schools. This information will be held by local authorities.

New pupil places receiving central Government capital support in south east England 1999–2000 to 2001–02

	Total new pupil places 1999–2000 to 2001–02	*Total funding for new pupil places 1999–2000 to 2001–02 (£000)*	*Total capital funding 1999–2000 to 2001–02 (£000)*[1]
London			
Barking and Dagenham	464	4,449	14,112
Barnet	—	—	21,535
Bexley	1,222	8,688	23,365
Brent	638	4,080	49,815
Bromley	—	—	19,751
Camden	147	1,095	12,639
City of London	—	—	186
Croydon	619	3,941	25,192
Ealing	366	2,546	25,216
Enfield	810	5,588	24,248
Greenwich	—	—	20,683
Hackney	637	5,001	16,654
Hammersmith and Fulham	—	—	10,401
Haringey	1,911	11,997	87,313
Harrow	—	—	14,334
Havering	450	3,303	16,078
Hillingdon	959	6,644	24,187
Hounslow	—	—	15,733
Islington	—	—	13,073
Kensington and Chelsea	—	—	5,455
Kingston upon Thames	—	—	14,919
Lambeth	—	—	26,674
Lewisham	—	—	21,153
Merton	—	—	40,095
Newham	1,246	6,536	64,151
Redbridge	1,228	8,463	43,721
Richmond-upon-Thames	—	—	27,341
Southwark	100	785	16,262
Sutton	1,147	7,975	21,088
Tower Hamlets	—	—	87,521
Waltham Forest	337	2,056	39,278
Wandsworth	271	1,480	16,836
Westminster	—	—	9,684
South East			
Bracknell Forest	—	—	6,720
Brighton and Hove	606	4,080	30,124
Buckinghamshire	1,502	9,683	45,933
East Sussex	1,614	10,492	62,353
Hampshire	3,680	22,244	94,650
Isle of Wight	1,698	9,851	17,995
Kent	8,298	50,273	128,487
Medway Towns	2,463	15,524	29,289
Milton Keynes	2,109	13,941	30,264
Oxfordshire	2,987	18,139	59,705

New pupil places receiving central Government capital support in south east England 1999–2000 to 2001–02

	Total new pupil places 1999–2000 to 2001–02	*Total funding for new pupil pldces 1999–2000 to 2001–02 (£000)*	*Total capital funding 1999–2000 to 2001–02 (£000)*[1]
Portsmouth	135	837	17,009
Reading	506	3,400	11,995
Slough	82	685	8,428
Southampton	553	3,479	44,869
Surrey	2,907	19,633	73,452
West Berkshire (Newbury)	779	5,116	17,319
West Sussex	1,082	6,909	48,004
Windsor and Maidenhead	46	340	9,160
Wokingham	1,109	7,321	18,249
Total	44,708	286,574	1,622,698

[1] In addition to the allocations made specifically for new pupil places, some other schools capital programmes, such as PFI, may also be used for this purpose.

Mr. Hoban: To ask the Secretary of State for Education and Skills how many *(a)* new and *(b)* replacement (i) primary and (ii) secondary schools were built in (A) 1997, (B) 1998, (C) 1999 and (D) 2000. [17473]

John Healey *[holding answer 23 November 2001]:* We do not hold information about the number of new and replacement schools that have been built.

We have, however, made significant amounts of funding available to expand, replace and repair school accommodation. Details of the level of central Government support for capital investment made available for schools since 1997 follow:

Central Government support for capital investment in schools 1996–97 to 2003–04

Year	*£ billion*
1996–97	0.7
1997–98	0.8
1998–99	1.0
1999–2000	1.4
2000–01	2.1
2001–02	2.2
2002–03	2.8
2003–04	3.5

Classroom Assistants

Chris Grayling: To ask the Secretary of State for Education and Skills what recent representations she has received from Ofsted about the use of classroom assistants. [17134]

Mr. Timms: None, but the increasing use of teaching assistants means that they are mentioned in many Ofsted reports, whether thematically or in relation to individual schools.

PPP/PFI

Chris Grayling: To ask the Secretary of State for Education and Skills how many *(a)* local education authorities and *(b)* individual schools and colleges have applied for PPP/PFI funding in the past three years. [17135]

John Healey: There have been two application rounds since November 1998. In the first round, the Department received a total of 66 applications from 60 local education authorities (with six authorities applying for funding for two separate projects). In the second round, a further 46 applications were received from 46 local education authorities, 23 of which had also applied in the first round.

Local authorities receive the benefit of PFI Credits through Revenue Support Grant. All applications to the Department are therefore submitted by local authorities, even if they relate to individual schools.

Further education colleges can apply to the Learning and Skills Council for a contribution to the cost of capital projects, including PPP/PFI projects. Higher education colleges do not need to apply for specific PPP/PFI funding because they have discretion over the use of their total resources.

Chris Grayling: To ask the Secretary of State for Education and Skills what proportion of capital spending on education will come from PPP/PFI sources *(a)* in 2001–02, *(b)* 2002–03 and *(c)* estimated for the next five years. [17136]

John Healey: The table shows the proportion of central Government investment in school buildings from PPP/PFI sources for 2001–02, 2002–03 and 2003–04. For 2004–05 and beyond, the amount of schools capital that will be available, and the proportion of PPP/PFI funding within it, will depend on the outcome of the Spending Review in 2002.

	Total schools capital available (£ million)	*PFI/PPP funding (£ million)*	*PFI/PPP funding as percentage of total*
2001–02	2,200	467	21.2
2002–03	2,800	750	26.8
2003–04	3,500	850	24.3

Note:

For 2001–02, £467 million of PFI/PPP funding is made up of £450 million of PFI credits and £17 million of PPP funding from the New Deal for Schools programme. We are not providing specific PPP funding from schools capital in 2002–03 or 2003–04, but it is open to local education authorities and others to use the capital funding we allocate to them for PPP projects.

Polling Stations

Mr. Allen: To ask the Secretary of State for Education and Skills if she will list the schools in each local education area which were *(a)* closed and *(b)* partly closed for use as pollling stations on 7 June. [17171]

Mr. Timms: The Department does not collect this information.

Special Measures

Mr. Pickles: To ask the Secretary of State for Education and Skills how many schools have been placed in special measures in each of the last three years for which figures are available, broken down by local education authority. [17178]

Mr. Timms: The table indicates the numbers of schools placed in special measures in the last three academic years 1998–99, 1999–2000 and 2000–01.

LEA	*1998–99*	*1999–2000*	*2000–01*
London			
Inner London			
Camden	0	0	1
Greenwich	0	2	1
Hackney	1	1	1
Hammersmith and Fulham	0	1	0
Islington	1	4	0
Kensington and Chelsea	0	0	0
Lambeth	0	2	0
Lewisham	1	5	0
London, City of	0	0	0
Southwark	2	2	1
Tower Hamlets	5	3	0
Wandsworth	0	0	1
Westminster	0	0	0
Outer London			
Barking and Dagenham	1	1	0
Barnet	2	1	1
Bexley	0	1	1
Brent	1	3	0
Bromley	1	1	0
Croydon	0	0	0
Ealing	6	3	2
Enfield	1	1	2
Haringey	1	0	1
Havering	0	0	0
Harrow	0	1	0
Hillingdon	2	1	1
Hounslow	0	0	2
Kingston upon Thames	0	1	0
Merton	0	0	0
Newham	3	3	0
Redbridge	0	0	0
Richmond upon Thames	0	0	0
Sutton	0	0	1
Waltham Forest	2	3	1
East of England			
Bedfordshire	0	2	2
Cambridgeshire	3	0	2
Essex	9	11	5
Hertfordshire	1	3	4
Luton	2	1	1
Norfolk	5	7	2
Peterborough	0	1	2
Southend	1	0	1
Suffolk	3	1	1
Thurrock	0	3	0
South East			
Bracknell Forest	0	0	0
Brighton and Hove	2	2	0
Buckinghamshire	0	6	2
East Sussex	1	2	0
Hampshire	3	6	0
Isle of Wight	0	1	0
Kent	6	4	7
Medway	1	2	1
Milton Keynes	0	0	1
Oxfordshire	2	4	2
Portsmouth	3	0	0
Reading	1	3	0
Southampton	1	1	0
Surrey	1	3	3
West Berkshire	0	1	0
West Sussex	3	[illegible]	1
Windsor and Maidenhead	1	0	0
Wokingham	0	0	1
South West			
Bath and North East Somerset	0	1	0
Bournemouth	0	1	0
Bristol	2	2	2
Cornwall	1	1	2
Devon	3	2	1
Dorset	1	2	0
Gloucestershire	3	4	0
Isles of Scilly	0	0	1
North Somerset	1	1	1
Plymouth	0	0	0
Poole	0	1	0
Somerset	1	1	0
South Gloucestershire	2	1	0
Swindon	1	3	1
Torbay	1	0	0
Wiltshire	3	2	3
East Midlands			
Derby City	0	1	0
Derbyshire	4	4	2
Leicester City	5	1	1
Leicestershire	0	0	3
Lincolnshire	3	5	2
Northamptonshire	3	5	0
North East Lincolnshire	1	0	0
North Lincolnshire	0	0	0
Nottingham City	2	3	3
Nottinghamshire	4	2	1
Rutland	0	0	1
North East			
Darlington	0	0	0
Durham	0	0	1
Gateshead	1	1	0
Hartlepool	0	0	0
Middlesbrough	0	0	0
Newcastle upon Tyne	0	1	0
North Tyneside	0	0	0
Northumberland	0	0	0
Redcar and Cleveland	0	0	0
South Tyneside	1	1	1
Stockton-on-Tees	1	1	0
Sunderland	1	0	9
North West			
Blackburn with Darwen	3	1	0
Blackpool	0	2	0
Bolton	1	2	1
Bury	0	1	1
Cheshire	0	2	2
Cumbria	3	0	2
Halton	0	0	0
Knowsley	0	0	0
Lancashire	4	4	2
Liverpool	3	1	1
Manchester	3	6	2
Oldham	0	1	1
Rochdale	2	1	0
Salford	0	1	1
Sefton	0	1	0

LEA	*1998–99*	*1999–2000*	*2000–01*
St. Helens	2	0	0
Stockport	0	1	0
Tameside	1	2	0
Trafford	0	1	0
Warrington	2	1	1
Wigan	1	2	0
Wirral	1	0	0
West Midlands			
Birmingham	8	2	1
Coventry	2	1	0
Dudley	2	1	0
Herefordshire	1	1	0
Sandwell	2	3	1
Shropshire	0	0	0
Staffordshire	1	4	2
Stoke-on-Trent	1	2	1
Telford and Wrekin	1	0	0
Walsall	5	3	1
Warwickshire	4	4	0
Wolverhampton	2	3	3
Worcestershire	1	4	3
Yorks and Humber			
Barnsley	2	0	0
Bradford	0	0	0
Calderdale	2	1	1
Doncaster	0	0	0
East Riding	3	2	0
Kingston upon Hull	0	2	3
Kirklees	1	2	1
Leeds	3	2	0
North Yorkshire	0	1	0
Rotherham	0	1	0
Sheffield	4	4	1
Wakefield	3	1	2
York	0	0	0

Mr. Pickles: To ask the Secretary of State for Education and Skills how many and what percentage of schools placed in special measures have been closed by the local education authority in each of the last three years. [17179]

Mr. Timms: In 1998–99 38 schools in special measures were closed, representing 8 per cent. of the total number of schools in special measures at the end of that year. In 1999–2000 the equivalent figures were 40 and 9 per cent., and in 2000–01 16 and 5 per cent.

Mr. Pickles: To ask the Secretary of State for Education and Skills (1) what guidance she gives to local education authorities about consultation on closure before *(a)* an action plan to help a school in special measures is drawn up and *(b)* the local education authority's plan of support is known; [17181]

(2) what role the local education authority plays in helping schools out of special measures; [17180]

(3) what guidance she gives to local education authorities on the amount of time an action plan for recovery for a school in special measures should be accessed before closure of a school is considered; [17182]

(4) if she recommends closure of a school in special measures before an inspection of progress on an action plan is made; [17196]

(5) what guidance she gives to local education authorities on the control of school budgets for schools in special measures; and if control of the budget is automatically vested in the local education authority. [17187]

Mr. Timms: The Government are committed to continuing to reduce the number of schools found to require special measures year-on-year, and to ensuring that no school is allowed to remain in special measures for longer than two years.

Where a school is found to require special measures, the Department writes to the governing body and the local education authority, and where appropriate the relevant Diocesan authority, to offer guidance on the action required. The governing body, in consultation with the LEA, must draw up an action plan to address the key issues identified.

The LEA must also submit its own commentary and statement of action, which should include an assessment of the scope for the school to be closed. If an LEA concludes that the school should be closed, it must consult on the proposal in the normal way.

Under Section 19 of the School Standards and Framework Act 1998, my right hon. Friend the Secretary of State may at any time direct an LEA that a school subject to special measures should be closed. The Secretary of State must consult the LEA and the governing body, and if appropriate the Diocese, before giving such a direction. It may do so at any stage of the process.

Under Section 17 of the School Standards and Framework Act 1998, LEAs may suspend a governing body's right to a delegated budget where the school is found to require special measures.

The Department's Circular 6/99, "Schools Causing Concern", offers schools, LEAs and Diocesan authorities guidance on all these issues. A copy is in the Library of the House.

Mr. Pickles: To ask the Secretary of State for Education and Skills what is the minimum *(a)* number of lessons, *(b)* number of teachers and *(c)* percentage of lessons to be deemed unsatisfactory for a school to be placed in special measures. [17183]

Mr. Timms: A school requires special measures when it is judged to be failing or likely to fail to give its pupils an acceptable standard of education. The criteria used in reaching this decision are a matter for HM Chief Inspector of Schools. I have therefore asked Mike Tomlinson to write to the hon. Gentleman, and to place a copy of his letter in the Library.

Mr. Pickles: To ask the Secretary of State for Education and Skills (1) what the average score in *(a)* England and *(b)* Essex County Council was for Key Stage 2 in (i) mathematics, (ii) science and (iii) English in the last three years for which figures are available; [17186]

(2) what the average score is for a school placed in special measures for key stage 2 in *(a)* mathematics, *(b)* science and *(c)* English in the last three years for which figures are available. [17184]

Mr. Timms: Information on average scores at Key Stage 2 will not be available until the publication of the primary school performance tables next month. I shall write to the hon. Gentleman with the information requested as soon as possible thereafter. However, we do not collate this information separately for schools placed in special measures.

Mr. Pickles: To ask the Secretary of State for Education and Skills what the average length of time a school stays in special measures is. [17185]

Mr. Timms: The average length of time for schools in special measures is 21 months.

Mr. Pickles: To ask the Secretary of State for Education and Skills (1) what guidance she issues to local education authorities on the retention of staff while a school is in special measures; [17189]

(2) what powers local education authorities have for the control of personnel issues where a school is placed in special measures. [17188]

Mr. Timms: The Department's Circular 6/99 "Schools Causing Concern", which advises local education authorities on dealing with schools in special measures, does not specifically cover staff retention. However, the circular does make clear that, where an LEA withdraws a school's delegated budget because it is subject to special measures, it automatically takes over responsibility for most personnel issues, including the appointment and dismissal of staff.

School Children (Statistics)

Mr. Hendry: To ask the Secretary of State for Education and Skills how many children there were in each school year in England in each of the last five years for which figures are available. [17385]

Mr. Timms: Information on the number of pupils in each year group is not collected centrally. Information on the age of pupils in schools is shown in the table.

Headcount of pupils in schools[1] *in Eng[illegible]d*

	2001	2000	January 1999	1998	1997
Aged under 2	3,883	3,295	2,832	2,433	2,353
2 years old	50,520	52,355	49,417	46,420	45,605
3 years old	326,828	324,541	326,164	327,582	316,038
4 years old	593,262	600,166	615,016	614,141	626,985
5 years old	613,863	628,723	628,864	652,330	656,607
6 years old	629,072	629,471	652,865	657,275	650,415
7 years old	630,628	653,860	658,063	650,305	640,571
8 years old	654,553	658,754	651,415	641,342	649,377
9 years old	659,642	652,153	642,157	649,990	630,204
10 years old	653,452	643,546	650,710	630,884	616,153
11 years old	643,368	650,688	630,812	616,283	613,457
12 years old	651,947	631,726	617,418	613,980	591,230
13 years old	632,577	618,386	614,612	591,595	592,799
14 years old	618,397	614,564	591,640	592,154	587,290
15 years old	605,344	581,902	581,256	575,766	587,118
16 years old	212,121	211,535	207,127	210,403	210,035
17 years old	172,282	167,541	167,622	166,169	158,458
18 years old	19,254	19,573	19,492	18,593	17,272
19 years old	3,126	3,036	2,994	2,937	2,96
Total all ages	8,374,119	8,345,815	8,310,476	8,260,582	8,194,96

[1] Includes maintained and independent schools

School Grants (Shropshire)

Peter Bradley: To ask the Secretary of State for Education and Skills what are the total grants made by her Department in 2001–02 to date to schools administered by *(a)* Telford and Wrekin council and *(b)* Shropshire county council. [17434]

Mr. Timms: I refer my hon. Friend to the reply given on 15 November 2001, *Official Report*, columns 861–62W.

Bullying

John Mann: To ask the Secretary of State for Education and Skills what proposals she plans to introduce to combat bullying in post-16 education. [17443]

Mr. Timms: Schools are required by law to have anti-bullying policies covering all their pupils, and in December 2000 we launched a new anti-bullying pack for schools entitled "Bullying: don't suffer in silence" with an accompanying video aimed at pupils.

The Learning and Skills Council (LSC) is responsible for the remaining post-16 learning other than in higher education. I have therefore asked John Harwood, the Council's Chief Executive, to write to my hon. Friend with the information requested and to place a copy of his reply in the Library.

Following the tragic events of 11 September and subsequently we have placed some new guidance for all educational establishments on our departmental website. This reminds establishments to be vigilant for any name calling, racial abuse or bullying and deal with any incidents promptly and sensitively. A copy of the guidance has been sent to the LSC.

A-levels

Mr. Lloyd: To ask the Secretary of State for Education and Skills what information she has collated on the length of time it is taking to re-mark A-levels on appeal; and if she will make a statement. [17913]

Mr. Ivan Lewis: Information on the length of time it is taking to re-mark A-levels on appeal for 2001 is not yet available because the 'Enquiry about Results' and appeals process is incomplete. The information will be published by the Qualifications and Curriculum Authority (QCA) at the end of March 2002.

School Exclusions

Mr. Lloyd: To ask the Secretary of State for Education and Skills what advice she gives to local authorities on acceptable time limits for pupils to spend out of school following permanent exclusion for *(a)* primary and *(b)* secondary schools; what information she has by local authority on (i) numbers and (ii) length of exclusion in the latest year for which figures are available; and if she will make a statement. [17914]

Mr. Timms: The advice given to local education authorities is that ideally many permanently excluded pupils should rejoin a mainstream or special school within days or weeks, or exclusion. Rapid re-integration is particularly important for excluded primary pupils and I expect that most of them would be re-integrated within one term. Conversely, for pupils approaching the end of compulsory schooling, a return to school may be unrealistic.

Reintegration Panels are responsible for co-ordinating services for excluded pupils. They must draw up an individual re-integration plan for each excluded child. This plan should be in place within a month of the governors upholding the exclusion and it is reviewed on a monthly basis. It should include a target date for return to school, once the school to which the child will return has been identified.

The latest figures available on permanent exclusions in England for 1999–2000 were published in a Statistical First Release on 19 July. A break down by local authority is available on the Department's website at www.dfes.gov.uk/statistics/DB/SFR/s0275/index.html. The Department does not collect data on the length of time between a pupil's permanent exclusion and their subsequent return to full time education.

Drugs (Disciplinary Guidance)

Mr. Brady: To ask the Secretary of State for Education and Skills what plans she has to issue revised guidance to schools and local education authorities regarding disciplinary arrangements for pupils found *(a)* in possession of, *(b)* dealing in and *(c)* under the influence of illegal drugs. [18364]

Mr. Ivan Lewis: We plan to issue revised guidance on the use of exclusion by schools early in the new year. The guidance will restate the right of head teachers to exclude permanently when necessary students involved in drug misuse and other drug related incidents.

Key Stage Test Results

Mr. Brady: To ask the Secretary of State for Education and Skills when she expects her Department's inquiry into the circumstances surrounding the release of the 2001 Key Stage results to conclude; and if she will publish the report. [18526]

Mr. Timms: I expect the inquiry to make a preliminary report before Christmas. A statement will be made as soon as possible thereafter. The National Statistician will comment more generally on the operation of statistical release practices across Government in his National Statistics Annual Report 2001/02 next summer.

Local Education Authority Performance

Mr. Sanders: To ask the Secretary of State for Education and Skills what options her Department can take in respect of a local education authority which does not address problems highlighted by Ofsted to her satisfaction. [17956]

Mr. Timms: Where she judges that an LEA is failing or lacks the capacity to take the necessary measures to improve its performance, the Secretary of State has a range of options depending on the nature of the failings identified and on local circumstances. To date, these have included full or partial outsourcing of LEA services, private sector management delivery and non-outsourcing solutions, usually based on the re-structuring of internal strategic management, partnerships with other LEAs and/or structured arrangements for involving elected members, local stakeholders and independent expertise, as in partnership boards.

Mr. Sanders: To ask the Secretary of State for Education and Skills whether her Department has been approached by Torbay Unitary Authority for support following the Ofsted report into the performance of Torbay Local Education Authority; and if she will make a statement. [17958]

Mr. Timms: My Department has not been approached by Torbay Unitary Authority since the publication of the Ofsted report on the LEA. The Authority is preparing its Post-Inspection Action Plan, which will be submitted to my Department by 15 January 2002.

Online Centres (Norfolk)

Norman Lamb: To ask the Secretary of State for Education and Skills who the applicants were for Phase 3 Capital Modernisation Fund funding to establish United Kingdom online centres in the North Norfolk constituency; and for what reasons these applicants were unsuccessful. [18174]

John Healey: Government Office East received two applications. These were from separate areas of the Norfolk Library and Information Service. In consultation with the applicants, the two applications were trimmed to one without cutting any proposed provision, and the combined application was successful in securing phase 3 Capital Modernisation funding. There were no unsuccessful applications from North Norfolk in phase 3.

Expenditure Per Pupil

Dr. Julian Lewis: To ask the Secretary of State for Education and Skills if data showing the expenditure per pupil in individual schools *(a)* are and *(b)* could practicably be made available centrally to her Department. [18265]

Mr. Timms: Data are submitted, on an annual basis by Local Education Authorities, to my right hon. Friend the Secretary of State in the form of financial statements under section 52 of the School Standards and Framework Act 1998.

Teacher Vacancies

Mr. George Osborne: To ask the Secretary of State for Education and Skills how many teacher vacancies there are at each *(a)* primary and *(b)* secondary school in the Tatton constituency. [18443]

Mr. Timms: The information is not collected centrally.

In the Cheshire local authority area in January 2001 there were 12 full-time teacher vacancies in nursery and primary schools, or 0.5 per cent. of teachers in post. In secondary schools there were 11 full-time teacher vacancies, or 0.4 per cent. of teachers in post.

Individual Learning Accounts

Mr. Paterson: To ask the Secretary of State for Education and Skills what representations she has received from *(a)* Pitman Training and *(b)* the Association of Computer Trainers on solutions to the problems concerning individual learning accounts. [18296]

John Healey: We have received papers from Pitman Training and from Internet Exchange acting on behalf of the Association of Computer Trainers. Officials have already met Internet Exchange and plan to meet Pitman Training shortly. The papers and meeting were extremely helpful and the issues raised will be taken into account as we continue to develop future plans which build on the successful elements of the ILA programme.

TRADE AND INDUSTRY

Stop Now Orders

Ross Cranston: To ask the Secretary of State for Trade and Industry (1) what *(a)* training and *(b)* additional resources have been given to bodies, other than trading standards departments, towards the (i) legal and (ii) administrative requirements of the Stop Now Order Regulations; and if she will make a statement; [16578]

(2) pursuant to her answer of 9 November 2001, *Official Report*, column 442W, on Stop Now Orders, how much money has been transferred to cover the additional costs associated with the implementation of the Stop Now Order Regulations; from which bodies the money has been transferred; which bodies are receiving this money; and if she will make a statement; [16576]

(3) pursuant to her answer of 9 November 2001, *Official Report*, column 442W, on Stop Now Orders, how many trading standards departments have received training in the legal and administrative requirements of the Regulations; whether more seminars are planned; and if she will make a statement. [16577]

Miss Melanie Johnson: As I said in my answer of 9 November 2001, *Official Report*, column 442W, DTI has agreed with the Department for Transport, Local Government and the Regions, a transfer of resources to local authorities in England to cover the additional costs associated with the enforcement by county councils, metropolitan districts, unitary authorities and London boroughs of the Stop Now Orders Regulations. Subject to Parliamentary approval, additional provision is being made to the general grant in 2002–03 and beyond.

The National Assembly for Wales has agreed with DTI a transfer of resources to local authorities in Wales to cover the additional costs associated with the enforcement of the Regulations by county councils and unitary authorities. Additional provision for this new provision will be added to the general revenue settlement in 2002–03 and beyond. It will be distributed through the Consumer Protection Standard Spending Assessment. The Assembly's provisional settlement was announced on 15 November and the final settlement will be announced on 8 January 2002 and debated on 24 January.

DTI has also agreed with the Scottish Executive that they will receive formula consequentials for this transfer. These will be included within Scottish local authorities' revenue grant allocations.

Figures provided by the Trading Standards Institute indicate that over 90 per cent. of trading standards departments (182) attended the six seminars that the Institute organised for the DTI on the legal and administrative requirements of the Stop Now Orders Regulations. We are considering with the Office of Fair Trading, LACOTS and TSI what further training or other support might help. The OFT organised a conference on 16 November to educate other regulators. We do not foresee any transfer of resources to these regulators.

Airlines (Competition)

Mr. Swire: To ask the Secretary of State for Trade and Industry (1) what research her Department has undertaken to evaluate the effect the proposed alliance between British Airways and American Airlines would have on competition in the north Atlantic market place; and if she will publish the conclusions of such research; [17282]

(2) what her policy is on the proposed alliance between British Airways and American Airlines. [17281]

Miss Melanie Johnson: Analysis of the effects of the proposed alliance on competition is a matter for the Director General of Fair Trading, who, as the UK's independent competition authority, has the final decision making powers in such cases.

Publication of such analysis is also a matter for the Director General.

Responsibility for deciding on the competition issues raised by the proposed alliance also lies with the Director General of Fair Trading.

Electricity Generation

Dr. Ladyman: To ask the Secretary of State for Trade and Industry on current station lifetime plans, what her Department's projections are for the percentage contribution nuclear power will make to electricity generation in *(a)* 2005, *(b)* 2010, *(c)* 2015 and *(d)* 2020. [17369]

Mr. Wilson: The DTI published, in Energy Paper 68 (EP68), energy demand projections for the period 2000 to 2020 in November 2000. Figures in Annex D of EP68 show the projected amounts of electricity generation for a range of generating plant. Generation from nuclear plants is projected to be 86TWh in 2005, 66TWh in 2010, 40TWh in 2015 and 27TWh in 2020. These levels of nuclear generation represent approximately 24 per cent., 17 per cent., 10 per cent. and 7 per cent. of the total projected generation by the major power producers respectively.

Plant lifetimes are a matter for the operators but the projections were based on lifetime assumptions believed to be in broad agreement with those of the nuclear generators at the time of publication. There have been some recent indications from the industry that nuclear output in 2010 may be a little lower than previously projected. Small reductions in output would not endanger the UK's ability to meet its Kyoto targets.

Energy Paper 68 is available in the Libraries of the House.

CFCs (EC Regulation)

Mr. Gibb: To ask the Secretary of State for Trade and Industry (1) what assistance is being offered by her Department to retailers to allow them to continue to take back used fridges and freezers as part of their home delivery service, once the EC Regulation 2037/2000 has been implemented; [17897]

(2) what representations her Department has received from *(a)* retailers, *(b)* local authorities and *(c)* environmental groups regarding EC Regulation 2037/2000; [17899]

(3) what guidance she has given on the safe disposal of goods containing CFCs as required by EC Regulation 2037/2000; [17898]

(4) what measures her Department is taking to ensure that the UK conforms to EC Regulation 2037/2000. [17896]

Mr. Wilson: EC Regulation 2037/2000 on substances which deplete the ozone layer is a matter for my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs.

Officials in my Department have been working closely with officials in the Department for Environment, Food and Rural Affairs (DEFRA) to encourage retailers either to continue their take-back service or, in the case of retailers that have withdrawn their service, to consider ways in which it might be restarted. Proposals are being developed by DEFRA in consultation with retailers, local authorities and other stakeholders that might help to facilitate this.

The Department has received a number of representations from retailers, local authorities and environmental groups concerning EC Regulation 2037/2000, and has taken steps to keep in regular contact with both retailers and local authorities, in particular through stakeholder meetings held by officials in DEFRA.

Officials in DEFRA have written to all local authorities and other interested parties informing them of the new requirements. Draft guidance on standards for facilities to extract ozone depleting substances from foam in refrigeration equipment and on standards for storage of waste refrigeration equipment has already been circulated to stakeholders for consultation and final versions will be issued shortly.

Officials in the Department have been working closely with officials in DEFRA to help make stakeholders aware of the new requirements.

Motor Vehicles

Mr. Whittingdale: To ask the Secretary of State for Trade and Industry if she will make a statement on the future of the EU block exemption of the selective and exclusive distribuiton of motor vehicles. [18467]

Ms Hewitt: The Government await with interest the European Commission's proposals concerning the block exemption. We are pressing the Commission for radical pro-consumer change.

Gas and Electricity Consumer Council

David Winnick: To ask the Secretary of State for Trade and Industry if he will take steps to ensure the Gas and Electricity Consumer Council provide more staff at the Energywatch office in Birmingham to deal with calls and inquiries. [18663]

Mr. Wilson: It is for Energywatch to determine, within the budget agreed with the Department, the staffing levels required for it to carry out its duties under the Utilities Act 2000 and the particular activities identified in its Forward Work Programme. Energywatch is aware of the importance of responding in a timely and efficient manner to inquiries and complaints and is working to improve its response times further. Over the next coming months, a one-stop lo-call telephone number for all gas and electricity consumers, and a more sophisticated call management system that will reduce the time it takes consumers to reach a consumer adviser will be installed at Energywatch's Birmingham and other regional offices, which will be fully operational by May 2002.

Galileo Project

Syd Rapson: To ask the Secretary of State for Trade and Industry what assessment her Department has made of the European Commission's estimate of the number of jobs that would be created directly and indirectly by the Galileo Project; and what measures her Department is taking through *(a)* providing development and validation funding and *(b)* other measures, to ensure the UK maximises its ability to benefit from jobs created; and if she will make a statement. [18524]

Ms Hewitt: At the end of last year, the European Commission provided a Cost Benefit Analysis for Galileo which predicted the growth in employment resources for Europe as a whole at around 3,800 jobs a year for the four to five year development phase, rising to 19,000 a year over the two-year deployment phase. On the basis of these figures the UK could be expected to attract 15 to 20 per cent. of these jobs. Some of these may, however, displace existing jobs.

My Department is working closely with the Department for Transport, Local Government and the Regions and others within Whitehall to examine the economic case for providing further funding to the Galileo project, if it goes ahead.

Liabilities Management Agency

Mr. Key: To ask the Secretary of State for Trade and Industry if she will make a statement on the objectives of the proposed Liabilities Management Agency. [17423]

Mr. Wilson: Arrangements for managing public sector civil nuclear liabilities have been considered as part of the quinquennial review of the UK Atomic Energy Authority and of related work on the future of BNFL. One of the options put forward by the review team is the establishment of a Liabilities Management Authority to bring sharper focus and stronger strategic direction to nuclear clean up.

My right hon. Friend the Secretary of State for Trade and Industry, will be making a statement to the House shortly on how the Government intend to proceed.

European Energy Market

Mr. Key: To ask the Secretary of State for Trade and Industry what action she is taking to encourage competition in the energy market in Europe. [17426]

Mr. Wilson: The Government support the proposals published earlier this year by the Commission to complete the internal energy market by 2005. These measures would provide the mechanisms and regulatory structures needed for a functioning single market in electricity and gas.

The proposals are currently being negotiated in the Energy Council, where we are seeking their early adoption.

Pyrolysis and Gasification

Mr. Key: To ask the Secretary of State for Trade and Industry what are the location of the pilot plants using *(a)* pyrolysis and *(b)* gasification. [17425]

Mr. Wilson: The Department is supporting with Border Biofuels a project to build, test and run by July 2003 a fully integrated combined heat and power facility, including a pyrolysis plant capable of processing a minimum of 25 tonnes per day. The total project cost is £4.65 million, with my Department's contribution being £1.16 million. The location of the proposed demonstration site is under consideration.

So far, the leading gasification pilot plant has been the Arable Biomass Renewable Energy (ARBRE) project at Eggborough, Yorkshire, which is currently in the final stages of commissioning. The project has been developed by First Renewables Limited (FRL) with support from the European Commission THERMIE programme and from NFFO. ARBRE will consume about 43,000 tonnes of wood fuel per year supplied from forestry residues and short-rotation coppice, and will generate 10 megawatts of electricity per year, of which 8 megawatts will be transported to the grid.

Research is concentrating on scaling-up and developing the technology deployed in ARBRE. The Department has recently approved a project with ALSTOM Energy Limited, First Renewables Limited and Cambridge University which will involve setting up a plant about four times as big as ARBRE. The total cost of this project will be £7.3 million, with the Department contributing £2.9 million. Possible sites are being investigated.

Small-scale biomass gasification projects are being taken forward in Swansea and in Newton-le-Willows near Warrington. There are also two small-scale gasification demonstrator facilities in Northern Ireland that are already in operation. These are at Brook Hall Estate, County Londonderry and the Blackwater Valley Museum, County Armagh.

Spacecraft

Mr. Key: To ask the Secretary of State for Trade and Industry what her policy is on *(a)* the location and movement of satellites and *(b)* the movement of spacecraft; and if she will make a statement. [17431]

Ms Hewitt: The launching and operation of satellites by United Kingdom nationals is governed by the Outer Space Act 1986 which introduced a licensing regime for the activities of launching and operating a space object and for any activity in outer space. UK nationals wishing to carry out such launch and movement activities must apply to my Department for a licence. I have discretion as to whether to grant a licence and on the conditions to which a licence should be made subject, but before granting a licence I must be satisfied that the activities (i) will not jeopardise public health or the safety of persons or property, (ii) will be consistent with the international obligations of the UK, and (iii) will not impair national security. Satellites are also subject to International Telecommunications Union (ITU) regulations and procedures in respect of the orbital locations and frequencies used.

Renewable Energy

Mr. Drew: To ask the Secretary of State for Trade and Industry what discussions she has had with other Departments and Government bodies to encourage them to increase their use of renewable energy. [18350]

Mr. Wilson: My right hon. Friend the Secretary of State for Trade and Industry and I regularly communicate with the Minister for the Environment and other Green Ministers on matters including the promotion of renewable energy in departments and other public bodies.

The Green Ministers have set a target for 31 March 2003 for at least 5 per cent. of Government Departments' electricity to come from renewable sources that are exempt from the climate change levy, or from self-generation, and for 31 March 2008 for at least 10 per cent. to be obtained from such sources, provided that this does not entail excessive cost. The target will be reviewed by 31 March 2003.

Earlier in the year my right hon. Friend the Secretary of State for Trade and Industry wrote to her Green Ministerial colleagues calling for Departments to give active consideration to the use of solar-photovoltaic (PV) panels on Government buildings in support of a major market stimulation programme and to provide a highly visible demonstration of the Government's commitment to renewable energy.

All facilities managers for the Government Estate have been issued with guidance on the use of PV, and Government buildings are eligible to apply for funding under the DTI's Large-Scale Buildings Integrated PV programme.

Electrical Goods

Mr. Sayeed: To ask the Secretary of State for Trade and Industry if she will make a statement on how many power stations would not need to be used if everyone stopped leaving their televisions and computers on standby; and what plans there are for a European Union directive that would reduce the power consumption of electrical goods while in standby mode. [16747]

Mr. Wilson: Estimates from DEFRA's Market Transformation Programme suggest that in 2000 electricity consumed in standby mode by televisions was 980 GWh, domestic PCs consumed 670 GWh, while office PCs consumed 1,300 GWh. On the basis of these estimates, total electricity consumption by these appliances equate to just under 1 per cent. of all electricity consumed in the UK in 2000. This is roughly equivalent to the output of one mid-range CCGT power station. However, since many of these appliances would not be in standby at peak times there is still a need for this power station.

While I am not aware of any plans for a directive governing the power consumption of electronic equipment in standby mode, there are already a number of voluntary agreements in place which seek to establish minimum standards for the power consumption of electronic equipment in standby mode. These include voluntary agreements with industry in respect of TVs, VCRs, digital TV services and external power supplies.

In addition, the recent EU/US agreement will extend into Europe the use of voluntary energy labelling of office equipment via the US EPA's Energy Star scheme which requires minimum standards for computers and other office equipment in standby mode before the label can be used.

The European Commission will also shortly be making proposals for a Framework Directive for Minimum Energy Efficiency Requirements for End-Use Equipment which may cover this area too.

Public Service Orders

Mr. Carmichael: To ask the Secretary of State for Trade and Industry what plans she has to extend the provision of public service orders. [18724]

Mr. Jamieson: I have been asked to reply.

Any application for the imposition of a public service obligation will be considered by the Department for Transport, Local Government and the Regions against the criteria set out in European Regulation 2408/92.

Mr. Carmichael: To ask the Secretary of State for Trade and Industry what criteria have to be met in order for a route to be granted a public service order. [18729]

Mr. Jamieson: I have been asked to reply.

The use of public service obligations is governed by European Council Regulation 2408/92 on access for Community air carriers to intra-Community air routes. This empowers members states to impose a PSO in respect of scheduled air services on a route serving a peripheral or development region or on a thin route to any regional airport, where such a route is considered vital for the economic development of the region in which the airport is located and where an adequate standard of service would not be provided by carriers having regard solely to their commercial interest. Standard of service covers continuity, regularity, capacity and pricing. In assessing adequacy, member states are expected to have regard to the public interest and to the availability of other forms of transport and whether these offer a reasonable alternative to flying.

SCOTLAND

Departmental Publications

Mr. Bercow: To ask the Secretary of State for Scotland how many publications were issued by her Department in each of the last four years. [11822]

Mrs. Liddell: In 1997–98 the Scottish Office issued 92 publications, in 1998/99 it issued 121 publications and in the period 1 April 199 to 30 June 1999 it issued 13 publications.

The Scotland Office was established in its present form on 1 July 1999. Since then the Department has issued seven publications.

Consultation Documents

Sandra Gidley: To ask the Secretary of State for Scotland how many consultation documents were issued by her Department from *(a)* 15 October to 14 January, *(b)* 15 January to 14 April, *(c)* 15 April to 14 July and *(d)* 15 July to 14 October in each year from 1996. [12877]

Mrs. Liddell: From 1996 the Scottish Office issued the following number of consultation documents for the periods 15 October to 14 January. 15 January to 14 April, 15 April to 14 July and 15 July to 14 October:

Scottish Office Consultation Documents

Issued:	*1996*	*1997*	*1998*	*1999*
15 October—14 January[1]	23	18	31	–
15 January—14 April	29	11	33	27
15 April—14 July	26	16	27	12
15 July—14 October	28	20	20	–

[1] Of following year

The Scotland Office was established in its present form on 1 July 1999. The Department since that date has issued no consultation documents. The Scotland Office is a small Government Department with minimal programme expenditure and no responsibility for service delivery functions.

Scottish Borders Council

Mr. Lazarowicz: To ask the Secretary of State for Scotland if she will make a statement on the ability of Scottish Borders Council to carry out its statutory functions in relation to reserved matters. [17388]

Mrs. Liddell: Most of the statutory functions of the Scottish Borders Council relate to devolved matters. To the best of my knowledge, reserved matters have been dealt with appropriately by the Council.

Nuclear Installations

Mr. Weir: To ask the Secretary of State for Scotland (1) what representations she has made to the Nuclear Inspectorate relating to security at nuclear installations in Scotland following the events of 11 September; [16781]

(2) what representations she has made to the Energy Review Group relating to security at nuclear power stations in Scotland following the events of 11 September; [16780]

(3) what discussions she has had with the Scottish Executive on the security of *(a)* nuclear power stations and *(b)* nuclear installations in Scotland folllowing the events of 11 September. [16777]

Mrs. Liddell *[holding answer 22 November 2001]:* Security at nuclear installations is the responsibility of my right hon. Friend the Secretary of State for Trade and Industry acting through the Office for Civil Nuclear Security (OCNS). The OCNS works closely with the Health and Safety Executive—the safety regulator for the industry—and which provides advice on the safety implications of events including external hazards, at nuclear installations. Security and safety precautions at nuclear sites are kept under constant review. Both regulators are reviewing all relevant precautions in the light of the recent terrorist attacks in the USA. It is not Government policy to disclose details of security measures taken at civil nuclear sites.

CULTURE, MEDIA AND SPORT

Sports Clubs

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport what European Union funding schemes are available to sports clubs in the United Kingdom for *(a)* capital and *(b)* training projects. [17466]

Mr. Caborn: All European Union funding is channelled towards precise objectives and priorities under the various common policies, which, in turn, are based on provisions of the EU Treaties. The European Union does not have a legal base for sport in its Treaties. As such, there are no funding programmes designated specifically to sport.

However, sports clubs in the United Kingdom may be eligible for funding under other European Union programmes which integrate sport into such actions as regional development or training and education. These programmes include:

Structural Funds/Regional Development Programmes—such as the European Regional Development Fund (ERDF) may be relevant to sports organisations where their activities include vocational training opportunities and/or are part of the economic development of deprived areas. Many of these funding programmes are restricted to specific regions and it is usually national or regional authorities specified in each programme that are fully responsible for the choice of projects. These programmes tend to focus on the development of small and medium enterprises to encourage job creation and social inclusion and require applicants to identify the specific economic and local benefits their scheme will achieve.

Vocational Training/Education for young people/Youth Programmes—initiatives such as Leonardo and Socrates support vocational training and cultural exchange programmes for young people. There is a clear emphasis on any Europe-wide dimension to the activities.

Playing Fields

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport how many playing fields were disposed of in each of the last five years. [17463]

Mr. Caborn: Information on the number of playing fields disposed of for the last five years is not collected. Sport England does, however, monitor the number of planning applications concerning playing fields in their role as statutory consultee. The Government intend to publish, with Sport England, detailed statistics on planning applications concerning playing fields when the data are finalised, in the new year.

My right hon. Friend the Secretary of State for Education and Skills has published figures on applications by state schools to dispose of or change the use of school playing fields since October 1998 when the Amendment to Section 77 of the School Standards and Framework Act was brought in to halt the previous administration's policy of forcing schools to sell off playing fields. I would refer the hon. Member to the answer my right hon. Friend the Minister of State for School Standards gave to my hon. Friend the Member for Stroud (Mr. Drew) on 18 October 2001, *Official Report*, column 1292W.

Mr. Swire: To ask the Secretary of State for Culture, Media and Sport how many *(a)* school and *(b)* community playing fields have been sold for development in East Devon in each of the last five years. [18283]

Mr. Caborn: My right hon. Friend the Secretary of State for Education and Skills has not approved any applications made by schools under Section 77 of the School Standards and Framework Act 1998 to sell school sports pitches sized areas or larger in the constituency of East Devon.

Information on the number of local authority owned playing fields available to the local community and disposed of in the last five years is not collected. Sport England does, however, monitor the number of planning applications concerning playing fields in their role as statutory consultee. The Government intend to publish, with Sport England, detailed national statistics on planning applications concerning playing fields when the data is finalised, in the new year.

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport how many *(a)* community and *(b)* school playing fields have been sold for development in the Buckingham constituency in each of the last five years. [17843]

Mr. Caborn: Information on the number of local authority owned playing fields available to the local community and disposed of in the last five years is not collected. Sport England does, however, monitor the number of planning applications concerning playing fields in their role as statutory consultee. The Government intend to publish, with Sport England, detailed national statistics on planning applications concerning playing fields when the data is finalised, in the new year.

My right hon. Friend the Secretary of State for Education and Skills has not approved any applications made by schools under Section 77 of the School Standards and Framework Act 1998 to sell school sports pitches in the constituency of Buckingham.

Sports Projects

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport what her latest estimate is of the funds available annually through the Sports Lottery Fund for community sports projects. [17465]

Mr. Caborn: Sports England's income from the National Lottery for 2000–01 was £225.5 million while the forecast for 2001–02 is £214,233. As Sports England's lottery strategy makes clear, at least two thirds of funding will be invested in community facilities or activities.

Museum Attendance (South Tyneside)

Mr. Hepburn: To ask the Secretary of State for Culture, Media and Sport what the level of museum attendance in South Tyneside was in *(a)* 2000 and *(b)* 2001; and what is the projected figure for 2002. [17407]

Mr. Caborn: I am advised by Tyne and Wear Museums and South Tyneside district council that visitor attendance at the South Tyneside museums is as follows:

	2000	*2001*[1]	*2002*[2]
Arbeia Roman Fort	76,613	98,605	100,000
South Shields Museum/Art Gallery	261,924	217,432	145,000
Bede's World	44,360	38,000	50,000
Customs House (Art Gallery only)	9,000	10,000	12,000
Total	391,897	364,337	307,000

[1] 2001 figures are year to date plus estimate to the end of December

[2] Projected

Gambling Review

Mr. Bellingham: To ask the Secretary of State for Culture, Media and Sport how many responses the Government have received to Recommendation 43 of the gambling review report; of these, how many *(a)* supported, *(b)* opposed and *(c)* were neutral. [18072]

Mr. Caborn: Seventy submissions commented specifically on this recommendation. Sixteen expressed varying degrees of support; and 54 varying degrees of opposition.

Mr. Bellingham: To ask the Secretary of State for Culture, Media and Sport (1) what assessment the Government have made of the compatability of Recommendation 43 of the Gambling Review report with the Human Rights Act 1998; [18083]

(2) what estimates the Government have made of the impact on employment if all local authorities used their powers under Recommendation 43 of the Gambling Review report to ban all types of gambling in their locality; [18074]

(3) what estimate the Government have made of the impact on levels of illegal gambling activity of local authorities using their powers under recommendation 43 of the Gambling Review report to ban all types of gambling in their locality. [17960]

Mr. Caborn: We have not yet completed our assessment of the impact of this recommendation.

Voluntary Athletics Officials

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport what plans her Department has for providing further support for voluntary athletics officials; and if she will make a statement. [17942]

Mr. Caborn: The Government fully recognises the contribution of volunteers to the running of sport and the need to continue to invest in their training, recruitment and support. The Government's Plan for Sport provides that Sport England should be the national advocate of volunteering in sport in England and to provide support to national governing bodies of sport in the development and implementation of volunteering strategies. Key to these strategies will be the appointment by governing bodies of National Volunteer Managers to implement the strategies and Volunteer Co-ordinators at Regional and county level to provide support and raise the profile of volunteering.

A further recognition of the importance which the Government attach to volunteers in sport, particularly in ensuring that they are well trained, is the introduction of a £7 million training programme which the Department is currently developing. The programme will aim to build on existing schemes such as the Community Sports Leader and the Junior Sports Leader Awards run by the British Sports Trust and the Youth Sports Trust's Millennium Volunteers programme to provide training for up to 50,000 volunteers, of whom around 8,000 would be older people, to be coaches, administrators, officials, leaders and mentors. The programme will run for two years beginning in April 2002.

Resorts Task Force Group

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport (1) how often the resorts task force group has met since its creation; [17870]

(2) what work has been undertaken by the Resorts Task Force Group; and if she will make a statement. [17869]

Mr. Caborn: The Resorts Task Force was set up by the English Tourism Council (ETC) in response to the Government's tourism strategy "Tomorrow's Tourism", published in 1999, which highlighted the regeneration of our traditional resorts as one of its 15 key action points. The Task Force's remit was to suggest ways in which resorts could be repackaged for tourism purposes and to highlight examples of best practice in successful resort regeneration for tourism.

The group met five times and in the light of its advice the English Tourism Council's published its Sea Changes report in February 2001. The Government have welcomed the report and this Department has asked the ETC to consider how it can best be implemented and to what timescale. To that end, the ETC is working closely with the British Resorts Association and relevant tourism officers.

Tourism

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport what assessment she has made of the effect on tourism in the Buckingham constituency of *(a)* the foot and mouth disease outbreak and *(b)* the terrorist attacks on the United States on 11 September; and if she will make a statement. [17844]

Mr. Caborn: Our best estimate at this stage is that the revenue loss to the English tourism industry for March to October is likely to be around £3.3 billion in "value added" terms. We have not attempted to apportion an overall estimate to individual regions, such as the Buckingham constituency, or individual tourism destinations since the available data does not enable this to be done with a sufficient degree of reliability.

It is too early to predict with any accuracy what the effects of the terrorist attacks in the US are likely to be on UK tourism. Early indications are that there was a small drop in incoming tourists in September, but on the other hand a survey by the English Tourism Council found that nearly one million Britons have changed their plans from holidaying abroad to taking a trip in this country. Reports also suggest that the main impact of the drop in overseas tourists has been felt in London rather than in the regions.

Mr. Flight: To ask the Secretary of State for Culture, Media and Sport what assessment she has made as to the effect on tourism in Arundel and South Downs of *(a)* the foot and mouth disease outbreak and *(b)* the terrorist attacks on the United States on 11 September; and if she will make a statement. [18327]

Dr. Howells: Our best estimate at this stage is that the revenue loss to the English tourism industry for March to October is likely to be around £3.3 billion in "value added" terms. We have not attempted to apportion an overall estimate to individual regions, such as Arundel and South Downs, or individual tourism destinations since the available data do not enable this to be done with a sufficient degree of reliability.

It is too early to predict with any accuracy what the effects of the terrorist attacks in the US are likely to be on UK tourism. Early indications are that there was a small drop in incoming tourists in September, but on the other hand a survey by the English Tourism Council found that nearly one million Britons have changed their plans from holidaying abroad to taking a trip in this country. Reports also suggest that the main impact of the drop in overseas tourists has been felt in London rather than in the regions.

Dr. Murrison: To ask the Secretary of State for Culture, Media and Sport what the level of Government grant-in-aid was to the *(a)* English Tourism Council, *(b)* Welsh Tourist Board, *(c)* Scottish Tourist Board and *(d)* Northern Ireland Tourist Board per head of population in 2000–01. [18415]

Dr. Howells: Grant-in-aid available to each national tourist board in 2000–01 was as follows:

	GIA (£ million)	*Population (million)*	*GIA per head (£)*
English Tourism Council	11.0	49.6	0.22
Visit Scotland	25.9	5.1	5.08
Wales Tourist Board	15.4	2.9	5.31
Northern Ireland Tourist Board	13.9	1.7	8.18

Sport England

Mr. Reed: To ask the Secretary of State for Culture, Media and Sport what progress has been made on the Quinquennial Review of Sport England; and if she will make a statement. [18484]

Mr. Caborn: DCMS is currently engaged in the second stage of the quinquennial review of Sport England, in which we are looking at its strategic management function, its regional role, and the way in which it carries out partnership working and forges alliances. I expect the review to be completed early in the New Year, at which point I will discuss its findings with the new Chief Executive of Sport England and with Sport England's Council members, with a view to implementing the recommendations as promptly as possible.

Lottery Funds

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport (1) at the end of each financial year from establishment of the fund to the latest date for which figures are available, how much lottery money was held and not committed to projects by *(a)* the new opportunities fund, *(b)* the heritage lottery fund, *(c)* the Millennium Commission, *(d)* UK Sport, *(e)* Sport England, *(f)* the Community Fund, *(g)* the Arts Council of England and *(h)* the Film Council; [18167]

(2) what level of funds unallocated to good causes has been held by each of the lottery fund distributors in each of the past five years; what percentage of their total balance this represented in each year; and if she will make a statement; [17946]

(3) if she will list the amount of lottery money held and uncommitted that has been carried forward at the end of each financial year, from establishment of the fund to the latest date for which figures are available by *(a)* the New opportunities fund, *(b)* the heritage lottery fund, *(c)* the Millennium Commission, *(d)* UK Sport, *(e)* Sport England, *(f)* the Community Fund, *(g)* the Arts Council of England and *(h)* the Film Council. [18169]

Mr. Caborn: This information is not readily available and I will write to the hon. Member as soon as the statistics have been collated, placing copies of my letter in the Libraries of both Houses.

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport (1) what the average period was between a project being approved for lottery funding and first payment being made to the project, for each of the Lottery distribution bodies in the last 12 months, and if she will make a statement; [18245]

(2) what recent representations she has received concerning delays between the approval of projects by lottery distributors and the eventual transfer of funds; and if she will make a statement; [18246]

(3) what the average level of allocated, but unspent, funds has been for each of the lottery fund distributors at the end of the financial year in each of the last five years; and if she will make a statement; [18247]

(4) pursuant to her answer of 19 November 2001, *Official Report*, column 21W, on the National Lottery, how much money which is not committed to specific projects has been held by the National Lottery

Distribution Fund at the end of each financial year since the National Lottery's inception; what proportion of the NLDF's total balance at the end of each year this sum constituted; and if she will make a statement. [18244]

Mr. Caborn *[holding answer 26 November 2001]:* This information is not readily available. I will however, write to the hon. Member as soon as the statistics have been collated, placing copies of my letter in the Libraries of both Houses.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

13. **Ann McKechin:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's intentions for encouraging the involvement of the female population in a post-Taliban Government in Afghanistan. [15436]

Mr. Bradshaw: One of the most appalling features of the Taliban regime was their treatment of women.

We are working closely with the UN and a wide range of other interested parties to help the Afghan people establish a broadly based Government representative of all Afghans, including women. Afghan women are participating in the talks on the future of Afghanistan that begin in Bonn today.

It is also worth noting the very real improvements in the condition of women in those parts of Afghanistan that are no longer controlled by the Taliban.

15. **Hugh Robertson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his recent meeting with United Nations special envoy to Afghanistan, Lakhdar Brahimi. [15438]

Mr. Straw: I have held a number of meetings with Lakhdar Brahimi and saw his deputy, Francesc Vendrell, in Islamabad on 22 November, in each case to discuss the process of building a broad-based, multi-ethnic future for Afghanistan. I am sure the whole House will join me in paying tribute to Ambassador Brahimi's efforts, which have led to the meeting of Afghan groups taking place in Bonn today, and in hoping for a successful outcome.

18. **Mr. Crausby:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the prospects for Government in Afghanistan. [15441]

Mr. Bradshaw: The international community set out its vision for Afghanistan's future in UN Security Council Resolution 1378, adopted on 14 November. This Resolution sets out the UN's central role in the political process and establishing the essential conditions for stability, peace and security in Afghanistan.

21. **Mr. Rammell:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on developments in Afghanistan. [15444]

Mr. Bradshaw: The Taliban is being defeated across Afghanistan. Its rule has collapsed in all but two provinces. But we should remember our primary goals are to bring Osama bin Laden and al-Qaeda to account and to end international terrorism—the defeat of the Taliban is a step towards that.

The humanitarian situation is improving. An average of over 2,000 tonnes of food per day had been despatched since 4 November. This is four times the amount in October.

We welcome the efforts of Lakhdar Brahimi and the UN in convening today's meeting of Afghan factions in Bonn. We hope that the talks will mark the first step towards establishing the broadly based Government so vital to rebuilding the country.

26. **Dr. Cable:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the role of the UN in the future Government of Afghanistan. [15449]

Mr. Bradshaw: My right hon. Friend the Foreign Secretary and I welcome the new UN Security Council Resolution 1378 (2001), adopted unanimously on 14 November, which sets out the international community's vision for the future of Afghanistan. The resolution outlines the principles that should govern the formation of a new Administration and affirms that the UN should play a central role in supporting the efforts of the Afghan people to establish their new Government.

We also welcome the UN Secretary-General's nomination of the Administrator of UNDP, Mark Malloch Brown, to lead the early recovery effort in Afghanistan. We will continue to work closely with the UK on rebuilding Afghanistan.

34. **Mr. Russell Brown:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's intention to support a post-Taliban Government in Afghanistan. [15458]

Mr. Bradshaw: The UK fully supports UNSCR 1378 (2001) which expresses its strong support for the efforts of the Afghan people to establish a new and transitional administration leading to the formation of a government, both of which:

> should be broadly based, multi-ethnic and fully representative of all the Afghan people and committed to peace with Afghanistan's neighbours,
>
> should respect the human rights of all Afghan people, regardless of gender, ethnicity or religion,
>
> should respect Afghanistan's international obligations, including by co-operating fully in international efforts to combat terrorism and illicit drug trafficking within and from Afghanistan,
>
> and should facilitate the urgent delivery of humanitarian assistance and the orderly return of refugees and internally displaced persons, when the situation permits.

Barbara Follett: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department has received from Afghan women about their role in the future Government of Afghanistan. [15430]

Mr. Bradshaw: While we have received no specific representations from Afghani women, we are working closely with the UN Special Representative for Afghanistan, Lakhdar Brahimi, and a wide range of other interested Governments and parties to help the Afghan people establish a broad-based government representative of all Afghans, including women.

However, the form of that government and the process leading to its establishment must be up to the Afghan people themselves, with the support of the international community. As part of this process UN Security Council Resolution number 1378, unanimously adopted on 14 November, sets out a blueprint for such a government.

Middle East

14. **Helen Jackson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with Muslim regimes in the middle east about their response to terrorism. [15437]

Mr. Bradshaw: My right hon. Friend the Foreign Secretary has had recent discussions about the international community's response to terrorism with his counterparts from Egypt, Iran, Jordan, the Palestinian Authority, Saudi Arabia, Syria, Sudan, Tunisia and, most recently, a visit to Iran Pakistan and Bahrain on 22–23 November. Governments in the middle east, like to rest of international community, have condemned the 11 September attacks and made very clear their determination to combat terrorism.

19. **Mr. Jenkins:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his recent discussions to take forward negotiations between Israel and the Palestinian Authority. [15442]

Mr. Bradshaw: I refer my hon. Friend to the answer I gave earlier in the House today to my hon. Friend the Member for Wimbledon (Roger Casale), at column 827.

22. **Chris Grayling:** To ask the Secretary of State for Foreign and Commonwealth Affairs what action his Department is taking to ensure greater peace and stability in the middle east. [15445]

Mr. Bradshaw: I refer the hon. Member to the answer I gave earlier in the House today to my hon. Friend the Member for Wimbledon (Roger Casale), at column 827.

Greece

16. **Mr. Waterson:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next intends to meet the Foreign Minister of Greece to discuss bilateral relations. [15439]

Mr. Bradshaw: Both the Foreign Secretary and I frequently meet the Greek Minister for Foreign Affairs. The last full bilateral being on 4 October 2001.

Euro

17. **Rosemary McKenna:** To ask the Secretary of State for Foreign and Commonwealth Affairs how widely he circulated the leaflet published by his Department giving information to British travellers on the introduction of euro coins and notes from 1 January 2002. [15440]

Peter Hain: The Foreign and Commonwealth Office has distributed the leaflet on euro notes and coins widely, including to: airports, Eurostar, Stena P&O, the travel agency Trailfinders, Citizens Advice Bureaux, Members of Parliament in the UK and British MEPs, European Resource Centres, European Public Information Centres, Euro Regional Fora, British embassies in the European Union and EU embassies in London.

In addition, a number of leaflets have been sent directly to members of the public at their request. The leaflet is also available to download from the FCO and BAA websites.

World Cup

20. **David Wright:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Governments of Japan and Korea about the organisation and security of the FIFA world cup in 2002. [15443]

Mr. MacShane: Our representatives in Korea and Japan have been in close contact with the organising committees, stadia authorities, police and security authorities to provide advice and assistance. The Foreign Office has invited representatives to the UK to experience matches in the UK and look at how we handle security here. We have also held seminars in host countries on stadium security, crowd control and dealing with trouble-makers.

The Foreign Office has facilitated contacts between the Home Office, police and other relevant agencies and their Japanese and Korean counterparts.

Zimbabwe

23. **Mr. Fallon:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his policy towards Zimbabwe. [15446]

Mr. Bradshaw: We urge the Government of Zimbabwe to honour the commitments they made in Abuja on 6 September; to end violence and intimidation; to permit freedom of expression; to restore the rule of law to land reform. With the Commonwealth, Southern African Development Community and EU partners, we share the same ultimate objective: a stable, prosperous and democratic Zimbabwe.

24. **Mr. Chope:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the Secretary General of the Commonwealth to discuss the situation in Zimbabwe. [15447]

Mr. Bradshaw: My right hon. Friend the Foreign Secretary met the Commonwealth Secretary General in Abuja on 6 September. My noble Friend, Baroness Amos, accompanied the Commonwealth Secretary General to Zimbabwe during the Commonwealth Committee visit on 25–27 October.

EU Enlargement

25. **Dr. Desmond Turner:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made towards the enlargement of the EU. [15448]

38. **Mr. Tynan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made towards the enlargement of the EU. [15461]

Peter Hain: I refer my hon. Friends to the answer I gave earlier in the House today to the hon. Member for Carshalton and Wallington (Tom Brake), at column 828.

Iraq

28. **Mr. Dalyell:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of Iraq about *(a)* bombing and *(b)* sanctions. [15451]

Mr. Bradshaw: None.

EU Subsidiarity

29. **Sir Teddy Taylor:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in returning sovereignty to member states of the EU since the introduction of the subsidiarity provisions. [15452]

Peter Hain: Subsidiarity is not about returning powers to the member states. It is the principle which ensures that where the EC Treaty allows for action at both community and member state level, the most appropriate level is chosen each time action is required. Article 5 TEC and the Subsidiarity Protocol to the Amsterdam Treaty spell out how the principle is to be applied in practice.

Terrorism

30. **Mr. Jim Murphy:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about international diplomatic efforts against terrorism. [15454]

Mr. Bradshaw: The response of the international community to the appalling events of 11 September has been united and determined. The UN response has been swift.

Immediately following the attacks, the UN Security Council in Resolution 1368 said that it would hold accountable those indirectly and directly responsible; UNSCR 1373 followed this and obliged all countries to target terrorist finances and deny terrorist organisations a safe haven.

Following 11 September, the EU have prepared an action plan enhancing police and judicial co-operation, cutting funding of terrorists and improving air security. The G8 are working on a G8 Counter Terrorism Action Plan which will provide a solid basis for future counter-terrorism efforts.

Rough Diamonds

31. **Mr. Lammy:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of the Kimberley process and the implementation of an effective global certification scheme for rough diamonds. [15455]

Peter Hain: The Kimberley process is meeting in Botswana. On the final day of the meeting (29 November) Ministers and senior officials will, I hope, agree that the detailed proposals for a global certification scheme for rough diamonds, which have been developed over the last nine months by the process, are ready to be presented for endorsement by the UN General Assembly early next year.

Russia

32. **Helen Jones:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to foster good relations with Russia. [15456]

Peter Hain: Encouraging Russia's transformation into a reliable and predictable economic and political partner is a key UK foreign policy priority. Recent efforts to develop our relations have included visits to Moscow by my right hon. Friends the Prime Minister, Deputy Prime Minister, Foreign Secretary and Defence Secretary. My right hon. Friend the Prime Minister is in regular contact with President Putin.

We strongly welcome Russia's support for the fight against international terrorism. We believe we have an opportunity to reassess relations with Russia and to find new ways of working together. My right hon. Friend the Prime Minister has written to Lord Robertson and NATO leaders with ideas for a new partnership between Russia and NATO. We are also considering how to develop EU-Russia links.

Gibraltar

33. **Mr. Illsley:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his recent discussions with the Spanish Government over Gibraltar. [15457]

Peter Hain: The Government resumed talks with Spain under the Brussels Process in July. In accordance with the terms of the Brussels Communiqué issued in November 1984, the talks are aimed at overcoming all the differences between the UK and Spain over Gibraltar and at promoting co-operation on a mutually beneficial basis on economic, cultural, touristic, aviation, military and environmental matters. The Communiqué also establishes that issues of sovereignty will be discussed under the process.

A further round of talks was held in Barcelona on 20 November. A joint statement was issued copies of which are available in the Libraries of the House.

Mr. Baron: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with his Spanish counterpart concerning the sovereignty of Gibraltar. [15450]

Peter Hain: I refer the hon. Member to the answer given earlier in the House today by my right hon. Friend the Foreign Secretary to the hon. Member for East Worthing and Shoreham (Tim Loughton).

Nigeria

35. **Mr. Barnes:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with Nigeria. [15459]

Mr. Bradshaw: The bilateral relationship with Nigeria is excellent. We are supporting the reform programme of President Obasanjo. We have encouraged high-level exchanges under UK/bilateral forum and we offered practical support through development assistance. We welcome Nigeria's active role in regional and international matters, including its helpful role on Zimbabwe.

China

36. **Mr. Lloyd:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of China's commitment to the global campaign against terrorism. [15460]

Mr. Bradshaw: We welcome China's support for the international fight against terrorism. China is an important partner in this. My right hon. Friend the Prime Minister discussed this with Vice President Hu Jintao on 29 October during his visit to the UK.

Balkans

37. **Mr. Barron:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's recent actions in the regeneration of the Balkans. [15462]

Mr. MacShane: The United Kingdom has played a leading role in promoting political stability in the Balkans, which is key to regeneration. In support of this, we have made major military and civilian commitments to Macedonia, Kosovo and Bosnia, and have provided significant development assistance to these and other Balkan countries.

Israeli Exports

Richard Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has been made of Israel's responses to post-verification requests by the EU in respect of imports suspected to originate outside the internationally recognized borders of Israel. [15892]

Peter Hain *[holding answer 19 November 2001]:* The EU has concluded, from the responses to member state's post-verification requests and from continuing discussions with Israel, that there remains a requirement to address the issues underlying the rules of origin dispute. The EU returned to this issues at the 20 November association council, noting that it wanted to continue efforts to resolve the question with Israel.

Richard Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Israeli authorities have responded fully to EU post-verification requests for certificates of origins for goods alleged to be from illegal settlements; and if he will detail those responses. [15891]

Peter Hain *[holding answer 19 November 2001]:* Such requests are made by members states' Customs authorities in respect of individual cases of imports from a third country. Since April 2001 the UK has received 13 responses from Israel to requests for verification that the goods in question qualified for preferential treatment under the terms of the EU-Israel Association Agreement. In all but one of the cases Israel responded that the goods were originating products under the terms of the Agreement and thus qualified in Israel's view for preferential treatment. In the other case, the Israeli authorities were unable to validate the exporter's claim that the goods in question qualified for preferential treatment. The EU has made it clear, most recently at the 20 November association council, that it wants to pursue discussions with Israel to resolve this issue.

Richard Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs what mechanisms are available to the EU to review the operation of the EU-Israel Association Agreement. [15889]

Peter Hain *[holding answer 19 November 2001]:* The EU-Israel Association Agreement provides for regular review by the Ministerial-level Association Council, to which either party may refer disputes over its application or interpretation. Below the level of the Council the Association Committee operates at official level and has power, under the terms of the Agreement, to take decisions relating to its management.

Richard Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs what deadlines the EU has placed for full responses by the Israeli authorities to EU post-verification requests for certificates of origin for goods alleged to be from illegal settlements; what the deadlines are; and what actions are available to the EU in the event of full responses not being received. [18655]

Peter Hain: Requests for verification of goods are made by member states' Customs authorities in respect of individual cases of imports from a third country. According to the terms of the EU-Israel Association Agreement, the country requesting the verification should be informed of the results within a maximum period of 10 months. In the event of full responses not being received, further information may be requested, and if this does not satisfactorily resolve the issues, it may be referred to the Association Council under the terms of the Agreement.

Richard Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps were considered by EU foreign Ministers at the 19 November General Affairs Council to stop the import into the EU under preference of goods labelled as made in Israel but which originate in Israeli settlements in the occupied territories; what decisions were taken; and what the reasons for these decisions were. [18654]

Peter Hain: The 19 November General Affairs Council agreed that the EU should make it clear to Israel at the 20 November EU-Israel Association Council that it attached great importance to correct application of the Association Agreement and that it would do its best to find a sustainable solution to the rules of origin issue. It noted that, if the Association Council process was not able to find a solution, the EU would have to review its position, in accordance with the provisions of the Agreement. The two sides have agreed to pursue discussions on this issue.

Richard Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the results of the EU-Israeli Association Council held on 20 November in respect of the implementation of the EU Association Agreement. [18523]

Peter Hain: The EU side noted that work in many areas of the Association Agreement is proceeding satisfactorily. It underlined its commitment to resolve the rules of origin issue, noting that efforts so far had not succeeded. The EU further noted that, if the Council was unable to find a solution, the EU would have to review its position, in accordance with the provisions of the Association Agreement. Discussions with Israel will continue on this issue.

Richard Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs if he had made an assessment by the time of the EU-Israel Association Council of 20 November of Israel's responses to post verification requests by the EU in respect of imports suspected to originate outside the internationally recognised borders of Israel; and if he will give details of that assessment. [18657]

Peter Hain: The UK concluded that there remains a requirement to address the issues underlying the rules of origin question. This took into account the responses to the post-verification requests and continuing EU expert-level discussions with Israel. The EU has agreed to continue efforts to resolve the issue, as discussed with Israel at the 20 November Association Council.

Richard Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Israeli authorities responded fully to EU post-verification requests for certificates of origin for goods alleged to be from Israeli settlements by the time of the EU-Israel Association Council on 20 November; if he will give details of the responses received; and on what date they were received. [18656]

Peter Hain: Such requests are made by member states' Customs authorities in respect of individual cases of imports from a third country. Since April 2001 the UK has received thirteen responses from Israel to requests for verification that the goods in question qualified for preferential treatment under the terms of the EU-Israel Association Agreement. In all but one of the cases Israel provided a standard response that the goods were originating products under the terms of the Agreement and thus qualified in Israel's view for preferential treatment. In the other case the Israeli authorities were unable to validate the exporter's claim that the goods in question qualified for preferential treatment. Of the twelve responses which verified the origin of the goods, one was received on 4 April; three on 22 April; one on 24 April; three on 24 May; one on 5 June; one on 12 June; one on 15 August and one on 14 September. The other response was received on 5 June.

Chemical Weapons Convention

Ms Walley: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to formulate a co-ordinated strategy to ensure compliance with the Chemical Weapons Convention; and if he will make a statement. [16689]

Mr. Bradshaw: The Chemical Weapons Convention contains comprehensive compliance measures. These include the requirement to declare activities with scheduled chemicals, and of past chemical weapons production facilities and stockpiles; consultations; routine inspections of industrial and military facilities; and challenge inspections for alleged breaches of the Convention. The UK supports the implementation of these measures in the Executive Council of the Organisation for the Prohibition of Chemical Weapons (OPCW) and on a bilateral basis. The UK reviews declarations by other State Parties and, where appropriate, has bilateral consultations to clarify possible ambiguities and omissions with the country concerned in order to ensure full transparency. The UK also undertakes practice challenge inspections, and provides training and technical assistance to the OPCW. We continue to press for the universal adoption of the Convention.

Drugs Trade

Paul Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment he has made of the international effort to reduce the drugs trade in Colombia and Bolivia. [16892]

Mr. Bradshaw: Colombia remains the world's principal source of cocaine. The international community and the Government of Colombia are committed to tackling the drugs trade and reducing the violence and instability with which it is linked. We support the Colombian Government's aim of reducing the cultivation, processing and distribution of drugs by 50 per cent. over the next six years. The UK has also been at the forefront of international efforts to support the peace process in Colombia.

We welcome the considerable progress being made in tackling the drugs trade in Bolivia. The United Nations International Drug Control Programme estimates that illicit coca cultivation in Bolivia has been reduced from 48,600 hectares in 1995 to 14,800 hectares in 2000. This reduction is due to the Bolivian Government's own efforts and international support.

Mongolia

Mr. Luff: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps his Department is taking to encourage exchange of young professionals and students between the United Kingdom and Mongolia. [17460]

Mr. MacShane: The British Government have been running a successful programme of scholarships in Mongolia for a number of years. Since 1993, the Embassy administered-scheme has sent 44 Mongolians to the UK. Four places were awarded for the academic year 2001–02 at a cost of £105,000. We also co-fund six scholarships per annum with the Soros Foundation for Open Society and the Universities of Manchester and Essex.

We have provided funding for Raleigh International's three year programme of expeditions to Mongolia, which gave over 300 UK students the opportunity to work together with young Mongolians on a variety of projects. This ended in summer 2001.

Mr. Luff: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance his Department is providing for English language teaching in Mongolia. [17459]

Mr. MacShane: My Department has focused its English language teaching efforts on the Ministry of Foreign Affairs, since we judge that greater competence there has a valuable multiplier effect in enabling Mongolia to interact with the international community more effectively in a wide range of areas. We are supporting programmes in English for special purposes: communication and presentation skills; and interpreting skills.

We also provide support through our embassy for 10 Department for International Development-funded VSO volunteers working on English language teaching for secondary school teachers.

International Criminal Court

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the United States following the passage of the International Criminal Court Act 2001; what UN state parties have now ratified the International Criminal Court Convention; and which members of the Council of Europe have not ratified it. [17769]

Peter Hain: Since the passage of the International Criminal Court Act on 11 May 2001, the United Kingdom has continued regularly to use our wide bilateral contacts with the United States to explain that we believe US reservations about the ICC are unfounded, and to encourage the US to ratify the Rome Statute. In addition we have participated in European Union action to the same end. The presidency of the European Union wrote to the Secretary of State Powell on 30 October 2001, drawing his attention to the EU Common Position of full support for the early entry into the force of the ICC Statute. The letter expresses the hope that the US will change its mind on the ICC and will not, in the meantime, obstruct those states which support the court and wish to seek to accede to it.

The following 46 UN member states have, as at 22 November 2001, ratified or acceded to the Rome Statute of the International Criminal Court (ICC): Senegal, Trinidad and Tobago, San Marino, Italy, Fiji, Ghana, Norway, Belize, Tajikistan, Iceland, Venezuela, France, Belgium, Canada, Mali, Lesotho, New Zealand, Botswana, Luxembourg, Sierra Leone, Gabon, Spain, South Africa, Marshall Islands, Germany, Austria, Finland, Argentina, Dominica, Andorra, Paraguay, Croatia, Costa Rica, Antigua and Barbuda, Denmark, Sweden, Netherlands, Yugoslavia, Nigeria, Liechtenstein, Central African Republic, United Kingdom (on 4 October 2001), Switzerland, Peru, Nauru and Poland.

The following 23 member states of the Council of Europe have not ratified the Rome Statute of the ICC: Albania, Armenia, Azerbaijan, Bulgaria, Cyprus, Czech Republic, Estonia, Georgia, Greece, Hungary, Ireland, Latvia, Lithuania, Macedonia, Malta, Moldova, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Turkey, Ukraine. The following three applicant member states have not ratified: Belarus, Bosnia and Herzegovina and Monaco.

Scottish Executive

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 23 October 2001, *Official Report*, column 117W, on the Scottish Executive, at which Council of Ministers' meetings since May 1999 Scottish Executive Ministers have *(a)* been present and *(b)* spoken to the Ministers in formal session. [18182]

Peter Hain: *[holding answer 26 November 2001]:* The answer to *(a)* is given in the table.

Scottish Ministers speak at Council meetings whenever appropriate.

Scottish Ministers attendance at Council 1 July 1999—September 2001

Year/date	*Council*	*Minister*
1999		
24–25 September	Informal meeting of Ministers of Education (Finland)	Sam Galbraith
26 October	Fisheries Council (Luxembourg)	John Home Robertson
22 November	Fisheries Council (Brussels)	John Home Robertson
13 December	Environment Council (Brussels)	Sarah Boyack
14 December	Agriculture Council (Brussels)	Ross Finnie
16 December	Fisheries Council (Brussels)	John Home Robertson
2000		
17–18 March	Informal Council for Ministers of Lifelong Learning (Portugal)	Nicol Stephen
20 March	Agriculture Council (Brussels)	Ross Finnie
8 June	Education Council (Luxembourg)	Nicol Stephen
16 June	Fisheries Council (Luxembourg)	John Home Robertson
22 June	Environment Council (Brussels)	Sarah Boyack
17 November	Fisheries Council (Brussels)	Rhona Brankin
20 November	Agriculture Council (Brussels)	Ross Finnie
30 November	Justice and Home Affairs Council (Brussels)	Jim Wallace
14–15 December	Fisheries Council (Brussels)	Rhona Brankin
2001		
12 February	Education and Youth Council (Brussels)	Nicol Stephen
26 February	Agriculture Council (Brussels)	Ross Finnie
8 March	Environment Council (Brussels)	Sam Galbraith
24 April	Agriculture Council (Luxembourg)	Ross Finnie
25 April	Fisheries Council (Luxembourg)	Rhona Brankin
4 June	Health Council (Luxembourg)	Susan Deacon
18 June	Fisheries Council (Luxembourg)	Rhona Brankin
28 June	Transport Council (Luxembourg)	Sarah Boyack
13 July	Informal Council on Regional Policy (Namur)	Angus MacKay

Kosovo

Jim Knight: To ask the Secretary of State for Foreign and Commonwealth Affairs what the level is of the UK's civilian policing commitment to the United Nations Mission in Kosovo. [19090]

Peter Hain: The UK currently contributes 140 civilian police officers, mainly on secondment from the Police Service for Northern Ireland and the Ministry of Defence Police, to the United Nations Mission in Kosovo (UNMIK) international civilian police force. These officers are engaged in both operational duties to maintain civil law and order in Kosovo, and in duties related to the work of UNMIK's Criminal Investigation Unit in Pristina. UNMIK police officers, including those seconded from the UK, played a key role in ensuring that the Kosovo elections on 17 November were conducted peacefully.

On 6 December the UK will deploy 18 recently retired British police officers to Kosovo. The secondment of recently retired British police officers is a new initiative and will increase our commitment in Kosovo to 158 officers. This figure excludes Mr. Chris Albiston, the Police Commissioner in Kosovo, who is a serving Assistant Chief Constable on secondment from the Police Service for Northern Ireland. If this initial deployment of retired police officers proves successful there might be scope for the deployment of increased numbers of retired policemen to peacekeeping duties with the UN in Kosovo and elsewhere.

MI6

Norman Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs under what circumstances MI6 may decide that major decisions it takes need not be communicated to him; and what mechanism exists to ensure such decisions are in the public interest. [18536]

Mr. Straw: The Intelligence Services Act 1994 requires the explicit authority of the Secretary of State in respect of a wide range of major operations of the Secret Intelligence Service. There are therefore no circumstances in which major decisions by the Secret Intelligence Service would not be submitted to me or one of my Cabinet colleagues for approval, or of which I or they are not otherwise informed.

Lorry Drivers (France)

Mr. Martyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what *(a)* assessment he has made of and *(b)* representations he has received in relation to incidences of physical attacks on British lorry drivers at French ports. [17648]

Mr. Bradshaw: We have had no recent reports of physical attacks on British lorry drivers at French ports.

If incidents do occur we will take them up with the French authorities.

Czech Republic

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with his counterparts in the Czech Republic concerning the reasons behind the number of applications in the UK for asylum by Czech nationals; and if he will make a statement. [17417]

Peter Hain: My right hon. Friend the Secretary of State and I have had numerous contacts with our Czech counterparts in recent months. I issued a joint statement on 7 August with the Czech Foreign Minister expressing the commitment of both Governments to the highest standard of human rights for all our citizens and our shared concern that substantial numbers of Czech citizens continue to make unfounded asylum applications in the UK. The text of the statement is available on the FCO website at www.fco.gov.uk/news/newstext.asp?5215.

While there can be no justification for citizens of a NATO ally and strong EU applicant to seek protection in the UK, the two Governments recognise that the position of the Roma minority is a problem in the Czech Republic. The UK fully supports the efforts of the Czech Government to address this problem.

Bulgaria

Mr. David: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made with Bulgaria's EU accession negotiations. [17838]

Peter Hain: Bulgaria has opened 23, and closed 12, of the 31 chapters of the EU acquis under negotiation. The European Commission judged, in its progress report published on November 13, that Bulgaria had made some good progress on alignment with the acquis in key areas. But work was still needed on administrative and judicial reform, and in combating corruption. The UK will continue to provide advice and support to Bulgaria in meeting the accession criteria in these and other areas.

PRIME MINISTER

Energy Policy

Llew Smith: To ask the Prime Minister (1) what plans he has *(a)* to publish and *(b)* otherwise to distribute the PIU report on energy policy when he receives it; [17937]

(2) when she expects the Performance and Innovation Unit report on energy policy to be completed; and if Ministers will see the report before it is published. [17935]

The Prime Minister: I refer my hon. Friend to the answer that I gave the hon. Member for East Surrey (Mr. Ainsworth) on 12 November 2001, *Official Report*, column 546W.

Campaign Against Terrorism

Mr. Pope: To ask the Prime Minister what arrangements he has made for ministerial oversight of the campaign against terrorism. [18975]

The Prime Minister: I have established a Sub-Committee of the Defence and Overseas Policy Committee to oversee the Government's role in the international coalition against international terrorism.

Its membership and terms of reference are as follows:

Sub-Committee on International Terrorism

Composition:

Prime Minister

Deputy Prime Minister

Chancellor of the Exchequer

President of the Council

Secretary of State for Foreign and Commonwealth Affairs

Secretary of State for the Home Department

Secretary of State for International Development

Secretary of State for Defence

The Chief of the Defence Staff, the Attorney-General and the heads of the Intelligence Agencies also attend when required.

Terms of Reference

"To keep under review the Government's policy on international terrorism, in particular the political, military and humanitarian response to the attacks in the United States on 11 September and preventive security measures in the United Kingdom and overseas".

In addition, as part of this Sub-Committee, I have established a ministerial group, chaired by the Secretary of State for the Home Department, to keep under review policy on protective security.

Its membership and terms of reference are as follows:

Ministerial Group on Protective and Preventive Security

Composition:

Secretary of State for the Home Department (in the Chair)

Secretary of State for Foreign and Commonwealth Affairs

Secretary of State for Environment, Food and Rural Affairs

Secretary of State for Transport, Local Government and the Regions

Secretary of State for Health

Secretary of State for Northern Ireland

Secretary of State for Defence

Chief Secretary to the Treasury

Secretary of State for Trade and Industry

Minister of State, Home Office

The President of the Association of Chief Police Officers and the heads of the Intelligence Agencies will attend as required.

Terms of Reference:

"To keep under review the Government's policy on preventive and precautionary security measures to counter the threat of terrorism in the United Kingdom and to British interests overseas; and to report to the Sub-Committee on International Terrorism as appropriate".

Honours System

Mr. McNamara: To ask the Prime Minister what action has been taken to reform the UK honours system since 1997; and if he will make a statement. [18254]

The Prime Minister: Since 1997, the honours lists have recognised in particular the achievements of people in the key public sectors including education, health, law and order, and in voluntary service, nationally and in the community.

Workforce Development

Kevin Brennan: To ask the Prime Minister when the performance and innovation unit's report on Workforce Development will be published. [18382]

The Prime Minister: The performance and innovation unit's report "In Demand Adult Skills in the 21st Century" is published today as a report to the Government.

Copies have been placed in the House Library. Additional copies and further information can also be found on the Cabinet Office website at www.cabinet-office.gov.uk/innovation.

CHURCH COMMISSIONERS

Poverty

Mr. Gordon Prentice: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what recent assessment he has made of the extent of poverty amongst the clergy. [16896]

Mr. Bell: Responsibilities for clergy stipends have been transferred to the Ministry Division of the Archbishops' Council, which set up a review group to look at clergy stipends in 1999. As part of its work, the group conducted a survey of all clergy on the central payroll in 2000 in order to find out how clergy were managing financially. A copy of the survey results will be placed in the Library. The survey showed that one third of those households where the clergy stipend was the sole source of income either struggled to pay their bills or to provide extra things such as holidays.

HOUSE OF COMMONS

Early-day Motions

Mr. Andrew Turner: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what his latest estimate is of the cost of *(a)* printing and *(b)* administering early-day motions. [17642]

Mr. Kirkwood *[holding answer 23 November 2001]*: For the latest estimate of the cost of printing early-day motions I refer the hon. Member to the answer I gave to the hon. Member for Teignbridge (Richard Younger-Ross) on 3 July 2001, *Official Report*, column 91W. The cost of administering early-day motions, including such tasks as editorial preparation and control and electronic publication, is not separately identifiable.

HOME DEPARTMENT

Public Service Agreements

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on progress towards meeting the public service agreement target for the long run rate of growth of crime. [17310]

Mr. Denham: There is no Public Service Agreement (PSA) target on the long run rate of growth in crime as such. The PSA targets for crime set by Spending Review 2000 and progress on them are:

To reduce vehicle crime by 30 per cent. by 2004. Recorded vehicle crime fell by nine per cent. in the 12 months to March 2001.

To reduce burglary by 25 per cent., no local authority having a domestic burglary rate more than three times the national average by 2005. Recorded Domestic Burglary fell by nine per cent. in the 12 months to March 2001.

To reduce robbery in our principal cities by 14 per cent. by 2005—while recorded robbery rose by 13 per cent. in the 12 months to March 2001, these rates of increase were much slower than those recorded in the previous 12 months. The British Crime Survey, a more accurate measure of crime, shows that violent crime is actually falling overall (down 19 per cent. between 1999–2000).

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on progress towards the public service agreement target for drug action teams to name comprehensive programmes involving lifeskills in schools, the youth service, further education and the community. [17151]

Mr. Bob Ainsworth: The Home Department does not have a public service agreement (PSA) target for drug action teams to name comprehensive programmes involving lifeskills in schools, the youth service, further education and the community. The PSA relating to young people is to reduce the proportion of people under the age of 25 reporting the use of Class A drugs by 25 per cent. by 2005 and 50 per cent. by 2008.

However, the Government do believe that drug, alcohol and tobacco education is best delivered within a framework of personal, social and health education (PSHE). Good personal social and health education and citizenship education, when well delivered in schools, provides a vital foundation for the personal development of young people and prepares them for adult life. It can help to give pupils the knowledge, skills and understanding they need to lead confident, healthy, independent lives and to become informed, active and responsible citizens. Currently 93 per cent. of secondary schools and 75 per cent. of primaries now have a drug education policy compared with 86 per cent. of secondary schools and 61 per cent. of primaries in 1997. The target for 2002 is for all secondary schools and 80 per cent. of primaries to have effective programmes in place.

The role of Drug Action Teams (DATs) in this process is measured via the Young Peoples Substance Misuse Plans. These plans will help to integrate drug service provision with other existing children's services. The first of these plans will be submitted in March 2002. By 2004, in every DAT area there will be substance misuse education and information for all young people and their families; advice and support targeted at vulnerable groups; early identification of need; and tailored support to all who need it.

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on the public service agreement target of a reduction of 3 per cent. in the proportion of arrestees testing positive for *(a)* heroin, *(b)* cocaine and *(c)* crack. [17050]

Mr. Bob Ainsworth: We are in the process of reviewing progress against all drugs strategy targets.

The 2002 drugs strategy target, as set out in the United Kingdom Anti-Drugs Co-ordinator's Second National Plan, to achieve a reduction in the proportion of arrestees testing positive for Class A drugs, was taken forward in the Spending Review 2000 Service Delivery Agreement commitment to

> "achieve a reduction of three percentage points in the proportion of arrestees testing positive for heroin and/or cocaine and/or crack from the 1999–2000 half baseline".

The target is not to achieve separate reductions for individual drugs. It is one of several measures contributing towards delivery of the public service agreement target to reduce levels of repeat offending among drug misusing offenders by 25 per cent. by 2005 and by 50 per cent. by 2008.

The New English and Welsh Arrestee Drug Abuse Monitoring (NEW-ADAM) research programme provides estimates of the proportion of arrestees testing positive for each of a number of illicit drugs, including opiates/heroin and cocaine/crack. On the basis of data collected in eight sites in 1999–2000, we estimate that, 29 per cent. of arrestees testing positive for these drugs should be reduced to 26 per cent. by 2001–02, when the same eight sites are revisited. Data for 2001–02, are currently being collected. The findings will be available in the autumn of 2002.

Source:

Bennett, T, Holloway, K and Williams, T (2001) "Drug Use and Offending: summary results from the first year of the NEW-ADAM Research Programme", Research Findings 148.

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on progress towards the public service agreement target for the seizure of class A drugs. [17060]

Mr. Bob Ainsworth: The targets set to achieve the public service agreement to increase the proportion of class A drugs targeted on the United Kingdom which is seized are 4.5 metric tonnes of heroin and 7.0 metric tonnes of cocaine by March 2002. From April 2000 to the end of September 2001, one tonne of heroin and 2.3 tonnes of cocaine had been seized.

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on progress towards the Public Service Agreement target for increasing the amount of assets *(a)* identified from drug traffickers and *(b)* secured. [17074]

Mr. Bob Ainsworth: The public service agreement target was to increase the amount of assets identified from drug traffickers and secured by one third over a three year period. The target is measured in terms of receipts from the enforcement of confiscation orders in drug trafficking cases. The baseline was receipts of £9.5 million during the 1997–98 financial year. The milestone objectives that were set were receipts of £10.4 million in year one (1998–99), £11.5 million in year two (1999–2000) and £12.6 million in year three (2000–01).

The outcomes for years one and two were £10.5 million in 1998–99 and £9.3 million for 1999–2000. The outcome for 2000–01 is not yet available.

The Government have set a target of doubling amounts recovered from drug traffickers and other serious criminals by 2004. The baseline for this is receipts from confiscation and cash forfeiture orders of £29.4 million that were secured in 1999–2000. The Government's objective is to increase this to receipts of £60 million in the financial year 2004–05. This is to be achieved through the Asset Recovery Strategy, which I shall be publishing shortly, and the Proceeds of Crime Bill.

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on progress towards the public service agreement target for the rate of positive results from mandatory random drug tests. [17066]

Mr. Bob Ainsworth: The percentage of prisoners testing positive for random mandatory drug testing has reduced year by year from 18.3 per cent. in 1998–99, to reach 12.4 per cent. in 2000–01. The figure for the financial year 2001–02 to date is 11.6 per cent.

Mr. Bercow: To ask the Secretary of State for the Home Department (1) if he will make a statement on progress towards the 2002 target for the number of *(a)* face-to-face arrest referral schemes and *(b)* arrestees referred to and entering treatment programmes; [17054]

(2) if he will make a statement on progress towards the public service agreement target on the operation by police services of face-to-face referral schemes covering all custody suites. [17051]

Mr. Bob Ainsworth: The 2002 drugs strategy target, as set out in the United Kingdom Anti-Drugs Co-ordinator's First and Second National Plans, that all police services operate face-to-face arrest referral schemes covering all custody suites, was taken forward in the Spending Review 2000 Service Delivery Agreement commitment to make proactive arrest referral schemes available for all custody suites by 31 March 2002. This is one of several measures contributing towards delivery of the public service agreement (PSA) target to reduce levels of repeat offending among drug misusing offenders by 25 per cent. by 2005 and by 50 per cent. by 2008. As at the end of March 2001, 41 police forces were operating arrest referral schemes, with 330 arrest referral workers covering 86 per cent. of custody suites across England and Wales. The recently published Home Office Arrest Referral Statistical Update for the period October 2000 to March 2001 shows that arrest referral workers held 21,329 interviews in that period involving 19,190 individuals, 56 per cent. of whom were referred to a specialist treatment service. Of those referred to drug treatment, preliminary analyses based upon a sample of regions, suggest 15–25 per cent. make a treatment demand. This figure is provisional and subject to further validation.

We are currently reviewing progress against all the drugs strategy targets as part of the work for the 2002 Spending Review.

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on the public service agreement target for the number of offenders dealt with for supply offences in respect of Class A drugs. [17049]

Mr. Bob Ainsworth: The number of persons dealt with in Great Britain for supply offences (possession with intent to supply unlawfully, unlawful supply, and import/export) involving Class A drugs rose from 8,101 in 1998 to 9,517 in 1999. This represents an increase of 17.5 per cent., against a target set of 10 per cent. Data are not yet available for 2000.

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on progress towards the public service agreement target for increasing ethnic minority representation in the Home Office and its services. [16927]

Angela Eagle: In July 1999 the Home Secretary set recruitment targets for the Home Office and its agencies (Police, Prison, Probation and Fire services[1]). Most of the targets have to be met by 2009. All service areas showed progress from April 2000 to March 2001. The percentage of minority ethnic staff in the core Home Office and Immigration and Nationality Directorate in London and Croydon has risen from 24 per cent. in 2000 to 28.2 per cent. this year, against a target of 25 per cent. set for 2009. The Police, Prison and Fire services are all working towards a target of 7 per cent. minority ethnic staff by 2009. So far they have progressed as follows: (2000 figures in brackets): Police 3.1 per cent. (3 per cent.), Prison 3.7 per cent. (3.2 per cent.), Fire 1.6 per cent. (1.6 per cent.). The Probation Service has increased the percentage of minority ethnic staff in the organisation from 9.3 per cent. to 9.8 per cent. since 2000. Its target for 2009 is 8.3 per cent.

The Home Office and its services are working to achieve equal retention rates for white and minority ethnic staff. There is still work to be done, however and some key initiatives are being developed, for example exit interviews, support networks for minority ethnic staff and comprehensive diversity awareness training for management and staff.

The Home Secretary's progression targets are expressed in different ways for the different services. Essentially they require that, by 2009, the percentage of minority ethnic staff in each grade is the same as for white staff. For example, the percentage of Senior Probation Officers who are from minority ethnic groups rose from 5.6 per cent. to 8.0 per cent. last year. The first minority ethnic Chief Officer in the Probation Service was appointed.

The second annual report on targets was published on 14 November and is available in the Library.

[1] The Fire Service is no longer under the remit of the Home Office following the post General Election machinery of Government changes. Responsibility now rests with the Department for Transport, Local Government and the Regions.

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on progress towards the public service agreement target for the reduction of sexual offences. [16913]

Mr. Keith Bradley: There is no specific public service agreement to reduce sexual offences, but police figures show that the number of recorded sexual offences fell by 1.3 per cent. to 37,000 in 2000–01.

The Government have made it clear that they are committed to the reduction of all violent crime, including sexual offences, as a high priority. We have taken action to strengthen legislation for the protection of the vulnerable, in particular children, against sex offenders and to provide better management of sex offenders in the community and better information to the public on this. We have also conducted major reviews of sex offences and the registration requirements in the Sex Offenders Act 1997 with a view to further strengthening of the legislation.

Mr. Bercow: To ask the Secretary of State for the Home Department (1) if he will make a statement on progress towards the public service agreement target for reducing the conviction rate of children and young people; [17070]

(2) if he will make a statement on progress towards the public service agreement target for reducing offending by juveniles. [17048]

Mr. Denham: The relevant public service agreement target is to reduce the rate of reconviction of all young offenders by 5 per cent. against the predicted rate by 2004. The first rates are expected in spring 2002. They will cover juveniles reprimanded, warned or convicted in July 2000, shortly after most of the new youth justice interventions had been brought into operation across England and Wales.

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on the progress towards the public service agreement target for the support of police trials for drug recognition training and field impairment testing in respect of drug driving. [17052]

Mr. Bob Ainsworth: Successful trials of drug recognition techniques and field impairment testing were undertaken in 1999, following which a police training programme was launched last year. We understand from the Association of Chief Police Officers that 32 forces have now trained officers in these techniques.

While there is no specific target in respect of drug recognition techniques and field impairment testing, the Department for Transport, Local Government and the Regions supports developments in this area through continuing research to monitor the use of these techniques.

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on progress towards the public service agreement target for reducing the level of disorder. [17053]

Mr. Denham: The Government have introduced a range of measures to help tackle the problems of disorder and anti-social behaviour, such as the Anti-Social Behaviour Order, and we are encouraged by the increasing use of these by the police and local authorities. A public service agreement target for the reduction of disorder and anti-social behaviour will be set in April.

Police Officers (Ethnic Minorities)

Mr. Vaz: To ask the Secretary of State for the Home Department how many and what percentage of police officers in each authority are *(a)* black and *(b)* Asian, broken down by grade. [17207]

Mr. Denham: From information obtained from Her Majesty's Inspectorate of Constabulary, the tables show the number and percentage of black and Asian police officers by rank and force as at 31 March 2001.

Black/Asian officer strength by rank (as at 31 March 2001)

Number

	ACPO rank		*Superintendents*		*Chief Inspectors*		*Inspectors*		*Sergeants*		*Constables*	
Police force	*Black*	*Asian*	*Black*	*Asian*	*Black*	*Asian*	*Black*	*Asian*	*Black*	*Asian*	*Black*	*Asian*
Avon and Somerset	—	—	—	—	—	—	—	—	3	1	16	6
Bedfordshire	—	—	1	—	—	—	—	—	3	3	17	11
Cambridgeshire	—	—	—	—	—	—	—	—	3	—	9	5
Cheshire	—	—	—	—	—	—	—	—	—	1	2	1
City of London	—	—	—	—	—	—	1	—	—	1	7	4
Cleveland	—	—	—	—	—	—	—	1	—	1	1	11
Cumbria	—	—	—	—	—	—	—	1	—	1	—	1
Derbyshire	—	—	—	—	—	1	—	4	2	4	7	18
Devon and Cornwall	—	—	—	—	—	—	—	—	—	—	4	2
Dorset	—	—	—	—	—	—	—	—	1	—	1	—
Durham	—	—	—	—	—	—	—	—	—	—	4	5
Dyfed-Powys	—	—	—	—	—	—	—	—	—	—	2	3
Essex	—	—	—	—	1	—	1	1	2	1	8	3
Gloucestershire	—	—	—	—	—	—	—	—	—	—	3	6
Greater Manchester	—	—	—	—	—	—	—	5	7	7	56	51
Gwent	—	—	—	—	—	—	—	—	1	—	4	1
Hampshire	—	—	—	—	—	—	—	—	1	2	11	16
Hertfordshire	—	—	—	—	1	—	—	2	2	1	5	10
Humberside	—	—	—	—	—	—	—	—	1	—	2	3
Kent	—	—	—	—	—	—	—	1	2	—	8	17
Lancashire	—	—	—	—	—	—	—	—	1	4	10	23
Leicestershire	—	—	1	—	1	—	1	1	1	8	24	34
Lincolnshire	—	—	—	—	—	—	—	—	2	1	3	3
Merseyside	—	—	—	—	—	—	—	—	1	—	35	9
Metropolitan police	—	—	2	—	2	—	7	6	46	23	382	186
Norfolk	—	—	—	—	—	—	—	—	—	—	4	2
Northamptonshire	—	—	—	—	1	—	—	1	1	2	16	4
Northumbria	—	—	—	—	—	—	—	—	—	4	7	7
North Wales	—	—	—	—	—	—	—	—	—	2	1	—
North Yorkshire	—	—	—	—	—	1	—	—	—	1	1	2
Nottinghamshire	—	—	—	2	1	—	1	1	2	—	18	32
South Wales	—	—	—	1	—	—	—	2	—	1	16	8
South Yorkshire	—	—	—	—	—	—	2	—	4	5	26	34
Staffordshire	—	—	—	—	—	—	—	—	3	1	15	6
Suffolk	—	—	—	—	—	—	—	—	—	—	8	5
Surrey	—	—	—	—	—	—	—	—	2	2	11	9
Sussex	—	—	—	—	—	1	1	—	—	1	7	2

Black/Asian officer strength by rank (as at 31 March 2001)

Number

Police force	*ACPO rank*		*Superintendents*		*Chief Inspectors*		*Inspectors*		*Sergeants*		*Constables*	
	Black	*Asian*	*Black*	*Asian*	*Black*	*Asian*	*Black*	*Asian*	*Black*	*Asian*	*Black*	*Asian*
Thames Valley	—	—	—	—	—	—	—	1	5	4	32	28
Warwickshire	—	—	—	—	—	1	—	1	—	4	2	14
West Mercia	—	—	—	—	—	—	—	—	1	3	6	7
West Midlands	—	—	—	—	—	—	4	3	22	18	123	155
West Yorkshire	—	—	—	1	—	—	—	4	5	9	47	61
Wiltshire	—	—	1	—	—	—	1	—	1	—	3	3

Black/Asian officer percentage by rank (as at 31 March 2001)

Percentage

Police force	*ACPO rank*		*Superintendents*		*Chief Inspectors*		*Inspectors*		*Sergeants*		*Constables*	
	Black	*Asian*	*Black*	*Asian*	*Black*	*Asian*	*Black*	*Asian*	*Black*	*Asian*	*Black*	*Asian*
Avon and Somerset	—	—	—	—	—	—	—	—	0.7	0.2	0.7	0.3
Bedfordshire	—	—	7.7	—	—	—	—	—	2.1	2.1	2.1	1.4
Cambridgeshire	—	—	—	—	—	—	—	—	1.4	—	0.9	0.5
Cheshire	—	—	—	—	—	—	—	—	—	0.3	0.1	0.1
City of London	—	—	—	—	—	—	2.1	—	—	1.0	1.3	0.8
Cleveland	—	—	—	—	—	—	—	1.3	—	0.5	0.1	1.0
Cumbria	—	—	—	—	—	—	—	2.0	—	0.6	—	0.1
Derbyshire	—	—	—	—	—	4.2	—	4.6	0.7	1.4	0.5	1.3
Devon and Cornwall	—	—	—	—	—	—	—	—	—	—	0.2	0.1
Dorset	—	—	—	—	—	—	—	—	0.5	—	0.1	—
Durham	—	—	—	—	—	—	—	—	—	—	0.3	0.4
Dyfed-Powys	—	—	—	—	—	—	—	—	—	—	0.3	0.4
Essex	—	—	—	—	2.2	—	0.7	0.7	0.5	0.2	0.4	0.1
Gloucestershire	—	—	—	—	—	—	—	—	—	—	0.3	0.7
Greater Manchester	—	—	—	—	—	—	—	1.5	0.7	0.7	1.0	0.9
Gwent	—	—	—	—	—	—	—	—	0.5	—	0.4	0.1
Hampshire	—	—	—	—	—	—	—	—	0.2	0.4	0.4	0.6
Hertfordshire	—	—	—	—	3.3	—	—	1.9	0.7	0.4	0.3	0.7
Humberside	—	—	—	—	—	—	—	—	0.4	—	0.1	0.2
Kent	—	—	—	—	—	—	—	0.7	0.4	—	0.3	0.6
Lancashire	—	—	—	—	—	—	—	—	0.2	0.8	0.4	0.9
Leicestershire	—	—	5.9	—	5.0	—	1.1	1.1	0.4	3.0	1.5	2.1
Lincolnshire	—	—	—	—	—	—	—	—	1.1	0.5	0.3	0.3
Merseyside	—	—	—	—	—	—	—	—	0.2	—	1.1	0.3
Metropolitan police	—	—	1.0	—	0.6	—	0.6	0.5	1.1	0.6	2.0	1.0
Norfolk	—	—	—	—	—	—	—	—	—	—	0.4	0.2
Northamptonshire	—	—	—	—	11.1	—	—	1.9	0.6	1.2	1.7	0.4
Northumbria	—	—	—	—	—	—	—	—	—	0.7	0.2	0.2
North Wales	—	—	—	—	—	—	—	—	—	0.8	0.1	—
North Yorkshire	—	—	—	—	—	7.1	—	—	—	0.5	0.1	0.2
Nottinghamshire	—	—	—	10.0	3.9	—	0.8	0.8	0.6	—	1.0	1.8
South Wales	—	—	—	3.4	—	—	—	1.2	—	0.2	0.7	0.3
South Yorkshire	—	—	—	—	—	—	1.2	—	0.8	1.0	1.1	1.4
Staffordshire	—	—	—	—	—	—	—	—	0.9	0.3	0.9	0.4
Suffolk	—	—	—	—	—	—	—	—	—	—	0.9	0.6
Surrey	—	—	—	—	—	—	—	—	0.6	0.6	0.7	0.6
Sussex	—	—	—	—	—	2.6	0.6	—	0.0	0.2	0.3	0.1
Thames Valley	—	—	—	—	—	—	—	0.5	0.9	0.7	1.1	1.0
Warwickshire	—	—	—	—	—	11.1	—	2.3	—	3.2	0.3	1.9
West Mercia	—	—	—	—	—	—	—	—	0.3	1.0	0.4	0.5
West Midlands	—	—	—	—	—	—	1.3	1.0	2.2	1.8	2.1	2.6
West Yorkshire	—	—	—	1.8	—	—	—	1.7	0.8	1.4	1.2	1.6
Wiltshire	—	—	7.1	—	—	—	1.8	—	0.6	—	0.4	0.4

Regulation of Investigatory Powers

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on the cost to public funds of implementing the Regulation of Investigatory Powers Act 2000 in *(a)* 2000–01 and 2001–02. [16910]

Mr. Denham: There is no central record of the cost to public funds of implementing the Regulation of Investigatory Powers Act 2000. The bulk of costs, for example training those involved in convert investigative activity to ensure that their activities are compliant with part 2 falls on a variety of budgets in a number of authorities. There is nothing to suggest that the overall costs of implementing parts 1 and parts 3 will exceed the estimates provided in the regulatory impact assessments.

Drugs Services

Mr. Kidney: To ask the Secretary of State for the Home Department what assessment he has made of the performance of the agencies involved in getting money allocated for drugs services to front-line services, with particular reference to drug action teams. [16833]

Mr. Bob Ainsworth: Drug Action Teams (DATs) are key to the local delivery of the National Drugs Strategy. Agencies involved allocating money to front-line drugs services are all represented on the DAT at senior level: education, health, social services, police, prisons and probation.

As part of their performance assessment, DATs provide annual returns on their work over the previous year and their plans for the forthcoming 12 months. The most significant areas of expenditure fall on young people and treatment services, for which DATs provide strategic direction and take necessary spending decisions.

Our assessment of young people's drugs services indicate that between two thirds and three quarters of young people identified as needing support currently receive that support, but there is concern that many young people are not identified early enough. We have approved a regional programme of work which will highlight and disseminate good practice in the planning and commissioning of young people's drug services.

In respect of treatment, our assessment of treatment plans and information on future treatment capacity needs and waiting lists, all indicate that there is wide regional variation between access to services and the quality of treatment.

DATs are now being asked to deliver detailed plans for treatment services by January 2002. The National Treatment Agency (NTA), with Drugs Prevention Advisory Service and national health service partners, will assess allocations of money; the extent to which decisions are based on sound needs assessments; and the quality of services provided. Details of this process are being developed by the NTA.

Mr. Kidney: To ask the Secretary of State for the Home Department what the budgeted amount is for the pooled drug treatment plan allocation for England in the current financial year. [16832]

Mr. Bob Ainsworth: The budgeted amount for the pooled drug treatment plan allocation for England in the current financial year is £140 million.

Blasphemy Law

Dr. Julian Lewis: To ask the Secretary of State for the Home Department if it is his intention to abolish the law against blasphemy. [17030]

Angela Eagle: There are no immediate plans to abolish the law against blasphemy.

Religious Hatred and Blasphemy

Dr. Julian Lewis: To ask the Secretary of State for the Home Department what recent consultations his Department has had with religious leaders in respect of *(a)* proposals to outlaw the generation of religious hatred and *(b)* plans to abolish the law on blasphemy. [17031]

Angela Eagle: I have not formally consulted leaders of different faiths in regard to proposals to expand the law on incitement to racial hatred to cover religious hatred.

Internet Access (Children)

Miss McIntosh: To ask the Secretary of State for the Home Department what guidance he issues on the means by which a child's age may be proven when using the internet. [16861]

Mr. Keith Bradley: The Government have not issued such guidance. Proof of age, like proof of identity, can be achieved by using authentication services, such as certified digital signatures. However, the market in these products is not developing quickly and the Government are committed to identifying and removing barriers to the widespread take-up of authentication services by individuals and businesses users.

In the meantime the Government encourage parental supervision of children's use of the Internet combined with the use of filtering software to prevent children from being exposed to inappropriate internet content. To emphasise this the Government will launch a public awareness campaign on internet safety next month.

Sodexho

Dr. Tonge: To ask the Secretary of State for the Home Department if he will make a statement on the decision to award a contract to Sodexho to run two private female prisons. [16800]

Beverley Hughes *[holding answer 22 November 2001]:* No contracts for private prisons have been awarded to Sodexho. On 5 November, the Prison Service announced that UKDS, which is wholly owned by Sodexho Alliance, had been selected as the preferred bidder for a new prison for 450 females to be built as a Public Private Partnership (PPP) at Ashford, Middlesex and due to open in July 2003. UKDS was also announced as joint preferred bidder, with Premier Custodial Group, for a new prison for 480 males and 360 females to be built as a PPP at Peterborough and due to open in April 2004. A decision on the single preferred bidder for Peterborough is anticipated in early December. The award of preferred bidder is taken on the basis of best value for money.

Sentencing Advisory Panel

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on the cost to public funds in 2001–02 of the Sentencing Advisory Panel. [17321]

Mr. Keith Bradley: The cost to public funds of the Sentencing Advisory Panel from 1 April to 31 October 2001 was £103,624. The budget for the remainder of the financial year is £239,736, making a possible total of £343,000 in 2001–02. We cannot, however, predict at this stage what the actual cost will be.

Referral Order Panels

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on the cost to public funds of the pilots for referral order panels. [17322]

Mr. Denham: £1.2 million was spent on the referral order pilots in 2000–01. We expect that a similar amount will be spent in 2001–02.

Communities Against Drugs

Mr. Illsley: To ask the Secretary of State for the Home Department what the allocation of funding for Communities Against Drugs is for each of the three years from 2000–01. [17904]

Mr. Bob Ainsworth *[holding answer 26 November 2001]:* The Communities Against Drugs programme is a three-year programme which commenced in 2001–02. The funding allocated to the programme up until 2003–04 is given in the table.

	£ million
2001–02	50
2002–03	70
2003–04	100
Total	220

Aggravated Possession (Drugs)

Mr. Lidington: To ask the Secretary of State for the Home Department what his policy is towards the creation of a new offence of aggravated possession of prohibited drugs. [18365]

Mr. Bob Ainsworth: The Government have no plans to create such a new offence. Aggravating factors inform the decision by the police on how to proceed with an offence, and will also properly be considered by the courts when sentencing. Aggravated possession is already recognised to some extent by the separate offence of possession with intent to supply a controlled drug.

Community Development Foundation

Mr. McCabe: To ask the Secretary of State for the Home Department what the outcome is of Stage 1 of the quinquennial review of the Community Development Foundation. [19089]

Mr. Blunkett: The first part of the latest review has now finished and I have carefully considered the recommendations in line with the terms of guidance for reviewing non-departmental public bodies (NDPB), included in the Government's Modernising Government White Paper.

Compass Partnership, a firm of independent consultants, conducted the review and after focusing on the context within which the Community Development Foundation (CDF) works, reviewed its management arrangements, surveyed a sample of its external stakeholders and considered the alternative options for CDF. They also considered whether there was a need for the particular functions carried out by CDF as an NDPB to continue. The consultants have recommended that CDF should remain an NDPB, although with a broader remit which reflects the Government's agenda of community involvement, civil renewal and community development, including a number of reforms as to its way of working.

I am pleased to announce that I have broadly accepted the conclusions of stage 1 of the review, and I have given approval for the second stage of the review to commence. This stage will offer an opportunity to consider in more detail what changes to CDF's relationship with Government and the voluntary and community sector are necessary to achieve the expected outcomes.

A copy of the full report of stage 1 of the review will be placed in the Library.

The senior official responsible for the review is the Director of the Government's Active Community Unit based in the Home Office.

Asylum Seekers

Glenda Jackson: To ask the Secretary of State for the Home Department how NASS *(a)* monitors and *(b)* inspects the accommodation into which they place (i) asylum seekers and (ii) refugees; and if he will place the latest inspection report in the Library. [17716]

Angela Eagle *[holding answer 23 November 2001]:* The National Asylum Support Service (NASS) provides accommodation for asylum seekers. It is not responsible for providing accommodation to those who have been accepted as refugees. The NASS Housing Management Team conducts random inspections of properties throughout the country on a weekly basis. These inspections assess the quality of accommodation provided and highlight any maintenance issues requiring remedial action. The Contractor is required to take action within specified timescales and follow up inspections are undertaken to ensure that repairs have been completed satisfactorily.

The NASS Housing Management Team has close liaison with contract managers who undertake similar tasks, as well as ensuring that contractual obligations are met.

Apart from inspections conducted by its own staff NASS also commissions inspections of accommodation by third party consultants.

I am unable to provide details of inspection reports as these are commercially confidential.

Glenda Jackson: To ask the Secretary of State for the Home Department how many *(a)* asylum seekers and *(b)* refugees placed by NASS in accommodation outside the Greater London area have returned to the Greater London area within the past 12 months. [17715]

Angela Eagle *[holding answer 23 November 2001]:* The information requested is not available.

The National Asylum Support Service only supports asylum seekers. Refugees who require support can apply for support from social services.

Currently information linking the movements of NASS supported asylum seekers within the United Kingdom is not available.

Glenda Jackson: To ask the Secretary of State for the Home Department how many *(a)* asylum seekers and *(b)* refugees have been placed by the NASS in *(a)* private sector, *(b)* local authority and *(c)* housing association accommodation since April 2000, broken down by region. [17724]

Angela Eagle *[holding answer 23 November 2001]:* Information is not available in the form requested.

The National Asylum Support Service (NASS) only supports asylum seekers. Refugees who require support can apply for support from the Benefits Agency.

As at the end of July 2001, 28,810[1] asylum seekers including dependants were being supported in NASS accommodation. The regional breakdown is in the table.

Region	Asylum seekers supported in NASS accommodation as at end July 2001[1]
East of England	1,630
East Midlands	200
Greater London	680
North East	4,240
North West	6,190
Northern Ireland	50
Scotland	3,890
South Central	390
South West	540
Wales	370
West Midlands	4,410
Yorkshire and Humberside	6,230

[1] All figures are rounded to the nearest 10 and exclude cases that have had their support ceased

Information on the type of accommodation in which asylum seekers are housed is currently not available.

WORK AND PENSIONS

Benefits Agency

Hywel Williams: To ask the Secretary of State for Work and Pensions what training is given to Benefits Agency staff to deal with aggressive claimants. [11114]

Mr. Nicholas Brown: This is a matter for Alexis Cleveland, the Chief Executive of the Benefits Agency. She will write to the hon. Member.

Letter from Alexis Cleveland to Hywel Williams, dated 26 November 2001:

The Secretary of State for the Department for Work and Pensions (DWP) has asked me to reply to your recent Parliamentary Question asking what training is given to Benefits Agency (BA) staff to deal with aggressive claimants.

The BA has many procedures in place to support staff in their efforts to provide the required levels of service whilst safeguarding their own safety and preserving the security of the benefits systems. Each BA Specific training event within the Customer Service Portfolio delivered by DWP Training Services has been designed to underpin these important principles.

To deal with aggressive claimants, DWP Training Services deliver an event called, "Interviewing the Public (Including Potentially Violent People)". This event is mandatory for all new and job change staff who have fact to face contact with the public and is designed to provide staff with awareness and skills to handle potentially violent situations in a professional and safe manner.

I hope this is helpful.

Child Support Agency

Mr. Edwards: To ask the Secretary of State for Work and Pensions if he will explain the delay by the Child Support Agency in dealing with the case of Ms Elaine Lanchbury, a constituent. [12832]

Malcolm Wicks: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to my hon. Friend.

Letter from Doug Smith to Mr. Huw Edwards, dated 26 November 2001:

I am replying to your Parliamentary Question to the Secretary of State for Work and Pensions about your constituent Mrs. Elaine Lanchbury and the way the Child Support Agency has handled her case.

As individual cases are a confidential matter, I have written to you separately.

Mr. Edwards: To ask the Secretary of State for Work and Pensions if he will make a statement about the time taken to award contracts by the Child Support Agency for undertaking bailiff action. [12833]

Malcolm Wicks: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to my hon. Friend.

Letter from Doug Smith to Mr. Huw Edwards, dated 26 November 2001:

I am replying to your Parliamentary Question to the Secretary of State for Work and Pensions asking if he will make a statement about the delay in awarding contracts by the Child Support Agency for undertaking bailiff action.

Our previous contract came to an end on the 1 April 2001.

I was determined that the new contract would facilitate better support for my staff in seeking to enforce payment of monies legally due. I was therefore anxious that the team responsible visited all the bailiffs that were successful at the tender stage. This led to a slight delay in the award of contracts.

New contracts were awarded to three Bailiff Companies on the 1 May 2001.

I hope this is helpful.

Benefits Agency (Scottish Parliamentary Liaison Unit)

Angus Robertson: To ask the Secretary of State for Work and Pensions (1) how many cases have been referred by Members of the Scottish Parliament to the Scottish Parliamentary Liaison Unit of the Benefits Agency *(a)* directly and *(b)* indirectly; [18228]

(2) how many people are employed by the Scottish Parliamentary Liaison Unit of the UK Benefits Agency; and at what cost; [18229]

(3) how many Benefits Agency issues received by the Scottish Parliamentary Liaison Unit have been resolved by the Scottish Parliamentary Liaison Unit. [18230]

Mr. Nicholas Brown: This is a matter for Alexis Cleveland, Chief Executive of the Benefits Agency. She will write to the hon. Member.

Letter from Alexis Cleveland to Angus Robertson, dated 26 November 2001:

The Secretary of State for Work and Pensions has asked me to respond to your recent Parliamentary Questions asking how many cases have been referred by Members of the Scottish Parliament to the Scottish Parliamentary Liaison Unit of the Benefits Agency (a) directly and (b) indirectly, how many people are employed by the Scottish parliamentary Liaison Unit of the UK Benefits Agency; and at what cost so far. Also, how many Benefits Agency issues received by the Scottish Parliamentary Liaison Unit have been resolved by the Scottish Parliamentary Liaison Unit.

The Benefits Agency Scottish Parliamentary Relations Unit (SPRU) deals with all parliamentary correspondence of an operational nature from MPs, MSPs and MEPs relating to constituents in Scotland.

There are seven members of staff currently employed in SPRU. The unit was set up in August 1999 and has an average annual salary cost of £217,000.

Information on the number of draft replies to letters from MPs, which were originally referred to the MP by a Member of the Scottish Parliament, is not available and could only be obtained at disproportionate cost. SPRU has drafted 29 replies to letters directly from Members of the Scottish Parliament since 1 October 2000.

SPRU received 447 items of correspondence between 1 April 2001 and 31 October 2001. There were 50 items outstanding prior to this. Of the total 497 outstanding, 458 draft replies were completed in this period, and 39 items remained outstanding on 1 November 2001.

I hope this is helpful.

Incapacity Benefit

Mr. Boswell: To ask the Secretary of State for Work and Pensions if he will give updated quarterly figures on new claims for incapacity benefit and the total case load. [18539]

Mr. Nicholas Brown: Incapacity benefit caseload figures are contained in the Incapacity Benefit Quarterly Summary Statistics (May 2001), a copy of which is in the Library. The Incapacity Benefit Quarterly Summary Statistics (August 2001) will be published on 13 December 2001.

Note: New claims to Incapacity Benefit may not always result in an award of benefit.

Source: Central Data Unit 100 per cent. count of all new claims.

New Deal (Copeland)

Dr. Jack Cunningham: To ask the Secretary of State for Work and Pensions if he will make a statement on the impact of the New Deal for Young People in the Borough of Copeland in the year to September, giving the *(a)* number participating, *(b)* investment involved and *(c)* number who moved on to full-time employment. [17984]

Mr. Nicholas Brown: The available information is in the table.

Copeland constituency

Month	*Number of new deal for young people participants in the borough of Copeland*
August 2000	313
September 2000	295
October 2000	288
November 2000	275
December 2000	261
January 2001	257
February 2001	263
March 2001	268
April 2001	266
May 2001	266
June 2001	264
July 2001	259
August 2001	233

Notes:

Figures are for the end of each month and are the latest available. The figures are not cumulative.

Estimates of the cost of the programme are not available at constituency level.

The New Deal for Young People helped 261 people in Copeland move into work in the year up to the end of August 2001.

Source:

New Deal Evaluation Database.

Sickness-Related Benefits

Mr. David Stewart: To ask the Secretary of State for Work and Pensions what percentage of men of working age were claiming sickness-related benefits by constituency in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1990, *(e)* 2000 and *(f)* 2001. [17395]

Mr. Nicholas Brown: A copy of the available information has been placed in the Library.

Departmental Advertising

Mr. Willetts: To ask the Secretary of State for Work and Pensions what the final cost of each of his Department's advertising campaigns was in 2000–01, broken down into *(a)* advertising media and production and *(b)* other costs. [7899]

Mr. Nicholas Brown *[pursuant to the reply, 29 October 2001, c. 525W]:* The information is in the table:

£

	Advertising and media	*Other costs*
Targeting benefit fraud	5,747,000	402,252
National Benefit Fraud Hotline advertising	425,178	—
Minimum Income Guarantee	3,365,000	[1]176,000
Inherited SERPS	340,000	345,000
Winter Fuel Payments	616,000	294,000
Pensions Education[2]	[3]5,232,000	1,297,000
Bereavement Benefits	155,000	90,000
New Deal for Young People	558,201	951,728
New Deal 50+	2,175,367	63,793
New Deal Partners	99,445	67,310
Action Teams for Jobs	58,504	440
New Deal for Disabled People	31,372	240,387
New Deal for Lone Parents	2,292,000	295,000

[1] This includes £30,985 customer research into a new MIG claim form which straddled two financial years.

[2] In addition to the total of £6,529,062 (which was rounded to £6,530,000) £103,370 was spent on completing our previous pensions education activity (with a Monopoly theme) that preceded the new "Working Dogs" campaign, as well as some developmental work that was undertaken before the new working Dogs Campaign was launched.

[3] The overall Pensions Education marketing budget figure remains unchanged at £6,529,062 (which was rounded to £6,530,000). Within this total, the advertising media and production cost given previously has changed from £5,212,000 to £5,232,000. This takes account of some photography costs that were previously included as part of "other costs", but can be directly attributed to advertising.

Mr. Willetts: To ask the Secretary of State for Work and Pensions, pursuant to his answers of 29 October 2001, *Official Report*, column 525W, on departmental advertising and 31 October 2001, *Official Report*, column 749W, on the Disability Discrimination Act, for what reason the 'What Have You Got to Offer?' advertising campaign was not included in the table of departmental advertising campaigns for 2000–01. [15176]

Mr. Nicholas Brown: I refer to the pursuant answer given to the hon. Member today.

I regret that due to an oversight the information was omitted from the previous answer.

HEALTH

Written Consultations

Alistair Burt: To ask the Secretary of State for Health for what reason the consultation period for the discussion document "Involving Patients and the Public in Healthcare", was six weeks; what consideration was given to the Cabinet Office code of conduct on written consultations relating to minimum standard periods; and if he will make a statement. [13666]

Ms Blears *[holding answer 8 November 2001]:* Much of the content of "Involving Patients and the Public in Healthcare" had been the subject of full public debate both in the House and more widely for a number of months, not least during the passage of the Health and Social Care Act 2001. The purpose of the listening exercise was to seek the views of a wide range of stakeholders about how structures for patient and public involvement should operate in practice.

Although the period given for discussion was shortened, the listening exercise for the discussion document met the spirit and principles of the Cabinet Office guidance in every other respect.

We have received around 1,000 written responses to the listening exercise from members of the public, community health councils, National Health Service bodies, the voluntary sector and local government. In addition we have also commissioned a research company to conduct some research with people from socially excluded groups about their views on the proposed new structures.

We made our response available on 16 November—a copy will be placed in the Library.

Poultry Feed

Mr. Breed: To ask the Secretary of State for Health what proportion of poultry feed *(a)* deliveries and *(b)* movement in the United Kingdom was traceable in (i) 1998, (ii) 1999, (iii) 2000 and (iv) 2001; and if he will make a statement. [17101]

Ms Blears *[holding answer 23 November 2001]:* Figures on the traceability of deliveries and movement of animal feed in the form requested are not recorded. However, various European Commission measures on the labelling and composition of animal feed, implemented in the United Kingdom over the last few years, assist with traceability by requiring extensive labelling and for documentary records to be kept. Additionally, the vast majority of animal feed manufacturers in the United Kingdom operate under assurance schemes which cover manufacture, packaging, storage and supply and require records to be kept to permit traceability.

Parliamentary Questions

Mr. Jack: To ask the Secretary of State for Health when he will provide a substantive answer to PQ No. 11888 on scanners in acute hospitals in the north west region. [18369]

Jacqui Smith: A reply was sent to the right hon. Member on 26 November.

LORD CHANCELLOR'S DEPARTMENT

Oldest Legislation

Norman Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will list the 10 oldest pieces of legislation that are in force. [18367]

Ms Rosie Winterton: The 10 oldest pieces of legislation which were either wholly or partly in force as at 31 December 2000 are as listed.

1226 (10 Hen. 3) Stat. Doc. [English Laws and Customs][1]
1267 (52 Hen. 3) Stat. Marlb. c.1 Distress
1267 (52 Hen.3) Stat. Marlb. c.4 [Distress]
1267 (52 Hen.3) Stat. Marlb. c.15 [Distress]
1267 (52 Hen.3) Stat. Marlb. c.23 [Waste]
1275 (3 Edw. 1) Stat. Westm. prim. c. 5 [Freedom of Election]
1275 (3 Edw.1) Stat. Westm. prim. c. 50 [Saving for the Crown]
1285 (13 Edw.1) Stat. Westm.sec. c. 1 [Estates tail]
1285 (13 Edw.1) Stat. Westm.sec. c. 46 [Commons]
1290 (18 Edw.1) Stat. d'ni R. de t'ris, &c c. 1 [Restraint of subinfeudation]

[1] Irish Statute

Gravesend County Court

Mr. Pond: To ask the Parliamentary Secretary, Lord Chancellor's Department how many *(a)* liquidated and *(b)* unliquidated default summonses were issued by Gravesend county court in (i) 1999, (ii) 2000 and (iii) 2001. [18428]

Mr. Wills: Details concerning the identity of the issuer of a default claim are not collected centrally. Such information is held within the individual court records and could be provided only at disproportionate cost.

Mr. Pond: To ask the Parliamentary Secretary, Lord Chancellor's Department how many default summonses were issued by Gravesend county court *(a)* between 1 October 1998 and 31 March 1999, *(b)* between 1 April and 30 September 1999, *(c)* between 1 October 1999 and 31 March 2000, *(d)* between 1 April and 30 September 2000, *(e)* between 1 October 2000 and 31 March 2001, *(f)* between 1 April and 30 September 2001 and *(g)* since 1 October 2001. [18427]

Mr. Wills: Figures showing the number of default claims issued at Gravesend county court during the periods specified above are set out in the table.

Default claims issued in Gravesend county court

	Default claims issued
1 October 1998 to 31 March 1999	623
1 April 1999 to 30 September 1999	452
1 October 1999 to 31 March 2000	414
1 April 2000 to 30 September 2000	450
1 October 2000 to 31 March 2001	409
1 April 2001 to 30 September 2001	437
1—31 October 2001	98

Mr. Pond: To ask the Parliamentary Secretary, Lord Chancellor's Department how many cases were dealt with by Gravesend county court in each six month period beginning from January 1999. [18429]

Mr. Wills: Figures indicating how many small claims hearings were held at Gravesend county court during the specified periods are provided in the table.

Small claims hearings held at Gravesend county court

	Small claims hearings
January to June 1999	45
July to December 1999	34
January to June 2000	33
July to December 2000	35
January to June 2001	17
July to October 2001	21

Regulatory Impact Assessments

Mrs. Browning: To ask the Parliamentary Secretary, Lord Chancellor's Department what the gross costs were of the Regulatory Impact Assessment for the *(a)* Civil Procedure (Amendment) Rules 2001, *(b)* Land Registration Bill and *(c)* Commonhold and Leasehold Reform Bill. [17689]

Mr. Wills: These costs are shown in the published regulatory impact assessments which are in the House Libraries.

Civil Claims

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department what recent representations she has received on the inability of people to pursue civil claims because of the lack of public funding for the service; and if he will make a statement. [14671]

Ms Rosie Winterton: Neither the Department nor the Legal Services Commission is aware of any case, within the scope of the scheme, where an applicant has passed the statutory tests of means and merits but has been unable to get help because funds are not available.

Government Information

Mr. Robathan: To ask the Parliamentary Secretary, Lord Chancellor's Department on how many occasions the conclusions of the Parliamentary Commissioner for Administration on a question of disclosure of information under the Code of Practice on Access to Government Information have not been accepted by the Government in the last 10 years. [16866]

Mr. Wills: One.

Fair Trade

Mr. Weir: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the value of fairly traded *(a)* tea and *(b)* coffee used in his Department in each of the last five years. [17558]

Mr. Wills: We do not specify to our catering contractors in contractual terms what supplies must be purchased and contractors are required to provide a service which represents good value for money. We have been able to establish, however, that in the Court Service at least half of the catering contractors supply fairly traded tea and coffee although this is not always branded as such. We are unable to quantify the value.

Mr. Weir: To ask the Parliamentary Secretary, Lord Chancellor's Department what fairly traded products, other than tea and coffee, have been purchased by his Department in each of the last five years; and what was their value. [17559]

Mr. Wills: It has not been possible to identify the purchase of any fairly traded products, other than tea or coffee, either directly or indirectly through our third party suppliers, in the last five years. However, in accordance with the policy across Government, we will take every opportunity to encourage the use of Fair Trade products through our procurement activities and in particular during the course of the review of the arrangements for contracted catering services in the Court Service that is planned to take place during the next 12 months.

Jury Service

Mr. Lilley: To ask the Parliamentary Secretary, Lord Chancellor's Department how many people were *(a)* called for jury service and *(b)* served on juries in the most recent year for which figures are available. [17145]

Mr. Wills: For the period January to December this year, 579,033 summonses for jury service were issued, to supply around 187,000 potential jurors to the courts. There are no figures available on how many people actually served on juries. However, a recent Home Office research project confirmed that, in a sample of 50,000 people summoned for jury service in June and July 1999, only one-third was available to attend. About one-third of these had their service deferred until a later date. Of the remaining two-thirds, 13 per cent. were ineligible, disqualified or excused as of right, 38 per cent. were excused and 15 per cent. either failed to attend on the day or their summonses were returned as "undelivered".

Parliamentary Questions

Mr. Burns: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) what proportion of those named day parliamentary written questions to her Department that received a holding answer between 15 October and 5 November received the substantive answer *(a)* within three parliamentary days, *(b)* within seven parliamentary days, *(c)* within 10 parliamentary days, *(d)* within 15 parliamentary days and *(e)* over 15 parliamentary days after the holding answer was issued; [13320]

(2) how many named day parliamentary written questions were tabled to her Department between 15 October and 5 November; and what proportion of these have received holding answers. [13301]

Ms Rosie Winterton *[holding answer 16 November 2001]:* According to departmental records, 24 named day written questions were tabled to the Lord Chancellor's Department during the relevant period. Of these, 12 received holding answers. Of the 12 which received holding answers, six received a substantive answer within three parliamentary days, five received a substantive answer within seven parliamentary days and one received a substantive answer within 10 parliamentary days. None received a substantive answer beyond 10 parliamentary days from the holding answer.

Lay Magistracy

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will state the *(a)* cost in

2001–02, *(b)* objectives and *(c)* components of the national strategy to raise the profile of the lay magistracy and encourage recruitment from all parts of the community. [15031]

Mr. Wills: The proposals for the national strategy are being developed. My noble and learned Friend the Lord Chancellor hopes to be able to announce the details of the strategy early next year and it is not anticipated that there will be any costs incurred during 2001–02.

The objectives of the strategy will include: to raise the profile of the magistracy; to encourage more people to apply to be magistrates, from as wide a cross-section of the community as possible; and also to make employers understand the benefits to them, in terms of transferable skills, of releasing workers to be magistrates.

Public Service Agreements

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the public service agreement target for increasing public confidence in the fairness of the criminal justice system. [17063]

Mr. Keith Bradley: The Government have a comprehensive programme to improve the criminal justice system and thereby promote confidence. It will measure the confidence of the public generally in the following areas: the treatment of victims and witnesses; efficiency; speed and the treatment of defendants. We will also be measuring the confidence of ethnic minorities alone in these areas. Public confidence in the system also depends on the public's understanding of the system. Initiatives are under way to improve understanding and to demystify the system.

Magistrates (Huntingdon)

Mr. Djanogly: To ask the Parliamentary Secretary, Lord Chancellor's Department how many people applied to become magistrates in Huntingdon in each year from 1996; and how many were women. [17478]

Mr. Wills: The information sought is provided in the table.

Breakdown of applications to the Hungtingdonshire bench

Number

Year	*Men*	*Women*	*Total*
1996	1	3	4
1997	15	18	33
1998	5	2	7
1999	13	15	28
2000	9	5	14
2001	1	7	8

DEPUTY PRIME MINISTER

Parliamentary Ombudsman

Mr. Robathan: To ask the Deputy Prime Minister if he will make a statement on his responsibilities in respect of the Parliamentary Ombudsman. [17731]

Mr. Leslie: The Parliamentary Commission for Administration is an Officer of the House of Commons, appointed by Her Majesty the Queen, and independent of Government. He reports to Parliament.

As Parliamentary Secretary, Cabinet Office, I have responsibility for taking forward the Government's commitment to reform the Parliamentary Ombudsman and the other existing public sector ombudsmen moving towards a new unified and flexible ombudsman body; and for other general issues relating to the Parliamentary Ombudsman.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

GM Foodstuffs

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of *(a)* pigmeat, *(b)* sheepmeat and *(c)* beef products consumed in the UK was from animals reared on foodstuffs containing genetically modified ingredients in the last 12 months. [8290]

Margaret Beckett *[holding answer 18 October 2001]:* The Government do not keep statistics on meat and meat products consumed in the UK from animals reared on feed containing GM ingredients.

Foot and Mouth

Paddy Tipping: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list by county *(a)* the total amount, *(b)* the number of individual payments and *(c)* the highest and lowest payments made to farmers in respect of foot and mouth disease. [7653]

Mr. Morley *[holding answer 15 October 2001]:* The figures requested are shown in the table. The information on the counties relates to the address to which compensation has been paid; it may not be the address of the premises where the stock was culled.

Compensation paid for animals culled in foot and mouth epidemic

	Total amount paid (£)	*Total number of payments*	*Highest payment (£)*	*Lowest payment (£)*
Bedfordshire	[1]—	1	[1]—	[1]—
Berkshire	358,516.80	5	339,205.00	176.80
Buckinghamshire	[1]—	1	[1]—	[1]—
Cleveland	1,265,180.86	25	819,630.00	59.40
Cambridgeshire	[1]—	1	[1]—	[1]—
Cheshire	3,479,640.04	64	397,811.00	110.00
Cornwall	2,355,459.44	45	857,377.80	25.00
Cumbria	413,101,243.16	4,314	3,612,788.74	10.00
Derbyshire	1,563,537.55	40	481,150.00	120.80
Devon	99,721,600.80	1,309	3,271,847.50	9.00
Dorset	0.00	0	0.00	0.00
Durham	38,622,864.54	614	930,044.00	16.00
Essex	1,164,517.88	23	491,380.72	60.00
Gloucestershire	18,621,079.14	505	728,090.00	4.71
Hampshire	318,460.98	4	189,336.00	88.13
Isle of Wight	[1]—	1	[1]—	[1]—
Hereford and Worcester	29,467,357.48	519	1,193,186.00	6.00
Hertfordshire	0.00	0	0.00	0.00
Kent	1,422,856.36	17	347,220.00	1,882.00
Lancashire	44,343,985.76	343	1,218,555.00	10.00
Leicestershire	981,986.77	38	258,124.80	8.80
Lincolnshire	298,858.50	2	[1]—	[1]—
Merseyside	0.00	0	0.00	0.00
Greater London	265,868.80	6	93,550.00	56.00
Norfolk	0.00	0	0.00	0.00
Northamptonshire	428,455.70	12	197,163.00	350.00
Tyne and Wear	704,300.20	28	241,467.00	180.00
Northumberland	45,153,557.05	529	1,337,600.00	35.00
Nottinghamshire	312,483.00	10	115,095.00	150.00
Oxfordshire	79,651.36	4	46,101.50	135.00
Avon	2,309,301.98	32	592,670.00	27.00
Shropshire	10,667,962.15	174	748,201.60	11.98
Somerset	4,143,804.89	87	645,435.00	31.50
Stafford	7,459,392.92	190	783,310.00	35.00
Suffolk	207,840.50	3	157,574.50	14,965.00
Scilly Isles	0.00	0	0.00	0.00
Surrey	156,602.30	6	81,038.00	9.80
East Sussex	137,770.00	3	64,225.00	27,570.00
West Sussex	[1]—	1	[1]—	[1]—
Warwickshire	1,184,781.31	21	695,571.00	81.00
Greater Manchester	12,555.50	2	[1]—	[1]—
Wiltshire	333,946.83	26	138,086.47	56.16
West Midlands	234,076.50	5	148,445.00	130.00
South Yorkshire	18,124.00	2	[1]—	[1]—
West Yorkshire	3,754,328.57	33	738,685.00	764.00
North Yorkshire	123,412,102.97	1,053	2,190,020.00	23.00
Humberside	568,286.00	3	235,285.00	109,901.00
Powys	35,819,601.03	555	1,329,950.00	40.00
West Wales	380,071.45	12	74,258.00	2,672.00
North Wales	7,107,675.17	302	645,347.40	105.00
South Glamorgan	253,529.40	3	248,268.84	210.56

Compensation paid for animals culled in foot and mouth epidemic

	Total amount paid (£)	*Total number of payments*	*Highest payment (£)*	*Lowest payment (£)*
Mid Glamorgan	776,961.50	31	221,770.00	15.00
West Glamorgan	963,177.00	7	318,739.00	9,380.00
Gwent	10,737,131.53	178	705,029.75	50.00
Aberdeenshire	[1]—	1	[1]—	[1]—
Angus	0.00	0	0.00	0.00
Argyll	[1]—	1	[1]—	[1]—
Ayrshire	647,526.36	19	234,885.00	550.00
Banffshire	0.00	0	0.00	0.00
Berkwickshire	3,895,104.42	50	1,045,017.00	90.00
Arran/Bute	0.00	0	0.00	0.00
Caithness	2,696.00	2	[1]—	[1]—
Clackmannan	0.00	0	0.00	0.00
Dumfries	94,444,874.28	1,045	4,677,100.00	22.00
Dunbarton	0.00	0	0.00	0.00
East Lothian	37,158.00	2	[1]—	[1]—
Dundee and Fife	1,340.40	2	[1]—	[1]—
Inverness	29,889.00	3	17,027.00	1,946.00
Kincardineshire	0.00	0	0.00	0.00
Kinross	28,217.00	2	[1]—	[1]—
Galloway	32,990,979.13	335	1,306,280.00	72.00
Lanarkshire	783,007.96	10	283,600.00	1,860.96
Mid Lothian	[1]—	1	[1]—	[1]—
Moray	5,268.00	2	[1]—	[1]—
Nairn	[1]—	1	[1]—	[1]—
Orkney	0.00	0	0.00	0.00
Peebles	[1]—	1	[1]—	[1]—
Perth	[1]—	1	[1]—	[1]—
Renfrewshire	21,954.00	2	[1]—	[1]—
Western isles	163,237.00	4	133,604.00	150.00
Roxburghshire	15,181,075.21	130	3,235,910.00	75.00
Selkirkshire	643,001.65	8	229,860.00	2,115.00
Shetland	0.00	0	0.00	0.00
Stirlingshire	177,577.00	3	96,777.00	13,730.00
Sutherland	570,867.00	5	440,590.00	25.00
West Lothian	40,765.69	3	26,075.00	1,685.69
Wigtownshire	28,859,555.75	236	2,893,270.00	28.00

[1] Payment details have been omitted where the number of payments is so small that they could lead to the identification of individual payments

Mr. Roger Williams: To ask the Secretary of State for Environment, Food and Rural Affairs in how many infected premises in Powys in the foot and mouth outbreak samples from animals diagnosed as having foot and mouth disease were taken and tested in a laboratory for foot and mouth disease virus or antibodies; how many of those samples proved positive; and, where samples were not taken, what were the reasons for samples not being collected. [12759]

Mr. Morley: There have been 70 foot and mouth (FMD) infected premises recorded in Powys. Of the 63 premises where samples were taken for laboratory testing, 44 were considered positive for FMD. In the early stages of the outbreak laboratory resources were limited. In cases where clear clinical signs of FMD were observed and where disease had already been confirmed in the locality, it is possible that samples were not requested.

Note: A negative laboratory result does not mean that infection was absent. Each case is confirmed on the basis of a clinical diagnosis of FMD by the vet on farm, supported by convincing clinical evidence.

Paul Flynn: To ask the Secretary of State for Environment, Food and Rural Affairs how many compensation payments in the foot and mouth epidemic were *(a)* over £1 million, *(b)* between £500,000 and £1 million, *(c)* between £250,000 and £500,000 and *(d)* between £100,000 and £250,000. [15583]

Mr. Morley: As of 20 November, the following payments have been made:

(a) 41 payments over £1 million;

(b) 278 payments between £500,000 and £1 million;

(c) 832 payments between £250,000 and £500,000; and

(d) 1,633 payments between £100,000 and £250,000.

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs how many cases of fraudulent claims have been proven against farmers during the outbreak of foot and mouth disease. [15366]

Mr. Morley *[holding answer 16 November 2001]:* So far as claims made to the Department are concerned, a number are under investigation but none has so far been proven.

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list by county the number of cases of resistance by farmers to culling during the foot and mouth outbreak which led directly to a spread of the virus among livestock. [15036]

Mr. Morley: This information is not available. What is clear is that in some cases the disputes led to delays which in turn may have led to further spread of the disease. I refer to the comments made by my right hon.

Friend the Secretary of State during the Second Reading debate on the Animal Health Bill on 12 November 2001, *Official Report*, columns 577–78.

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs when she will publish the findings on the source of the outbreak of foot and mouth disease in the United Kingdom. [16717]

Mr. Morley: A report by the Chief Veterinary Officer will be published. This will be submitted to the independent inquiry, headed by Dr. Anderson, which is looking into the 'lessons to be learned' aspect of the outbreak. It will then be considered as part of the inquiry's overall work. The recommendations of the inquiry are expected to be published during summer 2002.

Patrick Mercer: To ask the Secretary of State for Environment, Food and Rural Affairs what recent progress her Department has made with the disposal of carcases infected with foot and mouth disease. [18021]

Mr. Morley: There have been no outbreaks of foot and mouth disease since 30 September so there have been no infected carcases since then for disposal.

Freedom of Information Act

Matthew Taylor: To ask the Secretary of State for Environment, Food and Rural Affairs on what date her Department established a working group of officials to prepare her Department for the implementation of the Freedom of Information Act 2000; and on what dates this committee has met since it was set up. [14771]

Mr. Morley: I refer the hon. Member to the answer given by my hon. Friend the Parliamentary Secretary, Lord Chancellor's Department (Mr. Wills) on 21 November 2001, *Official Report*, column 366W.

The Department for Environment, Food and Rural Affairs has established a working group to prepare for the implementation of the Freedom of Information Act 2000. So far the group has met three times, on 21 August 2001, 2 October 2001 and 13 November 2001.

Low Emission Fuels

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs when she last met representatives of the distribution industry to discuss the use of low emission fuels. [15524]

Margaret Beckett *[holding answer 16 November 2001]:* My colleagues the Secretaries of State for Transport, Local Government and the Regions and for Trade and Industry, as well as their respective Ministers, are in regular contact with representatives of the oil and motor industries to discuss the production, distribution and promotion of low emission fuels. My Department also has a keen interest in this area, because of the environmental benefits that cleaner fuels can offer. My ministerial colleagues and I are always prepared, in principle, to meet with representatives from relevant industries to discuss ways of reducing harmful emissions.

Landfill Directive

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on her plans for meeting the requirements of the Landfill Directive; and if she will make a statement. [15497]

Margaret Beckett *[holding answer 16 November 2001]:* Consultation on a set of draft regulations to implement the technical and regulatory requirements of the Landfill Directive in England and Wales closed on 26 October 2001. The Government will be laying regulations before Parliament shortly.

We have also consulted on a tradeable landfill permit scheme to implement the targets in Article 5 of the directive for the diversion of biodegradable municipal waste from landfill and will bring forward primary legislation to introduce such a scheme as soon as parliamentary time allows.

Belfast City Council

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs if she will meet representatives of Belfast city council to discuss sustainable development and procurement policies. [15527]

Margaret Beckett *[holding answer 16 November 2001]:* Government procurement has considerable potential to support sustainable development goals. A high level cross-Government group is being set up to consider how to generate greater action across Government and make recommendations to Ministers. Progress by Belfast city council, and others in the private and public sector in utilising procurement to support sustainable development goals will no doubt be of interest to this group.

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of Belfast city council's procurement and recycling policy. [16748]

Mr. Meacher: None. This is a devolved matter for the Northern Ireland Assembly.

Green Ministers

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs when she has met Green Ministers from other Government Departments since May. [15517]

Margaret Beckett *[holding answer 16 November 2001]:* My right hon. Friend the Minister for the Environment, in his role as chairman of ENV(G)—the ministerial sub-committee of Green Ministers—has met Green Ministers from other Departments once since May. The first meeting of ENV(G) took place on 25 October 2001. I have not met Ministers from other Departments specifically in their capacity as Green Ministers.

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what *(a)* plans and *(b)* targets she has agreed with Green Ministers for each of the next three years. [15518]

Margaret Beckett *[holding answer 16 November 2001]:* The Green Ministers' work programme was set out in "Greening Government: the second annual report of the Green Ministers Committee" published in November 2000. This report included a target for all Departments to contribute towards the Government estate target of a 1 per cent. per annum on-going reduction in greenhouse gas emissions from buildings.

Since publication of the report, Green Ministers have agreed cross-government targets for water usage and renewable energy as follows:

For offices in metered buildings where the Department is sole occupier or is billed the water services charges; all Departments should achieve a maximum level of water consumption equivalent to 11 cubic metres per person (fulltime equivalent staff) by 31 March 2002, and a further 30 per cent. reduction over the next two years, achieving a level of 7.7 cubic metres by 31 March 2004.

All Departments will ensure that, by 31 March 2003, at least 5 per cent. of their electricity comes from renewable sources that are exempt from the climate change levy, or from self-generation, provided this does not entail excessive cost. This will rise to at least 10 per cent. supply from such sources by 31 March 2008, but will be reviewed after 31 March 2003 to take account of market conditions following the introduction of the renewables obligation. The review of 2003 will include consideration of increasing or bringing forward the target.

Further plans for Green Ministers are set out in the third annual report on greening government published today.

Swine Fever

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs what standard operating procedures and contingency plans have been established by her Department based upon the experiences of the outbreak of swine fever in 2000. [15369]

Mr. Morley *[holding answer 16 November 2001]:* The amendment of operational instructions and contingency plans following the outbreak of swine fever in 2000 was interrupted by the outbreak of FMD in 2001. The action following both outbreaks will now be carried forward in parallel.

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs if she will publish her Department's contingency plan for combating future outbreaks of *(a)* foot and mouth disease and *(b)* swine fever. [16037]

Mr. Morley: The EU agreed foot and mouth contingency plan (updated in July 2000) was placed in the Library of the House in May 2001. It has also been published on the DEFRA website at: http://defraweb/animalh/diseases/control/contingency/index.htm.

A copy of the classical swine fever contingency plan (most recently updated in September 2001) has also been placed in the Library of the House. The swine fever contingency plan has not been published on the website but it is very similar to the foot and mouth disease plan. We will publish it on the newly developed "Disease surveillance and Control" area of the DEFRA website soon.

British Beef

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had with her French counterpart on the imposition of a ban on the import of British beef into France during November; if she intends to raise the matter at the forthcoming Council of European Ministers meeting; and if she will make a statement. [16033]

Mr. Morley: The UK is not directly affected by action taken by the French trade in respect of beef imports from other member states, since France still refuses to accept imports of British beef under the Date Based Export Scheme. The matter is now before the European Court of Justice, which is expected to rule on it shortly. At the meeting of the Agriculture Council on 20 November the European Commission reported that it was examining the compatibility with EU law of the action by the French trade.

BSE

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what targets she has set to remove the backlog of cattle due for slaughter under the over-30-month-scheme. [16393]

Mr. Morley: Waiting times for over-30-month scheme abattoirs vary across the country. Some are shorter than at this time in previous years. Now that the OTMS abattoirs are fully operational again farmers should not have to wait more than two to four weeks. At present no special measures are required. The Rural Payments Agency will continue to monitor waiting times and optimise slaughter capacity.

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs how many incidences of BSE there have been in the last 12 months in *(a)* the United Kingdom, *(b)* France and *(c)* Germany. [16718]

Mr. Morley: In the last 12 months there have been 1,138 cases of BSE in the United Kingdom, 145 in France and 129 in Germany. The figures for France and Germany are based on reports by the Commission. All the figures cover the period between 31 October 2000 and 31 October 2001.

Flood Defences

Patrick Mercer: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has for flood protection in the Newark area. [16259]

Mr. Morley: Operational responsibility for flood alleviation measures rests with the local operating authorities, namely the Environment Agency, Internal Drainage Boards and local councils. DEFRA provides grant for flood defence capital works, and associated studies, which meet essential technical, economic and environmental criteria and achieve an appropriate priority score.

I understand that the Environment Agency is considering the feasibility of capital works in the Brewers Wharf area of Newark, but has yet to make plans for the timing of any such works. The Agency will be developing a strategy for the River Trent within the next 12 to 18 months. The completed strategy will inform the agency's plans for flood management between Stoke on Trent and Newark. A similar strategy will be prepared for the tidal reach of the river in due course.

Mr. Swire: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment the Government have made of flood defence preparations for those properties most at risk in the United Kingdom; and if she will make a statement. [17278]

Mr. Morley: Flood defence is a fully devolved function and my Department has policy responsibility only for England.

Defences that were damaged in last year's floods have been repaired and reinstated so that communities are now at least as well defended as, and often better than, they were before the flooding. Work on long-term improvement to flood defences is under way using the increased funding that DEFRA has made available to the flood and coastal defence operating authorities, including provision for accelerating river flood defence works. Tried and tested arrangements remain in place for responding to flooding emergencies. The effectiveness of these arrangements were demonstrated by the response to last year's flooding which were underpinned by emergency exercises carried out in previous months, the requirement for which was contained in this Department's high level targets for flood and coastal defence.

My Department has commissioned independent research on those assets at risk from flooding and coastal erosion. The outcome was included in a report on "National assessment of assets at risk from Flooding and Coastal Erosion" in September. One output was a set of maps showing current flood defence standards. This report will inform the assessment by operating authorities of local flood risk.

Another of our high level targets requires operating authorities to carry out inspections of flood and coastal defences; the Environment Agency is required to collect these assessments into a national report which assesses flood risk. I will publish this report when complete.

My Department, in partnership with the Environment Agency, is establishing a national flood and coastal defence database which will contain information on defences and assets at risk of flooding and coastal erosion. The database will start to become operational in spring 2002 but full operability depends on completion of information gathering, validation and electronic recording for the vast number of flood and coastal defences.

Energy Efficiency (Government Departments)

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs what plans there are to improve the energy efficiency of Government Departments. [16745]

Mr. Meacher: I am replying as the Department has overall responsibility for reporting on the energy efficiency of the Government estate.

At the end of our 10-year campaign to improve energy consumption by 20 per cent., last year we set a target of reducing our CO_2 emissions by 1 per cent. against 1999–2000 levels. We will report on our first year's performance against this next year. We are also developing new realistic but challenging targets for reducing our energy consumption. These will be based on an assessment of the estate's performance against national standards, which will be available next year.

I expect to make an announcement about the estate's energy efficiency performance over the past decade shortly.

HFCs (Government Buildings)

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs how much money has been spent on HFC driven machinery in Government buildings in each of the last three years. [16739]

Mr. Morley: No central record is kept of plant and equipment installed in the Department. The Department is, though, well aware that in October 2000 regulations came into force which confirmed the total ban on the use of CFCs (Chloro Fluoro Carbons) and introduced a ban on HCFCs (Hydro Chloro Fluoro Carbons) in new equipment from 1 January 2001. New mediums have been introduced including HFCs (Hydro Fluoro Carbons). We modify our plant to accept this new medium when major maintenance work is undertaken or at other appropriate points in their life cycles. Our facility manager and design consultants are well aware of the regulations and specify new equipment accordingly.

Combined Heat and Power Strategy

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs when the consultation on the combined heat and power strategy will be completed; and when the final combined heat and power strategy will be *(a)* published and *(b)* implemented; and if she will make a statement. [16790]

Mr. Meacher: We will be issuing a draft Government strategy for consultation around the turn of the year. The statutory consultation will run for the full 12-week period with the final CHP strategy document to be published soon after that. A timetable for implementation of the key measures will be set out in the strategy subject to consultation.

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on Government plans to encourage the use of combined heat and power. [16738]

Mr. Meacher: The Department is developing, in close collaboration with DTI and other Departments, a draft CHP strategy, which will set out the measures needed to achieve the CHP target of at least 10,000 mega watts of Good Quality CHP by 2010. We aim to issue the strategy for consultation around the turn of the year.

Animal Welfare

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs how many letters she has received in 2001 on animal welfare from residents of the Buckingham constituency. [16907]

Mr. Morley: There are no statistics available on the amount of letters received by the Secretary of State from members of the public on a constituency basis. However, this Department has received 26 letters about animal welfare from residents of Buckinghamshire.

Farm Visits

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to visit the Buckingham constituency to meet farmers. [16901]

Margaret Beckett: I have no immediate plans to visit the hon. Member's constituency.

Meat Imports

Alistair Burt: To ask the Secretary of State for Environment, Food and Rural Affairs if she will estimate the amount of illegal meat imports which entered the UK in each of the last three years. [16948]

Mr. Morley: We have no reliable estimate of the amount of meat illegally imported into the UK.

Paul Flynn: To ask the Secretary of State for Environment, Food and Rural Affairs what her estimate is of the tonnage of meat that was imported into the UK *(a)* legally and *(b)* illegally in each of the last three years. [16889]

Mr. Morley: The table sets out the tonnage of all meat legally imported into the UK in the last three years for which figures are available. We have no reliable estimate of the amount of meat illegally imported.

UK imports of meat and meat products (1999–2000[1])

Year	*Tonnes*
1999	1,298,457
2000	1,444,371
2001[1]	976,771

[1] EU data: January to August, Non-EU data: January to September

Source:
HM Customs and Excise

Agricultural Wages Board

Hugh Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to reform the agricultural wages board. [16836]

Mr. Morley: Following a quinquennial review of the board's operation, the Government announced on 20 September 2000 their intention to keep the Agricultural Wages Board for a further five years. The announcement also confirmed that the Government would be considering detailed changes to modernise aspects of the board's operation.

Consideration is now being given to the use of a Regulatory Reform Order to streamline and modernise the regulatory framework under which the board operates. An essential part of this process is extensive consultation with interested parties. As a first step my noble Friend the Parliamentary Under-Secretary, Lord Whitty, will be meeting the chairman of the board and the leaders of the two sides.

Hunting

Mr. Clifton-Brown: To ask the Secretary of State for Environment, Food and Rural Affairs which areas of England and Wales can resume hunting and at what date; what precautions they must take; and what the timetable is for resumption of hunting in all other areas. [R] [16758]

Alun Michael *[holding answer 21 November 2001]:* Hunting (except the hunting of deer) will be able to resume in foot and mouth disease free counties of England and Wales from 17 December under a temporary system of permits issued by DEFRA local animal health offices. I published details of the system and the Veterinary Risk Assessment on 15 November and placed copies in the House of Commons Library . The list of foot and mouth disease free counties is updated weekly and can be viewed on the Department's website http://www.defra.gov.uk/. The Veterinary Risk Assessment is that hunting should be permissible in other areas once those areas also achieve foot and mouth disease free status.

Restrictions on hunting arise from the need to prevent further outbreaks of foot and mouth disease, which remains a central concern of the Government. We also want to enable the countryside to return to normal as quickly as possible. To keep the balance right we are allowing hunting to resume to the extent that is consistent with the Veterinary Risk Assessment and with conditions that reflect the assessment.

The precautions to be taken when different forms of hunting resume are outlined in proposed permit conditions, which have been placed in the Library of the House and are also available on the DEFRA website. I have invited interested parties to let us have any comments on the proposed permit conditions by 7 December. I have already met representative groups to explain the background and to discuss the arrangements.

Household Waste (Needles)

Mr. Luff: To ask the Secretary of State for Environment, Food and Rural Affairs what advice her Department issues to *(a)* local authorities and *(b)* other parties on the disposal of household waste including needles used by diabetics in landfill sites; and if she will make a statement. [17461]

Mr. Meacher: Where people regularly self-inject at home, used syringes should not be disposed of in the domestic waste. Disposal arrangements should be made with local hospitals, health centres, clinics, local authorities or pharmacists. Syringes disposed of via these routes will be incinerated rather than sent to landfill. Guidance on the safe disposal of clinical waste has been issued by the Health and Safety Commission. The Environment Agency has issued supplementary guidance on managing waste from healthcare activities.

Mr. Luff: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment her Department has made of the potential hazards to refuse collectors posed by the inclusion of needles used by diabetics in household refuse; and if she will make a statement. [17457]

Mr. Meacher: My Department has made no such assessment. Where people regularly self-inject at home, used syringes should not be disposed of in the domestic waste. Disposal arrangements for used syringes can be made with local hospitals, health centres, clinics, local authorities or pharmacists. Syringes disposed of via these routes will be incinerated rather than sent to landfill. Under the Control of Substances Hazardous to Human Health Regulations 1999, employers are required to assess and adequately control the risks to employees from clinical waste. Guidance on good practice is contained in the HSE publication "Safe Disposal of Clinical Waste".

Regulatory Impact Assessment Costs

Mrs. Browning: To ask the Secretary of State for Environment, Food and Rural Affairs what the gross costs were (1) of the regulatory impact assessment for *(a)* the Prohibition of Fishing with Multiple Trawls Order 2001, *(b)* the Specified Risk Material (Amendment) (England) Regulations 2000, *(c)* the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (England and Wales) (Amendment) Regulations 2000, *(d)* the Rendering (Fluid Treatment) (England) Order 2001, *(e)* the BSE Monitoring (England) Regulations 2001, *(f)* the Medicines (Products for Animal Use-Fees) (Amendment) Regulations 2001 and *(g)* the Animal By-Products (Amendment) (England) Order 2001; [17694]

(2) of the regulatory impact assessment for *(a)* the Air Quality Limits Values Regulations 2001, *(b)* the Fishing Vessels (Code of Practice for the Safety of Small Fishing Vessels) Regulations 2001, *(c)* the Climate Change Agreements (Eligible Facilities) Regulations 2001 and *(d)* the Biocidal Products Regulations 2001; [17692]

(3) of the regulatory impact assessment for *(a)* the Pet Travel Scheme (Pilot Arrangements) (England) (Amendment) Order 2001, *(b)* the Pig Industry Development Scheme 2000 (confirmation) Order 2001, *(c)* the Sea Fish (Specified Sea Area) (Regulation of Nets and Other Fishing Gear) Order 2001 and *(d)* the Home-Grown Cereals Authority Levy (Variation) Scheme (Approval) Order 2001. [17693]

Mr. Morley: These costs are shown in the published regulatory impact assessments which are in the House Libraries.

Livestock Markets

Matthew Green: To ask the Secretary of State for Environment, Food and Rural Affairs when livestock markets will reopen for the sale of *(a)* sheep and *(b)* cattle; and if she will make a statement. [17711]

Mr. Morley: Livestock markets in Scotland have reopened subject to strict conditions. The decision to reopen livestock markets for either sheep or cattle in England or Wales will be taken in the light of veterinary and scientific advice on progress towards eradicating the foot and mouth disease. It is hoped that it may be possible to open some markets in the early part of next year.

Matthew Green: To ask the Secretary of State for Environment, Food and Rural Affairs how many weeks after the last confirmed case of foot and mouth disease will livestock markets be reopened for the sale of *(a)* sheep and *(b)* cattle. [17572]

Mr. Morley: The decision to reopen livestock markets for sheep or cattle will be made in the light of scientific and veterinary advice on progress with eradication of foot and mouth disease. It is not possible to state a precise period which will need to elapse after the last case.

Matthew Green: To ask the Secretary of State for Environment, Food and Rural Affairs what contingency plans she has made for permanently closing livestock markets and compensating their owners. [17571]

Mr. Morley: There are no plans to close livestock markets permanently.

Matthew Green: To ask the Secretary of State for Environment, Food and Rural Affairs what notice period will be given for the re-opening of livestock markets for the sale of *(a)* sheep and *(b)* cattle. [17573]

Mr. Morley: In reaching a decision on the re-opening of livestock markets, account will be taken of the need to give farmers, auctioneers and other interested parties as much notice as possible.

Matthew Green: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the restrictions and regulations that will be in force on livestock markets when they re-open which were not in force prior to the outbreak of foot and mouth disease. [17574]

Mr. Morley: When livestock markets reopen strict biosecurity provisions will be laid down which individual markets will have to meet before they will be permitted to operate. These matters are under active discussion between the Department and representatives of the interested parties.

Animal Movements

Mr. Beith: To ask the Secretary of State for Environment, Food and Rural Affairs what restrictions her Department has kept in force in the movement under licence into Northumberland from Scotland of cattle not intended for slaughter; and what the reason is for these restrictions. [17228]

Mr. Morley *[holding answer 22 November 2001]:* With effect from 20 November 2001, Northumberland has been reclassified for the purposes of foot and mouth disease controls from 'High Risk' to 'At Risk'. This means that under the Animal Movements Licensing Scheme cattle may move into Northumberland from 'FMD Free' counties under a licence issued by a local authority subject to prior veterinary inspection. All counties in Scotland are designated as 'FMD Free'. The licence system is in place to minimise the risk of spreading FMD.

Farming Sub-tenants

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will take steps for protect security of tenure of farming sub-tenants following the case of Barratt *v.* Morgan; [16864]

(2) if she will introduce regulations to protect from eviction farming sub-tenants affected by the action of collective landlords and tenants following the case of Barrett *v.* Morgan. [16865]

Mr. Morley *[holding answer 22 November 2001]:* Following the House of Lords judgment in the Barrett *v.* Morgan case the then Ministry of Agriculture, Fisheries and Food consulted on whether the Lord Chancellor should be invited to use the powers available under the Agricultural Holdings Act 1986 to make regulations to protect the position of sub-tenants. The general consensus among the organisations consulted was that the Barrett *v.* Morgan judgment does not significantly further weaken the position of sub-tenants.

In the light of the responses received we decided not to ask the Lord Chancellor to make regulations.

If, following the Barrett *v.* Morgan ruling, it becomes apparent that collusion between landlords and tenants poses a serious threat to a significant number of sub-tenants we will review the decision not to regulate further.

Public Bodies

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list those public bodies (1) which are the responsibility of her Department and which are not listed in Public Bodies 2000; [17586]

(2) to which her Department appoints members and which are not listed in Public Bodies 2000. [17585]

Mr. Morley: Public Bodies 2000 sets out information on non-departmental public bodies (NDPBs), certain public corporations (including nationalised industries) and NHS bodies. There are four types of NDPB: executive NDPBs; advisory NDPBs; tribunal NDPBs; and boards of visitors to penal establishments. The next edition will be published around the end of the year. Information about task forces, annual reports and ad hoc advisory groups is set out in an annual report, published by the Cabinet Office and this publication may be accessed via the Cabinet Office's website http://www.official-documents.co.uk/document/caboff/pb00/pb00.htm.

Copies of the annual report on task forces and similar bodies have also been placed in the Library of the House and the annual report is being made available on the Cabinet Office's website.

Public bodies now the responsibility of my Department, which are not listed in Public Bodies 2000 are as follows:

Public Corporations

British Waterways Board

Executive NDPBs

Countryside Agency

English Nature

Environment Agency

Joint Nature Conservation Committee

National Forest Company

Advisory NDPBs

Advisory Committee on Business and the Environment

Advisory Committee on Consumer Products and the Environment

Advisory Committee on Hazardous Substances

Advisory Committee on Packaging

Advisory Committee on Releases to the Environment

Airborne Particles Expert Group

Committee on Products and Processes for Use in Public Water Supply

Darwin Advisory Committee

Expert Group on Cryptosporidium in Water Supplies

Expert Panel on Air Quality Standards

Independent Scientific Group on Cattle TB

Inland Waterways Amenity Advisory Council

National Expert Group on Transboundary Air Pollution

Pesticide Residues Committee

Radioactive Waste Management Advisory Committee

Royal Commission on Environmental Pollution

Sustainable Development Commission

Sustainable Development Education Panel

Veterinary Residues Committee

Water Regulations Advisory Committee

Zoos Forum

Tribunal NDPBs

Commons Commissioners.

Local Bodies

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list those local bodies which were set up under legislation which is the responsibility of her Department and its predecessors since May 1997. [17587]

Mr. Morley: No such local bodies have been set up since May 1997 under legislation which is the responsibility of my Department or its predecessors.

Veterinary Medicines

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs when the Veterinary Medicines Directorate intends to publish the minutes of the Advisory Group on Veterinary Residues (1995 to 2000). [16695]

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs if she will take steps to ensure that the minutes of the Veterinary Medicines Directorate's Advisory Group on Veterinary Medicines will be available under the Freedom of Information Act 2000; and if she will make a statement. [17099]

Mr. Morley *[holding answer 23 November 2001]:* The Veterinary Medicines Directorate has received representations about publishing the minutes of the Advisory Group on Veterinary Residues. Some of the deliberations of the Advisory Group involved consideration of confidential matters. The Veterinary Medicines Directorate is considering how the minutes might be released while maintaining confidentiality.

Devonport Royal Dockyard Ltd.

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs when she expects to make a decision on the application from Devonport Royal Dockyard Ltd. to increase the level of radioactive waste the company is permitted to discharge. [17336]

Mr. Meacher *[holding answer 23 November 2001]:* Under the Radioactive Substances Act 1993, in England and Wales, the Environment Agency has the responsibility for considering applications to dispose of radioactive waste. The Secretaries of State for Environment, Food and Rural Affairs and for Health have certain powers under the Act to decide applications themselves or to give directions to the agency. The Secretaries of State have received requests to use their statutory powers in relation to the application by Devonport Royal Dockyard Ltd. These requests are currently under consideration and a decision will be reached as soon as possible.

The Environment Agency has published its proposed decision on the application. This will not, however, be implemented before the Secretaries of State have decided whether to intervene.

Parliamentary Questions

Mr. Burstow: To ask the Secretary of State for Environment, Food and Rural Affairs when she will reply to WPQ numbers *(a)* 12430 and *(b)* 12431. [17828]

Mr. Meacher: I refer the hon. Member to the answers given to him on 19 November 2001, *Official Report*, columns 66–67W.

Bovine TB

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the action the Government are taking on bovine TB with special reference to the dairy herds in Herefordshire. [18080]

Mr. Morley: TB testing has resumed in those counties in England that have foot and mouth disease free status and where resource can be released from foot and mouth disease work. It has restarted in Herefordshire and is being prioritised based on veterinary risk assessment. Extra staff have been allocated to the work but it will take time to clear the backlog and get back to normal patterns of TB testing.

So far testing has not revealed any unusual incidence in the number of TB breakdowns in dairy herds in Herefordshire. However it must be borne in mind that during the last nine months reactors have only been revealed where tests have been carried out as a result of slaughterhouse cases or where LVI practices have managed to do some of the backlog of high priority testing.

Pesticide Residues

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs how many 250 g samples of withdrawal diet were obtained from the feeding system for poultry by category in the United Kingdom in (i) 1998, (ii) 1999, (iii) 2000 and (v) 2001; and what proportion was contaminated. [17100]

Mr. Morley *[holding answer 23 November 2001]:* Poultry feed is sampled as part of the Veterinary Medicines Directorate's (VMD's) Statutory National Surveillance Scheme, in accordance with the requirements of EU Directive 96/23. Samples of feed are tested for banned hormones β agonists and Annexe IV substances, which includes dimetridazole. Sampling is not restricted to withdrawal diet.

The results show that in 1998, 11.3 per cent.; in 1999, 0.4 per cent. and 2000, 2.6 per cent. of poultry feed samples contained residues of dimetridazole. Sampling so far in 2001 has found no residues of dimetridazole.

The results for 1998–2000 were fully reported in the relevant Annual Report on Surveillance for Veterinary Medicine Residues. Results for 2001 are reported in the VMD's MAVIS publication, which is regularly updated on the VMD website.

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer to the hon. Member for East Surrey (Mr. Ainsworth) of 29 October 2001, *Official Report*, columns 543–44W, if she will list the level and type of pesticides that tested above levels deemed safe for human consumption in *(a)* 1998, *(b)* 1999, *(c)* 2000 and *(d)* 2001 to date. [17301]

Mr. Morley *[holding answer 23 November 2001]:* Full details of all the samples containing residues above the Maximum Residue Level (MRL) and those where a consumer risk assessment indicated that intakes for certain consumer groups could exceed acceptable intakes are contained in the following reports:

1998: Working Party on Pesticide Residues (WPPR) Annual Report: PB 4546A and B.

1999: Working Party on Pesticide Residues (WPPR) Annual Report: PB 5181 A and B.

2000: Pesticide Residues Committee (PRC) Annual Report.

2001: the results for the first quarter were published in August this year. They are available on the PRC website, at www.pesticides.gov.uk/committees/PRC/prc.htm. The WPPR and PRC reports are also available on this website and copies are being placed in the Library of the House.

An MRL is not a consumer safety level as such. It is based on residue levels which result from the approved use of a pesticide (i.e. Good Agricultural Practice; GAP) and are set at a level which is as low as possible while accommodating the GAP. However, MRLs are always set on the basis of consumer risk assessments. MRLs are never higher and are generally much lower than the maximum residue concentration considered to be acceptable.

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer to the hon. Member for East Surrey (Mr. Ainsworth) of 29 October 2001, *Official Report*, columns 543–44W, what proportion of *(a)* vegetables, *(b)* fruit, *(c)* cereal products and *(d)* meat products available for consumption in the United Kingdom was sampled for pesticide residues in (i) 1998, (ii) 1999, (iii) 2000 and (iv) 2001 to date. [17300]

Mr. Morley *[holding answer 23 November 2001]:* Details of the samples analysed under the Pesticide Residues Committee surveillance programme are contained in the following reports:

1998: Working Party on Pesticide Residues (WPPR) Annual Report: PB 4546A and B.

1999: Working Party on Pesticide Residues (WPPR) Annual Report: PB 5181 A and B.

2000 Pesticide Residues Committee (PRC) Annual Report.

2001: the results for the first quarter were published in August this year.

They are available on the PRC website, at www.pesticides.gov.uk/committees/PRC/prc.htm. The WPPR and PRC reports are also available on this website and copies are being placed in the Library of the House. It is not possible to relate the samples collected to the proportion of UK foodstuffs consumed since the size of the consignment to which the test result relates is not recorded.

The safety of any pesticide residue in a foodstuff depends not only on its concentration in that foodstuff but also on the consumption of that food by different groups of consumers. Potential intakes of the same residues from other foodstuffs also have to be taken into account. Consumer risk assessments are conducted in relation to all samples tested where a residue is found exceeding the relevant MRL.

Full details of all samples containing residues above the MRL and those where a consumer risk assessment indicated that intakes for certain consumer groups could exceed acceptable levels are contained in the annual report of the Pesticide Residues Committee (PRC) for 2000, copies of which are available in the Library of the House, and in the first PRC quarterly report for the year 2001. Copies of these reports are available on the PRC website at www.pesticides.gov.uk/committees/PRC/prc.htm.

It is not possible to express these findings as a proportion of UK foodstuffs consumed since the size of the consignment to which the test samples relate is not recorded.

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer to the hon. Member for East Surrey (Mr. Ainsworth), on 29 October 2001, *Official Report*, columns 543–44W, what proportion of *(a)* vegetables, *(b)* fruit, *(c)* cereal product and *(d)* meat products available for consumption in the United Kingdom were found to contain pesticide residues above a level deemed safe for human consumption in the last 12 months. [17229]

Mr. Morley *[holding answer 23 November 2001]:* Controls on pesticide residues in food are based on a system of statutory maximum residue levels (MRLs). MRLs are set for particular pesticide active ingredients on particular foodstuffs. MRLs are not safety levels but are established on the basis of the approved use of the active substance. They are generally set at levels lower than is necessary for safety purposes to ensure that only the minimum necessary pesticide dose is applied.

The safety of any pesticide residue in a foodstuff depends not only on its concentration in that foodstuff but also on the consumption of that food by different groups of consumers. Potential intakes of the same residues from other foodstuffs also have to be taken into account. Consumer risk assessments are conducted in relation to all samples tested where a residue is found exceeding the relevant MRL.

Full details of all samples containing residues above the MRL and those where a consumer risk assessment indicated that intakes for certain consumer groups could exceed acceptable levels are contained in the annual report of the Pesticide Residues Committee (PRC) for 2000, copies of which are available in the Library of the House, and in the first PRC quarterly report for the year 2001. Copies of these reports are available on the PRC website at www.pesticides.gov.uk/committees/PRC/prc.htm.

It is not possible to express these findings as a proportion of UK foodstuffs consumed since the size of the consignment to which the test samples relate is not recorded.

Poultry (Medicinal Residues)

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of poultry in the United Kingdom were slaughtered before the end of the medication withdrawal period for *(a)* nicarbazin, *(b)* lasalocid and *(c)* dimetridazole in (i) 1998, (ii) 1999, (iii) 2000, (iv) 2001 and (v) November and December of (i), (ii) and (iii). [16972]

Mr. Morley *[holding answer 23 November 2001]:* DEFRA do not collect these statistics.

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what the permitted concentrations of *(a)* nicarbazin, *(b)* lasalocid and *(c)* dimetridazole residues in poultry are which were deemed safe for human consumption in the United Kingdom (i) 1998, (ii) 1999, (iii) 2000 and (iv) 2001; [16973]

(2) how many poultry samples by category were and what proportion of slaughtered poultry was found to contain residues of *(a)* nicarbazin, *(b)* lasalocid and *(c)* dimetridazole above the level deemed suitable for human consumption in the United Kingdom in (i) 1998, (ii) 1999, (iii) 2000 and (iv) 2001. [16974]

Mr. Morley *[holding answer 23 November 2001]:* The Joint FAO/WHO Expert Committee on Food Additives (JECFA) has set an Acceptable Daily Intake (ADI) for nicarbazin of 0–400 µg/kg of body weight—24,000 µg for a person weighing 60 kg. This represents the amount of nicarbazin that could be consumed every day over a lifetime without harm to human health. A single exposure over this amount would be unlikely to be harmful.

Lasalocid has an ADI of 10 µg/kg of body weight, 600 µg for a person weighing 60 kg. Again, a single exposure over this amount would be unlikely to be harmful.

Dimetridazole is not permitted for use in food producing animals. The advice of toxicologists is that it is not possible to identify a "safe" residue concentration.

Poultry are sampled as part of the Veterinary Medicines Directorate's (VMD's) Statutory National Surveillance Scheme, in accordance with the requirements of EC Directive 96/23. The sample numbers tested for nicarbazin, lasalocid and dimetridazole over the period are given in the table.

No samples of poultry have been found to contain residues of dimetridazole in the period. Residues of nicarbazin and lasalocid have been found in samples of UK poultry, but toxicologists' advice has confirmed that none posed a risk to consumer safety. The presence of nicarbazin in poultry products is a food contaminant issue, rather than a food safety issue.

The results for 1998–2000 were fully reported in the relevant Annual Report on Surveillance for Veterinary Medicine Residues.

Number of samples of different types of poultry tested for residues of veterinary medicines

Residue/poultry sampled	*1998*	*1999*	*2000*	*2001*[1]
Nicarbazin				
Broiler liver	229	192	186	210
Hen liver	23	23	19	20
Turkey liver	59	55	55	40
Duck liver	11	11	11	5
Lasalocid				
Broiler liver	236	176	197	210
Hen liver	26	24	21	20
Turkey liver	58	52	50	40
Duck liver	13	13	12	5
Dimetridazole				
Broiler liver	706	1,315	1,082	1,233
Hen liver	39	70	50	56
Turkey liver	155	265	205	234
Duck liver	16	32	26	55

[1] The 2001 figures are the number of samples that are planned to have been collected by the end of the year's programme

Poultry (Finisher Feed)

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of poultry was slaughtered in the United Kingdom before the withdrawal period for finisher feed was completed in November and December of *(a)* 1998, *(b)* 1999 and *(c)* 2000. [17103]

Mr. Morley *[holding answer 23 November 2001]:* DEFRA do not collect these statistics.

Ovine TSE

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs (1) how much funding was set aside to test for transmissible spongiform encephalopathies in sheep in *(a)* 1999–2000, *(b)* 2000–01 and *(c)* 2001–02; [16970]

(2) what proportion of funding for testing for transmissible spongiform encephalopathy in sheep for (i) 1999–2000, (ii) 2000–01 and (iii) 2001–02 related to scrapie. [16971]

Mr. Morley *[holding answers 23 November 2001]:* The cost of surveillance of TSEs, including scrapie, in sheep is as follows: (i) 1999–2000 £442,000; (ii) 2000–01 £205,000; and (iii) 2001–02 £212,000. Costs for 2001–02 are estimates only.

In the new year the Department will be launching an abattoir survey to test for TSEs, including scrapie, some 23,000 sheep aged over 18 months. This part of an EU-wide programme designed to give information on the incidence of scrapie and other TSEs in the European Union. The total cost will be around £5 million.

Ovine BSE

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 16 November 2001, *Official Report*, column 972W, what was *(a)* the number of scrapie-resistant sheep that were infected with BSE over the last 12 months, *(b)* the proportion of sheep deemed necessary for infectivity of BSE in sheep to be confirmed and *(c)* the proportion of sheep that have tested positive for TSEs in the last 12 months. [17303]

Mr. Morley *[holding answer 23 November 2001]:* The information is as follows:

(a) Because of the long incubation period of TSEs, experiments in progress pan more than one year. There are four experiments in progress in which sheep of genotypes fully resistant to scrapie (ARR/ARR) have been challenged with BSE. 60 sheep of this genotype are being used in these experiments, along with sheep of different genotypes which are partially or fully susceptible to scrapie.

(b) As the true prevalence of scrapie in sheep in the UK is unknown, various assumptions have been made to calculate how many sheep would need to be tested to determine whether BSE was present. On the assumption that the true number of scrapie cases per year is 5,000 and that 0.1 per cent. of the scrapie suspects might be BSE, the SEAC subgroup which examined surveillance requirements, and whose report was published in April 1999, estimated that 2,253 scrapie suspects would need to be tested to be certain of detecting at least one case of BSE.

(c) Between November 2000 and end of September 2001, 465 sheep scrapie suspects have bene tested at VLA. 284 were found to be positive for scrapie.

Correspondence Unit

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs how many members of staff work in the correspondence unit of her Department; and if she will make a statement. [17723]

Mr. Morley *[holding answer 23 November 2001]:* The Department's correspondence section is currently comprised of nine permanent staff and 10 temporary staff. The size of the section has increased substantially in recent months to deal with the sheer volume of letters received during the foot and mouth disease outbreak and since the creation of DEFRA.

Scrapie

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 16 November 2001, *Official Report*, column 972W, how many representations she has received *(a)* from stakeholders on the Animal Health Bill between its publication and 20 November and *(b)* on the Government's National Scrapie Plan between July 2000 and 20 November 2001. [17302]

Mr. Morley *[holding answer 23 November 2001]:* The Department had received approximately 10 written representations relating to the Animal Health Bill from stakeholders as at 20 November. This figure includes correspondence from both private individuals and organisations, and correspondence from MPs.

In addition I have held a number of meetings with stakeholders to discuss the Bill.

One hundred submissions were received from stakeholders in response to the original proposals on the National Scrapie Plan (NSP) published for consultation between 28 July and 31 October 2000. Thirty-one submissions were received in response to proposals to extend the NSP (and on issues relating to scrapie reporting) published for consultation between 9 October and 1 November 2001.

Agricultural Regulatory Licensing System

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to bring forward legislation *(a)* introducing a regulatory system of licensing for farmers wishing to grow crops or raise animals and *(b)* making it compulsory for farmers to purchase insurance against agricultural disaster such as disease; and if she will make a statement. [18206]

Mr. Morley: I have no such plans at this point but both these ideas are among the many options which the Government and the Policy Commission will need to consider to help build a sustainable, modern farming industry. No decisions will be taken before we have received the recommendations of the Policy Commission or without full consultation with all interested parties.

Contaminated Land

Mr. Jim Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs what recent measures she has taken to clean up contaminated land sites in England and Wales; if she will take steps to recover costs from companies responsible for contaminating land; and if she will make a statement. [16975]

Mr. Meacher *[holding answer 26 November 2001]:* In April 2000 the new contaminated land regime (under Part IIA of the Environmental Protection Act 1990) came into force in England. It places a duty on local authorities to inspect their areas for contaminated land. The enforcing authority will then establish the appropriate person(s) to bear the costs of remediation, decide on the remediation required, and ensure that it takes place, whether through agreement, or by serving a remediation notice on the appropriate person(s), or by doing the work and then recovering the costs.

In most cases the appropriate persons will be those who caused or knowingly permitted the contamination, but if they cannot be found liability passes to the current owner or occupier unless the problem is solely one of water pollution. There is provision for waiving or reducing liability in certain circumstances, including cases of hardship. In this way, the regime reflects the "polluter pays" principle. It is described in detail in DETR Circular 02/2000, "Contaminated Land".

The Department's Contaminated Land Supplementary Credit Approval programme provides assistance to local authorities for capital works such as site investigations, and remediation where they are themselves the appropriate person or are unable to recover costs from others.

In addition, there are various other powers to deal with contamination arising from a breach of a current licence or permit. These also follow the polluter pays principle.

Farmers (Scotland)

Mr. Peter Duncan: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list by region the amounts paid to farmers in Scotland for each of the *(a)* CAP and *(b)* UK schemes for which she is responsible, for the last five years. [18031]

Mr. Morley *[holding answer 26 November 2001]:* The Rural Payments Agency implements one scheme on behalf of Scottish Ministers with direct payments to farmers. This is the Slaughter Premium Scheme in respect of over-30-month animals only. The amounts paid, which are not available by region, were as follows:

Scheme	£
2000 Scheme Year Payments	1,371,756
2001 Scheme Year Payments[1]	283,426

[1] To date

Other schemes involving payment direct to Scottish farmers are the responsibility of, and are implemented by Scottish Ministers.

Common Agricultural Policy

Mr. McNamara: To ask the Secretary of State for Environment, Food and Rural Affairs what the Government's policy is on the reform of the Common Agricultural Policy; how these reforms will be beneficial to agriculture in *(a)* Northern Ireland, *(b)* Scotland and *(c)* Wales; whether the policy was agreed with the devolved Administrations; and how the United Kingdom's policy on reform of the CAP has changed since devolution. [17240]

Mr. Morley *[holding answer 26 November 2001]:* Successive United Kingdom Governments have long been committed to radical reform of the CAP in order to bring benefits to UK consumers, taxpayers and farmers. Next summer we expect the EU Commission to initiate the mid-term review of the CAP following the Agenda 2000 reforms.

The United Kingdom Government have not yet finalised their position on the mid-term review but have signalled their view that the Community should seize the opportunity for a radical reform covering: a switch from market distorting subsidies (pillar 1) to support for rural development and environmental schemes (pillar 2); abolition of milk quotas and compulsory set aside; and decoupling of livestock payments. We believe that these changes are necessary to deliver the type of modern, market-driven, environmentally sensitive agriculture which will benefit society as a whole and is in the long-term best interests of the agricultural industry itself. They will also help achieve the EU's wider objectives as regards the WTO negotiations and enlargement.

The Government are discussing their position on the mid-term review and their objectives for longer-term CAP reform with the devolved Administrations in Northern Ireland, Scotland and Wales. They will also take account of developments both in the industry and more widely. The United Kingdom's policy on the reform of the CAP has not, however, materially altered since devolution.

Animal Health Act

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the Government's use of the Animal Health Act 1981 to act against the importation of animal diseases. [18361]

Mr. Morley: Imports of live animals and the majority of animal products such as meat, fish, dairy products etc. are subject to EU rules implemented by national regulations made under the European Communities Act 1972. Some live animals and products requiring special authorisation before import, for example animal pathogens for research purposes, trade samples, and some live animals and products not subject to EU rules may only be imported in accordance with licences issued under the Animal Health Act 1981. The import conditions in these licences are designed to prevent the hazard of importing and spreading animal diseases.

Rural White Paper

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what progress has been made in implementing the Rural White Paper. [19267]

Alun Michael: Since publishing the Rural White Paper on 28 November 2000, we have taken decisive steps in delivering the plans we set out to develop and maintain a living, working, protected and vibrant countryside:

> We have provided substantial extra funding to boost basic local services, such as rural schools, policing, local post offices, child care and rural transport;
>
> To help local services we have extended mandatory 50 per cent. rate relief to include sole village public houses, petrol stations and village food shops;
>
> We are helping to rejuvenate over 100 market towns by funding projects to stimulate thriving rural economies;
>
> Earlier this month we published plans to improve the quality and effectiveness of town and parish councils as part of our commitment to give rural communities a stronger voice; and
>
> We have just published the first draft maps for the new rights of access for walkers.

Although alleviating the devastating effects of foot and mouth disease dominated our work for many months, a great deal has been accomplished. But there is still a lot more to be done. The creation of the Department for Environment, Food and Rural Affairs is bringing a new focus and drive to the Government's policies for rural England. Together with partners, we are working to deliver a better future for all those who live, work in and visit the countryside. We will be publishing a full progress report in December. Our key achievements include:

> increased funding for rural schools, including the £80 million per year (2001–02 to 2003–04) Small Schools Fund to help resource sharing, administrative support and adoption of new technology;
>
> an additional £15 million in 2000–01 and £30 million in 2001–02 and 2002–03 to tackle the extra cost of policing in rural areas; also the launch on the on-line Rural Crime Toolkit, drawing on examples of good practice in rural policing;
>
> a new £2 million fund, now open to applications, to support community-driven projects to refurbish and improve rural sub-post offices—one part of the Government's commitment to maintain a national post office network;
>
> help to establish 8,728 new child care places in the rural counties of Cornwall, Devon, Durham and Lincolnshire in 2000–01;
>
> increased investment in wider health and social services which is expected to be of particular benefit to people in rural areas—for example, the programme to establish 100 new primary care one-stop or mobile units, as well as 5,000 intermediate care beds, many in local facilities such as cottage hospitals by 2004. The NHS Direct service, now running throughout England, also offers a major benefit to people living in more remote and rural areas;
>
> £62 million to improve rural bus services in 2001–02, with a total of £239 million allocated over the next three years for new and improved rural travel services;
>
> the Housing Corporation exceeded their target of approving 800 affordable homes in rural settlements last year by more than 200 (1,003 approvals), and have increased their target for this year to 1,100 rising to 1,600 by 2003–04;
>
> new Countryside Agency grant schemes in operation: £15 million Community Service Grants fund to help safeguard or re-establish basic village facilities; £15 million Parish Transport Fund for small-scale, locally generated transport solutions; and £5 million Parish Plans Fund to help around 1,000 communities prepare their own village or town plans;
>
> new legislation, in force from August, extending 50 per cent. mandatory rate relief to village food shops and new small-scale, non-agricultural enterprises on farms. This is additional to extending 50 per cent. relief to sole village pubs and petrol stations in April;
>
> selection of over 100 towns to benefit from a £100 million market towns regeneration programme to which the Government have allocated £37 million. Changes have also been made to planning policy guidance on transport (PPG13) to emphasis the role of market towns as hubs for jobs and services;
>
> changes made to planning policy guidance on the countryside (PPG7) giving stronger support to farm diversification and clarifying guidance on best and most versatile (BMV) land;
>
> publication of a consultation paper on Quality Parish and Town Councils, seeking views on plans to give councils an enhanced role for their communities; and
>
> publication of the Countryside Agency's 'Policy Maker's Checklist' in April, to assist Government and their agencies "rural-proof" policies, now part of the Cabinet Office's rapid policy makers' checklist.

Livestock (Compensation)

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to increase the compensation payable to farmers for livestock they have been unable to move in the over-30-months scheme due to movement restrictions; and if she will make a statement. [12353]

Mr. Morley *[holding answer 5 November 2001]:* The Government have considered very carefully whether it would be appropriate to pay compensation for losses incurred on cattle which went beyond the 30-month age limit because of movement restrictions imposed during the earlier part of the foot and mouth disease (FMD) outbreak. We have conclude that it would not. Statutory compensation for losses incurred as a result of the FMD outbreak is only paid on animals which have been slaughtered as a result of FMD, or on property, including animals which have been seized and destroyed in order to prevent the spread of FMD. The Government do not compensate farmers, or businesses, for other, indirect losses.

Cleansing Services Group

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when she will make a decision on the holding of a public inquiry into the explosion at Cleansing Services Group Ltd. at Sandhurst, Gloucestershire; and if she will make a statement. [8209]

Mr. Meacher *[holding answer 18 November 2001]*: The Government fully understand the deep concerns of local residents about the incidents at the site and the calls for a public inquiry. We are considering this issue in the light of the latest progress report into the Environment Agency's and the Health and Safety Executive's joint investigation of the incidents and an announcement will be made as soon as possible.

Rural Housing

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of the population in local authorities defined as rural were assessed as being in priority need for housing in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000 and *(f)* 2001. [16539]

Ms Keeble: Summary information on activity under the statutory homelessness provisions of the Housing Act 1996 is reported to the Department by local authorities in England. This includes the number of households accepted as being eligible for assistance, unintentionally homeless and in priority need.

Local authorities also report the total number of households on their housing register/waiting lists (excluding existing tenants awaiting a transfer) as at 1 April on their annual Housing Investment Programme returns, and separately distinguish those deemed to be "in need".

These households, expressed as a percentage of all households in authorities categorised as either "mixed rural" or "deep rural", are as follows:

Households accepted as unintentionally homeless and in priority need as a percentage of the total number of households: rural authorities in England. Financial year totals

Year	*Percentage*
1996–97	0.35
1997–98	0.33
1998–99	0.32
1999–2000	0.32
2000–01	0.37

All households on local authority housing registers and classified as "in need" as a percentage of the total number of households: rural authorities in England as at 1 April

Year	*Percentage*
1996	3.1
1997	2.9
1998	2.9
1999	3.0
2000	3.0
2001	3.8

Note:

Mid-year household population estimates for 2000 and 2001 are not yet available; the estimate of 1999 has been applied in these years.

Source:

DTLR P1(E) housing activity and HIP returns.

ONS mid-year estimates of household population

Local authorities have different practices for compiling and managing their housing register/waiting lists which mean that comparisons between authorities can be misleading. Authorities' policies and practices may change, which can also affect comparisons over time.

TREASURY

Folkestone and Hythe

Mr. Howard: To ask the Chancellor of the Exchequer how many people aged 18 to 24 years were unemployed for more than six months in each year since May 1992 in the constituency of Folkestone and Hythe. [17734]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Michael Howard, dated 27 November 2001:

As National Statistician I have been asked to reply to your parliamentary question on the number of people aged 18 to 24 years who were unemployed for more than six months for each year since May 1992 in the constituency of Folkestone and Hythe. (17734)

The Office for National Statistics (ONS) compiles statistics for unemployment from surveys following the internationally standard International Labour Organisation definition. However, for the Folkestone and Hythe parliamentary constituency the survey sample size is too small to provide estimates. ONS also compiles statistics of claimants of unemployment-related benefits. the claimant count consists of all people claiming Jobseeker's Allowance or National Insurance credits at Employment Service local offices. They must declare that they are out of work, capable of, available for and actively seeking work during the week in which the claim is made.

Prior to January 1996 comparable figures for earlier years are not available on the same geographical basis. Information on computerised claims by age and duration for parliamentary constituencies from January 1996 were based on the ward boundaries of the 1991 census while figures before are based on the ward boundaries of the 1981 census and are available from June 1985 to January 1996.

The information requested is given in the attached table.

Claimants aged 18 to 24 claiming for six months or more in the Folkestone and Hythe parliamentary constituency for each May 1992 to May 2001[1]

Year	*Age 18–24*
May 1992	444
May 1993	617
May 1994	640
May 1995	595
May 1996	520
May 1997	314
May 1998	215
May 1999	73
May 2000	54
May 2001	33

[1] computerised claims only

Tax Credits and Benefits

Mr. Howard: To ask the Chancellor of the Exchequer how many people received *(a)* tax credits and *(b)* means-tested benefits in the constituency of Folkestone and Hythe for each year since April 1997. [17738]

Dawn Primarolo: The available information for Folkestone and Hythe is in the following table.

Recipients of (a) tax credits and (b) certain income related benefits in the Folkestone and Hythe constituency

	1997	1998	May 1999	2000	2001
Working Families Tax Credit (WFTC)/ Family Credit (FC)	1,100	1,300	1,000	1,800	2,200
Disabled Person's Tax Credit (DPTC)/Disability Working Allowance (DWA)	12	18	35	37	45
Income Support (IS)	6,900	6,800	6,900	7,100	7,200
Jobseeker's Allowance (income based) (JSA)	2,600	2,000	1,800	1,500	1,100
Total	10,600	10,100	9,800	10,400	10,600

Notes:

1. Apart from DPTC and DWA, the figures are based on a 5 per cent. sample. They are subject to sampling error and therefore shown to the nearest 100.
2. Recipients of WFTC/FC or DPTC/DWA who also receive IS or JSA are included only in the first two columns. This eliminates double counting in the total.
3. WFTC and DPTC replaced FC and DWA from October 1999.
4. DPTC and DWA figures are for April.

Sources:

Income Support Quarterly Statistical Enquiries May 1997-May 2000
Jobseeker's Allowance Quarterly Statistical Enquiries May 1997-May 2001
Working Families Tax Credit/Family Credit Quarterly Statistical Enquiries May 1997-May 2001
Disabled Person's Tax Credit/Disability Working Allowance Quarterly Statistical Enquiries April 1997-April 2001.

Housing benefit and council tax benefit figures are not available for the Folkestone and Hythe constituency but are available for the Shepway local authority.

Recipients of housing benefit and council tax benefit in Shepway

	Housing benefit	Council tax benefit
May 1997	7,900	9,640
May 1998	7,630	9,290
May 1999	7,460	9,030
May 2000	6,640	8,150
May 2001	6,260	7,740

Notes:

1. The data refer to benefit units, which can be single persons or couples.
2. The figures have been rounded to the nearest 10.

Source:

Housing Benefit and Council Tax Management Information System Quarterly 100 per cent. caseload stock.

National Insurance Contributions

Mr. Chope: To ask the Chancellor of the Exchequer when the Inland Revenue National Insurance Contributions Office will respond to the request made by Mr. Welch of Burton, Christchurch to be able to make self-employed national insurance contributions. [18653]

Dawn Primarolo: The National Insurance Contributions Office wrote to Mr. Welch on 21 November, and I am writing to the hon. Member about his constituent's concerns.

Barbara Follett: To ask the Chancellor of the Exchequer if he has completed his review of national insurance contributions for 2002–03. [18972]

Dawn Primarolo: I have completed the annual review under section 141 of the Social Security Administration Act 1992. I propose the following changes to take effect from 6 April 2002. These rates and limits will also apply to Northern Ireland National Insurance Contributions.

Employers and Employees

In line with the Social Security Contributions and Benefits Act 1992, the Lower Earnings Limit for primary Class 1 contributions is to be raised to £75 a week. It is set at the level of the basic Retirement Pension for a single person from April 2002 and rounded down to the nearest pound.

The Primary and Secondary Thresholds for Class 1 contributions will continue to be aligned with the weekly amounts of the income tax personal allowance at £89 a week. This means that no tax or Class 1 contributions will actually be paid on earnings below this level. The Upper Earnings Limit for primary Class 1 contributions will be raised to £585.

The rate of secondary Class 1 contributions payable by all employers is to be reduced by 0.1 per cent. from 11.9 per cent. to 11.8 per cent. This is to ensure that the overall effect on industry from the introduction of the Aggregates Levy will be revenue neutral.

The self-employed

The rate of Class 2 contributions will remain at £2 a week.

Self-employed people with earnings below the annual Small Earnings Exception can apply to be exempted from paying Class 2 contributions. This limit will be raised by £70 to £4,025.

The annual lower and upper profits limits for liability to Class 4 contributions will be raised respectively by £80 to £4,615 (in line with the income tax personal allowance) and by £520 to £30,420, to maintain the link with employees' earnings liable to Class 1 contributions.

Class 3

The rate of Class 3 voluntary contributions will be increased by 10 pence to £6.85 a week.

The special rate of Class 2 contributions for share fishermen, which allows them to build entitlement to contributory Jobseeker's Allowance in addition to the other contributory benefits available to the self-employed, will continue to be £2.65 a week.

Volunteer Development Workers

The special rate of Class 2 contributions for volunteer development workers, which entitles them to the full range of contributory benefits, will be increased by 15 pence to £3.75 in line with the statutory formula of 5 per cent. of the primary Class 1 Lower Earnings Limit.

Treasury Grant

I need to ensure that the Fund can maintain a prudent working balance throughout the coming year. In accordance with section 2(2) of the Social Security Act 1993, I propose to do so by prescribing that the maximum Treasury Grant which may be made available to the fund in 2002–03 shall not exceed 2 per cent. of the estimated benefit expenditure for that year. Similar provision will be made in respect of the Northern Ireland National Insurance Fund.

I shall be laying a draft re-rating order before Parliament in due course. This will accompany a report by the Government Actuary to myself and my right hon. Friend the Secretary of State for Work and Pensions which we shall jointly present to Parliament.

The table sets out the rates, earnings limits and thresholds for National Insurance Contributions proposed for 2002–03.

National insurance contributions, proposed re-rating, April 2002

Item	*2002–03*
Lower Earnings Limit, primary Class 1	£75
Upper Earnings Limit, primary Class 1	£585
Primary Threshold	£89
Secondary Threshold	£89
Employees' primary Class 1 rate	10 per cent. from £89.01 to £585
Employees' contracted-out rebate	1.6 per cent.
Married women's reduced rate	3.85 per cent.
Employers' secondary Class 1 rate	11.8 per cent. on earnings above £89
Employers' contracted-out rebate, salary-related schemes	3.5 per cent.
Employers' contracted-out rebate, money-purchase schemes	1.0 per cent.
Class 2 rate	£2
Class 2 Small Earnings Exception	£4,025
Special Class 2 rate for share fishermen	£2.65
Special Class 2 rate for volunteer development workers	£3.75
Class 3 rate	£6.85
Class 4 rate	7 per cent.
Class 4 Lower Profits Limit	£4,615
Class 4 Upper Profits Limit	£30,420

Aggregates

Mr. David Stewart: To ask the Chancellor of the Exchequer what plans he has further to encourage the recycling of aggregates *(a)* by means of the aggregates levy and *(b)* by other means. [18425]

Ruth Kelly: The aggregates levy will provide an incentive to use recycled aggregate and alternative materials, as these will be exempted. Levy revenues will also fund a £35 million sustainability fund one of whose objectives will be to encourage recycling objectives of the levy.

Landfill tax on inactive waste also offers an incentive for the recycling of aggregate rather than its disposal in waste sites.

Mr. David Stewart: To ask the Chancellor of the Exchequer what research his Department has *(a)* commissioned and *(b)* evaluated on the environmental (i) costs and (ii) benefits of the supply of aggregates from coastal super quarries compared to that from other types of quarry. [18426]

Ruth Kelly: The independent research which underpins the aggregates levy considered all aspects of the environmental impacts of aggregate extraction. The levy will be introduced at a single rate in order to keep it simple and send a clear signal to encourage purchasers of primary aggregate to use alternative materials where possible.

Mr. Win Griffiths: To ask the Chancellor of the Exchequer (1) what assessment he has made of the direct environmental *(a)* costs and *(b)* benefits arising from the introduction of the aggregates levy; [17924]

(2) what assessment he has made of the impact of the aggregates levy on the environmental aspects of quarrying which are not dealt with by existing regulatory controls. [17923]

Ruth Kelly: Independent research shows there are significant environmental costs associated with aggregates extraction that are not already covered by regulation including noise, dust, visual intrusion, loss of amenity and damage to biodiversity.

The aggregates levy will encourage the efficient use of natural aggregates and the greater use of alternative materials, such as recycled aggregate and certain waste materials, thereby reducing the environmental costs of aggregates extraction.

Mr. Drew: To ask the Chancellor of the Exchequer what discussions he has had with representatives of the aggregates industry regarding the proposal for a green discount on the introduction of the aggregates tax. [18354]

Ruth Kelly: The Government have been exploring with interested parties, including the aggregates industry, the options for a differential rate of the aggregates levy for quarries with better environmental performance.

Development Assistance

Dr. Tonge: To ask the Chancellor of the Exchequer what recent discussions he has had with his US counterparts regarding an increase in their development assistance budget in relation to their gross national product. [18188]

Ruth Kelly: The Chancellor of the Exchequer has had a number of discussions with Paul O'Neill the US Treasury Secretary on their shared interest of increasing overseas development assistance. The Chancellor of the Exchequer looks forward to more constructive meetings with the US Treasury on this topic in the coming months.

VAT (Church Repairs)

Mr. Woodward: To ask the Chancellor of the Exchequer if he will make a statement on churches' liability to pay VAT on repair work when situated within a designated conservation area. [18035]

Dawn Primarolo: Repair work to churches is liable to VAT at the standard rate. There are no special VAT rules for churches in designated conservation areas. However, the Government have introduced a UK-wide grant scheme, the effect of which will be to reduce the VAT cost to 5 per cent., for works of repair, maintenance and improvements to listed places of worship undertaken from 1 April 2001.

Child Credit

Mr. Webb: To ask the Chancellor of the Exchequer if it is his policy that recipients of the proposed integrated child credit will be required to have their payments paid into a bank account. [18086]

Dawn Primarolo *[holding answer 26 November 2001]:* Payment direct to bank accounts is the most efficient, secure and flexible way of delivering direct payments. The consultation document 'New Tax Credits—Supporting families, making work pay and tackling poverty' made clear that it is proposed to make all direct payments of tax credits to claimants' bank accounts.

The Government are currently spearheading a drive to tackle financial exclusion. Work to ensure that those without bank accounts will be able to open a suitable account into which tax credits can be paid is being taken forward together with the Post Office and major banks.

Smuggling

Mrs. Lawrence: To ask the Chancellor of the Exchequer what his latest estimates are of the levels of smuggling and fraud affecting tobacco duty and other indirect taxes. [19268]

Mr. Boateng: These estimates and the supporting methodologies are set out in documents published today by HM Customs and Excise entitled 'Tackling Indirect Tax Fraud and Measuring Indirect Tax Fraud'. Copies of both papers have been placed in the House of Commons Library.

Tax Documents

Barbara Follett: To ask the Chancellor of the Exchequer when he plans to publish the next Tax Ready Reckoner and Tax Reliefs document; and if he will make a statement. [18973]

Dawn Primarolo: The Treasury will today be publishing a document containing the estimates of the effects of various illustrative tax changes on tax receipts in 2002–03 and 2003–04 (plus 2004–05 for indirect taxes) and estimates of the costs of the main tax reliefs in 2000–01 and 2001–02. Copies will be placed in the Libraries of both Houses.

Customs and Excise (Consultation)

Mr. Goodman: To ask the Chancellor of the Exchequer what consultations with businesses were carried out by his Department with regard to the *(a)* Excise Duty Points Regulations 2001 and *(b)* HM Customs' revised financial security policy. [17455]

Dawn Primarolo: Customs consulted extensively on these issues with businesses involved in the production, warehousing and distribution of excise goods from as early as 1998. This included discussions with key trade associations at Customs' long-standing Joint Alcohol and Tobacco Consultation Group.

Child Poverty

Ms Buck: To ask the Chancellor of the Exchequer if he will estimate how many children have been lifted out of poverty in each region of England since 1997; and what this represents as a percentage of children in each region. [17770]

Dawn Primarolo: Personal tax and benefit measures introduced since 1997 have lifted 1.2 million children in the UK as a whole out of poverty, defined as 60 per cent. of median income after allowing for housing costs. Because of the margins of error, it is not possible to model the precise effects in individual counties or regions.

It is possible to provide figures for the numbers of families in different regions benefiting from the key measures introduced during the last Parliament to tackle child poverty. The table shows, by region, the number of families benefiting from the Working Families Tax Credit, the number of lone parents on Income Support benefiting from the real terms increases in child credits, and the number of families with children benefiting from the real terms increases in child benefit.

Thousand

	WFTC recipients[1]	*Lone parents receiving income support*[1]	*Families receiving child benefit*[2]
North East	72	48	320
North West	179	123	863
Yorkshire and the Humber	137	79	618
East Midlands	101	54	512
West Midlands	127	81	660
East of England	87	64	639
London	95	168	871
South East	118	86	945
South West	103	56	565
England	1,109	758	5,994

[1] May 2001

[2] 27 April 2001

European Union

Mr. Bercow: To ask the Chancellor of the Exchequer what Community money was *(a)* available and *(b)* distributed to both sides in the Irish referendum on Nice. [17620]

Ruth Kelly: This is a matter for the Irish Government and the European Commission.

Mr. Bercow: To ask the Chancellor of the Exchequer if he will make a statement on the Declaration of the Heads of State and Government Review of the Economic Situation (SN 4298/2/01, 19 October 2001), with reference to spending projects by the EIB to be encouraged by the European Council. [17621]

Ruth Kelly: The Government support the European Council's encouragement of the European Investment Bank (EIB) for its lending to infrastructure projects, to support the knowledge-based economy and to help foster long-term investment. The Government are working to ensure that the EIB builds on its historic strengths in these areas and provides the maximum value added to the market, levering in private finance where there would otherwise be gaps and furthering the Lisbon economic reform agenda.

Compliance Costs

Mr. Edward Davey: To ask the Chancellor of the Exchequer if he has received a final copy of the study by Professor Anne Hansford into the compliance costs to business of the UK tax system; and when he will publish the study. [17213]

Dawn Primarolo: Studies into compliance costs for Corporation Tax and VAT were commissioned as the first stage of a four year research programme into the compliance costs to businesses of the UK tax system.

Written Answers to Questions

Wednesday 28 November 2001

HOUSE OF COMMONS

Parliamentary Commissioner for Standards

David Winnick: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, for what reason the new contract for the post of Parliamentary Commissioner for Standards will involve fewer working days than the present contract. [14931]

Norman Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, for what reason *(a)* the hours required from and *(b)* the salary paid to the Parliamentary Commissioner for Standards are being reduced. [15535]

Mr. Kirkwood *[pursuant to his reply, 23 November 2001, c. 484w]:* The time commitment established for the first Parliamentary Commissioner for Standards was four days a week not three. However, the first Commissioner expressed the view towards the end of his appointment that the Commissioner's contribution could be reduced to two to three days a week, provided that some work could be delegated to the Registrar of Members' Interests. Three days a week was then established as the time commitment for the present Commissioner, and it was on this basis that she was offered the appointment.

INTERNATIONAL DEVELOPMENT

Uzbekistan

Dr. Tonge: To ask the Secretary of State for International Development what representations she has made to the Government of Uzbekistan regarding their policy on British and French humanitarian aid entering Afghanistan. [18195]

Clare Short: I have not made any personal representations to the Government of Uzbekistan on UK or French aid entering Afghanistan. However, the UK is fully supportive of the representations made by the humanitarian agencies of the United Nations to the Government of Uzbekistan with regard to the delivery of humanitarian assistance to Afghanistan.

Afghanistan

Dr. Tonge: To ask the Secretary of State for International Development what the outcome was of the international meeting held in Washington on 20 November on the humanitarian situation in Afghanistan; and if she will make a statement. [18194]

Clare Short: The USA and Japan co-chaired a conference on Afghanistan's reconstruction in Washington DC on 20 November. It was attended by senior officials from over 20 countries, including the UK, as well as the United Nations, international financial institutions and the Organisation of the Islamic Conference.

The conference agreed the need for long-term international support for the reconstruction of Afghanistan, the need to involve Afghans—in particular Afghan women—in all phases of the recovery and reconstruction effort; the importance of recovery intervention that demonstrates a quick impact; and the central role of the United Nations. A steering group has been established to guide reconstruction, co-chaired by the US, Japan, the EU and Saudi Arabia. The first meeting of the steering group will take place in Brussels in December.

Dr. Tonge: To ask the Secretary of State for International Development what plans she has in place to assist Afghan refugees when they return to their home towns inside Afghanistan; and what plans she has to take account of the needs of women and children in planning and implementing refugee assistance activities. [18196]

Clare Short: We fully support the UN's efforts under Ambassador Brahimi to help with the long-term reconstruction of Afghanistan, including that which will support returning refugees. This will involve such measures as expanding basic health services, carrying out emergency repairs to infrastructure, de-mining and the reopening of education facilities.

We also strongly support Ambassador Brahimi's commitment to addressing human rights issues and his commitment to the involvement of women in discussions. As recovery activities begin, the programmes that we support will be designed and monitored to ensure that women and children benefit.

The principles and priorities guiding our approach are outlined in our paper entitled 'Afghanistan—Recovery: An emergency plan for the first 100 days'. A copy has been placed in the Library of the House.

Democratic Republic of Congo

Tony Worthington: To ask the Secretary of State for International Development if she will make a statement on her work with *(a)* serving and *(b)* former child soldiers in the Democratic Republic of the Congo. [16074]

Clare Short: We continue to work for the disarmament, demobilisation and rehabilitation of the negative forces in the DRC in line with the Lusaka peace accord and are closely monitoring the situation.

During the period June 2000—April 2001 we provided a grant of £150,000 to Save the Children for their demobilisation project in the provinces of North and South Kivu. This aimed to provide child soldiers with the social and economic support they required in reintegration into their families and respective communities. We have also provided £400,000 to Rwanda to assist with the DDR programmes for fighters recently from the DRC. This DDR programme includes a special component to provide immediate care for 500 former child soldiers captured in poor physical condition and re-integrate them with their families and communities.

Global Patent Rules (Africa)

Tony Worthington: To ask the Secretary of State for International Development what action she is taking with respect to Africa to prevent global patent rules having a negative effect on health. [16070]

Clare Short: The Trade Related Aspects of Intellectual Property Rights (TRIPS) agreement includes flexibilities which should enable developing countries in Africa and elsewhere to protect their public health in situations of crisis or national emergency. Until now, a lack of clarity around these flexibilities had been a source of concern.

The Government, with the European Commission, worked hard to ensure that the Doha Ministerial produced a meaningful declaration on TRIPS and public health. We welcome and fully support the proposals in the Declaration on TRIPS and Public Health and the World Trade Organisation's (WTO's) efforts to ensure the TRIPS Agreement can and should be interpreted and implemented in a manner supportive of WTO members' rights to protect public health.

The Commission on Intellectual Property Rights, which I established earlier this year, is looking at how international intellectual property rules might need to develop in future best to take account of the interests of developing countries. It is due to report in June 2002.

There is of course more to improving access to medicines in developing countries than global patent rules. The World Health Organisation recognises four key factors. These include sustainable financing, affordable pricing, reliable health and supply systems, and the rational selection and use of existing drugs. My Department remains committed to working with our developing country partners and other international organisations to address all these issues, which are particularly pertinent in Africa. To this end we have pledged US$200 million to the Global Fund to fight AIDS, TB and malaria; set up a Working Group on Access to Medicines to look at options on differential pricing and increasing research and development; and committed over £1 billion since 1997 to help developing countries put in place effective health care systems.

Turkey

Mr. Cox: To ask the Secretary of State for International Development what financial assistance has been given to Turkey by her Department in each of the last three years; what was the amount of funding; what the projects were for which the funding was allocated; and what supervision her Department has undertaken of the development of these projects. [17881]

Clare Short: Given Turkey's relative wealth and development we do not have a bilateral development assistance programme. We did provide Turkey with over £1.4 million in response to the 1999 earthquake disasters, in the form of tents, medical supplies, blankets and a variety of other humanitarian assistance. Turkey also receives substantial assistance from the EU MEDA programme and through the international financial institutions to which DFID is a major contributor. Our share of EC commitments to Turkey during the last three years has been over £50 million.

Zimbabwe

Mrs. Spelman: To ask the Secretary of State for International Development what actions her Department is taking to alleviate the humanitarian situation in Zimbabwe; and what assessment she has made of the impact of President Mugabe's decision not to allow aid agencies to distribute emergency food supplies. [18633]

Clare Short: We are closely involved in the development of a humanitarian assistance plan by the United Nations Development Programme in Zimbabwe in which UN agencies and NGOs are expected to play a key role. This plan is presently being discussed by UNDP with the Government of Zimbabwe on behalf of all potential providers of funds. We have also begun an initial supplementary feeding programme for 280,000 people (predominantly children) in the worst hit areas. We have not been informed of any decision not to allow agencies to distribute emergency food supplies.

WORK AND PENSIONS

Benefit Uprating

Mr. Laxton: To ask the Secretary of State for Work and Pensions, if he will list the new rates of benefit proposed from April 2002.

Mr. Darling: The information is in the table.

	Rates	
(Weekly rates unless otherwise shown)	*2001*	*2002*
Attendance Allowance		
higher rate	55.30	56.25
lower rate	37.00	37.65
Child Benefit		
—only, elder or eldest for whom child benefit is payable (couple)	15.50	15.75
—only, elder or eldest for whom child benefit is payable (loneparent)	17.55	17.55
—each subsequent child	10.35	10.55
Child's Special Allowance		
see note on Child Dependency Increase	11.35	11.35
Council Tax Benefit		
Personal allowances		
single		
18 to 24	42.00	42.70
25 or over	53.05	53.95

	Rates	
(Weekly rates unless otherwise shown)	*2001*	*2002*
lone parent—18 or over	53.05	53.95
couple—one or both over 18	83.25	84.65
Dependent Children		
from birth to September following 16th birthday	32.95	33.50
from September following 16th birthday to day before 19th birthday	33.75	34.30
Premiums		
family	14.50	14.75
family (lone parent rate)	22.20	22.20
pensioner		
single	39.10	44.20
couple	57.30	65.15
pensioner (enhanced)		
single	39.10	44.20
couple	57.30	65.15
pensioner (higher)		
single	39.10	44.20
couple	57.30	65.15
disability		
single	22.60	23.00
couple	32.25	32.80
enhanced disability premium single rate	11.05	11.25
disabled child rate	11.05	11.25
couple rate	16.00	16.25
severe disability		
single	41.55	42.25
couple (one qualifies)	41.55	42.25
couple (both qualify)	83.10	84.50
disabled child	30.00	35.50
carer	24.40	24.80
bereavement	19.45	21.55
Non-dependant deductions		
aged 18 or over and in remunerative work		
—gross income: £281 or more	6.95	6.95
—gross income: £225—£280.99	5.80	5.80
—gross income: £131—£224.99	4.60	4.60
—gross income less than £131	2.30	2.30
others, aged 18 or over	2.30	2.30
Alternative maximum Council Tax Benefit		
second adult on IS or JSA(ib)	25% of Council Tax	25% of Council Tax
second adult's gross income:		
—under £131	15% of Council Tax	15% of Council Tax
—£131 to £170	7.5% of Council Tax	7.5% of Council Tax
Capital		
upper limit	16000.00	16000.00
amount disregarded	3000.00	3000.00
upper limit (clmt/ptner 60 or over)	16000.00	16000.00
amount disregarded (clmt/ptner 60 or over)	6000.00	6000.00
child disregard	3000.00	3000.00
upper limit of RC/NH	16000.00	16000.00
amount disregarded of RC/NH	10000.00	10000.00
Tariff income		
£1 for every complete £250 or part thereof between amount of capital disregarded and capital upper limit		
Earnings disregards		
where disability premium awarded	20.00	20.00
various specified employments	20.00	20.00
lone parent	25.00	25.00
where the claimant has a partner	10.00	10.00
single claimant	5.00	5.00
where carer premium awarded	20.00	20.00
childcare charges	94.50	
childcare charges (2 or more children)	140.00	
Other income disregards		
maintenance disregard	15.00	15.00
war disablement pension and war widow's pension	10.00	10.00
certain voluntary and charitable payments	20.00	20.00

	Rates	
(Weekly rates unless otherwise shown)	*2001*	*2002*
student loan	10.00	10.00
student's covenanted income	5.00	5.00
income from boarders:		
disregard the fixed amount (£20) plus 50% of the balance of the charge	20.00	20.00
30 Hr Adult Allowance in DPTC	11.45	11.65
30 Hr Adult Credit in WFTC	11.45	11.65
Expenses for subtenants		
furnished or unfurnished	4.00	4.00
where heating is included, additional	9.55	9.70
Dependency Increases		
Adult Dependency Increases		
or spouse or person looking after children, with:		
retirement pension on own insurance,	43.40	45.20
long term incap. benefit, unemployability supplement	41.75	42.45
severe disablement allowance	25.00	25.45
invalid care allowance	24.95	25.35
short-term incap. benefit if beneficiary over pension age	40.10	40.80
maternity allowance/short-term incap. ben.	32.55	33.10
Child Dependency Increases, with:		
retirement pension, widowed mothers allowance, widowed parents allowance, short-term incap. ben. at the higher rate & long term incap. ben. invalid care allowance severe disab. allowce, higher rate industrial death benefit, unemployability supplement and short-term incap.benefit if beneficiary over pension age	11.35	11.35
NB—The Overlapping Benefits Regulations provide for the rate of child dependency increases, guardian's allowance and child special allowance to be adjusted where the increase allowance is payable for the eldest eligible child for whom Chb is also payable. The weekly rate of the increase allowance is reduced by the differential (less £3.50 from April 2000) between the rate of ChB payable for the oldest eligible child and that payable for a subsequent child.		
Disability Living Allowance		
Care Component		
Highest	55.30	56.25
Middle	37.00	37.65
Lowest	14.65	14.90
Mobility Component		
Higher	38.65	39.30
Lower	14.65	14.90
Earnings Rules		
Invalid Care Allowance	72.00	75.00
Limit of earnings from councillor's allowance	60.50	66.00
Therapeutic earnings limit	60.50	66.00
Industrial injuries unemployability supplement permitted earnings level (annual amount)	3,146.00	3,432.00
War pensioners' unemployability supplement permitted earnings level (annual amount)	3,146.00	3,432.00
Adult dependency increases with		
short-term incap.benefit where claimant is		
(a) under pension age	32.55	33.10
(b) over pension age	40.10	40.80
maternity allowance	32.55	33.10
retirement pension, severe disablement allowance, unemployability supplement where dependant		
(a) is living with claimant	53.05	53.95
(b) still qualifies for the tapered earnings rule	45.09	45.09
retirement pension,	43.40	45.20
and unemployability supplement where dependant not living with claimant	41.75	42.45
severe disablement allowance where dependant not living with claimant	25.00	25.45
invalid care allowance	24.95	25.35
Child dependency increases		
level at which CDIs are affected earnings of claimant's spouse or partner		
for first child	150.00	155.00
for each subsequent child	20.00	20.00
Guardian's Allowance	11.35	11.35
see note on Child Dependency Increase		

	Rates	
(Weekly rates unless otherwise shown)	*2001*	*2002*
Housing Benefit		
Personal allowances		
single		
16 to 24	42.00	42.70
25 or over	53.05	53.95
lone parent		
under 18	42.00	42.70
18 or over	53.05	53.95
couple		
both under 18	63.35	64.45
one or both 18 or over	83.25	84.65
dependent children		
from birth to September following 16th birthday	32.95	33.50
from Sept. following 16th birthday to day before 19th birthday	33.75	34.30
Premiums		
family	14.50	14.75
family (lone parent rate)	22.20	22.20
pensioner		
single	39.10	44.20
couple	57.30	65.15
pensioner (enhanced)		
single	39.10	44.20
couple	57.30	65.15
pensioner (higher)		
single	39.10	44.20
couple	57.30	65.15
disability		
single	22.60	23.00
couple	32.25	32.80
enhanced disbility premium single rate	11.05	11.25
disabled child rate	11.05	11.25
couple rate	16.00	16.25
severe disability		
single	41.55	42.25
couple (one qualifies)	41.55	42.25
couple (both qualify)	83.10	84.50
disabled child	30.00	35.50
carer	24.40	24.80
bereavement	19.45	21.55
Non-dependant deductions		
rent rebates and allowances		
aged 25 and over, in receipt of Income Support		
or income based Job Seekers Allowance		
aged 18 or over, not in remunerative work or		
—gross income less than £88	7.40	7.40
aged 18 or over and in remunerative work		
—gross income: less than £88	7.40	7.40
—gross income: £88 to £130.99	17.00	17.00
—gross income: £131 to £169.99	23.35	23.35
—gross income: £170 to £224.99	38.20	38.20
—gross income: £225 to £280.99	43.50	43.50
—gross income: £281 and above	47.75	47.75
Service charges for fuel		
heating	9.25	9.40
hot water	1.15	1.15
lighting	0.80	0.80
cooking	1.15	1.15
Amount ineligible for meals		
three or more meals a day		
single claimant	18.95	19.25
each person in family aged 16 or over	18.95	19.25
each child under 16	9.55	9.70
less than three meals a day		
single claimant	12.60	12.80
each person in family aged 16 or over	12.60	12.80
each child under 16	6.35	6.45
breakfast only—claimant and each member of family	2.30	2.35

	Rates	
(Weekly rates unless otherwise shown)	*2001*	*2002*
Capital		
upper limit	16,000.00	16,000.00
amount disregarded	3,000.00	3,000.00
upper limit (clmt/ptner 60 or over)	16,000.00	16,000.00
amount disregarded (clmt/ptner 60 or over)	6,000.00	6,000.00
child disregard	3,000.00	3,000.00
upper limit of RC/NH	16,000.00	16,000.00
amount disregarded of RC/NH	10,000.00	10,000.00
Tariff income		
£1 for every complete £250 or part thereof between amount of capital disregarded and capital upper limit		
Earnings disregards		
where disability premium awarded	20.00	20.00
various specified employments	20.00	20.00
lone parent	25.00	25.00
where the claimant has a partner	10.00	10.00
single claimant	5.00	5.00
where carer premium awarded	20.00	20.00
childcare charges	94.50	
childcare charges (2 or more children)	140.00	
Other income disregards		
maintenance disregard	15.00	15.00
war disablement pension and war widow's pension	10.00	10.00
certain voluntary and charitable payments	20.00	20.00
student loan	10.00	10.00
student's covenanted income	5.00	5.00
income from boarders:		
disregard the fixed amount (£20) plus		
50% of the balance of the charge	20.00	20.00
30 Hr Adult Allowance in DPTC	11.45	
30 Hr Adult Credit in WFTC	11.45	
Expenses for subtenants		
furnished or unfurnished	4.00	4.00
where heating is included, additional	9.55	9.70
Incapacity Benefit		
Long-term Incapacity Benefit	69.75	70.95
short-term Incapacity Benefit (under pension age)		
lower rate	52.60	53.50
higher rate	62.20	63.25
short-term Incapacity Benefit (over pension age)		
lower rate	66.90	68.05
higher rate	69.75	70.95
Increase of Long-term Incap. Ben for age		
higher rate	14.65	14.90
lower rate	7.35	7.45
Invalidity Allowance (Transitional)		
higher rate	14.65	14.90
middle rate	9.30	9.50
lower rate	4.65	4.75
Income Support		
Personal Allowances		
single		
under 18—usual rate	31.95	32.50
under 18—higher rate payable in specific circumstances	42.00	42.70
18 to 24	42.00	42.70
25 or over	53.05	53.95
lone parent		
under 18—usual rate	31.95	32.50
under 18—higher rate payable in specific circumstances	42.00	42.70
18 or over	53.05	53.95
couple		
both under 18	31.95	32.50
both under 18, one disabled	42.00	42.70
both under 18, with resp. for a child	63.35	64.45
one under 18, one 18–24	42.00	42.70
one under 18, one 25+	53.05	53.95
both 18 or over	83.25	84.65

	Rates	
(Weekly rates unless otherwise shown)	*2001*	*2002*
dependent children		
birth to September following 16th birthday	32.95	33.50
from Sept. following 16th birthday to day before 19th birthday	33.75	34.30
Residential Allowance		
Except Greater London	63.30	64.40
Greater London	70.45	71.65
Premiums		
family	14.50	14.75
family (lone parent rate)	15.90	15.90
pensioner		
single	39.10	44.20
couple	57.30	65.15
pensioner (enhanced)		
single	39.10	44.20
couple	57.30	65.15
pensioner (higher)		
single	39.10	44.20
couple	57.30	65.15
disability		
single	22.60	23.00
couple	32.25	32.80
enhanced disability premium single rate	11.05	11.25
disabled child rate	11.05	11.25
ouple rate	16.00	16.25
severe disability		
single	41.55	42.25
couple (one qualifies)	41.55	42.25
couple (both qualify)	83.10	84.50
disabled child	30.00	35.50
carer	24.40	24.80
bereavement	19.45	21.55
Maximum amounts for accommodation and meals in residential care homes		
old age	225.00	0.00
very dependent elderly	261.00	0.00
mental disorder (not handicap)	238.00	0.00
drug/alchohol dependence	238.00	0.00
mental handicap	271.00	0.00
physical disablement		
(a) (under pension age)	308.00	0.00
(b) (over pension age)	225.00	0.00
others	225.00	0.00
maximum Greater London increase	47.00	0.00
nursing homes		
mental disorder (not handicap)	337.00	0.00
drug/alchohol dependence	337.00	0.00
mental handicap	343.00	0.00
terminal illness	336.00	0.00
physical disablement		
(a) (under pension age)	379.00	0.00
(b) (over pension age)	336.00	0.00
others (including elderly)	336.00	0.00
maximum Greater London increase	52.00	0.00
Amounts for meals where these cannot be purchased within the accommodation		
(Daily Rate)		
breakfast	1.10	0.00
midday meal	1.55	0.00
evening meal	i.55	0.00
Allowances for personal expenses for claimants in private and voluntary residential care and nursing homes		
personal expenses	16.05	0.00
dependent children		
(a) under 11	6.25	0.00
(b) 11 to 15	9.15	0.00
(c) 16 to 17	10.55	0.00
(d) age 18	15.25	0.00
local authority (Pt III) accommodation	72.50	75.50
of which, Personal Expenses	16.05	16.80

	Rates	
(Weekly rates unless otherwise shown)	*2001*	*2002*
Allowances for personal expenses for claimants in:		
the Polish home Ilford Park		
max amount for accommodation and meals	379.00	385.00
personal expenses for claimant	17.35	17.35
personal expenses for partner	17.35	17.35
personal expenses for dep children		
(a) under 11	6.25	6.35
(b) 11 to 15	9.15	9.30
(c) 16 to 17	10.55	10.75
(d) 18	15.55	15.55
personal expenses allowance for claimant admitted or readmitted on or after 1 April 1995	16.05	16.80
Housing costs		
deduction for non-dependants aged 25 and over, in receipt of Income Support or income based Job Seekers Allowance		
aged 18 or over, not in work or		
—gross income less than £88	7.40	7.40
aged 18 or over and in remunerative work:		
—gross income: £88 to £130.99	17.00	17.00
—gross income: £131 to £169.99	23.35	23.35
—gross income: £170 to £224.99	38.20	38.20
—gross income: £225 to £280.99	43.50	43.50
—gross income: £281 and abov	47.75	47.75
Deduction for direct payments		
arrears of housing, fuel and water costs		
council tax and fines default, and	2.70	2.70
deductions for child maintenance (standard)	5.40	5.40
deductions for child maintenance (lower)	2.70	2.70
Arrears of Community Charge		
court order against claimant	2.70	2.70
court order against couple	4.20	4.25
Maximium rates for recovery of overpayments		
ordinary overpayments	8.10	8.10
where claimant convicted of fraud	10.80	10.80
Reduction in benefit for strikers	28.50	29.00
Capital		
upper limit	8,000.00	8,000.00
amount disregarded	3,000.00	3,000.00
upper limit (clmt/ptner 60 or over)	12,000.00	12,000.00
amount disregarded (clmt/ptner 60 or over)	6,000.00	6,000.00
child's limit	3,000.00	3,000.00
upper limit of RC/NH	16,000.00	16,000.00
amt disregarded of RC/NH	10,000.00	10,000.00
Tariff income		
£1 for every complete £250 or part thereof between amount of capital disregarded and capital upper limit		
Disregards		
standard earnings	5.00	5.00
couples earnings	10.00	10.00
higher earnings	20.00	20.00
war disablement pension and war widow's pension	10.00	10.00
voluntary and charitable payments	20.00	20.00
student loan	10.00	10.00
student's covenanted income	5.00	5.00
income from boarders:		
disregard the fixed amount £20) plus 50% of the balance of the charge	20.00	20.00
Expenses for subtenants		
furnished or unfurnished	4.00	4.00
where heating is included, additional	9.55	9.70
Industrial Death Benefit		
Widow's pension		
higher rate	72.50	75.50
lower rate	21.75	22.65
Widower's pension	72.50	75.50

	Rates	
(Weekly rates unless otherwise shown)	*2001*	*2002*
Industrial Injuries Disablement Pension		
8 and over, or under 18 with dependants		
100%	112.90	114.80
90%	101.61	103.32
80%	90.32	91.84
70%	79.03	80.36
60%	67.74	68.88
50%	56.45	57.40
40%	45.16	45.92
30%	33.87	34.44
20%	22.58	22.96
Under 18		
100%	69.15	70.35
90%	62.24	63.32
80%	55.32	56.28
70%	48.41	49.25
60%	41.49	42.21
50%	34.58	35.18
40%	27.66	28.14
30%	20.75	21.11
20%	13.83	14.07
Maximum life gratuity (lump sum)	7,500.00	7,630.00
Unemployability Supplement	69.75	70.95
plus where appropriate an increase for early incapacity		
higher rate	14.65	14.90
middle rate	9.30	9.50
lower rate	4.65	4.75
Maximum reduced earnings allowance	45.16	45.92
Maximum retirement allowance	11.29	11.48
Constant attendance allowance		
exceptional rate	90.40	92.00
intermediate rate	67.80	69.00
normal maximum rate	45.20	46.00
part-time rate	22.60	23.00
Exceptionally severe disablement allowance	45.20	46.00
Invalid Care Allowance	41.75	42.45
Jobseekers Allowance		
Contribution based JSA—Pers. rates		
under 18	31.95	32.50
18 to 24	42.00	42.70
25 or over	53.05	53.95
Income-based JSA—pers. allowances		
under 18	31.95	32.50
18 to 24	42.00	42.70
25 or over	53.05	53.95
lone parent		
under 18—usual rate	31.95	32.50
under 18—higher rate payable in specific circumstances	42.00	42.70
18 or over	53.05	53.95
couple		
both under 18	31.95	32.50
both under 18, one disabled	42.00	42.70
both under 18, with resp. for a child	63.35	64.45
one under 18, one 18–24	42.00	42.70
one under 18, one 25+	53.05	53.95
both 18 or over	83.25	84.65
dependent children		
from birth to September following 16th birthday	32.95	33.50
from Sept. following 16th birthday to day before 19th birthday	33.75	34.30
Residential Allowance		
except Greater London	63.30	64.40
Greater London	70.45	71.65

(Weekly rates unless otherwise shown)	*Rates*	
	2001	*2002*
Premiums		
family	14.50	14.75
family (lone parent rate)	15.90	15.90
pensioner		
single	39.10	44.20
couple	57.30	65.15
ensioner (enhanced)		
couple	57.30	65.15
pensioner (higher)		
single	39.10	44.20
couple	57.30	65.15
disability		
single	22.60	23.00
couple	32.25	32.80
enhanced disability premium single rate	11.05	11.25
disabled child rate	11.05	11.25
couple rate	16.00	16.25
severe disability		
single	41.55	42.25
couple (one qualifies)	41.55	42.25
couple (both qualify)	83.10	84.50
disabled child	30.00	35.50
carer	24.40	24.80
bereavement	19.45	21.55
Maximum amounts for accommodation and meals in residential care homes		
mental disorder (not handicap)	238.00	0.00
drug/alchohol dependence	238.00	0.00
mental handicap	271.00	0.00
physical disablement		
(a) (under pension age)	308.00	0.00
others	225.00	0.00
maximum Greater London increase	47.00	0.00
nursing homes		
mental disorder (not handicap)	337.00	0.00
drug/alchohol dependence	337.00	0.00
mental handicap	343.00	0.00
terminal illness	336.00	0.00
physical disablement		
(a) (under pension age)	379.00	0.00
others (including elderly)	336.00	0.00
maximum Greater London increase	52.00	0.00
Amounts for meals where these cannot be purchased within the accommodation (Daily Rate)		
breakfast	1.10	0.00
midday meal	1.55	0.00
evening meal	1.55	0.00
Allowances for personal expenses for claimants in private and voluntary residential care and nursing homes		
personal expenses	16.05	0.00
dependent children		
(a) under 11	6.25	0.00
(b) 11 to 15	9.15	0.00
(c) 16 to 17	10.55	0.00
(d) age 18	15.25	0.00
local authority (Pt III) accommodation	72.50	75.50
of which, Personal Expenses	16.05	16.80
Housing costs		
deduction for non-dependants aged 25 and over, in receipt of Income Support or income based Job Seekers Allowance aged 18 or over, not in remunerative work or		
—gross income less than £88	7.40	7.40
aged 18 or over and in remunerative work		
—gross income: less than £88	7.40	7.40
—gross income: £88 to £130.99	17.00	17.00
—gross income: £131 to £169.99	23.35	23.35
—gross income: £170 to £224.99	38.20	38.20
—gross income: £225 to £280.99	43.50	43.50
—gross income: £281 and above	47.75	47.75

	Rates	
(Weekly rates unless otherwise shown)	*2001*	*2002*
Deduction for direct payments		
Deductions from JSA (IB)		
arrears of housing, fuel and water costs		
council tax and fines default, and	2.70	2.70
Deductions for Child Maintenance		
deductions for child maintenance (standard)	5.40	5.40
deductions for child maintenance (lower)	2.70	2.70
Arrears of Community Charge		
court order against claimant	2.70	2.70
court order against couple	4.20	4.25
Deductions from JSA (Cont.)		
Arrears of Comm. Charge, Council Tax, fines & overpayment recovery		
Age 16–17	10.65	10.83
Age 18–24	14.00	14.23
Age 25+	17.68	17.98
Max. dedn for arrears of Child Supp Maintenance		
Age 16–17	10.65	10.83
Age 18–24	14.00	14.23
Age 25+	17.68	17.98
Maximium rates for recovery of overpayments in JSA(ib)		
ordinary overpayments	8.10	8.10
where claimant convicted of fraud	10.80	10.80
Reduction in benefit for strikers	28.50	29.00
Capital		
upper limit	8,000.00	8,000.00
amount disregarded	3,000.00	3,000.00
child's limit	3,000.00	3,000.00
upper limit of RC/NH	16,000.00	16,000.00
amount disregarded of RC/NH	10,000.00	10,000.00
upper limit (clmt/ptner 60 or over)	12,000.00	12,000.00
amount disregarded (clmt/ptner 60 or over)	6,000.00	6,000.00
Tariff income		
£1 for every complete £250 or part thereof between amount of capital disregarded and capital upper limit		
Disregards		
standard earnings	5.00	5.00
couples earnings	10.00	10.00
higher earnings	20.00	20.00
war disablement pension and war widow's pension	10.00	10.00
voluntary and charitable payments	20.00	20.00
student loan	10.00	10.00
student's covenanted income	5.00	5.00
income from boarders:		
disregard the fixed amount (£20) plus		
50% of the balance of the charge	20.00	20.00
Expenses for subtenants		
furnished or unfurnished	4.00	4.00
where heating is included, additional	9.55	9.70
Maternity Allowance		
New standard rate	62.20	75.00
MA threshold	30.00	30.00
Pneumoconiosis, Byssinosis, and Miscellaneous Diseases Scheme and the Workmen's Compensation (Supplementation)		
Total disablement allowance and major incapacity allowance (maximum)	112.90	114.80
Partial disablement allowance	41.75	42.45
Unemployability supplement	69.75	70.95
plus where appropriate increases for early incapacity		
higher rate	14.65	14.90
middle rate	9.30	9.50
lower rate	4.65	4.75
Constant attendance allowance		
exceptional rate	90.40	92.00
intermediate rate	67.80	69.00
normal maximum rate	45.20	46.00
part-time rate	22.60	23.00

(Weekly rates unless otherwise shown)	*Rates*	
	2001	*2002*
Exceptionally severe disablement allowance	45.20	46.00
Lesser incapacity allowance		
maximum rate of allowance	41.75	42.45
based on loss of earnings over	55.30	56.25
Retirement Pension		
Category A or B	72.50	75.50
Category B(lower)—husband's insurance	43.40	45.20
Category C or D —non-contributory	43.40	45.20
Category C(lower)—non-contributory	25.95	27.00
Additional pension	Increase by:	1.7%
Increments to:—	Increase by:	
Basic pension		4.1%
Additional pension		1.7%
Contracted out deductions (CODs) (Pre Apr '88 earnings)		1.7%
Graduated Retirement Benefit (GRB)		1.7%
Increments to CODs (Apr.88—Apr. 97 earngs)	Nil	
[3.0% paid by schemes]		
Graduated Retirement Benefit (unit)(pence)	9.06	9.21
Graduated Retirement Benefit (Inherited)	Increase by:	1.7%
Addition at age 80	0.25	0.25
Severe Disablement Allowance		
Basic rate	42.15	42.85
Age-related addition (from Dec 90)		
Higher rate	14.65	14.90
Middle rate	9.30	9.50
Lower rate	4.65	4.75
Statutory Maternity Pay		
Earnings threshold	72.00	75.00
Lower rate	62.20	75.00
Statutory Sick Pay		
Earnings threshold	72.00	75.00
Standard rate	62.20	63.25
Widow's Benefit		
Widowed mother's allowance	72.50	75.50
Widow's pension		
standard rate	72.50	75.50
age-related		
age 54 (49)	67.43	70.22
53 (48)	62.35	64.93
52 (47)	57.28	59.65
51 (46)	52.20	54.36
50 (45)	47.13	49.08
49 (44)	42.05	43.79
48 (43)	36.98	38.51
47 (42)	31.90	33.22
46 (41)	26.83	27.94
45 (40)	21.75	22.65
Note: For deaths occurring before 11 April 1988 refer to age-points shown in brackets.		
Bereavement Benefit		
Bereavement payment (lump sum)	2000.00	2000.00
Widowed parent's allowance	72.50	75.50
Bereavement Allowance		
standard rate	72.50	75.50
age-related		
age 54	67.43	70.22
53	62.35	64.93
52	57.28	59.65
51	52.20	54.36
50	47.13	49.08
49	42.05	43.79
48	36.98	38.51
47	31.90	33.22
46	26.83	27.94
45	21.75	22.65

Departmental Expenditure Limits

Mr. Laxton: To ask the Secretary of State for Work and Pensions what plans he has to change the *(a)* departmental expenditure limit and *(b)* administration costs limit for 2001–02. [19700]

Mr. Nicholas Brown: Subject to Parliamentary approval of the necessary supplementary estimate, the Department for Work and Pensions Departmental Expenditure Limit will be increased by £3,338,291,000 from £3,964,124,000 to £7,302,415,000 and the administration cost limit by £1,336,666,000 from £3,566,177,000 to £4,902,843,000. Within the DEL change, the impact on resources and capital are set out in the following table:

	Resources	*Capital*
Change	3,230,537	107,754
New DEL	7,091,614	210,801
Of which: voted	5,843,935	121,461
Non voted	1,247,679	89,340

The change in the resource element of the DEL arises from:

(i) the transfer of the Employment Service from the Department for Education and Skills (£2,191,389 of which £1,239,729 are administration costs), the transfer of certain functions previously undertaken by Department for Education and Employment (£225,468,000 of which £18,322,000 are administration costs) and the transfer of the War Pensions Agency to Ministry of Defence (£35,799,000 of which £36,466,000 are administration costs) as announced by the Prime Minister on 8 June.

(ii) take up of end year flexibility entitlements (£178,291,000 of which £136,213,000 are administration costs) announced by the Chief Secretary to the Treasury in Table 6 of the 2000–01 Public Expenditure Outturn White Paper (Cm 5243).

(iii) an increase of £4,612,000 (administration costs) in provision from the Employment Opportunities Fund in DEL for expenditure on the new deals for the unemployed and sick and disabled.

(iv) an increase of £78,000 (administration costs) from the repayment arrangement with Department of Trade and Industry for the cost incurred by Department for Work and Pensions on the Post Office General Practitioners pilot.

(v) a net reduction of £1,302,000 (administration costs) due to a transfer to the Scottish Executive of the Resettlement programme in Scotland (£1,318,000) and from the Scottish Executive (£16,000) towards the cost of the Family Resources Survey.

(vi) an increase in provision of £509,000 (administration costs) following a transfer from Department of Health towards the project costs of preserved rights cases and care direct.

(vii) a net reduction of £4,679,000 (administration costs) due to a transfer to Inland Revenue of Programme Protection Funding (£750,000), for the cost of work being performed by Inland Revenue to assist the Benefits Agency clearing a backlog of CA 5400 work (£500,000), the cost of work being performed by Inland Revenue on NIRS development work (£5,000,000) and a transfer of £1,571,000 from Inland Revenue for accommodation office services at Newcastle.

(viii) an increase of £1,229,000 (administration costs) from the reserve under the Debt Recovery Incentive Scheme.

(ix) an increase of £362,000 (administration costs) from an allocation to the department from the evidence based policy fund.

(x) a net reduction of £165,000 due at transfer of £190,000 to Department for Transport, Local Government and the Regions for Rough Sleepers and a transfer from Department for Transport, Local Government and the Regions of £25,000 (administration costs) for Local PSAs.

(xi) a transfer of £200,000 (administration costs) from Lord Chancellor's Department to meet the cost of work being provided to them by the departmental central index.

(xii) an increase of £20,000,000 (administration costs) from the Employment Opportunities Fund to enable Employment Services to maintain the present office network during the review of the Jobcentre Plus future network.

(xiii) an increase in provision of £117,400,000 (administration costs) from the Employment Opportunities Fund to set up the Jobcentre Plus Pathfinder offices.

(xiv) a reduction in provision of £1,200,000 as result of a transfer to Department for Education and Skills to cover the cost of work performed by the Adult Learning Inspectorate for Employment Services.

(xv) an increase of £78,000 in appropriations in aid.

(xvi) a net reduction in Employment Opportunities Fund requirements of £8,439,000 following a reapportionment of expenditure within and between RfRs.

(xvii) as a result of the machinery of government changes there is an increase in the Department for Work and Pensions Departmental Expenditure Limit of £542,661,000 which is non-Voted.

(xviii) administration cost limit changes arise from a reduction of £138,928,000 due to a reclassification of Employment Opportunities Fund expenditure and an increase of £20,638,000 in administration costs related appropriations in aid.

The change in the capital element of the DEL arises from:

(i) the transfer of the employment service from the Department for Education and Skills (£12,550,000) and the transfer of the War Pensions Agency to Ministry of Defence (£300,000)) as announced by the Prime Minister on 8 June.

(ii) take up of end year flexibility entitlements of £81,200,000 announced by the Chief Secretary to the Treasury in Table 6 of the 2000–01 Public Expenditure Outturn White Paper (Cm 5243).

(iii) an increase in provision of £4,800,000 from the Employment Opportunities Fund to set up the Jobcentre Plus Pathfinder offices.

(iv) an increase of £2,000,000 from the Capital Modernisation Fund for Supported Employment.

(v) as a result of the machinery of government changes there is an increase in the Department for Work and Pensions Departmental Expenditure Limit of £7,504,000 which is non-Voted.

All of these changes will either be offset by transfers or charged to the reserve and will not therefore add to the planned total of public expenditure.

New Deal for Communities (Leicester Braunstone)

Mr. Clappison: To ask the Secretary of State for Work and Pensions what assessment he has made of the operation of the Braunstone Community Association in respect of the new deal; what the cost is of the scheme; what plans he has to inquire into the administration of the scheme; and if he will make a statement. [15779]

Ms Keeble: I have been asked to reply.

Leicester Braunstone is one of the New Deal for Community Round 1 Pathfinders and has an overall grant of £49.5 million to spend over up to 10 years.

The scheduled mid year review of the Braunstone New Deal for Communities Programme took place in Braunstone on 22 November 2001. The review considered among other things the strategic direction and delivery of the programme, including progress in delivering the Braunstone Community Association 2001–02 Action Plan, developments in partnership working and community involvement.

Proceedings, which were chaired by an official from the Government Office for the East Midlands, were conducted in a positive atmosphere. Nothing substantive arose during the review to change the status of the programme.

The next few weeks will be very important for the Braunstone New Deal for Communities Programme as the BCA awaits the findings of an independent investigation it set up to look into various allegations related to its internal relationships. That investigation is expected to report by mid-December.

In the meantime, in order to protect the public purse the Government office for the East Midlands has suspended delegated authorities to the BCA to commit expenditure. The Government office is also discussing with auditors the terms of reference for a mid-year audit of the NDC Programme (to end September), which, with evidence arising from the findings of the independent investigation, will allow the Government office what further steps it needs to take in order to secure the future of the Braunstone NDC Programme.

DEPUTY PRIME MINISTER

Terrorism

9. **Mr. John Smith:** To ask the Deputy Prime Minister what action he is taking to co-ordinate departmental policies on mass terrorist threats. [15979]

Mr. Leslie: Under the leadership of the Civil Contingencies Committee, the Government are conducting a comprehensive review of our tried and tested contingency plans in the light of the events of 11 September. We are taking all sensible steps to make sure the country is well prepared for any emergency or threat.

Social Exclusion

10. **Vernon Coaker:** To ask the Deputy Prime Minister what recent discussions he has had with the Government office for the east midlands to ensure that projects designed to tackle social exclusion take into account the needs of areas that have small pockets of deprivation. [15980]

Mrs. Roche: I discussed implementation of the Government's programmes to tackle social exclusion with the Government office for the east-midlands on 25 July.

The targets we have set for mainstream programmes, which will receive substantial increases in resources, will lead to substantial improvements in deprived neighbourhoods across the country.

The local authority districts receiving additional support from the Neighbourhood Renewal Fund include over 80 per cent. of the most deprived wards in England and 90 per cent. of the people living in the most deprived wards.

11. **Mr. Shaw:** To ask the Deputy Prime Minister what policy projects the social exclusion unit is working on. [15981]

Mrs. Roche: The unit is currently working on four projects, looking at:

re-offending by ex-prisoners;

young runaways;

educational attainment of children in care; and

transport and social exclusion.

Rural Policy

12. **Miss McIntosh:** To ask the Deputy Prime Minister what recent discussions he has had with the Secretary of State for Environment, Food and Rural Affairs on the co-ordination of rural policy. [15982]

Mr. Leslie: Rural policy is the responsibility of my right hon. Friend the Secretary of State for the Environment, Food and Rural Affairs, with whom my right hon. Friend the Deputy Prime Minister has on-going discussions.

E-Government Initiative

13. **David Taylor:** To ask the Deputy Prime Minister what assessment he has made of the progress of the e-Government initiative. [15983]

Mr. Leslie: Delivery is at the heart of our agenda for transforming public services and e-Government is one of the most powerful catalysts we have for achieving that transformation. The Office of the e-Envoy produces both an annual report and regular monthly reports giving details of the progress that is being made. The next annual report will be published on 30 November. The latest figures on progress towards the target of making Government services available electronically by 2005 show that over 50 per cent. of Government services are "enabled" now. And Departments predict that 74 per cent. of services will be e-enabled by the end of 2002.

Civil Service Pay

14. **Mr. Heath:** To ask the Deputy Prime Minister if he will make a statement on his policy on civil service pay. [15984]

Mr. Leslie: The Government policy on pay in the civil service is that effective reward and performance management systems are instrumental to the delivery of better public services. Together they should create a climate in which civil servants want to give of their best and strive for continuous improvement.

Civil Service

15. **Mr. Dalyell:** To ask the Deputy Prime Minister pursuant to his oral statement of 31 October 2001, *Official Report*, column 866, what action he has taken to introduce legislation to give constitutional protection to the civil service; and if he will make a statement. [15985]

18. **Tony Wright:** To ask the Deputy Prime Minister for Deputy Prime Minister when he expects to introduce legislation on the civil service. [15989]

Mr. Leslie: The Government are committed to legislation on the Civil Service and are putting in hand arrangements for wide consultation in advance of its introduction.

Agriculture

16. **Mr. Nicholas Winterton:** To ask the Deputy Prime Minister what recent discussions he has had with the Secretary of State for Environment, Food and Rural Affairs on the regional co-ordination of assistance for the rehabilitation of the agriculture industry. [15986]

Mrs. Roche: The Government are committed to assisting the development of a sustainable, competitive and diverse farming and food sector within a thriving rural economy that advances environmental, health and animal welfare goals.

The rural recovery co-ordinator, Lord Haskins, and the Rural Task Force each published their reports on 18 October with recommendations for the short term survival of rural business, and mid term strategies for rural recovery after the foot and mouth disease outbreak. The Government will respond shortly to both reports.

My right hon. Friend the Deputy Prime Minister has ongoing discussions with the Secretary of State for Environment Food and Rural Affairs on these and other matters.

Government Departments (Co-ordination)

17. **Mr. Gordon Prentice:** To ask the Deputy Prime Minister what recent steps he has taken to improve co-ordination between Government departments in connection with the Better Regulation Task Force and the delivery unit. [15987]

Mr. Leslie: The Deputy Prime Minister is responsible for ensuring better co-ordination across Government in the delivery of a broad range of Government policies, not least through the work of Regional Co-ordination Unit, which reports to the Deputy Prime Minister.

The Better Regulation Task Force is an independent advisory body that makes recommendations to Government on the effectiveness and credibility of government regulation.

The Prime Minister's Delivery Unit has a key role in strengthening capacity across Whitehall to deliver the Government's priorities in the priority areas of health, education, crime and asylum, and transport. My right hon. and noble Friend, Lord Macdonald of Tradeston has day-to-day responsibility for the work of the Delivery Unit.

Ministerial Visits

19. **Lawrie Quinn:** To ask the Deputy Prime Minister what visits to Government regional offices Cabinet Office Ministers have made since 7 June. [15990]

Mrs. Roche: Since 7 June, I have visited the Government Offices for the East of England, East Midlands, South West, North East and North West. My right hon. Friend the Deputy Prime Minister has visited the Government Offices for the North East, South West and North West. My hon. Friend the Parliamentary Secretary visited the Government Office for Yorkshire and Humber.

Mr. McNamara: To ask the Deputy Prime Minister on how many occasions the Cabinet Secretary has visited *(a)* Northern Ireland, *(b)* Wales and *(c)* Scotland since his appointment. [17235]

Mr. Leslie: Since his appointment in January 1998, the Cabinet Secretary has visited Northern Ireland once, Wales six times and Scotland five times.

Social Exclusion Unit

20. **Mr. Ben Chapman:** To ask the Deputy Prime Minister if he will make a statement on the work of the social exclusion unit. [15992]

Mrs. Roche: The Social Exclusion Unit was set up by the Prime Minister to provide joined-up solutions to specific social exclusion problems. It delivers long-term strategies for change but has already demonstrated the effectiveness of its approach.

The unit has produced reports on five main areas:

16 to 18-year-olds not in education, employment or training;
teenage pregnancy;
rough sleeping;
truancy and school exclusions; and
a national strategy for neighbourhood renewal.

The unit is currently working on four projects, looking at:

re-offending by ex-prisoners;
young runaways;
educational attainment of children in care; and
transport and social exclusion.

Public Appointments

21. **Fiona Mactaggart:** To ask the Deputy Prime Minister for Deputy Prime Minister what proportion of public appointments made since 1997 have been women; and if he will make a statement. [15997]

Mr. Leslie: The information requested by my hon. Friend is not available in the form required. However, as at 31 March 2000, 33 per cent. of public appointments were held by women, compared to 32 per cent. as at September 1997 and 23 per cent. in 1992.

The Government are committed to the goal of achieving equal representation of men and women in public appointments. All Departments have individual plans containing details of the measures being taken to increase the representation of women and other currently under-represented groups on the boards of their public bodies. New departmental action plans for the period 2002 to 2005 will be published next year.

Access to Official Information

Mr. Robathan: To ask the Deputy Prime Minister when he will respond to the report from the Parliamentary Commissioner for Administration of 13 November on Access to Official Information. [15498]

Mr. Blunkett *[holding answer 16 November 2001]:* I have been asked to reply.

The Government's position remains as set out in the Fourth Report of the Parliamentary Ombudsman on Access to Official Information. The Government have nothing further to add.

New Deal (Civil Service)

Mr. Shaw: To ask the Deputy Prime Minister how many people have been employed in the civil service under the new deal for the young and unemployed. [19566]

Mr. Leslie: As at 1 October 2001 the information on civil service Departments (including their agencies) participating as employers in the new deal is as follows:

New deal starts since programme began, as at 1 October 2001

Main department (including agencies)	*Number*
Cabinet Office	32
Privy Council Office	1
Charity Commission	38
Department for Culture, Media and Sport	4
Ministry of Defence	146
Department for Education and Skills	140
Office for Standards in Education	1
Department for Environment, Food and Rural Affairs	101
Intervention Board	4
Export Credits Guarantee Department	4
Foreign and Commonwealth Office	11
Government Communications Headquarters	2
Department of Health	72
Home Office	121
Department for International Development	7
Law Officers' Departments	23
Lord Chancellor's Department	64
National Assembly for Wales	39
Northern Ireland Office	14
Scottish Executive	98
Registers of Scotland	1
Department of Trade and Industry	72
Department for Transport, Local Government and the Regions	108
Health and Safety Executive	28
Office of the Rail Regulator	1
Office of Water Services	1
Ordnance Survey	1
Shadow Strategic Rail Authority (NDPB wef 1 February 2001)	1
HM Treasury	7
Office of Government Commerce	1
HM Customs and Excise	129
Board of Inland Revenue	463
Office for National Statistics	11
Royal Mint	3
Department for Work and Pensions	3,693
Total	5,442

Departmental Expenditure Limit

Mr. Miller: To ask the Deputy Prime Minister what plans he has to change the Cabinet Office departmental expenditure limit and the administration cost limit for 2001–02. [19565]

Mr. Leslie: Subject to Parliamentary approval of the Winter Supplementary Estimate the Cabinet Office Departmental Expenditure Limit (DEL) (Resources and Capital) will be increased by £145,606,000 from £202,658,000 to £348,264,000 and the administration costs limit will be increased by £104,803,000 from £141,950,000 to £246,753,000.

Within the DEL change the impact on resources and capital are as set out in the table.

	£000
Resources	
Change	121,427
New DEL	264,449
of which:	
Voted	255,844
Non-voted	8,605
Capital	
Change	24,179
New DEL	83,815
of which:	
Voted	83,815
Non-voted	—

The change in the resource element of the DEL arises from transfers of £115,271,000 from other Departments for Machinery of Government changes and other arrangements and the draw-down of end-year flexibility of £6,156,000.

The change in the capital element of the DEL arises from the draw-down of end-year flexibility of £22,718,000 and transfers of £1,461,000 from other Departments for Machinery of Government changes.

The increases will be offset by inter-departmental transfers and changed to the DEL reserve and will not therefore add to the planned total of public expenditure.

These changes when combined with the totals for the Central Office of Information and Civil Superannuation increase DEL by £145,606,000 from £260,469,000 to £406,075,000.

Departmental Policies (Women)

Judy Mallaber: To ask the Deputy Prime Minister how his Department monitors the impact of its policies on women. [15974]

Mrs. Roche: It is important that departments mainstream women's issues into policy making and delivery. The Women and Equality Unit has developed a framework to encourage policy-makers to challenge each stage of policy making. It asks a series of questions to help ensure that policies meet the different needs of women and men. It has been piloted in the Departments of Health and Lord Chancellor's Department and will be reviewed in the New Year.

Through its research and other work, the Women and Equality Unit monitors the impact on women of policies in areas of key importance to women.

EU Regulation

Jim Knight: To ask the Deputy Prime Minister what progress has been made by the Mandelkern Group on better regulation since the last report to this House in March. [19697]

Mr. Leslie: The Mandelkern Group has met five times since March 2001 and at its last meeting on 12–13 November adopted its Final Report. This report was presented by the group's chairman, M. Dieudonné Mandelkern, to the Internal Market, Consumer and Tourism Council on 26 November and has been sent to the Presidents of the European Commission, European Parliament and Council of Ministers. I have placed a copy of the report in the Library of the House.

The report represents a significant achievement. For the first time, representatives of all fifteen member states have signed up to a document setting out in detail the actions that need to be undertaken in order to improve Europe's regulatory environment. It contains a number of concrete, practical recommendations and an Action Plan with realistic timings. In particular, the Action Plan asks the Commission to:

Establish a new, comprehensive impact assessment system, covering all Commission regulatory proposals, by June 2002;

Establish a central web-based consultation register for all EU consultations by June 2002;

Adopt a standard minimum 16-week consultation period from March 2002;

Spearhead a 40 per cent. reduction in the volume of Community acts by June 2004, arising from concerted codification of European legislation by the institutions;

Launch a new targeted simplification programme by June 2002 of existing European legislation in all areas; and

Create throughout the Commission a centrally supported, effective network for better regulation by June 2002.

The Government fully support the Mandelkern Group's report and will be working closely with other member states and the institutions of the EU to seek acceptance and timely implementation of its main recommendations.

Civil Partnership Registration Scheme

Jane Griffiths: To ask the Deputy Prime Minister what plans the Government have to introduce a civil partnership registration scheme. [19567]

Mrs. Roche: Civil partnership registration and associated rights and responsibilities raise a number of complex issues, which have prompted a growing debate within society. The Government are watching this debate with interest; however, it does not have a settled view.

These issues potentially have significant financial and administrative implications and the Government cannot commit themselves to making any changes in these areas before undertaking a comprehensive analysis of all the implications. The Government will now be examining the issues in detail.

PRIME MINISTER

Security and Intelligence Agencies (Departmental Spending Limits)

Mark Tami: To ask the Prime Minister what plans there are to change the *(a)* departmental expenditure limit and *(b)* administration costs limits for 2001–02 for the security and intelligence agencies. [19751]

The Prime Minister: Subject to parliamentary approval of the necessary Supplementary Estimate, the departmental expenditure limit (DEL) for the security and intelligence agencies will be increased by £12,764,000 from £879,069,000 to £891,833,000 and the administration cost limit will be increased by £2,424,000 from £439,530,000 to £441,954,000. Within the DEL change, the impact on resources and capital are set out in the following table:

			Of which:	
	Change	*New DEL*	*Voted*	*Non-voted*
Resources	10,214,000	779,284,000	779,284,000	—
Capital	2,550,000	112,549,000	112,549,000	—

The change in the resource element of the DEL arises from:

1. the take up of serious crime funding allocated to the Home Office at SR2000 of £9,310,000;
2. a PES transfer of £650,000 from the Home Office Overseas Drugs-Related Assistance Programme;
3. a transfer from DFID's DUP reserve of £100,000;
4. a PES transfer of £146,000 to the Cabinet Office for fast stream recruitment;
5. the take up of end-year flexibility (EYF) carried forward from 2001–02 of £300,000.

The change in the capital element of the DEL arises from £2,250,000 for serious crime funding allocated to the Home Office at SR2000 and the take up of £300,000 of DEL EYF.

The increases will be offset by inter-departmental transfers and the take up of DEL EYF and will not therefore add to the planned total of public expenditure.

Delivery Unit

Mr. Amess: To ask the Prime Minister if he will make a statement on the work of the Delivery Unit. [15976]

The Prime Minister: I refer the hon. Member to the answer I gave the hon. Member for Lewes (Norman Baker) on 19 November 2001, *Official Report*, column 83W.

Norman Baker: To ask the Prime Minister what guidance he has provided to inform the work of the Delivery Unit. [15996]

The Prime Minister: I established the Delivery Unit to work closely with Departments to ensure that the Government achieve their delivery priorities during this Parliament across the key areas of public service, health, education, crime, asylum and transport.

Travel Costs (Concorde)

Mr. Laws: To ask the Prime Minister, pursuant to his answer to the hon. Member for Linlithgow (Mr. Dalyell), of 14 November 2001, *Official Report*, column 783W, on travel costs, for what reasons the estimated cost of his travel on Concorde on 7 November will not be made available till the end of the current financial year; and if he will make a statement. [18237]

The Prime Minister: A detailed list of Cabinet Ministers' visits overseas, and information on spend by all Ministers on travel overseas for the period 1 April 2001 to 31 March 2002 will be published as soon as possible after the end of the current financial year.

PIU Energy Review

Mr. Jack: To ask the Prime Minister if he will make a statement on the number of organisations, bodies and individuals who have made a submission to the PIU Energy Review. [15993]

The Prime Minister: 467 submissions have been made to the PIU Energy Review.

DEFENCE

Plastic Baton Rounds (Northern Ireland)

Mr. McNamara: To ask the Secretary of State for Defence how many plastic baton rounds have been fired by military personnel in Northern Ireland; and what percentage of the total number of plastic baton round firings this represents. [17751]

Mr. Ingram: I refer my hon. Friend to the answer given to him by the then Minister for the Armed Forces on 13 March 2001, *Official Report*, column 507W, which lists the number of baton rounds fired by the military since 1991. Up until 22 November, 16 baton rounds have been fired in 2001. Since 1991 the Army have fired 2,110 baton rounds compared with 12,158 by the Royal Ulster Constabulary/Police Service of Northern Ireland representing 15 per cent. of the total number of baton rounds fired.

Armed Forces (Drugs)

Dr. Murrison: To ask the Secretary of State for Defence how many members of each of the armed forces tested positive for the use of controlled substances in each of the years since testing began, expressed as *(a)* a proportion of those tested and *(b)* by substance. [18411]

Mr. Ingram: The percentage of armed forces personnel testing positive for the use of controlled substances in each year since testing began, and the types of substances detected is given in the table.

	Personnel tested	*Personnel testing positive*	*Percentage of personnel testing positive*	*Confirmed substances*	*Number of confirmed substances*
Royal Navy					
1997[1]	13,000	14	0.11	Cannabis	13
				Amphetamine	1
1998	12,218	14	0.11	Cocaine	2
				Ecstasy	1
				Cannabis	10
				Amphetamine	1
1999	13,039	33	0.24	Cocaine	3
				Ecstasy	2
				Cannabis	26
				Amphetamine	2
2000	13,951	57	0.36	Cocaine	9
				Ecstasy	17
				Cannabis	27
				Amphetamine	2
				Benzodiazepine	2
2001[2]	10,814	51	0.47	Cocaine	7
				Ecstasy	13
				Cannabis	29
				Benzodiazepine	2
Army					
1995	18,311	178	0.97	Cannabis	126
				Ecstasy	10
				Cocaine	1
				Amphetamine	6
				Other	2
1996	53,287	315	0.59	Cannabis	253
				Ecstasy	10
				Cocaine	5
				Amphetamine	25
				Other	0
1997	78,865	485	0.61	Cannabis	422
				Ecstasy	16
				Cocaine	12
				Amphetamine	61
				Other	3
1998	84,474	428	0.52	Cannabis	339
				Ecstasy	9
				Cocaine	26
				Amphetamine	50
				Other	2

	Personnel tested	Personnel testing positive	Percentage of personnel testing positive	Confirmed substances	Number of confirmed substances
1999	85,566	437	0.51	Cannabis	301
				Ecstasy	47
				Cocaine	51
				Amphetamine	30
				Other	6
2000	117,659	702	0.60	Cannabis	461
				Ecstasy	155
				Cocaine	65
				Amphetamine	27
				Other	13
2001[3]	75,152	527	0.70	Cannabis	299
				Ecstasy	183
				Cocaine	82
				Amphetamine	19
				Other	26
RAF					
1998[4]	2,712	1	0.04	Cannabis	1
1999	13,211	10	0.08	Cocaine	2
				Cannabis	8
2000	10,451	14	0.13	Cocaine	3
				Ecstasy	2
				Cannabis	8
				Benzodiazepine	1
2001[3]	8,768	14	0.16	Cocaine	2
				Ecstasy	1
				Cannabis	11

[1] Testing introduced 1 April 1997
[2] To 30 October 2001
[3] To 30 September 2001
[4] Testing introduced 1 November 1998

It should be noted that individuals may test positive for more than one substance. Individual statistics may not therefore equate directly to total positive test results (i.e. one person may be recorded as a positive in two or three of the individual drug statistics).

Recruitment

Patrick Mercer: To ask the Secretary of State for Defence what new measures he has introduced to recruit into the armed forces since 11 September. [18061]

Mr. Ingram: The Army recruiting initiative 'Operation London Soldier' took place from 16 to 24 September 2001. This operation had been planned for some months before. All other initiatives, for all three services, have been introduced prior to 11 September.

Patrick Mercer: To ask the Secretary of State for Defence what his policy is on the opening of Army careers offices and armed forces careers offices on Saturday mornings. [18062]

Mr. Ingram: The core opening hours for the tri-service armed forces careers offices (AFCOs) and their satellite recruiting offices are from 09.00 to 17.00 Monday to Friday. Trials of Saturday opening were carried out in 1988, 1993, 1996 and 2000. During the 2000 trial the level of recruiting activity was monitored but the result from many areas was found to be disappointing. From autumn 2000 the AFCO staffs were authorised to open or close offices on Saturdays based on local conditions, resources and priorities.

Challenger

Mr. Jenkin: To ask the Secretary of State for Defence what the average life expectancy of air filters used in those Challenger 2 tanks which participated in Operation Saif Sareea 2 was. [18462]

Mr. Ingram: During the first phase of Exercise Saif Sareea 2, the life of the Challenger 2 Main Battle Tank air filter reported from theatre was in the region of four hours. Information is currently being collected for the second phase of the exercise, which was held in a different part of Oman.

Spain (Officers Exchange)

Mr. Keetch: To ask the Secretary of State for Defence how many officers on exchange between the UK and Spain are serving in *(a)* UK armed forces and *(b)* Spanish armed forces; and if he will make a statement. [17976]

Mr. Ingram *[holding answer 26 November 2001]:* One Royal Navy exchange officer is attached to the Spanish navy and is reciprocated by a Spanish navy officer serving with the Royal Navy. In addition, we have a RAF liaison officer based in Spain and a Spanish liaison officer attached to the British Army.

Active Service

Mr. Laws: To ask the Secretary of State for Defence how many *(a)* armoured regiments, *(b)* infantry battalions, *(c)* artillery regiments, *(d)* signals regiments and *(e)* RAF squadrons have seen active service in conflicts over the last 15 years; and if he will make a statement. [18753]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Civil Affairs Group

Mr. Swayne: To ask the Secretary of State for Defence if he will make a statement on the composition and capabilities of the Civil Affairs Group. [18869]

Mr. Ingram: Currently, the Civil Affairs Group comprises seven Regular Army Officers, a small administrative team and some 80 Territorial Army personnel. The group can deliver staff planning teams, tactical support teams and functional specialists as required.

Departmental Expenditure Limits

Mr. Kevan Jones: To ask the Secretary of State for Defence what plans he has to change the departmental expenditure limits for 2001–02. [19571]

Mr. Hoon: Subject to parliamentary approval of the necessary Supplementary Estimate, the Ministry of Defence departmental expenditure limit will be increased by £107,080,000 from £23,769,498,000 to £23,876,578,000. Within the DEL change, the impact on the resources and capital components is set out in the following table.

	£000
Resources	
Change	106,780
New DEL	18,371,338
Of which:	
Voted	18,144,740
Non-voted	226,598
Capital	
Change	300
New DEL	5,505,240
Of which:	
Voted	5,407,470
Non-voted	97,770

The change in the resource element of the DEL arises principally from:

The take-up of the end-of-year flexibility carried forward from 2000–01 of £72,917,000.

A net resource DEL transfer of £35,299,000 from the Department for Work and Pensions for the transfer of the running costs of the War Pensions Agency.

A transfer of £1,328,000 to the Cabinet Office for BBC World Monitoring expenses.

A transfer of £432,000 to the Cabinet Office for fast stream recruitment expenses.

A transfer of £176,000 to the Lord Chancellor's Department for legal aid expenses on human rights.

The change in the capital element of the DEL of £0.3 million arises from a transfer from the Department for Work and Pensions for the War Pensions Agency.

The increases will be offset by transfers or charged to the DEL Reserve and will not therefore add to the planned total of public expenditure.

Afghanistan

Mr. Hancock: To ask the Secretary of State for Defence what plans there are for personnel involved in Exercise Saif Sareea 2 to be deployed to Afghanistan to aid in the operations in Afghanistan; and if he will make a statement. [15314]

Mr. Hoon: Exercise Saif Sareea 2 finished on 29 October. My right hon. Friend the Minister of State announced on 26 October 2001, *Official Report*, columns 549–64, that a force drawn from the exercise would be retained in the region to provide the operational flexibility to deal with a wide range of contingencies.

This force comprises an Amphibious Task Group based around HMS Illustrious and HMS Fearless, including 200 men of 40 Commando Royal Marines (with the rest of 40 Commando held at high readiness in the UK), and Nimrod maritime patrol and Hercules transport aircraft. A Tomahawk-armed submarine presence and a number of reconnaissance and air-to-air refuelling aircraft are also in the region.

Following the fall of Mazar-i-Sharif and Kabul, a number of units from 3 Commando Brigade Royal Marines that had taken part in Exercise Saif Sareea 2 were placed on reduced notice to move in case they were required to support humanitarian or other missions in Afghanistan.

Royal Marines from 40 Commando have subsequently been deployed to Bagram airfield. The deployment to Afghanistan of other units or personnel which took part in Exercise Saif Sareea 2 remains under review: no decisions have been taken.

September 11

Mr. Hancock: To ask the Secretary of State for Defence what assessment he has made of the impact of 11 September on *(a)* NATO, *(b)* the EU and *(c)* the UK's regional interests; and if he will make a statement. [17363]

Mr. Hoon: NATO's response to the 11 September attacks included the invocation of Article 5 of the Washington treaty, which states that an attack on one Ally is an attack on all, for the first time in the Alliance's history. This has been supported by a series of specific actions, including deployment of NATO's Airborne Early Warning Force and the Standing Naval Force Mediterranean. The longer-term implications of the events of 11 September, including for the Alliance's force structures and for relations with Russia, are currently under discussion within the Alliance.

The EU Special Council on 21 September agreed to co-operate with the US in bringing to justice and punishing the perpetrators of the 11 September attacks, and approved a set of measures to combat terrorism, including enhancing police and judicial co-operation, developing legal instruments, putting an end to the funding of terrorism and strengthening air security. The General Affairs Council on 8 October, and again on 20 November, confirmed that all partners strongly support the US and UK military action.

The attacks have reinforced the need to build and maintain defence relationships with partners throughout the world. The unprecedented level of international support in the fight against terrorism demonstrates clearly the value of having strong defence relationships. As part of our work on a further chapter to the Strategic Defence Review, we are looking very closely at the impact of 11 September on international organisations, including NATO and the EU, and on our regional interests, not least given the need to sustain long-term coalitions against international terrorism. I expect to publish conclusions in the early summer of next year.

Tax-free Pensions

Mr. Clappison: To ask the Secretary of State for Defence how many *(a)* pensioners, *(b)* widows of pensioners and *(c)* their estates were identified as entitled to tax free pensions under the pre-1973 Attributable Tax Exercise of 1999; and how many fell into the same categories in cases arising from aggravated invaliding. [18006]

Dr. Moonie: We do not have available figures for the numbers of pre-1973 Royal Navy and Royal Air Force pensioners, widows of pensioners or estates entitled to tax free attributable pensions. This information is not held centrally and could be provided only at disproportionate cost. However, tax exemption was applied as appropriate in these cases.

The number of pre-1973 Army pensions, widows of pensioners or their estates identified as entitled to tax free pensions is as follows:

(a) 182 pre-1973 pensioners.

(b) 73 pre-1973 widows.

(c) Nil estates.

In these cases, as well as 787 post-1973 cases, tax exemption was not applied correctly. However this has been remedied in all but 26 cases, which are still under investigation.

Defence Logistics Organisation

Mr. Jenkin: To ask the Secretary of State for Defence if he will list the sums provided for *(a)* capital expenditure and *(b)* current expenditure for the Defence Logistics Organisation in the current financial year. [18459]

Mr. Ingram: I refer the hon. Member to the answer I gave him on 31 October 2001, *Official Report,* columns 659–60W.

Tornado GR1

Mr. Laws: To ask the Secretary of State for Defence what plans he has to *(a)* replace and *(b)* upgrade the Tornado GR1 aircraft; and if he will make a statement. [18759]

Mr. Ingram: We are continuing to upgrade the RAF's fleet of Tornado GR1 aircraft to GR4 standard. The GR4 has been in operational service with the RAF since June and to date 104 GR4s have been delivered.

The GR4 upgrade includes: Hand on Throttle and Stick (HOTAS); Forward Looking Infra Red (FLIR); improved navigation and warning systems (LINS/GPS/GPWS). In addition, the GR4 is now able to deploy the all-weather interim precision guided bomb, as well as laser guided and unguided bombs. The upgrade also paves the way for the eventual integration of Storm Shadow, Brimstone and the Raptor reconnaissance pod on to GR4.

The UK has a requirement to replace, towards the end of the next decade, the strike capability currently provided by the Tornado GR4 strike aircraft. This programme is known as the Future Offensive Air System (FOAS). While no decisions have yet been taken we are currently looking at a potential mix of platforms to deliver precision strike capability—including Long Range Cruise Missiles, Uninhabited Combat Air Vehicles and manned aircraft.

Regimental Running Costs

Mr. Laws: To ask the Secretary of State for Defence what is his estimate of the running costs of *(a)* an armoured regiment and *(b)* an artillery regiment, for the latest year for which figures are available. [18752]

Mr. Ingram: It is currently not possible accurately to provide the information requested. The introduction of improved accountancy procedures across the Ministry of Defence will enable us to do so in the future.

EU Rapid Reaction Force

Dr. Julian Lewis: To ask the Secretary of State for Defence what his policy is on the use of the EU rapid reaction force for *(a)* crisis management and *(b)* war-fighting. [18258]

Mr. Hoon: There is no standing EU rapid reaction force. An EU-led crisis management operation would take place only where NATO as a whole is not engaged. The decision to proceed on a particular operation would be taken on a case by case basis, but the types of operation the EU might undertake could include humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking. These are commonly known as the Petersberg Tasks. The European Security and Defence Policy does not cover war-fighting operations.

Ex-service Men (Rough Sleepers)

Mr. Swayne: To ask the Secretary of State for Defence what assessment his Department has made of the number of ex-service men who are rough sleepers; and if he will make a statement. [16143]

Dr. Moonie: The Ministry of Defence does not monitor the number of rough sleepers. However, MOD has been working in partnership with the Rough Sleeper's Unit (RSU) to put in place preventive measures to reduce the ex-service component of rough sleeping, against the target of making an overall reduction in rough sleeping of at least two-thirds by 2002.

The Social Exclusion Unit Report published in December 1999 highlighted that between a quarter and one fifth of rough sleepers had been in the armed forces at some stage, predominantly as national service men. Since then the RSU in partnership with the MOD has set up schemes to help those vulnerable to rough sleeping, before, at the point of and after discharge.

Figures published in August by the RSU showed that as of June 2001 there had been a 62 per cent. reduction.

But we are not complacent. As part of the Government's Veterans' Initiative we are looking at improvements to resettlement arrangements for the vulnerable groups from which rough sleepers are most likely to come.

Armoured Vehicles

Mr. Swayne: To ask the Secretary of State for Defence how many and what types of armoured vehicles are in service; and what are the *(a)* mid-life extension programmes dates and *(b)* anticipated withdrawal from service dates, where applicable. [18199]

Mr. Ingram: The following types of armoured vehicle are currently in service with the UK armed forces (the dates of any planned life extension programmes and withdrawal from services dates, based on current plans, are also given):

Type	*Fleet size*	*Life extension dates, where applicable*	*Planned withdrawal/phase out from service dates*
Challenger 2 Main Battle Tank	386	n/a	2028
Challenger Recovery Vehicle	81	n/a	2028
Chieftain Recovery Vehicle	49	n/a	2003–05
Chieftain Bridge Layer Vehicle	51	n/a	2005–07
Chieftain Royal Engineer Vehicle	51	n/a	2005–07
Beach Recovery Vehicle	5	n/a	2002–03
FV 430 series	1,730	n/a	2007–20
Saxon—(including Saxon Patrol)	649	n/a	2007–20
CVR (T) Reconnaissance Vehicle—including all variants	1,600	[1]2002	[2]2005 [3]2015
Warrior Armoured Fighting Vehicle—all variants	794	n/a	2025
Stormer—all variants	148	n/a	2020
Shielder	28	2010	2019
Combat Engineer Tractor	135	n/a	2003
Fuchs NBC Vehicle	11	2002–04	2010
AS 90	179	n/a	2023
Multiple Launch Rocket System	64	n/a	2025
M578	8	n/a	2008

[1] Completed by July

[2] Some variants

[3] Remainder

MOD Police Vehicles

Mr. Hoyle: To ask the Secretary of State for Defence what assessment he has made of the merits of the MoD police purchasing vehicles through a central purchasing agency. [18398]

Dr. Moonie: The Defence Procurement Agency is the central purchasing agency for the Ministry of Defence. The MOD Police is a Defence Agency and the DPA purchase all vehicles used by the Force in line with standard procurement procedures.

Mr. Hoyle: To ask the Secretary of State for Defence what policy the MOD police adopts towards supporting British manufacturing when purchasing vehicles. [18399]

Dr. Moonie: The Defence Procurement Agency purchase all vehicles for the Ministry of Defence Police on a best value for money basis.

NATO Defence Capabilities Initiative

Mr. Jenkin: To ask the Secretary of State for Defence when the NATO Defence Capabilities Initiative will report; and if he will make a statement. [18640]

Mr. Hoon: NATO's Defence Capabilities Initiative was launched at the Washington Summit in April 1999 with a view to addressing shortfalls in military capabilities across the Alliance. The Initiative is overseen by the High Level Steering Group (HLSG), the Chairman of which periodically reports to NATO Defence Ministers. The next report is due to be presented at the December Ministerials, with the HLSG's final report at the Prague Summit next year.

Since 1999 NATO nations have been working hard to implement the DCI. Progress has been made in many capability areas, including interoperability; logistics co-operation; air to air refuelling; air and sealift; and acquisition of precision-guided munitions. The UK's own performance within the Defence Capabilities Initiative compares very well with the Alliance average.

Far East Prisoners of War

Dr. Murrison: To ask the Secretary of State for Defence what is the pick-up rate broken down by condition of the medical screening programme for Far East prisoners of war; and if he will make a statement. [18407]

Dr. Moonie: There is no medical screening programme for former Far East prisoners of war. The War Pensions Agency does however offer a Tropical Disease Investigation. Arrangements for this are not conditional upon a person being in receipt of a war pension. Since May 2000, Tropical Disease Investigations have been offered to 45 former Far East prisoners of war of whom 15 have accepted and 30 declined.

Military Courses

Mr. Swayne: To ask the Secretary of State for Defence what is the total revenue his Department has received in each of the last 10 years as a result of providing places on UK military courses to overseas service men. [16142]

Mr. Ingram: The table shows the revenue received by the Ministry of Defence for the period 1991–92 to 2000–01 in support of International Training.

Year	*£ million*
1991–92	63.186
1992–93	36.793
1993–94	39.522
1994–95	34.626
1995–96	45.907
1996–97	39.749
1997–98	19.860
1998–99	22.765
1999–2000	22.767
2000–01	17.709

Divorce (Service Men)

Mr. Swayne: To ask the Secretary of State for Defence how many service men occupying married quarters were divorced in each of the last 10 years for which figures are available. [16144]

Dr. Moonie: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Public Service Agreements

Mr. Jenkin: To ask the Secretary of State for Defence what plans he has to renegotiate the public service agreements signed with the Treasury for 2001 to 2004. [18461]

Mr. Hoon: The Ministry of Defence's Public Service Agreement (PSA) records the key defence outcomes the Government aim to achieve over the Spending Review period. The PSA agreed as part of Spending Review 2000 relates to the period 2001–02 to 2003–04. As part of Spending Review 2002, all Departments' PSAs will be reviewed and revised as necessary for the period 2003–04 to 2005–06.

EDUCATION AND SKILLS

Individual Learning Accounts

Mr. Damian Green: To ask the Secretary of State for Education and Skills when her Department first received warnings from training providers that the individual learning account scheme was open to fraud. [14580]

John Healey *[holding answer 13 November 2001]:* My Department actively engaged learning providers in the development of the individual learning accounts programme. For example, a number of seminars were held with learning providers in 2000, prior to the introduction of the national framework for individual learning accounts, and these continued into 2001. At these events providers expressed a wide range of opinions. In September 2000 James O'Brien, Managing Director, Pitman Training, wrote to Ministers to express concern that the programme was open to abuse but that the cap on public support for each individual's ILA account introduced to help control such abuse had been set at too low a level. We have not yet been able to trace any earlier correspondence on the specific topic of potential abuse of the ILA scheme.

Gender Stereotyping

Dr. Kumar: To ask the Secretary of State for Education and Skills what guidance has been issued to careers teachers to challenge preconceptions about girls' and boys' subjects and employments. [16264]

Mr. Ivan Lewis: Information and good practice to challenge preconceptions about career choices is contained in a number of documents made available by my Department to schools and careers advisers, including "Developing the careers education curriculum in schools", 1999, and "School improvement: how careers work can help", 2000. The issue is also covered by research published by the Equal Opportunities Commission, and in forthcoming guidance by Ofsted on evaluating careers education in schools, which will be issued to schools early in the new year.

The Connexions service works with young people aged between 13 and 19, including those in schools, and subsumes the role of careers services in guiding young people on suitable employment and learning choices. Connexions and careers services work closely with careers teachers to provide comprehensive and impartial information, advice and guidance. They offer training to teachers and other staff so that schools can challenge stereotyping, promote equality of opportunity and engender a wide awareness of opportunities among pupils.

Specialist Schools

Mr. Swire: To ask the Secretary of State for Education and Skills how many specialist schools have closed since 1997 in *(a)* England and *(b)* east Devon. [17269]

Mr. Timms: One specialist school has closed in England since 1997; this was due to local authority reorganisation. No specialist schools have closed in east Devon. 25 former specialist schools in England no longer have Specialist School status. All of these lost their status since 1997. There were none in east Devon.

Mr. Flight: To ask the Secretary of State for Education and Skills how many specialist schools have closed since 1997 in Arundel and South Downs. [18310]

Mr. Timms: No specialist schools have closed in Arundel and South Downs since the inception of specialist schools. There are 25 former specialist schools in England which no longer have Specialist School status. All of these have lost their status since 1997. None of them are located in the constituency of Arundel and South Downs.

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills for each specialist school and college in *(a)* Nottingham and *(b)* Nottinghamshire, what were its (i) targets associated with specialist status and (ii) success in meeting those targets in the most recent year for which information is available. [18619]

Mr. Timms: This information cannot be provided except at disproportionate cost.

Jean Monnet Chairs

Mr. Bercow: To ask the Secretary of State for Education and Skills if he will list the Jean Monnet *(a)* chairs and *(b)* chair occupants funded in the UK by European Community money. [17622]

Margaret Hodge: Jean Monnet chairs are co-financed by their universities and by the European Commission. The present occupants of the Jean Monnet chairs in United Kingdom and their universities are listed by subject area.

Jean Monnet chairs in UK universities

Chair	*University*
European Law	
To be appointed	University of Glamorgan, Pontypridd
Prof. A. M. Arnull	University of Birmingham
Prof. Estella Baker	University of Leicester
M. Brian Bercusson	University of Manchester
Prof. Lammy Betten	University of Exeter
Prof. Christopher Bovis	University of Central Lancashire, Preston
Mr. Noreen Burrows	University of Glasgow
Ms Holly Culen	University of Durban
Mr. Peter Joseph Cullen	University of Edinburgh
Prof. Arthur Alan Dashwood	University of Cambridge
Dr. Charles Debattista	University of Southampton
Prof. Barry Fitzpatrick	University of Ulster, Coleraine
Ms Theodora Kostakopoulou	University of East Anglia, Norwich
Ms Catherine Kratz	University of Lancaster
Mr. Duncan Matthews	University of Warwick, Coventry
Ms Helen Meenan	University of Kingston
Dr. Sarah Mercer	University of Northumbria at Newcastle
Dr. Nanette Neuwahl	University of Liverpool
Mrs. Ursula O'Hare	University of Newcastle
Prof. Nuala O'Loan	University of Ulster, Coleraine
Prof. M. G. Ross	University of Leicester
Prof. Jo Shaw	University of Leeds
Prof. Peter Stone	University of Essex, Colchester
Prof. Anna Syngellakis	University of Portsmouth
Prof. Erika Szyszczak	University of Nottingham
Prof. A. G. Toth	University of Strathclyde, Glasgow
Prof. John Anthony Usher	University of Edinburgh
Prof. Ferdinand von Prondzynski	University of Hull
Prof. Thomas Waelde	University of Dundee
Prof. Adrian Wood	Metropolitan University of Leeds
European Economics	
Dr. Robert William Ackrill	University of Leicester
Prof. Ian Gregory Barnes	University of Lincolnshire and Humberside, Lincoln

Jean Monnet chairs in UK universities

Chair	*University*
Dr. Marius Brulhart	University of Manchester
Dr. Alan Butt Philip	University of Bath
Dr. Lawrence Jeremy Clegg	University of Leeds
Dr. Felicia Fai	University of Bath
Dr. Vanessa Fry	University of Essex, Colchester
To be appointed	De Montfort University, Leicester
Prof. Andrews Hughes Hallett	University of Strathclyde, Glasgow
Dr. Theodore Hitiris	University of York
Dr. Peter Holmes	University of Sussex, Brighton
Dr. Andrew Mountford	University of Southampton
Dr. Cillian Ryan	University of Birmingham
Mr. Andrew Scott	University of Edinburgh
Mr. Stephen Smith	University College of London
Dr. Mehmet Ugur	University of Greenwich, London
Prof. Roger W. Vickerman	University of Kent at Canterbury
European Political Integration	
Mr. D. J. Allen	University of Loughborough
Prof. Andrea Bosco	South Bank University, London
Prof. Irene Brennan	University of Westminster, London
Prof. Simon Bulmer	University of Manchester
Dr. M. Burgess	University of Hull
Dr. Thomas Christiansen	University of Wales Aberystwyth
Dr. Clive Church	University of Kent at Canterbury
Dr. Michelle Cini	University of Bristol
Prof. K. Doogan	University of Bristol
Dr. Geoffrey Edwards	University of Cambridge
Dr. D. M. Farrell	University of Manchester
Dr. Helen Fawcett	University of Strathclyde, Glasgow
Prof. Kevin Featherstone	University of Bradford
Prof. Stephen Alan George	University of Sheffield
Mrs. Jacqueline Gower	Thames Valley University, London
Dr. Justin Greenwood	Robert Gordon University, Aberdeen
Mr. Frank Gregory	University of Southampton
Prof. Catherine Hoskyns	University of Coventry
Prof. Jolyon Howorth	University of Bath
Ms Annabel K. Kiernan	University of Paisley
Prof. Emil Kirchner	University of Essex, Colchester
Dr. Robert Leonardi	London School of Economics and Political Science, London
Prof. Juliet Lodge	University of Leeds
Prof. C. J. Lord	University of Leeds
Prof. John P. Loughlin	University of Wales, College of Cardiff
Mr. Howard Machin	London School of Economics and Political Science, London
Mr. Michael Mannin	John Moores University, Liverpool
Mr. S. Marsh	University of Wales, College of Cardiff
Prof. Elizabeth Meehan	Queen's University Belfast
Dr. A. Menon	University of Oxford
Prof. Michael Newman	University of North London
Prof. Neill Nugent	Metropolitan University of Manchester
Dr. John Peterson	University of Glasgow
Dr. John Redmond	University of Birmingham
Prof. Jeremy Richardson	University, Essex
Dr. Ella Ritchie	University of Newcastle
Prof. T. C. Salmon	University of Aberdeen
Mr. George Schöpflin	School of Slavonic and East European Studies, University of London
Prof. Michael Smith	University of Loughborough
Dr. Stelios Stavridis	University of Reading
Dr. Paul Taggart	University of Sussex, Brighton
Prof. Helen Wallace	University of Sussex, Brighton
Dr. Alison Watson	University of St. Andrews
Dr. Mark Wise	University of Plymouth
History of European Integration	
Dr. A. J. Crozier	Queen Mary and Westfield College, London
Dr. Anne Deighton	University of Oxford
Prof. Michael Smith	Queen's University Belfast
Dr. Stephen Ward	University of Salford

Youth Services

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills in relation to youth services in each local education authority how many hours of provision are made *(a)* directly by the LEA *(b)* on behalf of the LEA and *(c)* independently of the LEA. [18623]

Mr. Ivan Lewis: Under the Learning and Skills Act 2000 the provision of the youth service is the responsibility of local education authorities (LEAs). The Department for Education and Skills does not collect information on youth service hours of provision that are made directly by the LEA, on behalf of the LEA or independently of the LEA.

Rural Education Action Zones

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills how she proposes that the work of rural education action zones be carried forward following the transfer of responsibility for EAZ schools to the Excellence in Cities programme. [18624]

Mr. Timms: Wherever possible, we aim to find ways of continuing to support ex-zone schools following the end of each zone's statutory term. My officials are starting discussions with each zone on the future of the zone, with a view to having firm proposals well before the end of its statutory term.

Specialist Schools

Fiona Mactaggart: To ask the Secretary of State for Education and Skills if she will list the specialist schools in education authorities which retain the 11-plus, indicating which are *(a)* grammar and *(b)* secondary modern or non-selective schools. [18647]

Mr. Timms: For the 10 LEAs in which 25 per cent. or more secondary pupils attend grammar schools, the table shows the specialist schools which are *(a)* grammar schools and *(b)* secondary modern or non-selective.

Specialist schools located in LEAs where 25 per cent. or more of secondary pupils attend grammar schools (as at 27 November 2001)

Lea	*School*	*Specialism*	*Admission Policy*
Bexley, LB of	Beths Grammar School for Boys	Technology	Selective Grammar
Buckinghamshire	Aylesbury Grammar School	Technology	Selective Grammar
Buckinghamshire	Aylesbury High School	Language	Selective Grammar
Buckinghamshire	Beaconsfield High School	Technology	Selective Grammar
Buckinghamshire	Dr. Challoner's High School	Sports	Selective Grammar
Buckinghamshire	John Hampden Grammar School	Technology	Selective Grammar
Buckinghamshire	Royal Grammar School (The)	Language	Selective Grammar

Specialist schools located in LEAs where 25 per cent. or more of secondary pupils attend grammar schools (as at 27 November 2001)

Lea	*School*	*Specialism*	*Admission Policy*
Buckinghamshire	Princes Risborough School	Technology	Modern
Buckinghamshire	Sir William Ramsey School	Arts	Modern
Buckinghamshire	Wye Valley School (The)	Sports	Modern
Kent	Dartford Grammar School	Language	Selective Grammar
Kent	Weald of Kent Grammar School	Language	Selective Grammar
Kent	Dartford West High School for Girls	Technology	Modern
Kent	Hartsdown School	Technology	Modern
Kent	Hayesbrook School (The)	Sports	Modern
Kent	Hillview School for Girls	Arts	Modern
Kent	Holmesdale Community School	Technology	Modern
Kent	Hugh Christie Technology College	Technology	Modern
Kent	Sandwich Technology School	Technology	Modern
Kent	Angley School	Sports	Comprehensive
Kent	Chaucer Technology School	Technology	Comprehensive
Kent	Cornwallis School	Technology	Comprehensive
Kent	St. George's C of E School	Language	Comprehensive
Lincolnshire	Skegness Grammar School	Sports	Selective Grammar
Lincolnshire	Castle Hills Community School	Arts	Modern
Lincolnshire	Gleed Girls' School (The)	Technology	Modern
Lincolnshire	Middlefield Community School (The)	Technology	Modern
Lincolnshire	Monks' Dyke Technology College	Technology	Modern
Lincolnshire	Central School (The)	Technology	Comprehensive
Lincolnshire	George Farmer School (The)	Technology	Comprehensive
Lincolnshire	Lincoln Christ's Hospital School	Language	Comprehensive
Lincolnshire	Lincoln School of S & T	Technology	Comprehensive
Lincolnshire	North Kesteven School	Arts	Comprehensive
Lincolnshire	Robert Manning School (The)	Technology	Comprehensive
Lincolnshire	Robert Pattinson School	Language	Comprehensive
Lincolnshire	Sir William Robertson High School	Language	Comprehensive
Lincolnshire	St. George's School	Technology	Comprehensive
Lincolnshire	William Farr CoE Comprehensive School	Technology	Comprehensive
Medway	Chatham Grammar School for Boys	Language	Selective Grammar
Medway	Chatham Grammar School for Girls	Technology	Selective Grammar
Medway	Rainham School for Girls	Technology	Modern
Medway	Thomas Aveling School (The)	Technology	Modern
Slough	Herschel Grammar School	Technology	Selective Grammar
Slough	Wexham School	Sports	Modern
Southend-on-Sea	Southend High School for Boys	Language	Selective Grammar
Southend-on-Sea	Eastwood School (The)	Arts	Modern
Southend-on-Sea	Shoeburyness Community High School	Technology	Comprehensive
Sutton, LB of	St. Philomenas Catholic High School	Technology	Comprehensive
Torbay	Torquay Boys' Grammar	Language	Selective Grammar
Trafford	Ashton on Mersey School	Sports	Modern
Trafford	Jeff Joseph Sale Moor TC	Technology	Modern
Trafford	Lostock Community High School	Arts	Modern
Trafford	Stretford High School	Language	Modern
Trafford	Wellington School	Technology	Comprehensive

GCSE Results (Arundel and South Downs)

Mr. Flight: To ask the Secretary of State for Education and Skills if she will make a statement on difference in performance at GCSE between state secondary schools *(a)* with and *(b)* without a sixth form in Arundel and South Downs. [18325]

Mr. Ivan Lewis: The proportion of 15-year-olds achieving five or more GCSEs at A* to C in Arundel and South Downs in 2001 was as follows (the results of the individual schools included in the averages are also given):

Percentage

	Arundel and South Down	*Individual schools*
(a) Schools with sixth forms	56.7	—
The Angmering School	—	54
Steyning Grammar School	—	58
The St. Philip Howard Catholic High School	—	58
(b) Schools without sixth forms	63.4	—
Westergate Community School	—	42
Downlands Community School	—	74

Higher Education (East Sussex)

Mr. Barker: To ask the Secretary of State for Education and Skills what plans there are to establish a new *(a)* university and *(b)* higher education college in East Sussex. [9859]

Margaret Hodge: There are no plans at present to establish another higher education institution in East Sussex. However, as part of a five point programme to regenerate Hastings and Rother, there are discussions underway about developing higher education in East Sussex.

GCSE Results

Mr. Mark Field: To ask the Secretary of State for Education and Skills if she will provide a nationwide breakdown of GCSE results in 2001 by gender. [18614]

Mr. Ivan Lewis: The GCSE results for 15-year-old pupils in schools in England in 2001 by gender are:

	Boys	*Girls*	*Total*
Percentage achieving five or more grades A*-C	44.8	55.4	50.0
Percentage achieving five or more grades A*-G	86.9	91.0	88.9
Percentage achieving no passes	6.5	4.4	5.5
Average GCSE/GNVQ point score	36.6	42.1	39.3

School Exclusions

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills how many pupils were excluded *(a)* permanently and *(b)* temporarily from schools in each year since 1997. [18617]

Mr. Timms: The available information is shown in the table.

Number of permanent exclusions by type of school: England, 1996–97 to 1999–2000

	1996–97	*1997–98*	*1998–99*	*1999–2000*
Primary schools[1]	1,573	1,539	1,366	1,226
Secondary schools[1]	10,463	10,187	8,636	6,713
Special schools[2]	632	572	436	384
All schools	12,668	12,298	10,438	8,323

[1] Includes middle schools as deemed

[2] Includes both maintained and non-maintained special schools

Source:

Annual Schools Census

Information on pupils excluded on a temporary basis is not collected centrally.

The latest permanent exclusions data were published in a Statistical Bulletin "Permanent Exclusions from Maintained Schools, England 1999/2000" on 16 November, copies of which are available from the Library, or alternatively can be accessed from the Department for Education and Skills statistical website www.dfes.gsi.gov.uk/statistics

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills how many pupils in each age group were excluded *(a)* permanently and *(b)* temporarily from schools in the most recent year for which information is available. [18618]

Mr. Ivan Lewis: Information on permanent exclusions by age is shown in the table.

Permanent exclusions by age—England, 1999–2000

Age[1]	*Number of permanent exclusions*
3	0
4	9
5	59
6	86
7	132
8	202
9	312
10	460
11	519
12	1,180
13	1,766
14	2,200
15	1,288
16	92
17	16
18	2
19	0
Total	8,323

[1] Age at 31 August 2000.

Source:

Annual Schools Census

Information on pupils excluded on a temporary basis is not collected centrally.

The latest permanent exclusions data were published in a Statistical Bulletin 'Permanent Exclusions from Maintained Schools, England 1999/2000' on 16 November, copies of which are available from the Library, or alternatively can be accessed from the Department for Education and Skills statistical website "www.dfes.gsi.gov.uk/statistics"

Education Maintenance Allowances

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills (1) how *(a)* participation rates and *(b)* attainment levels (i) of pupils and (ii) of areas benefiting from education maintenance allowances compare with those not so benefiting; [18620]

(2) if she proposes to publish evidence on the educational benefits of education maintenance allowances before taking a decision about roll-out; and when that will be. [18621]

Mr. Ivan Lewis: Education Maintenance Allowance (EMA) pilots are being evaluated over a three-year period, and we will be basing our decisions about any national roll-out on the evaluation evidence. From the beginning, we have made clear our commitment to publishing reports which set out the independent evaluators' main conclusions. The first reports were published in March this year and the next report is due for publication early in 2002. The quantitative analysis which is being carried out compares performance in the areas where we are piloting EMAs against "control areas" where EMA is not available.

Early findings from the evaluation show that EMA appears to have raised participation in education. The statistical analysis estimates an average gain in participation in pilot areas compared to control areas, among EMA eligible young people, of around five percentage points.

Although we do not yet have figures on attainment, the qualitative aspect of the evaluation has found some evidence of a positive effect on young people's performance and commitment to study.

Connexions Service

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what are her quantitive targets for the Connexions service. [18622]

Mr. Ivan Lewis: The Connexions service has published the following targets in its Planning Guidance for 2002–03:

Cross cutting targets

Connexions partnerships will contribute to the following local targets set by Government Departments and agencies:

to increase the proportion of 16-year-olds obtaining five or more GCSEs at grades A*-C (or equivalent) by four percentage points between 2002 and 2004 (DfES & LEA target);

92 per cent. of 16-year-olds to obtain five or more GCSEs at grades A*-G (or equivalent), including English and Maths, by 2004 (DfES & LEA target);

the number of 19-year-olds achieving a qualification equivalent to NVQ level 2 to increase by three percentage points between 2002 and 2004 (LSC target);

80 per cent. of 16–18-year-olds to be in structured learning by 2004 (LSC target);

to reduce school truancies by a further 10 per cent. between 2002 and 2004 (DfES target);

to reduce by 50 per cent. the under-18 conception rate by 2010, and to establish a firm downward trend in the conception rates for the under 16s (cross Government target).

Partnership targets

Connexions partnerships will lead in setting and achieving the following local targets in their area:

A reduction in the percentage of young people leaving education and training to become NEET (not in employment, education or training);

The percentage of those young people who were looked after at the age of 16, who are engaged in employment, education and training at the age of 19. Levels for this group should be at least 75 per cent. of those for all young people of the same age in the area by 2004;

The percentage of 16–19-year-old teenage mothers in employment, education and training;

The proportion of 13–18-year-olds, supervised by Youth Offending Teams who are in employment, education and training by March 2004;

The proportion of 13–18-year-olds with a drug related problem who are identified and referred to an appropriate specialist service by Connexions;

A local target, to improve levels of participation among a local priority group. This might be a particular minority ethnic group, travellers, or young people whose whereabouts are not currently known.

A further target, for young people with disabilities, is being considered in conjunction with the Department of Health.

Parliamentary Commissioner for Administration

Mr. Chope: To ask the Secretary of State for Education and Skills how many formal notices her Department has received in the last year from the Parliamentary Ombudsman expressing an intention to carry out an investigation; and in respect of each notice how long it took to respond. [18771]

Estelle Morris *[holding answer 27 November 2001]:* Information on the outcome of statutory investigations which were concluded during 2000–01 are set out in the Parliamentary Ombudsman's Annual Report for 2000–01, copies of which are available in the Library of the House, or on the Parliamentary Ombudsman's website at www.ombudsman.org.uk/pca/document/par01/index.htm.

Between 1 April 2001 and 31 October 2001 my Department received five new statutory statements of complaint from the Parliamentary Ombudsman. So far, my Department has responded to all of these cases, and the average time taken to respond overall is 21 days.

Departmental Spending Limits

Mr. Pickthall: To ask the Secretary of State for Education and Skills what plans she has to change the departmental expenditure limit and administration cost limits for 2001–02. [19511]

Estelle Morris: Subject to parliamentary approval of the necessary Supplementary Estimate, the Department for Education and Skills' DEL will be decreased by £1,358,837,000 from £21,582,664,000 to £20,223,827,000 and the administration costs limits will be changed as follows.

£000

	Original	*Change*	*Revised*
DfES and ES[1]	1,074,874	–855,829	219,045
Sure Start[2]	3,449	—	3,449
Children and Young People's Unit[3]	1,575	1,091	2,666

[1] RfR1 and RfR2

[2] RfR3

[3] RfR4

Within the DEL change, the impact on the resources element and the capital element are as set out in the following table:

£000

	RfR 1	*RfR 2*	*RfR 3*	*RfR 4*	*Total change*
Resources					
Change	–198,384	–1,410,305	0	–384	–1,609,073
New DEL	16,961,222	0	122,345	99,616	—
Of which:					
Voted	6,551,606	0	122,345	99,616	—
Non-voted	10,409,616	0	0	0	—
Capital					
Change	267,888	–17,652	0	0	250,236
New DEL	2,876,419	0	1,025	0	—
Of which:					
Voted	1,913,981	0	0	0	—
Non-voted	962,438	0	0	0	—

The reduction in the voted resource element of the DEL for RfR1, (£242,549,000) arises from the take up of £320,860,000 of End Year Flexibility provision; the increase in receipts of £40,000,000 resulting from the winding up of the Training and Enterprise Councils; the transfer of £25,478,000 to the Cabinet Office to support Government offices, recruitment of Fast Streamers and Millennium Volunteers; the transfer of £9,414,000 from the Home Office for the education of adult and juvenile offenders, Adult Basic Skills projects and Community Champions; the transfer of £4,097,000 from the Department of Health for Health Education Partnerships and the Education Projects Implementation Programme; the transfer of £1,072,000 to the Welsh Executive for the National Training Organisation and for Hardship and Opportunity Bursaries; the transfer of £1,000,000 to the Department for Work and Pensions to support Lone Parents; an increase to the Standards Fund of £710,000; the transfer of £473,000 to the Scottish Executive for Hardship Bursaries and Fee Remission for Open University Students; the take up of £123,000 from the Evidence Based Policy Fund for research projects; the transfer of £100,000 from the Department for Transport, Local Government and the Regions for the Property Service Agency costs transferred to DfES; the transfer of £70,000 to the Department of Trade and Industry for Work Life Balance secondees; and the transfer of £496,349,000 to the Department for Work and Pensions, £8,207,000 to the Department of Trade and Industry, £4,590,000 to the Home Office and £614,000 to the Cabinet Office as part of the machinery of Government changes announced by the Prime Minister on 8 June 2001. The reduction in the voted resource element of the DEL for RfR2, (£1,410,305,000) arises from the transfer of the Employment Service to the Department for Work and Pensions as part of the machinery of Government changes.

The reduction in the voted resource element of DEL for RfR4 arises from the transfer of £384,000 to the Cabinet Office to support Children's Fund partnerships work in Government offices.

The increase in the voted capital element of the DEL for RfR1, (£270,290,000) arises from the take up of £235,000,000 of End Year Flexibility provision; the transfer of £30,000,000 from the Department for Work and Pensions being the refund of CMF provision from the Employment Service and; the take up of £6,000,000 from the Capital Modernisation Fund (CMF) for the Cybrarian, Advanced and Enterprise Specialist Schools and SEN Communication Aids; and an increase of £710,000 in former grant maintained school loan repayments.

The reduction in the voted capital element of the DEL for RfR2, (£17,652,000) arises from the transfer of the Employment Service to the Department for Work and Pensions.

The increase in the non-voted resource element of the DEL, (£69,877,000) arises from the take up of £68,467,000 of End Year Flexibility provision; an increase of £40,000,000 to the grant in aid to the Learning and Skills Council; the transfer of £13,735,000 to the Scottish Executive for Open University Students; the transfer of £3,250,000 from the Home Office for Higher Education Active Community Fund projects; the transfer of £1,200,000 from the Department for Work and Pensions for provision the Adult Learning Inspectorate; the transfer of £1,100,000 to the Department for Transport, Local Government and the Regions to support the Maritime Training Scheme; and the transfer of £19,600,000 to the Department for Work and Pensions and £8,605,000 to the Cabinet Office as part of the machinery of Government changes.

The decrease in the non-voted capital element of the DEL arises from the transfer of £1,402,000 to the Department for Work and Pensions as part of the machinery of Government changes.

The non-voted DEL has also been reduced by £25,712,000 (resource) and by £1,000,000 (capital) as a result of the transfer of the European Regional Development Fund provision to the Department for Work and Pensions as part of the machinery of Government changes. Whilst this provision is in our DEL it is not in our estimate.

Lecturers

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills if she will make a statement on the ability of part-time lecturers to provide quality support to their students. [18674]

Margaret Hodge: The Department is not aware of any issues regarding the ability of part-time lecturers to offer quality support to their students. NATFHE recently published a report 'in From the cold' about part-time lecturers in higher education, which did not uncover any problems in this area. Membership of the ILT helps lecturers to ensure that they are equipped with the skills necessary to be able to give a high standard of teaching to their students. The ILT encourages membership of part-time staff.

School Records

Mr. Chaytor: To ask the Secretary of State for Education and Skills what guidance she has issued to *(a)* local education authorities and *(b)* schools in respect of (i) their responsibilities for the preservation of school records and (ii) their co-operation with local public records offices in order to maintain the integrity of school records for the purposes of historical research; and if she will make a statement. [15831]

Mr. Timms: We have issued no guidance to local education authorities and schools on these matters. As schools' own records are not public records, it is for them to make their own decisions, consulting local public records offices as they think fit.

TRANSPORT, LOCAL GOVERNMENT AND THE REGIONS

Wychavon District Council

Mr. Luff: To ask the Secretary of State for Transport, Local Government and the Regions what recent assessment he has made of the improvement in the performance of the planning department of Wychavon district council; and if he will make a statement. [14283]

Ms Keeble: We monitor all authorities' performance in handling planning applications on a quarterly basis. The most recent figures show that Wychavon determined

69 per cent. of applications within eight weeks in the period April to June 2001, compared with 35 per cent. in the equivalent period in 2000. The authority is subject to a Best Value performance standard that requires it to determine at least 65 per cent. of applications within eight weeks in 2001–02.

West Coast Main Line

Mr. Page: To ask the Secretary of State for Transport, Local Government and the Regions what are the *(a)* original and *(b)* latest estimates of the (i) cost and (ii) longevity of the West Coast Main Line works in Hertfordshire. [15804]

Mr. Jamieson: It is not possible to give a breakdown of costs of the works in Hertfordshire alone. We know from our discussions with the Strategic Rail Authority, Railtrack and Virgin Trains that the project is facing problems in terms of cost increases and uncertainty about the timescale for delivery. Works in Hertfordshire will include major track, signalling and power supply replacement. There are major packages planned for the summer of 2002 and spring 2003 in the Hemel-Tring area, and major resignalling works planned for the Watford area in 2004.

Street Lighting

Ms Walley: To ask the Secretary of State for Transport, Local Government and the Regions if local transport plan funding in 2002–03 will include funding for street lighting. [16079]

Ms Keeble: The Government are committed in the 10-year Plan for Transport to tackling the maintenance backlog for local authority roads, bridges and street lighting. Over £30 billion is being provided for local road maintenance over the next 10 years, an extra £9 billion (27 per cent. in real terms) above the funding levels in the previous 10 years. Capital expenditure on maintenance, which is used to tackle deterioration, will increase by nearly £7 billion over the 10 years.

Funding for the maintenance and renewal of street lighting is currently made through the Highways Maintenance Standard Spending Assessment element of Revenue Support Grant. No specific provision has been made in the 2002–03 capital maintenance settlement for renewal of street lighting. The first priority in the 10-Year Plan is to halt the deterioration in carriageways and footways and to continue the bridge strengthening programme. Additional provision for street lighting renewal may be made through the LTP system in later years. For the present, authorities have discretion over the funding provided for maintenance and smaller integrated transport schemes and may use this to fund capital works on street lighting where this is a local priority.

DTLR is aware that street lighting columns in a number of authorities are failing structurally, but does not have sufficient information to determine the number of columns that are unsafe. Local authorities have agreed with DTLR that a national condition survey for street lighting should be introduced, and that information from this should be used to compile a national inventory. In future years the inventory could be used to target funding for tackling the street lighting backlog.

Motorway Speed Limits

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions if he will list those sections of motorway that have *(a)* a 50 mph limit, *(b)* variable speed limits and *(c)* other speed limits less than the national limit. [16598]

Mr. Byers *[holding answer 20 November 2001]:*

50 mph speed limit

M1 Junction 1 (A406)—northbound link roads/small length of main northbound carriageway

M4—Junction 4 to Elevated Section—50 mph

M4 Heathrow Spur

M11 Southbound approach to Junction 4 (A406)

M606 link to the westbound carriageway of M62 at Junction 26

M6 between Junctions 3 and 4

M1/M62 Links at Junction 42/Junction 29 Lofthouse

M65 approach to Junction 1A

M621 Junction 1 to Junction 6, including all slip roads

M61 Kearsley Spur

Variable speed limit

M25 Junctions 10–15

Other speed limits less than the national limit

M1—lengths of two northbound link roads closest to Junction 1—30 mph

M4 Elevated section (west of Junction 2-Junction 1)—40 mph

M1 Junction 2 (A1) slip roads—30 mph

M1 Junction 6 Southbound part of entry and exit slip roads—30 mph

M32 between J2 and 3—60 mph

M621 J1–6 30 and 40 mph speed limits on entry and exit slip roads.

Planning Appeals (Buckingham)

Mr. Bercow: To ask the Secretary of State for Transport, Local Government and the Regions how many appeals against refused planning applications he has received in 2001 in respect of sites in the Buckingham constituency. [16900]

Ms Keeble: The provision of information on planning appeals is the responsibility of the Planning Inspectorate. I have asked the Inspectorate's Chief Executive, Mr. Chris Shepley, to write to the hon. Member.

Letter from C. J. Shepley to Mr. John Bercow, dated 28 November 2001:

The Secretary of State has asked me to reply to your Question about the number of planning appeals received from within your constituency this year.

I regret I cannot be specific as our records are based on Local Authority areas. Within the Aylesbury Vale District Council area, 68 appeals against refused planning applications have been received since 1 January 2001. Of these, 2 have a Buckingham postal address.

Railway Workers

Chris Grayling: To ask the Secretary of State for Transport, Local Government and the Regions how many railway workers have made representations to him since 5 October; and on what subjects. [17114]

Mr. Jamieson: My right hon. Friends the Secretary of State and the Minister for Transport have had a number of meetings with trade union representatives to discuss the concerns of railway workers. In addition, we have received letters from individual railway workers.

Rent Restructuring

Mr. Coleman: To ask the Secretary of State for Transport, Local Government and the Regions if he will publish representations he has received from *(a)* the local authority associations, *(b)* organisations representing tenants' interests and *(c)* registered social landlords regarding the implementation of the rent restructuring proposals in April 2002. [19039]

Ms Keeble: We are placing copies of the responses to the consultation on "HRA subsidy and rent restructuring" in my Department's library. The responses to the consultation following the April 2000 Housing Green Paper, which first outlined our proposals for rent restructuring, have already been placed in the Departmental library.

Mr. Coleman: To ask the Secretary of State for Transport, Local Government and the Regions what the estimated savings to the Treasury are in the next financial year following implementation of the Government's proposals on rent restructuring. [17169]

Ms Keeble: None. There is no intention that the technical changes designed to bring the assumptions in the Housing Revenue Account subsidy system back into line with actual costs and resources should be used either to reduce or increase the aggregate level of resources available to councils nationally.

Parking Charges (Central London)

Ms Buck: To ask the Secretary of State for Transport, Local Government and the Regions what was the estimated gross income from parking charges received by *(a)* Camden, *(b)* Kensington and Chelsea, *(c)* Wandsworth, *(d)* Westminster, *(e)* Islington, *(f)* Southwark and *(g)* Lambeth in 1999–2000. [17412]

Ms Keeble: The gross income from off-street and on-street parking in 1999–2000 is given in the tables:

	£000
Camden	24,535
Islington	5,812
Kensington and Chelsea	30,434
Lambeth	10,663
Southwark	6,209
Wandsworth	8,731
Westminster	88,020

Road Accidents (Somerset)

Mr. Heath: To ask the Secretary of State for Transport, Local Government and the Regions how many *(a)* fatal and *(b)* serious road traffic accidents have taken place in (i) Somerset and (ii) the constituency of Somerton and Frome in each of the last five years; and if he will make a statement. [17930]

Mr. Jamieson: Road accident statistics are compiled by local authority area and are not available centrally for parliamentary constituencies. The table shows the numbers of fatal and serious road traffic accidents in each of the local authority areas in Somerset.

Fatal road accidents in Somerset by local authority district

	1996	*1997*	*1998*	*1999*	*2000*
Mendip	9	6	12	9	18
Sedgemoor	7	12	6	7	4
Taunton Deane	5	8	11	6	3
West Somerset	3	3	3	0	3
South Somerset	21	9	12	12	13
Total	45	38	44	34	41

Serious road accidents in Somerset by local authority district

	1996	*1997*	*1998*	*1999*	*2000*
Mendip	57	61	47	50	61
Sedgemoor	61	54	45	39	34
Taunton Deane	66	58	52	40	35
West Somerset	14	13	10	17	11
South Somerset	74	81	84	82	87
Total	272	267	238	228	228

Road Accidents (Bassetlaw)

John Mann: To ask the Secretary of State for Transport, Local Government and the Regions how many road users in the Bassetlaw constituency had accidents in the last year for which figures are available; and what is the average in constituencies in England. [17439]

Mr. Jamieson: Road accident statistics are compiled by local authority area and are not available centrally for parliamentary constituencies. The information available relates only to accidents which result in personal injury.

There were 742 road user casualties in accidents which took place within the Bassetlaw local authority area in 2000. An additional 420 uninjured drivers and riders were involved in these accidents. It is not known how many uninjured passengers or pedestrians were involved.

Regional Airports (Flight Surcharges)

Mr. Alan Campbell: To ask the Secretary of State for Transport, Local Government and the Regions if he will abolish flight surcharges from regional airports. [18004]

Mr. Jamieson: It is for airlines and air travel organisers to justify their prices. If passengers feel they are not getting a fair deal they should make their views known to them, and perhaps shop around for a better deal.

Ordnance Survey

Mr. Dhanda: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the outcome of the Quinquennial Review of the Ordnance Survey. [17985]

Ms Keeble: I have received the Stage 1 Report of the Quinquennial Review of Ordnance Survey and will make an announcement shortly.

Mr. Clifton-Brown: To ask the Secretary of State for Transport, Local Government and the Regions if he has concluded his consideration of the formal review of the Ordnance Survey Framework Document 1999 undertaken by the Ordnance Survey Management Board. [18170]

Ms Keeble: I refer the hon. Member to the answer that the then Under-Secretary of State my hon. Friend the Member for Stretford and Urmston (Beverley Hughes) gave on 15 February 2001, *Official Report*, columns 220–21W, to my hon. Friend the Member for Bolton, West (Ruth Kelly) announcing the Quinquennial Review to the House.

For the current Quinquennial Review, CMG Admiral was appointed to carry out the task following a competitive tendering process. The review has provided extensive opportunities for consultation with internal and external stakeholders.

Following the completion of Stage 1, I have since received the Report of the Quinquennial Review of Ordnance Survey and will make an announcement shortly.

Public Transport (Greater London)

Mr. Cox: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to increase the allocation of funding for public transport in the Greater London area. [17884]

Mr. Jamieson: The Government's spending plans for public transport in London and elsewhere were set out in "Transport 2010: The 10 Year Plan", issued in July 2000. The 10 Year Plan provides over £25 billion of public and private investment between 2001–02 and 2010–11. In addition, London will also benefit from some national rail schemes.

Precise levels of funding for Transport for London will be decided following consultation with the Mayor on the determination of his transport grant for 2002–03, and in respect of the underground, once the negotiations with preferred bidders for the tube modernisation contracts have been successfully concluded.

Buses (Safety)

Mr. Edwards: To ask the Secretary of State for Transport, Local Government and the Regions what powers the Transport Commissioners have to investigate bus services that are deemed to be unsafe. [17875]

Ms Keeble: In order to obtain and retain a Public Service Vehicle (PSV) Operator's Licence, the bus operator must satisfy the relevant Traffic Commissioner that he is of good repute, professionally competent, of appropriate financial standing, and is able to maintain his vehicles properly.

In cases where it appears to the Commissioner that appropriate vehicle safety standards are not being maintained, he can call upon my Department's Vehicle Inspectorate to investigate. If safety standards are found to be inadequate, the Commissioner can take disciplinary action against the operator's PSV licence.

Passenger safety on local bus services is primarily a matter for the bus operator itself.

Stagecoach

Mr. Edwards: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the outcome of the investigation by the Traffic Commissioner into the operation of bus services by Stagecoach in Gloucester and Cheltenham in November. [17878]

Ms Keeble: I understand that the Traffic Commissioner for the Western Traffic Area called two Stagecoach-owned bus companies to public inquiry on 10 October 2001 following a reliability monitoring exercise by the Vehicle Inspectorate on their local bus services.

At the Inquiry, the Traffic Commissioner fined Cheltenham District Traction Company Ltd., 10 per cent. of the Fuel Duty Rebate paid to them during the three months prior to the determination being made. The Commissioner issued a formal warning to the other operator, Cheltenham and Gloucester Omnibus Company Ltd., as to its future conduct in ensuring that the services which it provides are reliable.

The Commissioner can take further disciplinary action against either operator if reliability does not improve.

Transport Spending

Mr. Watson: To ask the Secretary of State for Transport, Local Government and the Regions what the total UK public expenditure, broken down into *(a)* capital and *(b)* revenue, including EU grants, was in each year since 1980 for which figures are available on (i) road infrastructure, (ii) local public transport, (iii) rail transport, (iv) water transport and (v) air transport. [18082]

Mr. Jamieson: The information requested is not readily available. I have asked my officials to collate this information and will write to my hon. Friend. A copy of my letter will be placed in the Libraries of the House.

Newly Qualified Drivers

David Wright: To ask the Secretary of State for Transport, Local Government and the Regions if he will introduce a probationary period for newly qualified drivers in the United Kingdom. [17833]

Mr. Jamieson: The Road Traffic (New Drivers) Act 1995 and the Road Traffic (New Drivers) Northern Ireland Order 1998 introduced probationary periods for newly qualified drivers. Under these provisions, the licence of any driver who accumulates six or more penalty points in the first two years after passing their first driving test will be revoked automatically. To regain a full licence, a provisional licence must be obtained and the theory and practical tests taken and passed again. In accordance with the Government's Road Safety Strategy, we intend to consult shortly on a wide range of issues regarding newly qualified drivers.

Fishing Communities Regeneration Initiative

Mr. Blizzard: To ask the Secretary of State for Transport, Local Government and the Regions if he will list, by region, the communities that have received funds under the Fishing Communities Regeneration Initiative and the purposes for which each community used its funds. [18269]

Ms Keeble: I have written to the relevant Regional Development Agencies that operate the Fishing Communities Regeneration Initiative asking for this information. When the information has been assembled in the Department I shall write to my hon. Friend. A copy of my letter will be placed in the Libraries of the House.

Braer

Mr. Carmichael: To ask the Secretary of State for Transport, Local Government and the Regions (1) if he has received the new evidence gained from re-examination of the Braer's surviving logbooks by two independent marine engineers; and if he will make a statement; [18727]

(2) if he will order the Marine Accidents Investigation Board to re-open the inquiry to establish the facts concerning the loss of the Braer; [18722]

(3) if he will make a statement on the recent decision of the Marine Accidents Investigation Board not to re-open the inquiry into the loss of the Braer; [18725]

(4) if he will order a public inquiry to establish responsibility for the loss of the Braer. [18723]

Mr. Jamieson: The Merchant Shipping (Accident Reporting and Investigation) Regulations 1999 (SI 1999 No. 2567) state that

> "The Chief Inspector (of Marine Accidents) may cause any investigation to be reopened either generally or as to any part thereof, and he shall do so
>
> (a) if after the completion of the investigation in his opinion new and important evidence has been discovered, or
>
> (b) if for any other reason there is in his opinion ground for suspecting that a miscarriage of justice has occurred."

The Chief Inspector of Marine Accidents has received, and very carefully considered, the log-books and certain other information concerning the Braer. In his opinion it is not new and important evidence, nor does it make him believe a miscarriage of justice has occurred.

The decision not to reopen the MAIB investigation into the loss of the Braer is entirely for the Chief Inspector and I am satisfied he has considered the matter fully.

I consider there are no grounds for ordering a public inquiry.

Dangerous Items (Airport Sales)

Mr. Clifton-Brown: To ask the Secretary of State for Transport, Local Government and the Regions what steps he has taken to ban the sale of dangerous items in airside shops at airports; and how these restrictions are monitored. [18637]

Mr. Jamieson: DTLR issued Heightened Security Measures by legal direction on 26 September 2001. This lists articles which, as potential weapons, must not be taken into the restricted zone of an aerodrome or into the cabin of an aircraft either by passengers or as goods for retail or supply to passengers. DTLR aviation security inspectors monitor compliance.

London Underground

Clive Efford: To ask the Secretary of State for Transport, Local Government and the Regions what effect the credit rating of Transport for London will have on the future cost of the public-private partnership for the London Underground; and if he will make a statement. [18389]

Mr. Jamieson: Transport for London's credit rating is one of the many factors that financiers will take into account when bidders raise private sector finance for the tube modernisation plans.

Transport (Arundel and South Downs)

Mr. Flight: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made as to the adequacy of *(a)* rail services and *(b)* bus services between Arundel and South Downs and London. [18326]

Mr. Jamieson: No formal assessment of rail or coach services has been made.

On rail travel, the Strategic Rail Authority is negotiating a new South Central franchise with GoVia, who have recently assumed ownership of the existing franchise. The Strategic Rail Authority's Strategic Plan, which will be published in the near future, will set out its priorities for enhancement of the network.

While we recognise the value of long-distance coach services, decisions on what services to provide are a matter for commercial operators responding to passenger demand.

Traffic Schemes

Mr. Gerald Howarth: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the number of traffic schemes in London approved by him in each of the last three years relating to the provision of *(a)* road humps and *(b)* pinch-points; what the cost of the schemes was; and what effect these developments have had on (i) traffic flows and (ii) road safety. [18397]

Mr. Jamieson: Over the last three years, London local authorities have been free to install traffic calming features complying with regulations, and no information is held centrally on such features. The Secretary of State's authorisation was required for "non-complying" features up to April 1999, when this requirement was replaced in London only by a requirement to notify the Secretary of State of such features. No applications for authorisation were received from London local authorities in the two years to April 1999, and no notifications have been received since.

National Air Traffic Services

John McDonnell: To ask the Secretary of State for Transport, Local Government and the Regions (1) what representations he has received from the Airline Group for financial assistance to support its operation of the National Air Traffic Services; [18742]

(2) what recent communications have taken place between his Department's officials and representatives of the Airline Group with regard to the funding of the National Air Traffic Services; [18743]

(3) if he will make a statement on the future viability of the public private partnership arrangements for the management of the National Air Traffic Services following the recent downturn in demand for air passenger traffic. [18741]

Mr. Jamieson: NATS is reviewing its financial position, following the downturn in demand for air travel, and is finalising its business plan, for submission to the Government shortly. The Government have had discussions with NATS and the Airline Group about the implications of revised traffic forecasts on the company's long term viability, but have received no request for financial assistance as a result.

John McDonnell: To ask the Secretary of State for Transport, Local Government and the Regions how many jobs within the National Air Traffic Control Services he expects to be shed over the next three years. [18745]

Mr. Jamieson: Information on staffing levels within National Air Traffic Services should be sought from the Chief Executive's Office, NATS, One Kemble Street, London WC2B 4AP.

Housing (West Wiltshire)

Dr. Murrison: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made of the impact of changes in the supply of low-cost homes on the housing situation in West Wiltshire. [18420]

Ms Keeble: The Department requires local authorities to carry out robust assessments of local housing need in their areas and to develop housing strategies that address the identified need for affordable housing and also to make effective use of their powers under the planning system to secure an element of affordable housing within new housing developments.

West Wiltshire district council granted planning permission for 51 units of affordable housing in the 2000–01 financial year. These homes will be available for renting through Registered Social Landlords.

Dr. Murrison: To ask the Secretary of State for Transport, Local Government and the Regions what estimate he has made of *(a)* the number of new households in West Wiltshire for each of the years from 1995 to 2001 and *(b)* the number of new households in these years unable to (i) rent and (ii) buy in West Wiltshire. [18421]

Ms Keeble: The estimated net increase in the number of households in West Wiltshire in the five years to 1999, the latest date for which data are available, is 1,400 giving an average increase of around 300 households per year. Mid year household estimates for England at local authority level are published annually. Data for 2000 will be published on 29 November and a copy placed in the Library of the House. Uncertainties in these estimates increase with geographical detail and mid year estimates are only published to the nearest thousand.

No information is available on the number of new households in these years unable to buy or rent in West Wiltshire.

Empty Homes

Dr. Murrison: To ask the Secretary of State for Transport, Local Government and the Regions what measures he is taking to ensure that authorities in England publish empty homes strategies. [18419]

Ms Keeble: We have no plans to require local authorities to publish empty homes strategies. The guidance provided to local authorities on housing strategies makes clear that we expect them to consider the role that effective action to tackle empty homes can play in addressing housing problems in their area. All authorities are required to report their performance in doing so through the Best Value in Housing programme.

Voting (Postal Strikes)

Mr. George Osborne: To ask the Secretary of State for Transport, Local Government and the Regions what plans the Government have to change the rules on *(a)* postal and *(b)* absentee voting to take into account postal strikes. [18445]

Dr. Whitehead: The Electoral Commission announced on 20 November that it was initiating a review of postal and absent voting, to report by September 2002. The Government will consider any recommendations which the Commission may make for changes in legislation.

M6

Mr. George Osborne: To ask the Secretary of State for Transport, Local Government and the Regions what plans his Department has to improve the M6 between Birmingham and Manchester. [18438]

Mr. Jamieson: The section of the M6 between junction 11 and 20 is currently being investigated as part of the West Midlands to North West Multi-Modal Study. The consultants are due to release the final report for the study towards the end of January 2002. It will be for the Regional Assembly in the North West and the West Midlands Local Government Association to consider the report and make their recommendations to the Secretary of State for Transport, Local Government and the Regions. The Secretary of State will decide which measures to take forward through other Government agencies. If approved any new works could start within the 10 Year Transport Plan period.

M6/M56

Mr. George Osborne: To ask the Secretary of State for Transport, Local Government and the Regions when he expects work to begin on the motorway link between junction 19 of the M6 and the M56. [18447]

Mr. Jamieson: The M6 and A556 are currently being investigated as part of the West Midlands to North West Multi-Modal Study. The Consultants are due to release the final report for the Study towards the end of January 2002. It will be for the Regional Assembly in the North West and the West Midlands Local Government Association to consider the report and make their recommendations to the Secretary of State for Transport, Local Government and the Regions. The Secretary of State will decide which measures to take forward through other Government Agencies. If approved any new works could start within the 10 Year Transport Plan period.

Cheshire Fire Service

Mr. George Osborne: To ask the Secretary of State for Transport, Local Government and the Regions how many persons were employed in the Cheshire Fire Service in *(a)* 1997 and *(b)* 2001. [18450]

Dr. Whitehead: Based on annual returns submitted to HM Fire Services Inspectorate, the number of persons employed by Cheshire Fire Brigade as at 31 March 1997 and 31 March 2001 was as follows:

	1997	*2001*
Wholetime firefighters	620	612
Retained firefighters	192	190
Control room staff	29	24
Other staff	88	103

Speed Limits (Residential Areas)

Mr. Reed: To ask the Secretary of State for Transport, Local Government and the Regions what estimate he has made of the average cost to local authorities of introducing 20 mph zones in residential areas. [18481]

Mr. Jamieson: The design and implementation of 20 mph zones is a matter for each local traffic authority and therefore estimates have not been prepared centrally. Costs will vary according to the size of the zone, the type and number of the speed controlling measures used and the quality of the materials. From past experience costs of typical schemes are likely to be in the order of £100,000 to £200,000.

Traffic-Calming Measures

Mr. Reed: To ask the Secretary of State for Transport, Local Government and the Regions how much local authorities have spent on traffic-calming measures from 1992 up to the last year for which figures are available. [18480]

Mr. Jamieson: The introduction of traffic calming measures is a matter for local highway authorities. We have no details of the amounts spent by authorities since 1992.

East Devon-London Transport Links

Mr. Swire: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made of the adequacy of *(a)* rail services and *(b)* bus services between east Devon and London; and if he will make a statement. [18282]

Mr. Jamieson: No formal assessment of rail or coach services has been made.

On rail services, we would expect South West Trains and Wessex Trains in consultation with local stakeholders to come forward with proposals to meet demands for new or improved services. The Strategic Rail Authority's Strategic Plan, which will be published in the near future, will set out its priorities for enhancement to the network.

While we recognise the value of long-distance coach services, decisions on the services to provide are a matter for commercial operators responding to passenger demand.

Housing PFI

David Wright: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the status of the housing PFI pathfinder projects. [18291]

Ms Keeble: There are eight pathfinder authorities currently going through the procurement process for housing private finance initiative. The authorities are at varying stages in the process. Manchester, Sandwell, Islington and North East Derbyshire are evaluating bids from potential contractors. Leeds, Newham, Camden and Reading are due to issue a document inviting bids during the next three months. Contract signatures are expected during 2002.

Housing (West Midlands)

David Wright: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the number of new homes constructed in the west Midlands by local authority area using Housing Corporation funding in the past five years. [18290]

Ms Keeble: The number of new homes constructed in the west Midlands by local authority area using Housing Corporation funding in the past five years is shown in the table. (The table does not include Housing Corporation funded rehabilitation of rented stock and low cost home ownership schemes).

		Outturn			*Outturn to date*[1]
Local authority	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Birmingham	582	660	476	321	179
Bridgnorth	12	29	—	—	—
Bromsgrove	18	39	15	32	5
Cannock Chase	52	8	19	64	17
Coventry	83	156	126	63	2
Dudley	29	67	208	—	—
East Staffordshire	72	39	15	—	—
Hereford	38	—	—	—	—
Herefordshire	—	27	58	53	33
Leominster	19	—	—	—	—
Lichfield	4	36	5	—	4
Malvern Hills	37	28	50	25	—
Newcastle-under-Lyme	51	24	60	13	10
North Shropshire	12	43	4	12	15

		Outturn			Outturn to date[1]
Local authority	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
North Warwickshire	77	—	—	—	—
Nuneaton and Bedworth	27	45	90	6	40
Oswestry	3	4	19	5	—
Redditch	10	27	23	21	28
Rugby	44	5	64	—	—
Sandwell	102	106	148	122	15
Shrewsbury and Atcham	12	8	35	12	—
Solihull	42	79	—	137	—
South Herefordshire	10	—	—	—	—
South Shropshire	34	9	11	4	10
South Staffordshire	29	15	25	16	1
Stafford	—	6	11	64	—
Staffordshire Moorlands	20	6	42	—	—
Stoke-on-Trent	89	182	112	183	6
Stratford-on-Avon	27	14	39	22	—
Tamworth	11	26	3	37	—
The Wrekin	37	19	77	84	12
Walsall	128	145	112	84	46
Warwick	15	56	15	60	45
Wolverhampton	146	104	109	82	40
Worcester	4	5	—	12	4
Wychavon	29	16	5	42	—
Wyre Forest	3	14	25	45	6
Total	1,908	2,047	2,001	1,621	518

[1] 2001–02 completions to date

Housing Transfers

David Wright: To ask the Secretary of State for Transport, Local Government and the Regions (1) which local authorities have transferred their housing stock to new registered social landlords and if he will give the number of homes involved in each case; [18289]

(2) if he will list the local authorities which have indicated that they would like to proceed to transfer their housing stock. [18292]

Ms Keeble: A table indicating the local authorities that have transferred some or all of their stock to registered social landlords has been placed in the Libraries of the House.

Applications for a place on next year's Large Scale Voluntary Transfer Programme are due to be received by 11 January 2002. Once these applications have been assessed my right hon. Friend the Secretary of State will announce the local authorities that have been granted a place on the programme.

Planning Inquiries

Paddy Tipping: To ask the Secretary of State for Transport, Local Government and the Regions how many public inquiries into planning applications have lasted more than *(a)* one month and *(b)* three months in each of the last five years. [17356]

Ms Keeble *[holding answer 27 November 2001]:* Public inquiries are presided over by Inspectors provided by the Planning Inspectorate. I have asked the Inspectorate's Chief Executive, Mr. Chris Shepley, to write to my hon. Friend.

Letter from C. J. Shepley to Paddy Tipping dated 28 November 2001:

The Secretary of State has asked me to reply to your Question about the number of long planning inquiries over the last five years.

Whilst the Inspectorate provides Inspectors for Public Inquiries into called-in planning applications as well as for planning appeals, until recently we have been reliant on information supplied by others with regard to Secretary of State decisions issued and inquiry duration. Unfortunately this information has not always been forthcoming. For example, of 73 such decisions that we know of in only 10 cases do we know the number of sitting days of the inquiry.

From the information that we do have, the number of called-in applications or planning appeals decided following an inquiry of 1 month or more were

Year decision issued	*Cases where inquiry sat for between 20 days (1 month) and 59 days*	*Cases where inquiry sat for 60 days (3 months) or more*
1996	8	6
1997	13	6
1998	4	0
1999	13	0
2000	0	0
2001 (to date)	8	2

Quarry Industry

Mr. Win Griffiths: To ask the Secretary of State for Transport, Local Government and the Regions what recent assessment he has made of the environmental performance of the UK quarry industry in comparison with *(a)* other EU and *(b)* non-EU countries. [17922]

Ms Keeble *[holding answer 27 November 2001]:* My Department has made no recent assessment of the environmental performance of the UK quarry industry in comparison with other EU or non-EU countries.

Rural Roads

Mr. Pope: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the development of a rural road hierarchy, as required by the Transport Act 2000. [18971]

Mr. Jamieson: The concept of a hierarchy was considered as part of the Speed Review and the Government's Road Safety Strategy, both published last year.

The Transport Act 2000 committed the Government to consider the development of a rural road hierarchy for speed management purposes. Following Royal Assent the DTLR set up a Working Group of professionals and the main interest groups. The Group has prepared a thorough report that raises some interesting points and recommendations. As required by the Act, the Secretary of State has today laid copies of this report before each of the Houses of Parliament.

I commend the Working Group for the excellent job they have done in identifying the benefits of a hierarchy. I am also grateful for their frank assessment that currently, if it were developed as a system of different speed limits, a hierarchy would be costly both financially and in terms of environmental intrusion. Also, given the necessary infrastructure and behavioural changes required, the road safety and quality of life benefits could take too long to realise.

I am grateful to the Group for identifying the clear links between the development of a hierarchy and several other Road Safety Strategy initiatives. Above all, I agree that the DTLR's assessment framework would be the best place to carry out the work to determine criteria for assigning roads within the hierarchy. As such, I fully accept their recommendation to incorporate the speed limit setting element of the hierarchy within the development of the assessment framework.

They rightly identify the signing issues as a big obstacle to progressing the hierarchy as they have proposed it. The DTLR will shortly be commencing work on the Road Safety Strategy commitment to review speed limit signing regimes. I have instructed officials to consider the signing elements of the hierarchy report as part of this work.

The Group recognised the need for traffic calming measures to support speed limits in order to achieve changes in vehicle speeds. The forthcoming DTLR project to develop practical speed management measures on rural roads will be the best vehicle for testing such traffic calming treatments.

Of course, there are innovative measures that have already been tried by my Department, like vehicle activated signs, that will in future be more widely applied where suitable. Detailed guidance on the use of vehicle activated signs will be produced next year.

Both the Working Group and the Speed Review identified the need for more information before we can properly assess the case for lower rural speed limits. I am therefore committing the DTLR to undertake a survey of vehicle speeds on a representative sample of rural roads to ensure that decisions are evidence based.

With the package of measures I have outlined here, and those in the Road Safety Strategy, I am convinced that we will be able to build on this report and deliver real benefits to those who live, work and travel in rural areas.

Rural Bus Services

Mr. Breed: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 21 November 2001, *Official Report*, column 327W, on rural bus services, how much of the money outlined in the Rural White Paper for the Rural Bus Challenge and Rural Transport Partnership programme was spent in *(a)* 2000–01 and *(b)* 2001–02; and how much each initiative has received. [18781]

Ms Keeble: A total of £21 million was allocated to new Rural Bus Challenge projects in 2000–01, spending over a number of financial years. Expenditure in that year on all Challenge projects, including those begun in previous years, was £11 million. There is £20 million available for awards in this year's Rural Bus Challenge competition, decisions on which will be announced shortly. Forecast expenditure in the current year on all projects is £23 million.

The Countryside Agency's Rural Transport Partnership Programme spent £4.8 million in 2000–01. For this financial year, formal grant offers total £7.1 million to date, of which £2.9 million has been spent.

Mr. Breed: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 21 November 2001, *Official Report*, column 327W, on rural bus services, if he will specify *(a)* the size of the samples for rural areas and *(b)* the areas the samples were carried out in (i) 1992 to 1994, (ii) 1995 to 1997 and (iii) 1998 to 2000. [18680]

Ms Keeble: The sample size of households in rural areas within Great Britain in the National Travel Survey were

(i) 1992/94: 1,419

(ii) 1995/97: 1,091

(iii) 1998/2000: 754.

The areas used to select household samples consist of one or more postcode sectors, which cannot be specified because of confidentiality. The sampling procedure is set out in the annual National Travel Survey Technical Reports available in the Library of the House.

Council Tenants (Poole)

Mrs. Brooke: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 14 November 2001, *Official Report*, column 738W, on cash incentive scheme payments, if he will raise the maximum cash incentive grant to council tenants to buy their own homes in Poole to a level comparable, in relation to average house prices, to the level offered in London and the South-East. [17729]

Ms Keeble: We have no immediate plans to make any changes to the limits set for cash incentive scheme payments. We are, however, reviewing the control framework under which the scheme operates.

Local Strategic Partnerships

Mr. Jim Cunningham: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the powers the local strategic partnerships will have to carry out their tasks. [18665]

Ms Keeble: Local strategic partnerships (LSPs) are not executive bodies. Their purpose is to co-ordinate the activities of their members in order to tackle local problems. Those members will include representatives from the public, private, voluntary and community sector. Recent legislation has extended the ability of public sector bodies such as health authorities and local authorities to work in partnership with organisations in other sectors. Executive responsibility for implementing the partnerships' strategies rests with the partner organisations.

Mr. Jim Cunningham: To ask the Secretary of State for Transport, Local Government and the Regions by what methods the local strategic partnerships assess needs of the local people and find those who are often excluded. [18666]

Ms Keeble: Local Strategic Partnerships (LSPs) will involve the public, private, community and voluntary sectors to ensure that initiatives and services work together locally. LSPs will devise and implement community strategies and local neighbourhood renewal strategies, which will improve the delivery of local services generally, with a specific focus on deprived areas. These strategies should build on information from local people on what they need and want, rather than working from the top down. The statutory guidance, Preparing Community Strategies, refers to an analysis of needs which should be carried out by the various partners on the LSP. Considerable background information will already exist.

LSPs must include local people, especially those from deprived neighbourhoods and from excluded groups, such as black and minority ethnic groups and older people. LSPs will need to provide them with training and support so they can be fully involved from the start. The Government have established the Community Empowerment Fund, which will provide £36 million over the next 3 years to create 'Community Networks' in the 88 most deprived English areas. In each area, CEF moneys will be given direct to a local voluntary organisation chosen by the regional Government Office. This 'lead organisation' will form a Community Network to ensure a high level of community representation on the LSP.

Transport (Disabled Access)

Mr. Jim Cunningham: To ask the Secretary of State for Transport, Local Government and the Regions what measures he has taken to increase the number of buses which have disabled access ramps: and if he will make a statement on disabled access on all forms of public transport. [18679]

Ms Keeble: Accessibility regulations for new trains, buses and coaches have been introduced under Part V of the Disability Discrimination Act 1995. Part III of the Act requires public transport infrastructure to be accessible to disabled people. From 2004 this will include the removal of physical barriers to access.

Since 31 December 2000, regulations have required all new single deck buses over 7.5 tonnes and double deck buses on scheduled services to be accessible, including fitting boarding devices (ramps and lifts).

We are requiring all single deck buses over 7.5 tonnes to be fully accessible from 1 January 2016, and all double deck buses from 1 January 2017.

Neighbourhood Renewal

Mr. Jim Cunningham: To ask the Secretary of State for Transport, Local Government and the Regions what guidelines govern the eligibility of local authorities for neighbourhood renewal funding. [18667]

Ms Keeble: The list of authorities eligible for the Neighbourhood Renewal Fund has been determined by taking those authorities that are among the 50 most deprived on any of the six measures in the Indices of Deprivation 2000. On this basis 81 authorities would be eligible. In addition, there are transitional arrangements for those authorities that were within the 50 most deprived areas on any of the four measures under the old Index of Local Deprivation, but are not in the list of 81 authorities that qualify using the Indices of Deprivation 2000. Therefore, a further seven local authority areas are eligible for the Fund.

The funding each authority receives is intended to be related to the severity of the deprivation within its area. The sum they receive is based on a standard amount per head of population that live in wards in the most deprived 10 per cent. on the Indices of Deprivation 2000. This is underpinned by a minimum allocation of £200,000 in 2001–02 for authorities with no wards in the most deprived 10 per cent.

Affordable Housing

Mr. Kidney: To ask the Secretary of State for Transport, Local Government and the Regions when he intends to review guidance to local planning authorities on securing affordable housing through the planning system. [19271]

Ms Keeble: Our Green Paper on planning which we hope to publish shortly will be supported by a number of consultation documents. These will include our proposals on planning obligations and how we might increase the provision of affordable housing through the planning system.

New Deal for Communities

Mr. Lammy: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on his assessment of the performance of New Deal for Communities programmes. [15994]

Ms Keeble: There are 39 New Deal for Communities (NDC) partnerships. The performance of each partnership is currently assessed through an annual review in February each year. The 17 Round 1 Pathfinder partnerships were assessed in February 2001. The Round 2 partnerships were not assessed, as their delivery phase did not begin until April 2001.

The NDC Programme has begun to have some positive impacts. For example, in the Sandwell NDC area in the West Midlands there has been an overall reduction in robberies of 48 per cent. since April 2001. East Manchester NDC has recorded a 30 per cent. reduction in crime following implementation of a crime reduction strategy. In the Haringey NDC area between April and August 2001 soliciting and loitering were down 57 per cent. on the same period last year.

Planning Applications (Processing Times)

Ms Shipley: To ask the Secretary of State for Transport, Local Government and the Regions (1) what the average turn-around time is for processing by a local authority of a correctly submitted planning application; [19079]

(2) how many local authorities achieved a six week turn around time from receipt of a correct planning application to a decision in the last 12 months. [19080]

Ms Keeble: The information requested is not available. However, in 2000–01, 63 per cent. of applications were decided within eight weeks and 83 per cent. of applications were decided within 13 weeks.

Rough Sleepers

Mr. Swayne: To ask the Secretary of State for Transport, Local Government and the Regions what progress the Social Exclusion Unit has made in reducing the number of rough sleepers. [15995]

Ms Keeble: The Social Exclusion Unit published a report on rough sleeping in July 1998 in which the Prime Minister set the tough target of reducing the number of people sleeping rough in England to as near to zero as possible and by at least two thirds by 2002.

The Rough Sleepers Unit (RSU) was subsequently set up to deliver the Prime Minister's target and published it's strategy "Coming in from the Cold", in December 1999, which outlined a raft of new policies and services:

helping people sleeping rough on the streets with drug, alcohol and mental health problems;

helping former rough sleepers rebuild their lives through education, training and employment; and

preventing a new generation of rough sleepers particularly those leaving care, the armed forces and prison.

The RSU published it's second Progress Report in summer 2001 which shows the significant impact the 'Coming in from the Cold' strategy has made.

In 1998, there were approximately 1,850 people rough sleeping in England. In June 2001, published figures indicated that approximately 703 people were sleeping rough, (357 in London, and 346 outside of London). This represents a 62 per cent. reduction.

The Rough Sleepers Unit is currently carrying out research and consulting with organisations and individuals that impact on the strategy, with a view to developing a future strategy that will keep the number of rough sleepers as near to zero as possible.

Chemical Sites (Access to Information)

Mr. Miller: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to restrict public access to information on major chemical sites held on public registers on security grounds. [19512]

Mr. Byers: I have today made a direction that all safety reports provided under the Control of Major Accident Hazards Regulations 1999 should be excluded from the public registers maintained by the Competent Authority, that is the Health and Safety Executive and the Environment Agencies.

This is a sensible precautionary step taken on security grounds in the light of the current situation following the tragic events of 11 September. It is a temporary measure which will give time for sensitive information to be removed from existing safety reports, and the amended reports restored to the public register.

Hazardous facilities, with the potential for causing major off-site accidents are registered with the HSE, the Environment Agency and the Scottish Environment Protection Agency, under the COMAH Regulations. These include major chemical works, petrochemical and gas installations and high quantity users of flammable/explosive/toxic substances (e.g. chlorine at water treatment works).

The 430 most hazardous ("top-tier") sites have to prepare a detailed safety report describing the hazards presented and safety precautions taken. The regulations require safety reports for top-tier sites to be placed on public registers. The registers are maintained by Environment Agency and the Scottish Environment Protection Agency

At present only a small number of the safety cases are on the public register. The remainder would have been put on over the next few months. The Direction will enable security sensitive information to be identified and a second, more targeted Direction to be considered. This would allow the amended reports to be placed in the public arena.

It is important to note that the action on removing safety reports would not affect the arrangements in place to give the public vital safety instructions on such sites. People who are liable to be affected by an accident at a COMAH site are given specified information about the establishment, the major accident hazards and the safety measures that are in place. It is the site operator who has to provide this information independent of the safety report. This will ensure that the emergency services and the public know how to react in the event of an accident.

Departmental Expenditure Limits

Mr. Alan Campbell: To ask the Secretary of State for Transport, Local Government and the Regions whether there are plans to change the departmental expenditure limit and administration costs limits for 2001–02. [19513]

Mr. Byers: Subject to Parliamentary approval of the necessary Supplementary Estimate, the Department of the Environment, Transport and the Regions' Departmental Expenditure Limits for 2001–02 will change as follows.

(a) The DTLR Main Programmes DEL will be decreased by £263,092,000 from £12,384,874,000 to £12,121,782,000 and the DTLR administration costs limit will be decreased by £61,190,000 from £776,525,000 to £715,335,000 and the DTLR HSE administration costs limit has increased by £2,500,000 from £193,732,000 to £196,232,000. Within the DEL change, the impact on resources and capital are as set out in the table:

£000

	Resources	*Capital*
Change	–380,102	117,010
New DEL	4,744,850	7,376,932

The change in the resource element of the DEL arises from:

(i) The changes for Request for Resources 1 are as follows:

Take up of End Year Flexibility of £39,609,000 comprising £3,000,000 for Pneumoconiosis grants, £2,359,000 for Housing Action Trusts, £2,842,000 for building regulations, £4,582,000 for the Coalfields Regeneration Trust, £6,782,000 for the Coalfield Enterprise Fund, £2,300,000 for the Ordnance Survey, £5,500,000 for planning, £1,583,000 for the Single Regeneration Budget, £300,000 for Fire Services, £5,000,000 for social exclusion, £707,000 for Rent Assessment Panels administration costs, £1,786,000 for The Rent Service administration costs and £2,868,000 for the Planning Inspectorate Executive Agency administration costs. An increase of £344,000 from Request for Resources 4 in respect of civil service reform funding for The Rent Service Executive Agency (£97,000) and The Planning Inspectorate Executive Agency (£247,000). An increase of £438,917,000 from non-voted provision for Regional Chambers (£5,000,000), the Regional Development Agencies (£336,124,000), the London Development Agency (£23,337,000) and a technical adjustment (£74,456,000) to remove contributions from other departments to Regional Development Agencies. A net decrease of £253,606,000 arising from the following inter-departmental transfers: Machinery of Government changes of £245,646,000 (£231,556,000 to Department for Environment, Food and Rural Affairs (to whom end year flexibility entitlement of £21,365,000 is also being transferred), £22,158,000 to Department of Trade and Industry; £174,000 to British Trade International; and £8,242,000 from the Home Office); £250,000 from the Home Office for Rough Sleepers, £190,000 from Department for Work and Pensions for Rough Sleepers, £3,800,000 to Department for Environment, Food and Rural Affairs to contribute to costs associated with foot and mouth disease, £3,000,000 from the Home Office for neighbourhood wardens, £5,000,000 to the Department of Health for social exclusion, £5,000,000 to the Home Office for community facilities, £100,000 to Lord Chancellor's Department for Local Authority efficiency and £2,500,000 from the Policy Innovation Fund for (New Ventures) street wardens. There is also a reduction of £450,000 to reflect additional receipts for the Planning Inspectorate Executive Agency.

(ii) The changes for Request for Resources 2 are as follows:

Take up of End Year Flexibility of £76,268,000 comprising £1,293,000 to meet the costs of shipping inquiries and shipping programmes; £2,959,000 for the Maritime and Coastguard Agency for administration costs (£1,761,000) and project slippage (£1,198,000); £6,088,000 for Civil Aviation programmes and the Air Transport White paper; £197,000 for international subscriptions; £6,767,000 for the Highways Agency to repay a loan to Department of Transport, Local Government and the Regions (£6,630,000) and administration costs (£137,000); £10,584,000 for multi-modal studies, consultancy projects, advertising, minicab licensing, transport research, Traveline, the Ultra project, road haulage modernisation projects and to settle the Park Lane UK Single Vehicle Approval claim; £11,000,000 for London Underground PPP advisers and rail consultants; £800,000 for the Commission for Integrated Transport; £1,993,000 for Channel Tunnel Rail Link costs; £5,000,000 for the extension of bus fuel duty rebates to coaches; £7,469,000 for the Driver and Vehicle Licensing Agency including £6,140,000 for administration costs; £2,900,000 for vehicle and traffic enforcement; £11,170,000 for the Powershift and cleaner vehicles programme; and £8,048,000 for the Strategic Rail Authority to reflect the Rail Regulator's Review of Access Charges. A net decrease of £1,556,000 arising from the following inter-departmental transfers: £1,100,000 from Department for Education and Skills for maritime training; £150,000 from Department of Health for Mobility Centres; £452,000 from Home Office to the Driver and Vehicle Licensing Agency; £3,200,000 to Department for Environment, Food and Rural Affairs towards foot and mouth costs and the Energy Efficiency Best Practice Programme; and £58,000 to Department of Trade and Industry for Framework 5 Helpline. A net transfer of £416,000 from Request for Resources 4 for Civil Service Reform (£1,305,000) and net internal adjustments (£889,000). A transfer of £7,150,000 to the capital element of the DTLR DEL.

(iii) The changes for Request for Resources 4 are as follows:

Take up of End Year Flexibility of £20,323,000 for Department for Transport, Local Government and the Regions administration costs (£19,936,000) and other expenditure (£387,000). A net decrease of £106,908,000 arising from the following inter-departmental transfers: machinery of government changes of £111,004,000 (£11,064,000 from Home Office, £72,690,000 to Cabinet Office, £6,684,000 to Department of Trade and Industry and £42,694,000 to the Department for Environment, Food and Rural Affairs); £290,000 for Local Government PSA costs to Department for Education and Skills (£100,000), Department of Health (£100,000), Home Office (£25,000), Department for Work and Pensions (£25,000), Department for Culture, Media and Sport (£20,000) and the Department for Environment, Food and Rural Affairs (£20,000); and £4,389,000 from the Cabinet Office Civil Service Modernisation Fund. An increase of £8,500,000 to meet administration costs from non-voted provision. A transfer of £1,436,000 to Requests for Resource 1 and 2 for Civil Service Reform funding, and a net transfer of £889,000 from Request for Resources 2 for a technical adjustment. A reclassification of £2,500,000 from the capital element of the DEL for the provision of IT services to the Health and Safety Commission.

(iv) Provision within the non-Voted resource element of the DTLR Main Programmes Departmental Expenditure Limit will be decreased by £596,765,000. This reflects take up of End Year Flexibility of £86,957,000 comprising £82,429,000 for Large Scale Voluntary Transfers, £4,246,000 for the Housing Corporation and £282,000 for the Commission for New Towns. A decrease of £236,305,000 arising from machinery of government transfer to Department for Environment, Food and Rural Affairs. £438,917,000 will be transferred to voted provision on Request for Resources 1 and £8,500,000 will be transferred to voted provision on Request for Resources 4.

(v) As a result of the changes to Requests for Resources 1, 2 and 4 the DTLR administration provision has been decreased by £58,690,000 from £1,015,839,000 to £957,147,000.

The change in the capital element of the DEL arises from:

(vi) The changes for Request for Resources 1 are as follows:

Take up of End Year Flexibility of £5,115,000 comprising £2,477,000 for The Rent Service Executive Agency, £2,306,000 for coalfields, and £332,000 for the Single Regeneration Budget. A net decrease of £183,000 arising from the following Machinery Of Government changes: £363,000 to Department for Environment, Food and Rural Affairs (to whom end year flexibility entitlement of £71,719,000 will also be transferred) and £180,000 from the Home Office. A transfer of £602,764,000 from non-voted resources as a technical adjustment to remove contributions from other departments to Regional Development Agencies.

(vii) The changes for Request for Resources 2 are as follows:

Take up of End Year Flexibility of £237,066,000 comprising £1,758,000 for the International Maritime Organisation building; £1,816,000 for Maritime and Coastguard Agency project slippage; £12,864,000 for the Highways Agency to repay a loan to Department for Transport, Local Government and the Regions (£5,370,000) and to meet the additional costs of the Strategy for Financial Management project (£7,494,000); £1,336,000 for the Driver and Vehicle Licensing Agency; £5,600,000 for Transport for London; £8,000,000 for the Rural Bus Capital Challenge scheme; £1,940,000 for the Midland Metro scheme; £8,800,000 for water freight grants; £194,952,000 for the Strategic Rail Authority for Railtrack Feasibility Studies (£28,000,000) and to reflect the Rail Regulator's Review of Access Charges (£166,952,000). A net increase of £662,000 arising from transfer from the Home Office to the Driver and Vehicle Licensing Agency to support vehicle crime reduction initiatives and implement an electronic interface with magistrates courts. Take up from the Capital Modernisation Fund of £2,700,000 for the Active Traffic Management project (£2,000,000); and the Strategic Rail Authority (£700,000). A transfer of £4,231,000 to non-voted credit approvals for de-trunking roads. A transfer of £7,150,000 from the resource element of the DTLR DEL for Cross Rail.

(viii) The changes for Request for Resources four are as follows:

A decrease of £2,485,000 arising from machinery of government changes (£1,461,000 to the Cabinet Office, £19,000 to Department of Trade and Industry, and £1,005,000 to Department for Environment, Food and Rural Affairs. A reclassification of £2,500,000 to the resource element of the DEL for the Health and Safety Commission.

(ix) Provision within the non-Voted capital element of the DTLR Main Programmes Departmental Expenditure Limit will be decreased by £726,410,000. This reflects take up of End Year Flexibility of £51,054,000 for the Urban Regeneration Agency (£30,157,000) and £20,897,000 to be transferred to the non-voted capital element of the DTLR Local Government DEL. A net decrease of £160,672,000 arising from the following Machinery of Government changes: £59,682,000 from the Home Office and £220,354,000 to Department for Environment, Food and Rural Affairs. Transfers of £602,764,000 to Request for Resources 1 and £4,231,000 to non-voted credit approvals for de-trunking roads from Request for Resource 2.

(b) the DTLR Local Government DEL will be increased by £65,021,000 from £36,975,168,000 to £37,040,189,000. Within the DEL change, the impact on resources and capital are as set out in the following table:

	Resources	*Capital*
Change	+32,321,000	+32,700,000
New DEL	36,950,270,000	89,919,000

The change in the resource element of the DEL arises from:

(i) The changes for Request for Resources 3 are as follows:

Take up of End Year Flexibility of £29,210,000 for: the Valuation Office Agency's modernisation programme (£100,000), research (£910,000), PFI Special grant (£3,500,000), and support for local authorities (Bellwin) (£20,200,000), Best Value Intervention (£4,500,000). An increase of £811,000 arising from machinery of government changes transfer from the Home Office. A reclassification of £2,300,000 from the capital element of the DEL for research. A transfer of £1,000,000 from non-voted provision.

(ii) Provision within the resources non-voted element of the DTLR Local Government DEL will be reduced by £1,000,000 to reflect a transfer of resources to Request for Resources 3 for the Valuation Office Agency.

The change in the capital element of the DEL arises from:

(iii) The changes for Request for Resources 3 are as follows: A reclassification of £2,300,000 to the resource element of the DEL.

(iv) Provision within the capital non-voted element of the DTLR Local Government DEL will be increased by £35,000,000 to reflect the take up of End Year Flexibility (£14,103,00) and a switch from DTLR Main DEL (£20,897,000) to provide support for local authorities in exercise of the Secretary of State's powers under the Local Government Act 1999.

The increases will be offset by inter-departmental transfers or charged to the DEL Reserve and will not therefore add to the planned total of public expenditure.

Railtrack

Peter Bradley: To ask the Secretary of State for Transport, Local Government and the Regions on how many days following privatisation Railtrack shares were worth *(a)* more and *(b)* less than their opening price; and what the highest and lowest values were of a single Railtrack share between privatisation and 1 October. [18232]

Mr. Jamieson *[pursuant to his reply, 26 November 2001, c. 606W]:* The closing share price for Railtrack Group plc was above the flotation price of 380p on every day between its flotation on 20 May 1996 and 4 June 2001 and also on 8 June 2001. The share price reached a peak of 1768p on 23 November 1998.

The closing share price for Railtrack Group plc was below the flotation price of 380p on 5, 6, 7 June 2001 and on every day between 9 June 2001 and 1 October 2001. The lowest closing share price was 252p on 20 September 2001.

Miss McIntosh: To ask the Secretary of State for Transport, Local Government and the Regions when he prepared the emergency legislation to prevent an application for interim review from Railtrack. [R] [16031]

Mr. Jamieson: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State on 27 November 2001, *Official Report*, column 746W.

Mr. Redwood: To ask the Secretary of State for Transport, Local Government and the Regions if he will list the specialist areas in which his Department has sought external advice in handling Railtrack over the last year. [16375]

Mr. Spellar: We have sought accounting, legal, financial and other technical advice in relation to Railtrack and its links with the wider rail industry.

Mr. Gray: To ask the Secretary of State for Transport, Local Government and the Regions how many new stations were opened by Railtrack. [17046]

Mr. Jamieson: I understand that between 1 March 1997 and 31 October this year, 24 new stations were opened. Railtrack advise that data relating to the period from the company's establishment on 1 April 1994 to the end of February 1997 are not available.

Mr. Mark Field: To ask the Secretary of State for Transport, Local Government and the Regions how many railway infrastructure projects stand *(a)* cancelled and *(b)* postponed, following Railtrack being placed in administration. [17671]

Mr. Jamieson: I am not aware that any projects have been cancelled or postponed as a consequence of Railtrack plc going into administration.

Corsham Station

Mr. Gray: To ask the Secretary of State for Transport, Local Government and the Regions what impact Railtrack's entry to receivership will have on the opening of the new station at Corsham. [17044]

Mr. Jamieson: None. I understand that planning for the new station is continuing.

Rail Services (Buckingham)

Mr. Bercow: To ask the Secretary of State for Transport, Local Government and the Regions what recent assessment he has made as to the adequacy of rail services between stations in the Buckingham constituency and London. [17845]

Mr. Jamieson: No formal assessment has been made. We would expect Chiltern Railways in consultation with local stakeholders to come forward with proposals to meet demands for new or improved services. The Strategic Rail Authority's Strategic Plan, which will be published in the near future, will set out their priorities for enhancement to the network.

Rail Maintenance

Mr. Todd: To ask the Secretary of State for Transport, Local Government and the Regions what research the Government are funding into rail track laying and maintenance technologies. [17954]

Mr. Jamieson: My Department is currently funding a research project studying the feasibility of an on-board in-service track monitoring and fault prediction system. The Department's commitment is £375,000 over two years.

Heathrow Airport

Dr. Cable: To ask the Secretary of State for Transport, Local Government and the Regions which planning authority will be charged with *(a)* monitoring and *(b)* enforcing compliance with the flights ceiling imposed as a condition for Heathrow Terminal 5. [18664]

Ms Keeble: Both matters will be the responsibility of the London borough of Hillingdon.

Mr. Reed: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made of the impact on levels of aircraft movements at regional airports of the completion of Terminal 5 at Heathrow. [18482]

Mr. Jamieson: The possible impact of Terminal 5 on regional airports was considered at the Terminal 5 planning inquiry and in the inspector's report. The Secretary of State's reasons for his decision on T5 are set out in his decision letter of 20 November.

Our regional air services studies into demand and capacity at regional airports will take into account the Heathrow Terminal 5 decision. We will be consulting on options early in the new year, and the outcome will inform the air transport White Paper to be published next autumn.

Mrs. Lait: To ask the Secretary of State for Transport, Local Government and the Regions what assessment he has made of the impact on levels of aircraft *(a)* movements and *(b)* noise in Beckenham of the completion of Terminal 5 at Heathrow. [18162]

Ms Keeble: The Secretary of State's planning decision on Terminal 5 followed consideration of the report by the Inspector who conducted the public inquiry into the matter. The Inspector's report does not expressly refer to the effect of Terminal 5 on Beckenham, but the conditions attached to the Secretary of State's decision which restrict the number of air transport movements at Heathrow to 480,000 per annum and which restrict the size of the 57 decibel noise contour will limit the noise effects of the new terminal beyond the immediate vicinity of Heathrow.

Mr. Colman: To ask the Secretary of State for Transport, Local Government and the Regions when he will *(a)* start and *(b)* conclude the review of westerly preference for incoming aircraft at Heathrow in daylight hours. [18293]

Mr. Jamieson: It will be necessary to carry out a preliminary technical review of operational procedures and meteorological trends at the airport before assessing the environmental and safety implications of different preference options. These options will only become clear during the technical review stage. When the preparatory work is complete we will consult widely before reaching any final decisions. I hope to issue a consultation paper in the second half of next year, but it is not possible at this early stage to give a firm timetable for completing the review and consultation.

HOME DEPARTMENT

Public Service Agreements

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on progress towards the public service agreement target for correspondence responded to within agreed targets. [16916]

Mr. Blunkett: I refer the hon. Member to the answer I gave to the hon. Member for Perth (Annabelle Ewing) on 31 October 2001, *Official Report,* columns 721–22W.

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on progress towards the public service agreement target for a reduction in the level of re-offending by drug misusing offenders. [16933]

Mr. Bob Ainsworth: We are in the process of reviewing progress against all the drugs strategy targets. Progress on the public service agreement target to reduce levels of repeat offending among drug misusing offenders by 25 per cent. by 2005 and by 50 per cent. by 2008 is currently measured by the New English and Welsh Arrestee Drug Abuse Monitoring (NEW-ADAM) research programme which provides estimates of repeat offending drug misusing offenders (defined as the proportion of arrestees using heroin and/or cocaine/ crack at least once a week and who have offended at least twice a month in the last twelve months). The proportion of arrestees falling within this category for the financial year 1999–2000 was 15 per cent. This will provide an interim baseline against which progress can be tracked. A summary of full baseline data will be available in the spring of 2002.

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on progress towards the public service agreement target for increasing completions of nationality applications. [16924]

Angela Eagle: Increasing the number of nationality decisions was a public service agreement (PSA) target in the years 1999–2000 and 2000–01 but is not a PSA target in 2001–02. Outturn in 2000–01 was 94,090 against a target of 91,000.

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on progress towards the public service agreement target for shortening the time taken in dealing with persistent offending. [17055]

Mr. Keith Bradley: This public service agreement target reflects the Government's youth justice pledge to halve the average time taken to deal with a persistent young offender from arrest to sentence, from 142 days in 1996 to 71 days. The target has now been met for three consecutive months; i.e. the latest figure, for August is 66 days. This has been achieved through effective partnership working in the criminal justice system.

Mr. Bercow: To ask the Secretary of State for the Home Department (1) if he will make a statement on progress towards the public service agreement target for evaluation of probation and court referral schemes; [16960]

(2) if he will make a statement on progress towards the public service agreement target for the expansion of the probation and court referral scheme; [16931]

(3) if he will make a statement on progress towards the public service agreement target for drug treatment and testing orders. [16932]

Mr. Bob Ainsworth: The public service agreement targets for the evaluation and significant expansion of probation and court referral schemes were achieved through the evaluation of the Drug Treatment and Testing Orders (DTTO) pilots and the roll-out of the DTTO to courts in England and Wales on 1 October 2000 respectively. 2,288 DTTOs were made in the first six months of 2001–02, against the full year target of approximately 6,000 orders. Under the comprehensive spending review settlement, the Government provided £20 million for the implementation of DTTOs in 2000–01 (the first six months after roll-out) and £40 million for 2001–02, ring-fenced for the purpose.

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on progress towards the public service agreement target for efficiency of procurement in his Department. [16915]

Mr. Blunkett: There are four key targets for procurement within the public service agreement for the Home Department:

1. *The introduction of the procurement card:*

This is now in use within the Prison Service, Forensic Science Service, United Kingdom, Passport Service and The Youth Justice Board. It has been piloted within the core Home Office and full roll out is due to commence in January 2002.

2. *The comprehensive roll out of consolidated invoicing:*

This activity has been completed.

3. *The determination of the extent of introduction of the procurement excellence model:*

This has been fully scoped and the model has been used within three separate business areas as part of an ongoing roll out programme.

4. *Central Home Office procurement staff to have access to the Government secure intranet and internet:*

This has been completed.

Correspondence

Mr. Bercow: To ask the Secretary of State for the Home Department how many letters he has received in 2001 from residents of the Buckingham constituency on asylum policy. [16911]

Angela Eagle: No record is kept of the postal address of correspondents.

Data Protection

Harry Cohen: To ask the Secretary of State for the Home Department which public sector organisations have applied to him to be allowed to demand Communications Data under the Regulation of Investigatory Powers Acts; and if he will make a statement. [17193]

Mr. Blunkett: We have been approached by a number of public authorities including local authorities, the Serious Fraud Office and the Financial Services Authority. I will be considering shortly whether to seek the approval of Parliament to add them to the current list of public authorities who can access communications data under the Regulation of Investigatory Powers Act 2000.

Harry Cohen: To ask the Secretary of State for the Home Department how many certificates he has signed with respect to Section 28 of the Data Protection Act 1998 since coming to office; if he has renewed certificates signed by his predecessors in office; what plans he has to review the form of the certificate; and if he will make a statement. [17191]

Mr. Blunkett: I have neither signed nor renewed any such certificates. I expect soon to have decided on a course of action in response to the determination of the National Security Panel of the Information Tribunal on the appeal by the hon. Member for Lewes (Norman Baker) against a Data Protection Act 1998 national security exemption certificate covering the Security Service.

Graduates (Work Permits)

Annabelle Ewing: To ask the Secretary of State for the Home Department what the immigration status is of persons who are graduates of UK universities and holders of non-EU passports who have been invited to take up employment in the UK within the field of their educational background. [16793]

Angela Eagle: A student graduating from a United Kingdom University who is subject to immigration control would require a prospective employer to obtain a work permit for them prior to them taking up that employment.

Such individuals are able to remain in the United Kingdom while the work permit application is being considered. The Immigration Rules will be changed formally next year to allow graduates, student nurses and postgraduate doctors and dentists to obtain work permits without first having to leave the country. In the meantime this announced policy is being applied as a concession outside the rules.

Drugs Strategy

Mr. Kidney: To ask the Secretary of State for the Home Department what was *(a)* the budgeted amount and *(b)* the actual spend for the drugs misuse allocation for England for each of the last three years. [16831]

Mr. Bob Ainsworth: The information is not available in the form requested. Government ring-fenced funding for the 10-year National Drugs Strategy is set to rise from £700 million in 2000–01 to over £1 billion for proactive work alone by 2003–04.

Funding for 2000–01—estimates of baseline spend in Department Expenditure limits—comprises:

£234 million for drug treatment (mainstream spending by Department of Health, local authorities and the pooled National Treatment Agency (NTA) budget);

£63 million for protecting young people;

£45 million for safeguarding communities;

£353 million for reducing availability.

In addition, funding awarded from the Budget 2001:

£50 million for strengthening communities;

£5 million for providing more help to find jobs;

£5 million strengthening Drug Action Teams;

£2 million expanding Positive Futures.

I refer my hon. Friend to the publication "United Kingdom Anti-Drugs Co-ordinators Annual Report 2000–01" which is available in the Library.

Visa Applications

Hugh Robertson: To ask the Secretary of State for the Home Department if he will make a statement on the handling of the visa application of Mrs. Grace Allen, Ref A1127781. [16908]

Angela Eagle: I understand that Mrs. Allen's appeal against the refusal of entry clearance is listed for hearing by the Immigration Appellate Authority on 17 December.

Asylum Seekers

Dr. Tonge: To ask the Secretary of State for the Home Department what provisions are made for teaching English as a second language to asylum seekers in the UK. [16773]

Angela Eagle: Currently there is no provision to teach English to asylum seekers who are not of compulsory school age. In his statement on 29 October my right hon. Friend the Home Secretary set out his proposals for a radical reform of the asylum process, including the creation of accommodation centres. Accommodation centres will provide a range of services, including purposeful activity for adult asylum seekers, which could include English language lessons. Details of the services that will be available in accommodation centres will appear in the White Paper, which my right hon. Friend also announced on 29 October.

Immigration Detainees

Mr. Vaz: To ask the Secretary of State for the Home Department how many persons are in detention under immigration legislation. [17304]

Angela Eagle: The latest available information on the number of persons detained under Immigration Act powers relates to 30 June 2001; 1,760 persons (to the nearest five) were detained as at this date, including 245 persons detained in prison establishments under dual Immigration Act and other powers.

The next set of statistics are currently planned for release on 30 November on the Home Office Research Development and Statistics Directorate website http://www.homeoffice.gov.uk/rds/immigration1.html, and will relate to persons detained as at 30 September.

Mr. McNamara: To ask the Secretary of State for the Home Department how many persons have been detained under the Immigration Act 1971 in each of the past five years; and in each year, how many detained persons have *(a)* been charged with a criminal offence, *(b)* been the subject of a deportation order, *(c)* appealed against such an order and *(d)* been deported to which countries. [17765]

Angela Eagle: Available information relates only to persons detained under Immigration Act powers as at 30 June 2001; 1,760 persons (to the nearest five) were detained as at this date. This includes 245 persons detained in prison establishments under dual Immigration Act and other powers who have been charged with a criminal offence.

I regret that the information requested on detainees who have been the subject of a deportation order, appealed against such an order and been deported to which countries is not held centrally and could be obtained only by examining individual case files at disproportionate cost.

Heroin Imports (Afghanistan)

Paul Flynn: To ask the Secretary of State for the Home Department, pursuant to his answer of 20 November 2001, *Official Report*, column 237W, on imports of heroin to Britain, what is his estimate of the percentage of heroin imported into Britain since July 2000 that originated in *(a)* Taliban-controlled and *(b)* Northern Alliance-controlled Afghanistan. [17732]

Mr. Bob Ainsworth: Pre-existing stockpiles of opium and morphine base in the supply chain make it probable that the vast majority of heroin which has been imported to the United Kingdom since July 2000 originated from opium produced in Taliban controlled areas of Afghanistan. The opium crop planted in late 2000 will not have been ready until May 2001.

Estimates of production of opium in Afghanistan in recent years are as shown in the table.

Tonnes

Year	*Taliban*	*Northern Alliance*
1998	2,592	108
1999	4,510	140
2000	3,139	131
2001	21	164

MI5

Norman Baker: To ask the Secretary of State for the Home Department under what circumstances MI5 may decide that major decisions it takes need not be communicated to him; and what mechanism exists to ensure such decisions are in the public interests. [18537]

Mr. Denham *[holding answer 27 November 2001]:* The duties and powers of the Security Service are established by law, and the Service is under the authority of the Secretary of State. The operations of the Service are under the control of its Director-General. I am satisfied with the arrangements in place to ensure that I am properly consulted by the Service on significant issues.

Cross-channel Illegal Immigration

Mr. Martyn Jones: To ask the Secretary of State for the Home Department when he next intends to meet with French authorities to discuss the operation of checks conducted at French ports to prevent illegal immigrants entering the United Kingdom. [17653]

Angela Eagle *[holding answer 27 November 2001]:* The Home Secretary will next be meeting Interior Minister Vaillant at the United Kingdom-France summit on 29 November to discuss a range of bilateral issues, including cross-channel illegal immigration and the effectiveness of checks conducted on persons and vehicles.

Mr. Martyn Jones: To ask the Secretary of State for the Home Department what representations he has received in relation to the operation of checks conducted at French ports to prevent illegal immigrants entering the United Kingdom; and if he will make a statement. [17647]

Angela Eagle *[holding answer 27 November 2001]:* A wide range of interested parties have been in contact with both the Home Secretary and officials on the issue of checks at French ports. These include transport operators, Members of Parliament, and the general public.

Ministers and officials have also discussed this matter with their French counterparts in the course of regular discussions about cross-channel issues.

Indefinite Leave to Remain

Mr. Lloyd: To ask the Secretary of State for the Home Department if he will make a statement on the length of time taken to respond to a request for an upgrade of exceptional level to remain to indefinite leave. [17912]

Angela Eagle *[holding answer 27 November 2001]:* The requested information is neither centrally recorded nor readily available so could be obtained only at disproportionate cost.

Entry Clearance (Children)

Mr. Lloyd: To ask the Secretary of State for the Home Department under what circumstances *(a)* British nationals and [illegible] those with indefinite leave to remain would find their children under the age of 18 years refused entry clearance when they can demonstrate that they can support these children and offer adequate accommodation. [18036]

Angela Eagle *[holding answer 27 November 2001]:* Entry clearance is not required where, by virtue of his or her British citizenship, the child has the right of abode in the United Kingdom.

In other cases, paragraph 297 of the Immigration Rules sets out the requirements that need to be met in order for a child under 18 years of age to be granted an entry clearance to join a parent or parents in this country. In addition to the maintenance and accommodation requirement, in general terms, it is necessary for the parents to be present and settled in the United Kingdom and for the child to be unmarried and still dependent on his parents. It is not possible to give an exhaustive list of every possible circumstance where a child might be refused an entry clearance to join a parent or parents.

Access to Official Information

Mr. Robathan: To ask the Secretary of State for the Home Department if he will make a statement on the Fourth report of the Parliamentary Ombudsman, Session 2001–02 on Access to Official Information: Declarations made under the Ministerial Code of Conduct, HC 353. [15988]

Mr. Blunkett: The Government position remains as set out in the fourth report of the parliamentary ombudsman on access to official information. The Government have nothing further to add.

Asset Recovery Strategy

David Wright: To ask the Secretary of State for the Home Department when he will publish the Government's Asset Recovery Strategy. [19515]

Mr. Bob Ainsworth: I am publishing the strategy today. Copies have been placed in the Vote Office and the Library and sent to the members of the Standing Committee currently considering the Proceeds of Crime Bill.

The Asset Recovery Strategy is the first United Kingdom-wide initiative of its kind, in which the law enforcement, prosecution and relevant Government bodies have joined together to commit themselves to making financial investigation and asset recovery a higher priority.

The strategy's aims are:

To make greater use of the investigation of criminal assets in the fight against crime;

To recover money that has been made from crime or which is intended for use in crime;

To prevent criminals and their associates from laundering the proceeds of criminal conduct, and to detect and penalise such laundering where it occurs; and

To use the proceeds recovered for the benefit of the community.

The strategy sets out our objectives for meeting the challenging financial investigation target of recovering £60 million in confiscation and forfeiture receipts during the 2004–05 financial year. Hitting this target would achieve the Government's commitment of doubling amounts recovered from drug traffickers and other major criminals by 2004.

It is not acceptable that people should enjoy the proceeds of criminal activity and live a life of luxury when it is built on the misery of victims or activities which damage or exploit society.

The strategy I am publishing today sets out how we propose to push forward recovering criminal assets with partners both inside and outside Government. Alongside the Proceeds of Crime Bill the strategy will help take the profit out of crime and dismantle and disrupt criminal enterprises.

The strategy will be updated with further targets when the Bill is implemented and the new Assets Recovery Agency is established.

Anti-Terrorism, Crime and Security Bill

David Wright: To ask the Secretary of State for the Home Department what plans he has to issue a modified code of practice for authorised officers in relation to his proposal to widen the scope of the cash seizure powers in the Anti-Terrorism, Crime and Security Bill. [19516]

Mr. Blunkett: Clause 1 of the Anti-Terrorism, Crime and Security Bill enables me to make whatever modifications I think are necessary or expedient to any code of practice in operation under schedule 14 to the Terrorism Act 2000. Such modifications can be made in an order under clause 123 of the Bill bringing the cash seizure provisions in schedule 1 to the Bill into force.

I have today made available in the Library a draft code of practice for authorised officers showing where I believe modifications are required. These modifications are still subject to final consultation with the police and others.

WALES

Social Exclusion (South Wales Valleys)

Mr. Bryant: To ask the Secretary of State for Wales what assessment he has made of the levels and effects of social exclusion in the south Wales valleys. [15998]

Mr. Paul Murphy: The Government are committed to building a fairer and more inclusive society in which everyone can benefit from rising prosperity. We are working in partnership with the National Assembly to combat social exclusion throughout Wales.

Notable among Assembly initiatives is the Communities First Programme which makes a significant contribution to promoting social inclusion and regeneration in deprived areas.

In his pre-Budget report yesterday my right hon. Friend the Chancellor of the Exchequer announced several measures aimed at increasing fairness for people and their communities. These included tackling child poverty, providing security in old age, rewarding saving and creating a fair and efficient tax system.

Departmental Expenditure Limit

Mark Tami: To ask the Secretary of State for Wales what plans he has to amend the Welsh departmental expenditure limit for 2001–02. [19621]

Mr. Paul Murphy: The Wales departmental expenditure limit will be increased by £44,845,000 from £8,490,071,000 to £8,534,916,000. The increase is a result of:

(i) the take up of end-year flexibility entitlement of £30,560,000

(ii) net transfers from other Government Departments of £7,563,000

(iii) additional provision of:

  £5,300,000 for the transfer of the Forestry Commission in Wales to the Assembly;

  £1,058,000 for areas affected by foot and mouth;

  £450,000 for the Addington fund; and

  £474,000 for drug prevention and education

(iv) a reduction of £560,000 in respect of a Council Tax Benefit penalty.

The increase includes the following transfers

(i) £609,000 to the Food Standards Agency for the Maclean report

(ii) £5,425,000 from the Forestry Commission

(iii) £40,000 from the Department for Education and Skills for NTO Cymru

(iv) £1,032,000 from the Department for Education and Skills for Student Access/Hardship Bursaries

(v) £1,225,000 from the Home Office for the Partnership Development Fund

(vi) £450,000 from the Department for Transport, Local Authorities and the Regions for the Planning Inspectorate.

The increase in DEL will be offset by transfers from other Departments, from the Reserve or take up of end-year flexibility and will not therefore add to the planned total of public expenditure.

CULTURE, MEDIA AND SPORT

Public Bodies

Mr. Andrew Turner: To ask the Secretary of State for Culture, Media and Sport (1) if she will list those public bodies to which her Department appoints members and which are not listed in "Public Bodies 2000"; [17576]

(2) if she will list those public bodies which are the responsibility of her Department and which are not listed in "Public Bodies 2000". [17577]

Mr. Caborn: "Public Bodies 2000" sets out information on non-departmental public bodies (NDPBs), certain public corporations (including nationalised industries) and NHS bodies. There are four types of NDPB: executive NDPBs; advisory NDPBs; tribunal NDPBs; and boards of visitors to penal establishments. The next edition will be published around the end of the year. Information about task forces, annual reports and ad hoc advisory groups is set out in an annual report, published by the Cabinet Office. Copies of "Public Bodies 2000" are in the Library of the House and this publication may be accessed via the Cabinet Office's website http://www.official-documents.co.uk/document/caboff/pp00/pb00.htm. Copies of the annual report on taskforces and similar bodies have also been placed in the Library of the House and the annual report is being made available on the Cabinet Office's website.

The public bodies to which I make appointments and for which I have responsibility, but which are not listed in "Public Bodies 2000" or the annual report on taskforces and similar bodies, are:

Alcohol, Education Research Council[1]

Gaming Board for Great Britain[1]

Horserace Betting Levy Board[1]

Horserace Betting Levy Appeals Tribunal for England and Wales[1]

Horserace Totalisator Board[1]

Film Council[2]

Quality Efficiency and Standards Team[2]

Spoliation Advisory Panel[2]

Royal Parks Advisory Committee.

In addition, there are bodies which are independent of my Department but for which I have a role in appointing, or approving the appointment of, board members. These are:

Architectural Heritage Fund

Royal Opera House

South Bank Board Ltd.

[1] Public bodies transferred from the Home Office to DCMS following the machinery of Government changes on 7 June. These bodies appeared under the Home Office section of "Public Bodies 2000" and will do so again in the 2001 edition.

[2] Public bodies which will appear for the first time in the 2001 edition of "Public Bodies"."

Tourism

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport (1) what financial support was provided by the Government for tourism in England in each month of the financial year *(a)* 1991–92, *(b)* 1992–93 and *(c)* 1993–94; [18165]

(2) what financial support has been provided by the Government for the support of tourism in England in each month *(a)* during the financial year 2000–01 and *(b)* until the latest date for which figures are available in the financial year 2001–02; [18163]

(3) what financial support is available for supporting the tourism industry in *(a)* each month of the financial year 2001–02 and *(b)* future years for which budgets have been set. [18164]

Mr. Caborn: Direct Government funding for tourism in England is now based on a three-year funding agreement with the English Tourism Council (ETC). Grant in aid is budgeted in terms of annual allocations. These are provided to the ETC in response to monthly draw down requests which reflect its cash flow needs. In addition to this direct Government funding:

(a) Local authorities spend over £90 million per year in England promoting and developing tourism in their areas;

(b) the regional development agencies' business recovery fund has made £74 million available this year to target help for rural businesses, including tourism businesses, affected by the implications of foot and mouth disease; and

(c) DCMS's £1 billion expenditure on arts, museums, galleries, sport etc also directly benefits tourism.

The following table sets out the DCMS baseline grant in aid allocations for English tourism for the years 1991–92 to 1993–94 and 2000–01 to 2003–04. Baseline funding will rise from £10 million in 2001–02 to £12.5 million in 2003–04.

Year	*£ million*
1991–92	[1]15.1
1992–93	[1]16.2
1993–94	[1]13.9
2000–01	[2]11.0
2001–02	[3]10.0
2002–03	12.0
2003–04	12.5

[1] These were annual grants to the English Tourism Board, the predecessor of the English Tourism Council.

[2] This includes £1 million grant in aid for transitional costs following the launch of the ETC in 1999 (£1.8 million was also made available for this purpose in 1999–2000).

[3] This figure comprises £9.6 million ETC baseline and £0.4 million for London granted direct to the Greater London Authority. In addition, £0.6 million was awarded to the ETC from the Capital Modernisation Fund and £3.8 million to tackle foot and mouth disease.

Dr. Murrison: To ask the Secretary of State for Culture, Media and Sport what assessment she has made of the impact of the foot and mouth crisis on tourism in the south-west. [18417]

Dr. Howells: For the English tourism industry as a whole, our best estimate to date is that the loss of revenue in 2001–02 due to the foot and mouth disease outbreak is likely to be about £3.3 billion in value added terms over the eight-month period (March to October). We have no comparable figure for the south-west at this time.

The west country enjoyed an Indian summer, which has extended the tourist season. This is helping to alleviate the loss of business due to the foot and mouth outbreak. In particular, it appears that senior citizens who would usually be heading for holidays in North America are cancelling and instead taking holidays at home.

Mr. Swire: To ask the Secretary of State for Culture, Media and Sport what assessment she has made of the effect on tourism in east Devon of transport links with London. [18281]

Mr. Caborn: The London to South Wales and the south-west multi-modal study (SWARMMS) which is currently in progress is looking at solutions to problems on the main transportation corridors in the study area. Completion is expected by April 2002. Two of the main road and rail corridors pass through east Devon. Comments have recently been sought from stakeholders and the public on a provisional strategy which addresses both existing and future problems. The next stage, which is developing individual plans in more detail, is under way for the multi-modal corridors in the study area and four study-wide theme plans.

One of the study's theme plans addresses tourism and is considering the numbers of tourists, their movements and characteristics and identifying schemes and measures that cater for their needs in a sustainable manner. This will provide the more detailed information needed and develop the overall strategy.

Mr. Swire: To ask the Secretary of State for Culture, Media and Sport what assessment she has made as to the effect on tourism in east Devon of *(a)* the foot and mouth disease outbreak and *(b)* the terrorist attacks on 11 September; and if she will make a statement. [18284]

Mr. Caborn: Our best estimate is that the revenue loss to the English tourism industry as a whole for March to October due to foot and mouth disease is likely to be around £3.3 billion in value added terms. We have not attempted to assess individual regions, such as the east Devon constituency, since the available data do not enable this to be done with a sufficient degree of reliability.

Reports suggest that the main impact of the drop in overseas tourists since the terrorist attack of 11 September has been felt in London rather than in the regions and some south-west businesses have reported a good autumn, possibly the best in the last 20 years. However, it is too early to predict with any accuracy what the effects of the war against terrorism are likely to be on tourism in the south-west.

Disadvantaged People

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport how her Department defines those members of society considered to be the most disadvantaged. [18071]

Mr. Caborn: In line with Government policy, my Department considers those who suffer from a combination of linked problems such as unemployment, poor skills, low incomes, poor housing, high crime environments, bad health and family breakdown to be the most disadvantaged.

Lottery Funds

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport what representations she has received concerning the accountability of *(a)* the lottery distributing bodies and *(b)* their application processes to (i) applicants, (ii) the public and (iii) her Department; what assessment she has made of them; and if she will make a statement. [17948]

Mr. Caborn: My right hon. Friend the Secretary of State has from time to time received representations about the accountability of the lottery distributors and their application processes. The accounting officer of a lottery distributor is accountable to both the Department's Permanent Secretary and to Parliament for the proper and prudent expenditure of funds, and distributors' activities are subject to external audit by the National Audit Office. As lottery proceeds allocated to distributors are public money, the general principles of Government Accounting must be applied in the design and implementation of systems for the distribution of that money.

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport what recent assessment she has made of the variation in expenditure, relative to revenue received, of the lottery income distributing bodies; and if she will make a statement. [17947]

Mr. Caborn: Lottery distributing bodies do not hold the same level of cash balances due to the differing nature of schemes or programmes operated. Funds are committed to a broad range of projects and money is drawn down when it is needed and not before, in compliance with Government Accounting procedures. The Department for Culture, Media and Sport continues to work closely with the lottery distributors to ensure that people see the benefits of Lottery awards as quickly as possible.

Ms Shipley: To ask the Secretary of State for Culture, Media and Sport how outdoor adventure facilities will be affected in the west midlands by the new opportunities for school and community sports lottery funds. [18339]

Mr. Caborn: The new opportunities fund has informed local education authorities that it expects between 5 per cent. and 10 per cent. of allocations to be used to develop outdoor adventure facilities. On that basis, between £3,064,000 and £6,127,000 of funding will be used to modernise or build outdoor adventure facilities either in the west midlands or for use by young people from the west midlands.

Ms Shipley: To ask the Secretary of State for Culture, Media and Sport what guidance she has offered to education authorities regarding *(a)* who should be consulted in the west midlands regarding the spending of funding allocations and *(b)* such spending, under new opportunities for schools and county sport lottery initiative. [18336]

Mr. Caborn: The new opportunities fund has sent guidance materials to all local education authorities (LEAs) including advice on the range of organisations that should be consulted before applications are submitted. The fund would expect LEAs to consult, for example: other local authority departments; sports governing bodies; the NHS; primary care groups; and the voluntary sector. Where local strategic partnerships have been established, the fund expects that they will play a central role in strategic planning for grant schemes.

Workshops have been arranged in January 2002 to help LEAs develop applications in more detail. Sport England will offer advice and support to LEAs, where they request it, on sports development issues.

Ms Shipley: To ask the Secretary of State for Culture, Media and Sport what arrangements she has made to monitor (1) the impact of the new opportunities for school and community sport lottery moneys on social exclusion; [18343]

(2) the positive impact of the new opportunities for school and community sport lottery funds on providing young people with a healthy lifestyle. [18344]

Mr. Caborn: The new opportunities fund is currently developing proposals for the evaluation of the new opportunities for PE and sport programme. The impact of the programme in promoting social inclusion will form part of the evaluative work.

Ms Shipley: To ask the Secretary of State for Culture, Media and Sport how she will monitor the provision of new opportunities for school and community sport in disadvantaged areas. [18340]

Mr. Caborn: All applicants will be required to demonstrate how their proposed projects promote social inclusion. When local partnerships complete initial applications the fund will be able to assess how many projects are based in disadvantaged areas or meet the needs of disadvantaged children and communities.

Ms Shipley: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the provision of sports facilities for children with disabilities under the new opportunities for school and community sport lottery funds. [18335]

Mr. Caborn: Facilities will be developed through the programme that encourage access by all groups in society, including young people with disabilities.

Applications will be assessed against the key aims of the programme, including the promotion of social inclusion through access to and use of sports facilities by all groups in society and innovation and best practice in the design and management of facilities.

Ms Shipley: To ask the Secretary of State for Culture, Media and Sport how she will ensure that money from the new opportunities for school and community sport will provide more opportunities for young people from disadvantaged areas. [18341]

Mr. Caborn: Provisional allocations of funding in each local area have been determined using the size of the school age population and the levels of deprivation. Fifty per cent. of the funds available in England has been allocated on the basis of levels of deprivation.

Pornographic Satellite Television

Bob Spink: To ask the Secretary of State for Culture, Media and Sport what recent recommendations she has received from the ITC regarding the proscription of pornographic satellite television channels. [18152]

Mr. Caborn: The commission has made no such recommendations to my right hon. Friend the Secretary of State since notification of Satisfaction TV.

Bob Spink: To ask the Secretary of State for Culture, Media and Sport if she will take action to proscribe the Satisfaction Channel. [18151]

Mr. Caborn: Following a recommendation from the ITC regarding the Satisfaction Channel, the necessary consultations under article 2a(2) of the EC broadcasting directive have taken place and my right hon. Friend the Secretary of State is now considering whether to issue a proscription order or not.

Bob Spink: To ask the Secretary of State for Culture, Media and Sport what action she plans to control pornographic satellite television channels; and if she will make a statement. [18150]

Mr. Caborn: Broadcasters with generally based programme remits may occasionally show adult-oriented films involving nudity and sex. Several dedicated "adult" subscription channels are licensed in the UK. Access to these is restricted through encryption, scheduling times and programme information warning viewers of the nature of their content.

Under section 177 of the Broadcasting Act 1990, my right hon. Friend the Secretary of State may make an order proscribing a foreign satellite television service that repeatedly transmits programmes containing matter that offends against good taste or decency or is likely to offend public feeling, and might seriously impair the moral, mental or physical health of minors, as allowed in article 22.1 of the "Television without Frontiers Directive", 89/552/EC, amended by 97/36/EC.

Playing Fields

Mr. Flight: To ask the Secretary of State for Culture, Media and Sport how many *(a)* community and *(b)* school playing fields have been sold for development in Arundel and South Downs in each of the last five years. [18328]

Mr. Caborn: Information on the number of local authority-owned playing fields available to the local community and disposed of in the last five years is not collected. Sport England does however, monitor the number of planning applications concerning playing fields in its role as statutory consultee. The Government intend to publish, with Sport England, detailed national statistics on planning applications concerning playing fields when the data are finalised, in the new year.

My right hon. Friend the Secretary of State for Education and Skills has not approved any applications made by schools under section 77 of the School Standards and Framework Act 1998 to sell school sportspitch-sized areas or larger in the constituency of Arundel and South Downs.

Mr. Reed: To ask the Secretary of State for Culture, Media and Sport how many *(a)* school, *(b)* community and *(c)* company playing fields have been sold for development in (i) the Loughborough constituency, (ii) Leicestershire and (iii) the east midlands in each of the last 10 years. [18493]

Mr. Caborn: My right hon. Friend the Secretary of State for Education and Skills has not approved any applications made by schools under section 77 of the School Standards and Framework Act 1998 to sell school sportspitch-sized areas or larger in the Loughborough constituency or in Leicestershire. In the east midlands Government office region, my right hon. Friend has approved two applications to sell school sportspitch-sized areas or larger in 1999; two in 2000 and one in 2001.

Information on the number of company-owned playing fields and local authority-owned playing fields available to the local community and disposed of in the last five years is not collected. Sport England does, however, monitor the number of planning applications concerning playing fields in its role as statutory consultee. The Government intend to publish, with Sport England, detailed national statistics on planning applications concerning playing fields when the data are finalised in the new year.

Football Foundation

Mr. Reed: To ask the Secretary of State for Culture, Media and Sport what funding her Department will give the Football Foundation in *(a)* 2001–02 and *(b)* 2002–03. [18483]

Mr. Caborn: My Department does not fund the Football Foundation direct. However, under the current partnership arrangements, the Football Foundation should receive the following public funds in the three-year period 2001–02 to 2003–04: £18 million from the Sport England lottery fund, up to £30 million from the new opportunities fund PE and school sport programme, and donations from the pools companies of several million pounds in accordance with their agreement with the Government. My right hon. Friend the Chancellor of the Exchequer announced in his pre-Budget report that the current agreement with Littlewoods and Vernons, which was due to end in March 2002, would be renewed for a further two years until 31 March 2004. The donations from the pools companies will be equivalent in those two years to 2 per cent. of their gross profits.

Sport and Crime

Ms Shipley: To ask the Secretary of State for Culture, Media and Sport what arrangements she has made to monitor the impact of the new opportunities for school and community sport has on the fight against crime and drugs. [18342]

Mr. Caborn: The new opportunities fund is currently developing proposals for the evaluation of the new opportunities for PE and sport programme. The impact of the programme on levels of crime and drugs misuse will form part of the evaluative work.

Motorsport

Richard Burden: To ask the Secretary of State for Culture, Media and Sport (1) what representations she is making in advance of the FIA Motorsports World Council meeting on 13 December to secure the retention of the British Grand Prix on the 2002 Formula 1 calendar; [18457]

(2) what estimate she has made of the value to the UK economy of the Formula 1 British Grand Prix; [18456]

(3) if she will make a statement on her policy towards motorsports. [18458]

Mr. Caborn: Neither my right hon. Friend the Secretary of State nor I have made representations in advance of the FIA Motorsports World Council meeting on 13 December. That is the remit of the UK governing bodies for motorsport in the UK, primarily the Motor Sport Association. We hope that the British Grand Prix will retain its place in the global sports calendar.

Motorsport continues to be hugely popular across the UK. The British Grand Prix is a major event on the world's sporting calendar and the last FIA study estimated that the Grand Prix contributes approximately £28 million to the UK economy.

I am in regular contact with representatives of all aspects of motorsport.

Parliamentary Commissioner for Administration

Mr. Chope: To ask the Secretary of State for Culture, Media and Sport how many formal notices her Department has received in the last year from the parliamentary ombudsman expressing an intention to carry out an investigation; and in respect of each notice how long it took to respond. [18772]

Mr. Caborn *[holding answer 27 November 2001]:* The Department for Culture, Media and Sport received one such notification during 2000–01. A response was made after 28 working days.

Departmental Expenditure Limits

Ross Cranston: To ask the Secretary of State for Culture, Media and Sport what proposals she has to amend her *(a)* departmental expenditure limit and *(b)* administration costs limits for 2001–02. [19795]

Tessa Jowell: Subject to parliamentary approval of the necessary Supplementary Estimate for the Department for Culture, Media and Sport, the departmental expenditure limit (DEL) for 2001–02 will be increased by £27,785,000 from £1,142,096,000 to £1,169,881,000 and the Department's gross administration costs limit will be increased by £691,000 from £31,546,000 to £32,237,000.

The changes are to provide additional resources under the end-year flexibility (EYF) arrangements, as set out in the public expenditure outturn White Paper, 2000–01 (Cm. 5243), of £134,000 for the Public Library Volunteer Scheme (together with a transfer of £134,000 from the

Home Office); £115,000 for other libraries support measures; £246,000 for other arts support measures; £72,000 for other sport support measures; £230,000 for the Department's historic buildings programme; £1,705,000 for work on developing Culture Online; £595,000 to the Council for Museums, Archives and Libraries, £21,000 to the National Museum of Science and Industry, £100,000 to the Victoria and Albert Museum, £210,000 to the Royal Armouries, £7,907,000 to the British Library, £13,000 to the Public Lending Right, £14,000 to the Historic Manuscripts Commission, £95,000 for other museums support, £1,456,000 to the Designated Museums Challenge Fund; £1,663,000 to the DCMS/Wolfson Public Libraries Scheme; £250,000 to the Arts Council of England for work on Creative Partnerships; £20,000 to the Football Licensing Authority; £70,000 to Historic Royal Palaces for pensions; £61,000 to the Commission for Architecture and the Built Environment; £1,000,000 to the English Tourism Council; £70,000 to the Broadcasting Standards Commission; £1,562,000 for research, surveys and other services of the Department; and to provide for additional capital expenditure under EYF arrangements of £350,000 for the Department's information technology, furniture and related expenses.

Other changes are to provide for a transfer of resources of £1,000,000 from English Heritage toward the costs of running the Listed Places of Worship Scheme together with additional resources of £10,000,000 from the Capital Modernisation Fund for grants under this scheme, the details of which were announced by the Chancellor of the Exchequer in his 2001 Budget Statement to Parliament on 7 March 2001.

The changes on administration costs are to provide additional resources under EYF arrangements of £817,000 for the administrative expenses of the Department; to provide for the transfer of resources to Cabinet Office of £146,000 for the costs of fast stream recruitment and of the Department's share of Government Offices' expenses; and for the transfer of resources of £20,000 from the Department for Transport, Local Government and the Regions for the running costs of local public service agreements.

The increases will be offset by transfers or charged to the DEL Reserve and will not therefore add to the planned total of public expenditure.

SCOTLAND

Departmental Spending Limits

Mr. Russell Brown: To ask the Secretary of State for Scotland what plans she has to change the Scotland Office *(a)* departmental expenditure limit and *(b)* administration costs limit for 2001–02. [19698]

Mrs. Liddell: Subject to parliamentary approval of the necessary Supplementary Estimate, the Scotland Office Departmental Expenditure Limits (DEL) will be increased by £751,571,000 from £16,422,121,000 to £17,173,692,000, and the administration costs limits will be increased by £334,000 from £6,502,000 to £6,836,000.

The DEL increases take account of the following:

- the take up of End Year Flexibility (EYF) amounting to £718,365,000;
- increases of £1,749,000 for flood relief and coastal defences;
- an increase of £10,231,000 from the Capital Modernisation Fund (CMF);
- an increase of £334,000 for Electoral Registration Publicity;
- an increase of £4,500,000 for the Forestry Commission;
- an increase of £32,000 for the Employment Coalitions.

The DEL increase also includes the following transfers to and from other Government Departments amounting to a net increase of £16,360,000. These are:

- a transfer of £14,208,000 from the Department for Education and Skills (DfES);
- net transfers of £2,729,000 from the Department for Environment, Food and Rural Affairs (DEFRA);
- net transfers of £902,000 from the Department for Work and Pensions (DWP);
- net transfers to Department of Health (DH) of £419,000;
- a transfer of £78,000 to Home Office (HO);
- a transfer of £199,000 to Cabinet Office (CO);
- a transfer of £783,000 to Food Standards Agency (FSA).

All of the increases add to the resource budget and the capital budget of £100,000 is unchanged.

The increases will be offset by interdepartmental transfers, as detailed, or charged to the DEL Reserve and will not therefore add to the planned total of public expenditure.

NORTHERN IRELAND

Police Service of Northern Ireland

Mr. Quentin Davies: To ask the Secretary of State for Northern Ireland if the post of Chief Constable of the Police Service of Northern Ireland will be advertised internationally. [16307]

Jane Kennedy: In accordance with section 35(1) of the Police (Northern Ireland) Act 2000, the Northern Ireland Policing Board shall, subject to my approval, appoint the Chief Constable of the Police Service of Northern Ireland. It will be a matter in the first instance for the Board to consider whether to advertise the post internationally.

Freedom of Information Act

Matthew Taylor: To ask the Secretary of State for Northern Ireland on what date his Department established a working group of officials to prepare his Department for the implementation of the Freedom of Information Act 2000; and on what dates this committee has met since it was set up. [14774]

Dr. John Reid: I refer the hon. Member to the statement made by my noble and learned Friend the Lord Chancellor on 13 November.

Work to implement the Freedom of Information Act is being overseen by the Department's senior management group, which receives regular progress reports. A task force of officials has been set up to assist with the implementation and compliance. Since June, presentations to senior staff and freedom of information seminars have been given throughout the Department and an information management training programme is planned for next year.

SOLICITOR-GENERAL

Departmental Expenditure Limits

Dr. Vis: To ask the Solicitor-General what plans she has to change the Attorney-General's Department's *(a)* departmental expenditure limit and *(b)* administration costs limits for 2001–02. [19796]

The Solicitor-General: Subject to parliamentary approval of the necessary Supplementary Estimates, the Attorney-General's Department's DEL will be increased by £25,375,000 from £426,088,000 to £451,463,000 and the administration costs limits will be increased by £22,476,000 from £299,627,000 to £322,103,000. Within the DEL change, the impact on resources and capital is set out in the table:

	£
Resources	
Change	22,476,000
New DEL	429,814,000
of which:	
Voted	419,258,000
Non-voted	10,556,000
Capital	
Change	2,899,000
New DEL	21,649,000
of which:	
Voted	21,649,000
Non-voted	—

The Crown Prosecution Service's DEL will be increased by £23,797,000 from £391,096,000 to £414,893,000 and the administration costs limit will be increased by £21,747,000 from £275,227,000 to £296,974,000. The increase in the resource element of the DEL arises from speeding up the reform of the CPS to allow it to contribute fully to criminal justice targets and implementation of section 37 of the Vehicles (Crime) Reduction Act 2001. The decrease results from a transfer of £83,000 for work taken over by the Insolvency Service under section 218 of the Insolvency Act 1986. The change in the capital element of the DEL arises from an increase of £1,750,000 to fund the introduction of joint CPS/police criminal justice and trial units and £300,000 to fund the provision of digital certificates for the secure transmission of case information.

HM Procurator General and Treasury Solicitor's Department DEL will be increased by £1,578,000 from £14,167,000 to £15,745,000 and the administration costs limits will be increased by £729,000 from £9,900,000 to £10,629,000. The increase in administration costs is to facilitate action being taken by the Treasury Solicitor's Department as part of their Modernising Government action plan. The increase in capital expenditure of £849,000 will be used to fund continued expansion of the Department's IT systems.

The increases will be partly offset by an allocation of £22,000,000 from the Criminal Justice System reserve, an allocation of £250,000 from the Civil Service Modernisation Fund, a transfer of £105,000 from the Home Office, an allocation of £300,000 from the Capital Modernisation Fund, the draw down of £1,750,000 of the Attorney-General's Department's capital Departmental Unallocated Provision and the surrender of £99,000 of the Attorney-General's Department's capital end-year flexibility of £4,406,000 as set out in Table 6 of the Public Expenditure 2000–01 Outturn White Paper Cm 5243 published July 2001.

The remainder of the expenditure will be charged to the Reserve and will not, therefore, add to the planned total of public expenditure.

HEALTH

Mental Health Services

Lynne Jones: To ask the Secretary of State for Health, pursuant to his answer of 16 July 2001, *Official Report*, column 70W, what proportion of total NHS spending was used to provide mental health services in 1999–2000; and if he will make a statement. [10662]

Jacqui Smith: In 1999–2000, 12.5 per cent. of total national health service spend was used to provide mental health services.

This figure is however not comparable with those of previous years or future years: 1999–2000 represents the first year that primary care group expenditure was included in the calculation and the formula used to apportion the expenditure was based on estimated data. In future years the data for primary care groups and trusts will be more detailed and the resultant figure for percentage spend will be more accurate.

Mr. Heald: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Norwich, North (Dr. Gibson) of 23 October 2001, *Official Report*, columns 144–45W, on mental health, what definition of appropriate accommodation is used in relation to his target for high secure hospitals. [11581]

Jacqui Smith *[holding answer 31 October 2001]*: Paragraph 14.35 of the NHS Plan states that, by 2004, up to 400 patients should have moved from the high secure hospitals to more appropriate accommodation. The type of accommodation required for each patient will be determined by a careful assessment of the individual's needs and the degree of danger that they represent. The alternative placement might, depending on the outcome of the assessment, be medium secure, low secure or exceptionally discharge directly into the community.

Annual Report

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on the breakdown of the cost of other services referred to on page 51 of his Department's annual report 2001. [17319]

Mr. Hutton: The category 'central health and miscellaneous expenditure' refers to a wide range of activities funded from the Department's spending programmes whose only common feature is that they receive funding directly from the Department and not via health authorities. Some of the services are managed directly by departmental staff, others are run by non-departmental public bodies, or other separate executive organisations.

There are approximately 45 budgets included within the category of 'other services', totalling £42 million planned expenditure for 2001–02 and referred to on page 51 of the latest departmental report. These are listed in the table.

Central health and miscellaneous services—other services

£000

	2001–02 Plan
Payments to World Health Organisation	14,000
Communicable services	5,000
Expert patient programme	4,000
Health survey	3,237
Port health	2,603
Haemophiliacs with HIV	2,050
Learning disability strategy	2,000
CJD surveillance	1,600
Foster care services	1,000
IVS	860
Prevention and treatment research	750
Health services for ethnic minorities	638
HGH litigation	450
Protection of Children Act tribunal	410
European Pharmacopoeia Commission	350
Child migrants	300
Prevention of HIV and Hepatitis	250
Partial agreement	200
Registered homes tribunal	200
Surveillance for STDs	200
Emergency planning	180
Database on ethnic minority health	115
Europe against cancer	101
Blood and tissue infected with HIV	100
WHO effect of chemicals on health	100
Pharmaceutical Society of Great Britain	92
British Pharmacopoeia Commission	80
British Pharmacopoeia Laboratory	80
Training in child health care	75
NHS radiation protection studies	72
Dangerous pathogens	67
Screening/nice	60
WHO programme on chemical safety	50
Domestic violence initiative	49
Health co-operation agreements	42
DH product licences	40
Payments to Met. Office	34
Services for addicts	25
Radiation regulations	16
European Centre	12
International conference expenses	10
Medical examination of immigrants	8
Other payments	7
International Hospital Federation	7
Other payments to WHO	5
Total	41,525

Mr. Bercow: To ask the Secretary of State for Health what items fall within the category of net capital expenditure of £1.5 million in 2001–02, referred to on page 30 of the 2001 departmental report. [15250]

Mr. Hutton: The figure of £1.5 billion referred to on page 30 of the departmental report represents the planned level of exchequer funded capital investment in land, buildings and equipment for hospital and community health services in 2000–01.

New Opportunities Fund (Cancer Care)

Mr. Bercow: To ask the Secretary of State for Health how many *(a)* breast, *(b)* lung, *(c)* stomach and *(d)* prostate cancer sufferers have been helped by allocations from the new opportunities fund since 1999. [15258]

Jacqui Smith: Funding of £93 million from the new opportunities fund was announced in 1999 and has been used to purchase 57 linear accelerators, 36 MRI scanners and over 300 items of equipment for the breast screening programme. A further £23.25 million was made available in 2000 from the new opportunities fund to provide improved palliative care at home.

The equipment and funding for palliative care will provide additional diagnostic and treatment facilities for all cancer sufferers as well as improve cancer care for those at home, but it is not possible to provide detailed figures for patients with specific cancers.

NHS Walk-in Centres

Mr. Bercow: To ask the Secretary of State for Health what the cost is of the NHS walk-in centres in *(a)* 2000–01 and *(b)* 2001–02. [14911]

Jacqui Smith: The estimated revenue costs for 2001–02 of the 42 national health service walk-in centres which will be operating before the end of this year are £36 million. The revenue costs in 2000–01 of the 40 centres then open were £33 million. In addition, development of these centres has involved capital costs of £30 million in 2000–01 and an estimated £5 million in 2001–02.

Cleft Lip and Palate Services

Mrs. Ellman: To ask the Secretary of State for Health what were the recommendations of the Clinical Implementation Group in respect of cleft lip and palate services for the North West Region. [15016]

Jacqui Smith: Cleft lip and palate services are one element in a wider discussion around tertiary children's services in the North West and we want to ensure that the very best integrated paediatric care is provided.

The Department's North West Regional Office produced a commissioning framework for cleft lip and palate services. A cleft review panel, which comprised local clinicians, commissioners, regional office representatives and national experts in cleft care including the chief executive of the Cleft Lip and Palate Association (CLAPA), met in June 2001 to review presentations from both tertiary paediatric trusts—Royal Liverpool Children's Hospital Trust and Central Manchester and Manchester Children's University Hospitals Trust. Discussions are taking place between the two trusts to reach agreement on the best configuration of cleft services for the north west and it is anticipated that a proposal will go to public consultation in January 2002.

Waiting Lists

Mr. Burstow: To ask the Secretary of State for Health if he will list in *(a)* rank and *(b)* alphabetical order of health authority the (i) proportion and (ii) number of patients waiting (A) over 12 months and (B) over 18 months for in-patient treatment (1) at the last available date, (2) in March 1997 and (3) in June 1997. [15285]

Mr. Hutton *[holding answer 15 November 2001]:* The information requested has been placed in the Library.

In line with the NHS Plan, inpatient waiting times will fall on a staged basis from 18 months now through to 15,12, nine and down to six months by 2005. As a result, we expect the average time patients wait for inpatient treatment to fall from three months to seven weeks.

As a first step towards this, the maximum waiting time for an inpatient appointment will be 15 months by the end of March 2002

Alistair Burt: To ask the Secretary of State for Health how many patients are waiting for admission for orthopaedic treatment at Bedford Hospital NHS Trust; how many were waiting in November *(a)* 2000, *(b)* 1999, *(c)* 1998 and *(d)* 1997; and how many have waited (i) six months, (ii) six to 12 months and (iii) 12 to 15 months. [15622]

Mr. Hutton *[holding answer 16 November 2001]:* Figures for inpatient orthopaedic treatment are not available monthly but are collected on a quarterly basis.

Figures for patients waiting for orthopaedic admission at Bedford Hospitals National Health Service Trust are shown in the table.

	Total waiting	*Up to 6 months*	*6–12 months*	*12–15 months*
March 1997	754	513	232	9
December 1998	1,143	565	422	115
December 1999	1,187	578	480	104
December 2000	1,189	505	458	139

Source:
KH07

Performance Fund

Mr. Bercow: To ask the Secretary of State for Health which organisations have received allocations from the Performance Fund; and how much in each case. [15766]

Mr. Hutton: The information requested has been placed in the Library.

"Sold on Health" Report

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on progress with implementing the recommendation in the "Sold on Health" report; and what savings to public funds *(a)* are planned and *(b)* have been achieved. [15760]

Jacqui Smith: "Sold on Health" is a joint report published by the Department and Her Majesty's Treasury in May 2000. The report focused on the whole life cycle issues relating to the estate in the National Health Service, from procurement through its operational management and subsequent disposal.

Substantial progress has been made, and details will soon be available on the Sold on Health website "www.soldonhealth.gov.uk".

Invest to Save Budget

Mr. Bercow: To ask the Secretary of State for Health what the expected saving is to public funds from the projects of his Department in Round 2 of the Invest to Save Budget. [15763]

Mr. Hutton: The estimated savings of Invest to Save Round 2 projects over the period of project's funding is: 2000–01 £1.2 million and 2001–02 £760,000 through a combination of cash releasing and efficiency savings. However, the key aim of the Invest to Save programme is to encourage innovation, streamlining and improvements in the delivery of public services.

Modernisation Agency

Mr. Bercow: To ask the Secretary of State for Health when the Modernisation Agency was established; and what its cost to public funds is in 2001–02. [15765]

Mr. Hutton: The National Health Service Modernisation Agency was set up on 1 April 2001. Its budget for the year 2001–02 stands at £54 million.

GP Appointments

Mr. Bercow: To ask the Secretary of State for Health what the expected cost to public funds is of enabling all patients to have GP appointments within 48 hours. [16250]

Mr. Hutton: Better access for patients is part of the vision for modernising primary care. Expenditure in primary care is around £5 billion. As well as this funding an access fund is available for primary care. Rising from £54.5 million in 2000–01, recurrent funding of £84.5 million is available this year, increasing to £114.5 million in 2002–03 and is intended to support primary care trusts in securing delivery of the 48-hour target. This can be further enhanced by PCTs unified budgets.

Transsexual People

Lynne Jones: To ask the Secretary of State for Health what guidelines his Department issues on the provision of care for transsexual people. [16384]

Jacqui Smith: The Department has issued no specific guidance on the provision of care to transsexuals. Like all other services, decisions about whether gender reassignment surgery should be funded under the national health service, are made by individual health authorities, who must take account of the wider picture in terms of local priorities and circumstances when determining how resources are spent. Each case must be decided on its own merits.

NHS Dental Care

Dr. Kumar: To ask the Secretary of State for Health what steps are being taken to ensure that all those who want to are able to register for NHS dental care. [16208]

Ms Blears *[holding answer 19 November 2001]:* We are committed to ensuring that national health service dentistry is available to all who want it through registration with an NHS dentist. In supporting this commitment the Government have invested over £100 million in the last two years. This includes a scheme that spends about £20 million per annum on rewarding dentists with a significant NHS commitment.

Registration can play an important role in promoting oral health through strengthening the relationship between patient and dentist. However many people do not visit a dentist regularly. Systems are now in place for NHS

Direct to advise patients in all parts of the country on where they can find a NHS dentist, within locally defined time and distance standards.

NHS Trusts

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on the performance of NHS trusts in *(a)* 2000–01 and *(b)* 2001–02 in meeting their responsibility to break even on an income and expenditure basis. [16955]

Mr. Hutton: The annual accounts for national health service trusts in 2000–01 show no trust reporting a failure in its statutory duty to break even on an income and expenditure basis taking one year with another.

The 2001–02 annual accounts will not be received until the autumn of 2002. However, expectation is that all NHS trusts will meet the duty.

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on NHS trusts' planned costs for *(a)* 2001–02, *(b)* 2002–03 and *(c)* 2003–04. [16957]

Mr. Hutton: The planned expenditure of national health service trusts for financial year 2001–02 is circa £30.3 billion.

Information on the planned costs of NHS trusts in financial years 2002–03 and 2003–04 will be collected as part of the normal planning cycle for the NHS. Information such as this will normally be available in May/June of the financial year concerned.

Best Value

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on the savings *(a)* in 2000–01 and *(b)* 2001–02 arising from the application by his Department of Best Value. [16942]

Mr. Hutton: The Department, with other central Government Departments, is committed to fundamental reviews of all its services in a five year programme under the better quality services initiative. A departmental review was conducted earlier this year, and the implementation of its recommendations is under way. The Department contributes to the application of Best Value in local authorities through the work of the social services inspectorate, and work on the performance management framework.

NHS Purchasing and Supply Agency

Mr. Bercow: To ask the Secretary of State for Health (1) if he will make a statement on the funding of the NHS Purchasing and Supply Agency in *(a)* 2001–02 and *(b)* 2002–03; [17167]

(2) if he will make a statement on the cost in 2001–02 of the NHS Purchasing and Supply Agency. [16940]

Mr. Hutton: The National Health Service Purchasing and Supply Agency is an executive agency of the Department and is funded centrally. In 2001–2002 the Agency was allocated £19.5 million. The agency's funding for 2002–03 is still being discussed.

The agency's aim is to modernise and improve the performance of the NHS purchasing and supply system and become the centre of expertise, knowledge and excellence on matters of purchasing and supply for the NHS for the benefit of patients and the public.

The agency is responsible for ensuring that the NHS makes the most effective use of its resources by getting the best value for money when purchasing goods and services. In 2000–01 the agency negotiated contracts that resulted in savings of £171.1 million and from April to the end of October 2001 has achieved savings of £108.1 million.

NHS Pensions Agency

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on the savings arising from the procurement of a private sector partner for contractorisation of the non-core services of the NHS Pensions Agency. [16939]

Mr. Hutton: The contractorisation of the National Health Service Pensions Agency's non-core services will deliver overall savings of 20 per cent. of the agency's baseline running costs.

NHS Management Costs

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on NHS management costs in *(a)* 2001–02, *(b)* 2002–03 and *(c)* 2003–04. [16958]

Mr. Hutton: We are on course to achieve £1 billion savings in management costs between 1997–98 and the end of 2001–02.

We are currently considering the future basis of management costs in the light of the shifting the balance of power initiative and our broader commitment to invest savings in frontline services and child care facilities for national health service staff.

Out-of-area Treatment System

Mr. Burstow: To ask the Secretary of State for Health what statistics his Department collates on the operation of the out-of-area treatment system. [16763]

Mr. Hutton *[holding answer 21 November 2001]:* Regional offices annually collect information on the cost, and the home health authority of those out-of-area patients who are treated at each national health service trust within their area. The information is compiled centrally by the Department and used to calculate the annual out-of-area funding adjustment.

Mental Health Act

Mr. Heald: To ask the Secretary of State for Health if he has received the report on the second phase of work on guardianship under the Mental Health Act 1983; and if he will publish it. [17092]

Jacqui Smith *[holding answer 22 November 2001]:* The Department is not intending to publish the second (and final) report of the research but I have asked officials to write to the hon. Member giving contact details for the researchers who were commissioned to undertake this work.

Pneumococcal Vaccine

Mr. Burstow: To ask the Secretary of State for Health, pursuant to his answer of 19 November 2001, *Official Report*, column 131W, on the pneumococcal vaccine, if he will set out *(a)* the remit and aims of the studies, *(b)* which persons or organisations are undertaking the studies and *(c)* when the studies were commissioned and when the work is scheduled to be completed. [180141]

Jacqui Smith: Studies looking at the suitability of the pneumococcal vaccine for introduction into the United Kingdom routine childhood immunisation programme are currently being undertaken by the Public Health Laboratory Service. These studies were commissioned in 1996 by the Department as part of a three-year research programme. Because of the unavailability of the pneumococcal vaccines it was not possible to begin these studies until 2000.

The key question being addressed in these studies is how the pneumococcal conjugate vaccine performs under the two, three, four-month UK programme, in particular assessing whether a booster dose, or all three primary immunisations, are necessary. Information on potential catch-up immunisation schedules in older age groups is also being sought. The final results for these trials are expected to be available in early 2003. The effect of the pneumococcal conjugate vaccine on the presence of bacteria naturally occurring in the population (carriage) will also be studied.

Residential Care

Mr. Bercow: To ask the Secretary of State for Health how many *(a)* nursing and *(b)* residential care (i) homes and (ii) beds have closed in the Buckingham constituency in each year since 1997. [17859]

Jacqui Smith: I refer the hon. Member to the reply I gave the hon. Member for Wycombe (Mr. Goodman) on 19 July 2001, *Official Report*, columns 444–45W.

Information for 2001 will be published in "Community Care Statistics 2001: Residential Personal Social Services for Adults, England" on 29 November.

Diabetes

Bob Spink: To ask the Secretary of State for Health (1) what priority he places on the treatment of diabetes; [18148]

(2) what plans he has to review the national treatment standards for diabetes sufferers; and if he will make a statement. [18149]

Jacqui Smith: We are committed to improving the quality of care for people with diabetes. That is why we are developing a National Service Framework for Diabetes. We shall shortly be publishing, as the first stage of the Framework, a document setting out the first ever set of national standards for the treatment of diabetes.

Bob Spink: To ask the Secretary of State for Health what recent assessment he has made of new drugs to treat type 1 diabetes; and if he will make a statement. [18147]

Jacqui Smith: The Medicines Control Agency has not received any licence application for any new drug to treat type 1 diabetes. Should an application be made for a new drug or for a new formulation, the agency will carefully evaluate the safety, quality and efficacy of the product prior to licensing.

We announced on 31 July that we were referring long-acting insulin analogues to the National Institute for Clinical Excellence for appraisal. The Institute appraises the clinical and cost effectiveness of treatments and issues authoritative, evidence based guidance to the national health service, in order to ensure that people have equal access to effective treatments wherever they live.

Children at Risk

Mr. Burstow: To ask the Secretary of State for Health, pursuant to his answer of 21 November 2001, *Official Report*, columns 364–65W, on children at risk, if he will set out separately the number of unborn children. [18235]

Jacqui Smith *[holding answer 26 November 2001]:* The number of unborn children who were added to, and deleted from, child protection registers during the years ending 31 March 2000 and 2001 are given in the table.

Registrations to, and de-registrations from, child protection registers, of unborn children, during the years ending 31 March 2000 and 2001, and number of unborn children on registers at 31 March of each year—England

	Number of unborn children[1]
On the register at 31 March	
2000	200
2001	200
Registrations	
2000	900
2001	1,000
De-registrations	
2000	30
2001	70

[1] Figures are rounded to the nearest 100; figures less than 100 are rounded to the nearest 10.

Wheelchair Service

Mr. Boswell: To ask the Secretary of State for Health what are the growth pressures on the wheelchair service; in which geographical areas these are unusually intense; and if he will make a statement on future funding. [18349]

Jacqui Smith [*holding answer 27 November 2001]:* The information requested is not available centrally. Funding for wheelchairs is included in allocations to health authorities. Funding decisions and allocations for 2002–03 will be made in time to allow health authorities, in conjunction with primary care groups and primary care trusts, to make plans for delivering services for that financial year.

Care Home Closures

Mr. Drew: To ask the Secretary of State for Health what advice he is offering local authorities on the impact of the closure of care homes. [18359]

Jacqui Smith *[holding answer 27 November 2001]:* Government advice on the impact of the closure of care homes was published on 9 October in "Building Capacity and Partnership in Care". Commissioners and providers should share information about services that may no longer be needed, or may be about to be withdrawn. In all cases, the aim must be to minimise the impact on the patient or service user. Care homes closing at short notice can be particularly distressing for the residents of those homes. If services have to be withdrawn, commissioners and providers should seek to achieve this in a planned way.

Private Care Homes

Mr. Drew: To ask the Secretary of State for Health if he will launch an initiative to provide help and advice for private care home users through *(a)* a telephone hotline service and *(b)* local health/social services teams. [18360]

Jacqui Smith *[holding answer 27 November 2001]:* From April 2002 the independent National Care Standards Commission will regulate, inspect and register social and health care services previously regulated by local councils and health authorities. In doing so the commission will apply comprehensive new national minimum standards for all care homes. The standards for older people's care homes were published in March and provide for homes to have a specified complaints procedure and to provide information to service users on how to refer a complaint to the commission.

The Department is also piloting care direct in six councils in the south west. This new service is designed to provide help and advice for all older people, their relatives and carers about social care, health, housing and social security benefits. We plan to extend care direct to cover the whole of England by 2005.

Health Action Zones

Mr. Lloyd: To ask the Secretary of State for Health if he will make a statement on the future of health action zones; and when he will announce the funding for future years. [17915]

Ms Blears *[holding answer 27 November 2001]:* The long-term future of health action zones (HAZs) will be determined as part of the Cabinet Office Regional Co-ordination Unit-led review of area based initiatives (ABIs) which is expected to be complete early in the New Year. The HAZ element of this review will examine the ways in which HAZs work and assess their effectiveness and co-ordination with other ABIs.

Decisions on health authority allocations and central revenue budgets (including HAZs) will be announced shortly for 2002–03. Decisions on funding for 2003–04 and beyond will be made as part of the Department's work on the 2002 spending review.

Asylum Seekers

Mr. Woodward: To ask the Secretary of State for Health, pursuant to his answer of 31 October 2001, *Official Report*, column 828W, on asylum seekers, if he will list the local authorities participating in the children in need census. [17821]

Jacqui Smith *[holding answer 27 November 2001]:* All authorities are expected to participate in the Children in Need census.

Mr. Woodward: To ask the Secretary of State for Health, pursuant to the answer of 14 November 2001, *Official Report*, column 875W, on asylum seekers, what representations he has received to extend the Children (Leaving Care) Act 2000 so that local authorities have *(a)* duties and *(b)* powers to assist 18 to 21-year-old unaccompanied asylum seeking children cared for under section 17 of the Children Act 1989. [17812]

Jacqui Smith *[holding answer 27 November 2001]:* None. The Children (Leaving Care) Act 2000 applies only to children who have been looked after under section 20 or section 31 of the Children Act 1989, or who have been remanded into care by a court. It applies to unaccompanied asylum seeking children who meet these criteria. Such children, who come to the attention of local authorities, should have their needs assessed in accordance with Government guidance, the "Framework for the Assessment of Children in need and Their Families", in the same way as would a local child, and their needs should be responded to on the basis of the outcome of that assessment.

Food Standards Agency

Laura Moffatt: To ask the Secretary of State for Health what plans he has to amend the Food Standards Agency *(a)* departmental expenditure limit and *(b)* administration costs limit for 2001–02. [19695]

Ms Blears: Subject to parliamentary approval of the necessary Supplementary Estimate for the Food Standards Agency (FSA) the overall resource Departmental Expenditure Limit for 2001–02 will be increased by £10,911,000 (of which £4,274,000 is administrations costs) from £111,243,000 to £122,154,000.

The increase is the net effect of the addition of the FSA's End Year Flexibility (EYF) entitlement. Delays in appointing external Board Members meant that the overall FSA strategy, and hence certain projects, were also delayed. This amounts to £6,637,000 programme and £2,867,000 administration costs. Additionally, transfers from Scotland (£783,000) and Wales (£609,000) are needed to cover the estimated fall in Meat Hygiene Service income in these countries resulting from the revised charging methodology recommended in the Maclean report. A transfer of £15,000 administration costs from the Department of Health is needed as contribution towards the cost of the Scientific Advisory Committee on Nutrition. Finally, the FSA's EYF capital entitlement needs to be incorporated. The move of the FSA to a new office in central London was later than anticipated, caused by building delays. This has resulted in the need to incorporate £433,000 EYF capital expenditure.

As a result of these changes the gross administration cost limit for the FSA has increased by £4,274,000 from £48,908,000 to £53,182,000.

Departmental Expenditure Limits

Laura Moffatt: To ask the Secretary of State for Health what plans he has to amend his Department's *(a)* departmental expenditure limit and *(b)* administration costs limit for 2001–02. [19696]

Mr. Milburn: Subject to Parliamentary approval of the necessary Supplementary Estimate, the Department of Health Departmental Expenditure Limit (DEL) will be increased by £768,348,000 from £49,805,054,000 to £50,573,402,000 and the Administration Cost Limit will be increased by £9,701,000 from £312,234,000 to £321,935,000. Within the DEL change, the impact on resources and capital is set out in the table:

£000

	Resources	*Capital*
Change	617,391	150,957
New DEL	48,334,111	2,239,291
Of which:		
Voted	48,923,590	254,195
Non-voted	–589,479	1,985,096

The change in the resource element of the DEL arises from the take up of end year flexibility £359,377,000 (£9,000,000 administration costs) as set out in Table 6 of the Public Expenditure 2000–01 Provisional Outturn White Paper Cm 5243 published in July 2001.

Transfers of provision from the Home Office of £21,173,000 (£400,000 administration costs) mainly for the National Treatment Agency and drug treatment services and research. A net transfer from the Scottish Executive comprising an increase of £1,188,000 (£128,000 administration costs) for contributions to the cost of Non-departmental Public Bodies, committees, the high security infectious disease unit, HIV surveillance funding and postgraduate medical education, offset by £819,000 for out of area treatment costs. A net transfer from the Department for Transport, Local Government and the Regions of £4,950,000 (£5,100,000 of which £100,000 administration costs) mainly for the teenage pregnancy unit, offset by £150,000 for mobility centres. From the Office of Government Commerce £50,000 for Avonbridge House. From the Office of Science and Technology £45,000 (administration costs) for a contribution to the Human genetics Commission. To the Department for Education and Skills £4,097,000 for education health partnerships and educational advisers. A net transfer from the Department for Environment, Food and Rural Affairs £1,000,000 for research offset by a transfer of £100,000 for a contribution to rural stress action teams. To the Department for Work and Pensions £509,000 for the costs of Care Direct and preserved rights cases. A transfer to the Food Standards Agency £15,000 (administration costs) for the Scientific Advisory Committee on Nutrition. A change in the level of non DEL provision for NHS Trust depreciation of £240,000,000 now reclassified as part of DEL and a reallocation from resources to capital of £4,852,000 for costs associated with the National Care Standards Commission and Social Care Institute for Excellence.

The administration cost limit has been increased by £9,701,000 from £312,234,000 to £321,935,000. In addition to the changes detailed above there is a further net increase of £43,000 comprising an increase in the Medical Device Agency's costs of £223,000 for assessment and evaluation of devices, offset by a reduction of £180,000 in respect of the NHS Appointments Commission.

The change to the capital element of the DEL arises from the take up of end year flexibility £95,632,000 as set out in Table 6 of the Public Expenditure 2000–01 Provisional Outturn White Paper Cm 5243 published in July 2001. From the Capital Modernisation Fund £50,000,000 to support the NHS capital programme and a reallocation from resource DEL of £4,852,000 and a transfer from the Scottish Executive of £50,000 for a contribution to non-departmental public bodies.

The take-up of non-voted supplementary credit approvals for personal social services in England has increased by £423,000 from £18,700,000 to £19,123,000 in respect of the take up of end year flexibility entitlement mentioned above.

The increases will be offset by inter-departmental transfers and will not therefore add to the planned total of public expenditure.

Doctors and Nurses

Mr. Jim Cunningham: To ask the Secretary of State for Health what the latest figures are for the shortfall in (b) doctors and (b) nurses in the NHS. [18677]

Mr. Hutton: The NHS Plan acknowledges that a shortage of human resources is the biggest constraint faced by the National Health Service today. Targets for increasing the number of doctors and nurses were set in the NHS Plan and rolled forward in the manifesto before the last election.

The NHS Plan targets are for 7,500 more consultants, 2,000 more general practitioners and 20,000 more nurses by 2004. In September 2000 there were 1,100 more consultants, 126 more GPs and 6,300 more nurses than in September 1999, the NHS Plan baseline. The manifesto targets are for 10,000 more doctors and 20,000 more nurses by 2005 over the 2000 baseline.

The September 2001 census, giving the latest position against these targets, will be available in January 2002.

Mr. Jim Cunningham: To ask the Secretary of State for Health what the average annual rate of pay is for *(a)* nurses and *(b)* doctors (i) in the NHS and (ii) in the private sector. [18676]

Mr. Hutton: We estimate that as at August 2000, medical consultants were paid, on average, £65,000 basic salary, £72,000 total earnings, by National Health Service employers. The equivalent figures for nurses were £19,100 and £22,400.

Information is not available for staff working in the private sector.

Note:

Doctor's figures relate to medical consultants; nurses to qualified nurses in clinical grades D to G

Source:

Department of Health's August 2000 NHS staff earnings survey.

Public Service Agreements

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on progress towards the Public Service Agreement target of a reduction in the death rate from cancer amongst people aged under 75 years by at least 20 per cent. by 2010 [14890]

Jacqui Smith: Latest available data (for the three years 1998–2000) overlap the start of Our Healthier Nation health strategy, in which the mortality target was set, in July 1999. It is therefore too early yet to assess the effects of the strategy. However, movement to date is towards the target. Data for 1998–2000 (three-year average) show a rate of 130.9 deaths per 100,000 population, a reduction of 6.3 per cent. from the baseline (1995–97).

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on progress towards meeting the public service agreement target of a reduction in the death rate among people aged under 75 years by at least 40 per cent. by 2010. [14889]

Jacqui Smith: This target is to reduce deaths from coronary heart disease and stroke and related diseases in people under age 75. The latest available data (for the three years 1998–2000) overlap the start of the Our Healthier Nation health strategy in July 1999 and the publication of the National Service Framework for Coronary Heart Disease in March 2000. It is too early yet to assess the effects of these strategies. However, movement to date is towards the target. Data for 1998–2000 (three-year average) show a rate of 120.5 deaths per 100,000 population—a reduction of 13.7 per cent. from the baseline (1995–97).

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on success in meeting the public service agreement target for procurement savings by NHS trusts in 2000–01. [14901]

Mr. Hutton: All national health service trusts achieved procurement savings of 3 per cent. for the financial year 2000–01.

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on progress towards meeting the public service agreement target that everyone with suspected cancer should be able to see a specialist within two weeks of his or her GP deciding that there is a need to do so. [14949]

Jacqui Smith: Good progress has been made towards meeting the public service agreement target that everyone with suspected cancer should be able to see a specialist within two weeks of urgent referral. In the period April to June this year 92.4 per cent. of all urgent general practitioner referrals for suspected cancer were seen within two weeks. Since April 1999 more than 186,000 women with suspected breast cancer have benefited by being seen within two weeks and over the period January to June 2001 over 114,000 people urgently referred with suspected cancer were seen by a specialist within two weeks.

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on progress towards meeting the public service agreement target for the reduction of levels of staff absence due to sickness and injury caused by violence. [14912]

Mr. Hutton: The national baseline figure for sickness absence levels in the national health service, set in an exercise carried out in 1999, was 4.9 per cent. The Department is currently analysing data collected earlier this year to monitor progress in meeting the public service agreement target for the reduction in levels of staff absence.

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on the public service agreement target for reducing the number of children re-registered on a child protection register. [14009]

Jacqui Smith: There is a National Priorities Guidance target to reduce by 10 per cent., by 2002, the proportion of children who are re-registered on the child protection register, from a baseline of 18 per cent. for the year ending 31 March 1997. Achieving this target would involve a reduction to 16.2 per cent. by March 2002.

This target has already been achieved. The proportion of children who were re-registered on the child protection register fell to 15 per cent. in 1998–99, to 14 per cent. in 1999–2000 and has remained at 14 per cent. in 2000–01, the latest year for which data are available.

Health Providers (Shropshire)

Peter Bradley: To ask the Secretary of State for Health what funding has been made available to health providers in Shropshire other than the health authority in 2001–02 to date. [17817]

Mr. Hutton: All 2001–02 revenue funding to date for the four Shropshire national health service trusts has been routed directly through health authorities.

Capital allocations made directly to NHS trusts by the Department. Total capital allocations so far this year are detailed in the table. These include discretionary capital allocations and additional allocations for specific schemes.

Total capital programme allocations to NHS trusts in Shropshire: 2001–02

	£
Princess Royal Hospital	4,093,000
Royal Shrewsbury Hospital	4,199,000
Robert Jones and Agnes Hunt Orthopaedic Hospital	1,436,000
Shropshire's Community and Mental Health Services	2,899,000

FOREIGN AND COMMONWEALTH AFFAIRS

Pakistan

Ms Walley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his recent discussions with President Musharraf about the situation in Pakistan. [16693]

Mr. Bradshaw: On 23 November, my right hon. Friend the Secretary of State met President Musharraf in Islamabad. They discussed Afghanistan and Pakistan, Pakistan's support in the fight against terrorism and UK/Pakistan relations.

Overseas Territories Bill

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the meetings *(a)* his predecessor and *(b)* he had with representatives of the Governments of (i) Anguilla, (ii) Bermuda, (iii) the British Virgin Islands, (iv) the Cayman Islands, (v) Montserrat, (vi) Pitcairn, (vii) St. Helena and the St. Helena dependencies and (viii) the Turks and Caicos Islands concerning the implications of the Overseas Territories Bill for human rights legislation in these countries. [16792]

Mr. Bradshaw: The Overseas Territories Bill has no direct implications for human rights legislation in the Overseas Territories. The Government do, however, regard the establishment and promotion of human rights as an important aspect of our partnership with the territories.

Terrorist/Freedom Fighter Definition

Lembit Öpik: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's definition is of *(a)* an international terrorist and *(b)* a freedom fighter; and if he will make a statement. [17332]

Mr. Bradshaw: I refer the hon. Member to the answer given by the Under-Secretary of State, my hon. Friend the Member for Rotherham (Mr. MacShane), on 27 November 2001, *Official Report*, columns 826–27.

Public Bodies

Mr. Andrew Turner: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will list those public bodies which are the responsibility of his Department and which are not listed in Public Bodies 2000; [17589]

(2) if he will list those public bodies to which his Department appoints members and which are not listed in Public Bodies 2000. [17588]

Mr. Bradshaw: Public Bodies 2000 sets out information on non-departmental public bodies (NDPBs), certain public corporations (including nationalised industries) and NHS bodies. There are four types of NDPB: executive NDPBs; advisory NDPBs; tribunal NDPBs; and boards of visitors to penal establishments. The next edition will be published around the end of the year. Information about task forces, annual reports and ad hoc advisory groups is set out in an annual report, published by Cabinet Office. Copies of Public Bodies 2000 are in the Library of the House and this publication may be accessed via Cabinet Office's website http://www.officialdocuments.co.uk/document/caboff/pb00/pb00.htm. Copies of the annual report on task forces and similar bodies have also been placed in the Library of the House and the annual report is being made available on Cabinet Office's website.

All those public bodies to which the FCO appoints members are listed in Public Bodies 2000.

Local Bodies

Mr. Andrew Turner: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those local bodies which were set up under legislation which is the responsibility of his Department since May 1997. [17590]

Mr. Bradshaw: The Foreign and Commonwealth Office is not responsible for any local bodies.

Bulgaria

Mr. David: To ask the Secretary of State for Foreign and Commonwealth Affairs when he anticipates Bulgaria will have completed negotiations to enter the EU. [17839]

Peter Hain: The Bulgarian Government have recently declared their intention to complete accession negotiations in 2003, with the aim of joining by the end of 2006. HMG will continue to provide advice and support to Bulgaria in order to help it accede to the EU.

UAE-Iraq (Trade)

Mr. Alan Duncan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the United Arab Emirates-Iraq free trade agreement on 2 November; and what plans he has for the discussions on the issue to be held in Muscat in December. [18038]

Mr. Bradshaw: The UN "oil for food" programme, which enables Iraq to use the revenue from its oil sales through the UN to buy goods worth billions of dollars each year to meet the humanitarian needs of the Iraqi people and to rehabilitate Iraq's infrastructure, has led to significant growth in Iraq's trade with its neighbours. We have no objection to agreements to promote this trade to benefit the Iraqi people, provided that such agreements neither breach UN controls, for example by promoting the export from Iraq of goods other than crude oil, nor contribute to the Iraqi regime's aim to engineer the lifting of UN controls without having to meet its international obligations, particularly on disarmament.

We are not aware of any plans to discuss this issue in Muscat.

"Never Again" Leaflet

Chris Grayling: To ask the Secretary of State for Foreign and Commonwealth Affairs what the cost was of producing the "Never Again" leaflet; and to whom it has been distributed. [18077]

Mr. MacShane: The cost of producing the "Never Again" leaflet was £23,971. Copies have been distributed to Members of Parliament and members of the devolved legislatures, as well as to British Embassies and High Commissions for use with overseas audiences and to foreign journalists in London. The text is also available on the FCO website. Further copies in English, Arabic, Farsi, Turkish, Bengali, Hindi and Urdu are available from the Islamic Media Unit at the FCO.

Ceuta and Melilla

Mr. Kaufman: To ask the Secretary of State for Foreign and Commonwealth Affairs what indications he has received from the Spanish Government of its intention *(a)* to transfer sovereignty of Ceuta and Melilla to Morocco and *(b)* to arrange joint sovereignty of those territories with Morocco. [17832]

Peter Hain: None.

India

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to visit India. [18733]

Mr. Bradshaw: The Foreign Secretary hopes to visit India next year. Dates have not yet been set.

Departmental Expenditure Limits

Mr. Bailey: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to change his *(a)* Department's expenditure limit and *(b)* administration costs limits for 2001–02. [19752]

Mr. MacShane: The Foreign and Commonwealth Office's departmental expenditure limit (DEL) will be decreased by £3,206,000 from £1,365,910,000 to £1,362,704,000 and the administration costs limit will be decreased by £960,000 from £635,558,000 to £634,598,000. Within the DEL change, the impact on resources and capital are as set out in the table.

	£000
Resources	
Change	−2,416
New DEL	1,236,138
Of which:	
Voted	1,067,237
Non-voted	168,901
Capital	
Change	−790
New DEL	126,566
Of which:	
Voted	103,066
Non-voted	23,500

The change in the resource element of the DEL arises from:

1. A reduction of £960,000 in the FCO's administration cost limit as a result of a PES (public expenditure survey) transfer to the DTI relating to funding arrangements for British Trade International.
2. A PES transfer of £886,000 to the Cabinet Office relating to funding arrangements for the BBC Monitoring Service.
3. A PES transfer of £570,000 to DFID to reflect funding arrangements for a refurbishment project.

The change in the capital element of the DEL arises from a PES transfer of £790,000 to the DTI relating to funding arrangements for British Trade International.

The decreases are offset by inter-departmental transfers and will not impact on the planned total of public expenditure.

Zimbabwe

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on evidence he has received concerning attacks on opposition MDC (Movement for Democratic Change) supporters in Zimbabwe; and what implications this has for free and fair presidential elections in 2002. [18088]

Mr. Bradshaw: The most recent reports we have of such incidents concern attacks on opposition MDC supporters by war veterans and ZANU (PF) activists in Bulawayo during the weekend of 17–18 November. MDC supporters are also reported to have retaliated. We condemn such politically motivated violence from whatever quarter, and continue to urge the Government of Zimbabwe to take immediate action to prevent further incidents which threaten to undermine the conduct of free and fair presidential elections in 2002.

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish evidence he has received indicating violations of human rights by Government Ministers in Zimbabwe. [18089]

Mr. Bradshaw: We have received a number of reports compiled by non-governmental organisations of alleged human rights abuses in Zimbabwe. The most recent is a report by the Human Rights Forum a copy of which has been placed in the Library of the House. We regularly raise our concern about human rights in Zimbabwe with the Government of Zimbabwe.

Tibet

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give details of the issues he raised with regard to Tibet during the meeting with the Chinese Vice-Foreign Minister on 30 October; and what the response of the Chinese Government was. [18879]

Mr. MacShane: At my meeting with the Chinese Foreign Minister Li Zhaoxing, I made clear our concerns about the human rights situation in Tibet and urged the Chinese Government to enter into dialogue with the Dalai Lama, about the future of Tibet. The Chinese Foreign Minister took note.

TRADE AND INDUSTRY

UK Atomic Energy Authority

Mr. Levitt: To ask the Secretary of State for Trade and Industry if she will announce the outcome of the Quinquennial Review of the United Kingdom Atomic Energy Authority. [19568]

Mr. Wilson: The Government have now considered the recommendations made by the Review Team in its second and final report.

The report focuses primarily on arrangements for managing public sector civil nuclear liabilities on a more open, transparent, efficient and sustainable basis and on UKAEA's place within any new arrangements which might be put in place.

The conclusions we have reached are set out in the statement which the Secretary of State made to the House earlier today in which she announced the Government's intention to put a sharper focus on nuclear clean-up by setting up a new Liabilities Management Authority responsible for providing the strong strategic control and direction which is essential; developing a supply base capable of sustaining the clean-up programme over the long term; and enhancing safety and environmental performance while securing management efficiencies and best value for money. Working with the LMA, UKAEA will have a key role to play in delivering these objectives in relation to the liabilities for which it is currently responsible, building and improving on what it has achieved to date.

In relation to UKAEA's other activities the report recommends that:

> UKAEA, in conjunction with the other public sector bodies on the site, should evaluate options for the future development of Harwell as a basis for decisions on a long term strategy for the development of the site as a whole;
>
> the UKAEA Constabulary should be established as a stand-alone force employed by a statutory Police Authority;
>
> UKAEA should retain responsibility for managing the UK's fusion capability and for operating the JET (joint European torus) research facility at Culham under contract to the European Commission but that a Fusion Advisory Board should be established to give fusion a more distinctive identity within the UKAEA, bring a broader perspective to its thinking on fusion strategy and drive forward action on science and industry out-reach;
>
> the Thurso pensions office should remain part of UKAEA for the foreseeable future but that options for outsourcing offering the prospect of additional work for the office should be kept under review.

The Government have accepted all these recommendations. Those relating to the development of Harwell and fusion will be implemented immediately. Legislation to create an independent Constabulary and a statutory Police Authority will be brought forward at the first available opportunity. Views will be invited in due course on the precise detail of the legislative provisions involved.

The Government believe that fusion power has the potential to make a real and valuable contribution to meeting energy needs in the medium term. We are therefore concerned to maintain and make best use of UK expertise in fusion research. To this end, responsibility for funding the UK fusion programme will be transferred to the Research Councils as a further means of encouraging integration with the wider science base and ensuring continuity in the UK's research capability in this area.

I have arranged for copies of the QQR Team's Stage 1 and Stage 2 reports to be placed in the Libraries of the House. The reports can also be accessed via the DTI website at www.dti.gov.uk.

Refrigerators (Recycling)

Mrs. Brooke: To ask the Secretary of State for Trade and Industry what advice she is giving to *(a)* retail outlets who previously have collected old refrigerators when supplying new refrigerators to customers and *(b)* small retail businesses who have previously collected the old refrigerators from large retail outlets and then sold them as second hand items, consequent upon changes coming into effect in relation to EC regulation 2037/2000. [18557]

Mr. Wilson: EC Regulation 2037/2000 on substances which deplete the ozone layer is a matter for my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs. Officials in my Department have been working closely with officials in the Department for Environment, Food and Rural Affairs and relevant stakeholders to develop guidance that will enable both the retail outlets and small businesses mentioned to comply with the new requirements.

British Trade International

Mr. Doran: To ask the Secretary of State for Trade and Industry what changes will be made to the Resource Departmental Expenditure Limit of British Trade International. [19569]

Ms Hewitt: Subject to Parliamentary approval of the necessary Supplementary Estimate, the voted element of the Resource Departmental Expenditure Limit for British Trade International will be increased by £2,184,000 from £86,634,000 to £88,818,000.

This increase relates to:

1. a transfer of £2,000,000 in resources from the Department of Trade and Industry to fund the UK Global programme;
2. a transfer of £10,000 in resources from the Department of Trade and Industry, in payment of their contribution to a feasibility study for the development of an international banking facility;
3. a transfer of £174,000 in resources from the Department for Transport, Local Government and the Regions, in respect of the Exports Construction Centre, required to reflect part of the machinery of Government changes announced by the Prime Minister on 8 June 2001.

The increase will be offset by transfers and will not therefore add to the planned total of public expenditure.

Cammell Laird

Mr. Frank Field: To ask the Secretary of State for Trade and Industry on what date A&P made their submission to the Office of Fair Trading supporting their purchase of Cammell Laird shipbuilders. [18298]

Miss Melanie Johnson: The merger was notified to the Office of Fair Trading on 5 October 2001.

Export Control Bill

Mr. Key: To ask the Secretary of State for Trade and Industry for what reason reference to sustainable development does not appear in the long title of the Export Control Bill. [17428]

Nigel Griffiths *[holding answer 27 November 2001]*: Under the consolidated EU and national arms export licensing criteria the Government are obliged to take into account whether or not a proposed arms export would seriously undermine the economy or seriously hamper the sustainable development of the recipient country. Under clause 8 of the Bill, these criteria are to be treated as published guidance that the Government must have regard to in making licensing decisions. As the Bill requires the Government to continue to take the criteria (which include criterion 8 on sustainable development) into account in licensing decisions, it is unnecessary to mention sustainable development on the face of the Bill.

Cowboy Builders

Tim Loughton: To ask the Secretary of State for Trade and Industry what progress has been made in her schemes to combat cowboy builders; and if she will make a statement. [14361]

Mr. Wilson *[holding answer 13 November 2001]*: I launched the Quality Mark pilot scheme to consumers in Birmingham and Somerset in July. The Quality Mark scheme provides the public with a means of checking technical and other standards of a builder. The public response has been very encouraging. The call-centre is receiving an average of 60 calls a day and the website has had around 12,000 hits since the launch. Quality Mark companies are already starting to see positive improvements to their business. 131 builders and tradesmen have now been approved. 175 companies are in the pipeline with further numbers expected to come forward in the weeks and months ahead. We are continuing to work with leading trade bodies and other organisations to promote access to Quality Mark for their members.

We will be commencing formal evaluation of the scheme with partners early in the new year and expect a report to be submitted to Ministers in February 2002, following which a formal decision will be made about extending Quality Mark to the rest of the country.

Departmental Expenditure Limits

Ms Christine Russell: To ask the Secretary of State for Trade and Industry what plans she has to change the departmental expenditure limit and administration cost limits for *(a)* her Department, *(b)* the Office of Fair Trading, *(c)* the Office of Telecommunications, *(d)* the Postal Services Commission and *(e)* the Office of Gas and Electricity Markets. [19570]

Ms Hewitt: Subject to Parliamentary approval of the necessary Supplementary Estimate the Department of Trade and Industry DEL will be increased by £217,381,000 from £4,549,049,000 to £4,766,430,000 and the Administration Costs limit will be increased by £23,407,000 from £411,938,000 to £435,345,000. This is the impact on the DTI DEL excluding the Machinery of Government transfers from the Department for Transport, Local Government and the Regions. Further consideration is being given to the effect on the DEL for both Departments.

Within the DEL change, the impact on resources and capital is as set out in the table:

	£
Resources	
Change	194,784
New DEL	3,971,606
of which:	
Voted	1,393,728
Non-voted	2,577,878
Capital	
Change	22,597
New DEL	794,824
of which:	
Voted	482,703
Non-voted	312,121

The change in the resource element of the DEL arises from

(i) a transfer of £83,000 in administration costs from the Crown Prosecution Service for the administration of work taken over by the Insolvency Service;

(ii) a transfer of £960,000 from the Foreign and Commonwealth Office for the administration of British Trade International;

(iii) a transfer of £776,000 in administration costs provision to the Cabinet Office for the funding of Government Offices of the Regions to reflect Machinery of Government transfers;

(iv) take up of £6,919,000 from the unused balance of the Department's administration costs end-year flexibility entitlement;

(v) a transfer of £256,000 in administration costs from HM Treasury in respect of the Evidence Based Policy Fund Project;

(vi) a transfer of £2,272,000 in administration costs from the Department for Education and Skills for the administration of the Work-Life Balance to reflect Machinery of Government transfers;

(vii) a transfer of £19,000 in administration costs from the Home Office for the administration of the Easter & British Summer Time; Sunday Trading, Street Markets and Chartered Fairs Projects to reflect Machinery of Government Transfers;

(viii) a transfer of £220,000 in administration costs and £273,000 in programme costs from the Home Office for the administration of the Prison Pay Review Service;

(ix) a transfer of £5,300,000 from capital to administration costs under the Public Private Partnership project for the funding of the Electronic Business Strategy;

(x) take up of £8,121,000 from the unused balance of the Department's end-year flexibility entitlement for the Capital Modernisation Fund for Small and Medium Enterprise on-line projects;

(xi) a reclassification of the payment of £700,000 to SITPRO (Simpler Trade Procedures Board) as a Grant-in-Aid to a Non-Departmental Public Body, thereby increasing non-Voted DEL and decreasing voted DEL by the above amount;

(xii) a transfer of £58,000 from the Department for Transport, Local Government and the Regions for the provision of a helpline for the European Union's Framework Five Thematic Programme for comparative and sustainable growth;

(xiii) take up of £27,400,000 from the unused balance of the Department's end-year flexibility entitlement for payments to redundant steel workers under the European Coal & Steel Community (ECSC) Treaty and to certain steel production workers based on the Treaty;

(xiv) a reclassification from capital to resource of £3,722,000 for the Rover Task Force Modernisation and Diversification Projects;

(xv) a reclassification from capital to resource of £175,000 for the Regional Innovation Fund Corridor Study;

(xvi) take up of £3,000,000 from the unused balance of the Department's end-year flexibility entitlement in respect of £1,000,000 for UK Global Partnerships and the transfer of £2,000,000 to British Trade International for enterprise scholarships and pilot programmes for entrepreneurs;

(xvii) a transfer of £340,000 from the Home Office for the Design against Crime Reduction Project;

(xviii) a transfer of £70,000 from the Department for Education and Skills for Work-Life Balance Secondees;

(xix) a transfer of £1,535,000 from the Department for Education and Skills for publicity and evaluation in relation to the Work-Life Balance project to reflect Machinery of Government transfers;

(xx) a transfer of £4,450,000 in resources and £50,000 in Appropriations in Aid from the Department for Education and Skills for the Work Life Balance project to reflect Machinery of Government transfers;

(xxi) a transfer of £22,158,000 from the Department for Transport, Local Government and the Regions in respect of support for the construction industry to reflect Machinery of Government transfers;

(xxii) a transfer of £6,684,000 in administration costs to reflect Machinery of Government transfers from the Department for Transport, Local Government and the Regions in respect of support for the construction industry;

(xxiii) a reclassification of £17,440,000 from voted to non-Voted DEL to reflect the funding of Regional Development Agencies following Machinery of Government changes xxiv) a transfer of £350,000 to the Office of Gas and Electricity Markets to cover their costs of implementing the Climate Change Levy exemption for electricity from renewable sources xxv) take up of £3,100,000 from the unused balance of the Department's end-year flexibility entitlement for the Shipbuilding Intervention Fund;

(xxvi) take up of £2,320,000 from the unused balance of the Department's end year flexibility entitlement in respect of expenditure related to the National Minimum Wage;

(xxvii) a transfer of £10,000 to British Trade International in respect of a feasibility study for the development of an international banking facility;

(xxviii) take up of £2,000,000 from the unused balance of the Department's end-year flexibility entitlement to provide for increased non-Voted expenditure by the Coal Authority on minewater pollution and to offset a shortfall in receipts from property sales as a result of foot and mouth restrictions.

RfR2

(i) take up of £100,000 of the non-Voted Science Departmental Unallocated Provision to increase voted grant to the Royal Society for the Foot and Mouth Disease (FMD) inquiry;

(ii) take up of £3,000,000 of the non-voted Science Departmental Unallocated Provision for additional voted funding of the Beagle II Lander project, with creation of a token £1,000 Appropriations in Aid;

(iii) take up of £12,499,000 from the unused balance of the Department's end-year flexibility entitlement to fund University Challenge Fund projects delayed from previous years;

(iv) take up of £415,000 of the Science Departmental Unallocated Provision for voted funding of Foresight LINK Awards;

(v) take up of £5,000,000 from the unused balance of the Department's end-year flexibility entitlement to fund Science Enterprise Challenge projects;

(vi) a transfer of £205,000 in administration costs from the Home Office to the Office of Science and Technology for the administration of the Foresight Crime Prevention Panel;

(vii) a transfer of £45,000 in administration costs from the Office of Science and Technology to the Department of Health for Human Genetic Research;

(viii) an increase of £35,577,000 in the non-voted resource expenditure of certain Science Research Councils;

In addition to the above changes reflected in the RfRs, the resource DEL has also changed as a result of increased non-voted expenditure on provisions of £43,300,000 (funded from the unused balance of the Department's end-year flexibility entitlement).

The change in the capital element of the DEL arises from:

RfR1

(i) take up of £10,792,000 of end-year flexibility from the Capital Modernisation Fund for the Small Business Service Gateway Projects;

(ii) a transfer of £790,000 from the Foreign and Commonwealth Office for the administration of British Trade International;

(iii) a transfer of £5,300,000 from capital to administration costs under the Public Private Partnership project for the funding of the Electronic Business Strategy;

(iv) a reclassification from capital to resource of £3,722,000 for the Rover Task Force Modernisation and Diversification Projects;

(v) a reclassification from capital to resource of £175,000 for the Regional Innovation Fund Corridor Study;

(vi) to take up £3,200,000 from the unused balance of the Department's capital end-year flexibility entitlement for the conversion of part of Victoria Street restaurant area into conference facilities;

(vii) a reclassification of £31,200,000 from voted to non-Voted DEL to reflect the funding of Regional Development Agencies via Grant in Aid following Machinery of Government changes;

(viii) take up of £9,300,000 from the unused balance of the Department's end year flexibility entitlement for the Trent Engine Development Project;

(ix) a transfer of £19,000 in capital to reflect Machinery of Government transfers from the Department for Transport, Local Government and the Regions in respect of Construction Initiatives, Regional Development Agencies and the London Development Agency.

RfR2

(i) increases in non-Voted expenditure of £1,000,000 by the Particle Physics and Astronomy Research Council and £3,000,000 by the Council for the Central Laboratory of the Research Councils, funded by a £4,000,000 reduction in voted provision for the Synchrotron Radiation Source project;

(ii) an increase of £7,693,000 in the non-voted resource expenditure of certain Science Research Councils.

In addition, subject to Parliamentary approval of the necessary Supplementary Estimate, the Office of Fair Trading Departmental Expenditure Limit will be increased by £7,680,000 from £32,845,000 to £40.525,000 and the administration costs limits will be increased by £6,981,000 from £31,163,000 to £38,144,000. Within the DEL change, the impact on resources and capital is as set out in the table:

	£000
Resources	
Change	6,850
New DEL	38,297
of which:	
Voted	38,297
Non-voted	0
Capital	
Change	830
New DEL	2,228
of which:	
Voted	2,228
Non-voted	0

The change in the resource element of the DEL arises from the provision of £6,230,000 to enable the Office of Fair Trading to meet commitments set out by the Chancellor of the Exchequer and the Secretary of State for Trade and Industry in the Enterprise Statement. In addition, there is an increase in the resource element of the DEL resulting from the take up of end year flexibility provision of £620,000.

The change in the capital element of the DEL arises from the provision of £830,000 to enable the Office of Fair Trading to meet commitments set out by the Chancellor of the Exchequer and the Secretary of State for Trade and Industry in the Enterprise Statement.

Also, subject to Parliamentary approval of the necessary Supplementary Estimate, the Office of Telecommunications DEL will be increased by £126,000 from £1,599,000 to £1,725,000 and the administration costs limits will be increased by £231,000 from £15,718,000 to £15,949,000. Within the DEL change, the impact on resources and capital are as set out in the table:

	Number
Resources	
Change	1
New DEL	720
of which:	
Voted	720
Non-voted	0
Capital	
Change	125
New DEL	1,005
of which:	
Voted	1,005
Non-voted	0

The change in the resource element of the DEL arises from 2000–01 consultancy projects which were delayed until the new financial year.

The change in the capital element of the DEL arises from a capital project having a phased implementation leading to additional costs in 2001–02.

In addition, subject to Parliamentary approval of the necessary Supplementary Estimate, the Postal Services Commission's DEL will be increased by £222,000 from £1,000 to £223,000 and the administration costs limits will be increased by £700,000 from £2,300,000 to £3,000,000. Within the DEL change, the impact on resources and capital are as set out in the table:

	£000
Resources	
Change	0
New DEL	–99
of which:	
Voted	1
Non-voted	–100
Capital	
Change	222
New DEL	322
of which:	
Voted	322
Non-voted	0

The change in the capital element of the DEL arises from the take up of the Commission's capital End Year Flexibility entitlement of £222,000 announced in Table 6 of the Public Expenditure 2000–01 Outturn White Paper (Cm5243).

The change in the administration costs limit reflects an increase in staff numbers.

Also, subject to Parliamentary approval of the necessary Supplementary Estimate, the Departmental Expenditure Limit for the Office of Gas and Electricity Markets will be increased by £350,000 from £351,000 and the administration costs limit will be increased from £350,000 from £35,780,000 to £36,130,000. Within the DEL change, the impact on resources and capital is as set out in the following table:

	Number
Resources	
Change	350
New DEL	351
of which:	
Voted	351
Non-voted	0
Capital	
Change	0
New DEL	965
of which:	
Voted	965
Non-voted	0

The change in the resource element of the DEL arises from a transfer of £350,000 from the Department of Trade and Industry to cover the costs of implementing the Climate Change Levy exemption for electricity from renewable sources.

All of the above increases will either be offset by inter-departmental transfers, take-up of End-Year Flexibility or use of Departmental Unallocated Provisions and will not therefore add to the planned total of public expenditure.

Railtrack

Mr. Pickthall: To ask the Secretary of State for Trade and Industry what inquiries she has made into the competition practices of National Rail Supplies, Railtrack and Railtrack's contractors. [18540]

Miss Melanie Johnson *[holding answer 27 November 2001]:* Under UK competition legislation it is for the Director General of Fair Trading to investigate allegations of anti-competitive behaviour. These powers are exercised concurrently with the Rail Regulator with respect to railway services.

Renewable Energy

Mr. David Stewart: To ask the Secretary of State for Trade and Industry what plans she has to develop renewable energy. [17392]

Mr. Wilson *[holding answer 23 November 2001]:* The Government have ambitious plans to develop renewable energy.

The new Renewables Obligation, to come into effect next year, together with exemption of renewables from the climate change levy, will create a long-term market incentive for renewables which will be worth over £1 billion per year by 2010.

The introduction of the Obligation will be underpinned by direct Government funding for renewables worth over £260 million between 2001 and 2004. This will include an extensive capital grants programme for the early development of offshore wind and energy crops, the initial stage of a major photovoltaics demonstration programme and a boost for research and development.

Other components of the Government's strategy to develop renewable energy include:

> honouring of contracts awarded under the earlier arrangements to support renewables, the Non-Fossil Fuel Obligation (NFFO) Orders. In addition, we have consulted on a proposal to introduce a NFFO locational flexibility Order and we are now considering the responses made to this consultation.
>
> Initiation of studies of each UK region's capacity to generate electricity from renewable sources. Once all these assessments are completed, it is expected that specific regional targets for renewable energy will be adopted across the UK.

The Government are also exploring the scope for upgrading the existing electricity infrastructure to enable the UK's huge renewable energy resources to be exploited to the full. I recently announced that we will be funding an initial study of the feasibility of an underwater cable to connect parts of the western seaboard of Scotland, the north west of England, Northern Ireland, western Wales and possibly the south west of England directly to the National Grid.

Overseas Commercial Activities (Accountability Legislation)

Dr. Tonge: To ask the Secretary of State for Trade and Industry what plans she has to discuss with her European counterparts the introduction of legislation to hold companies accountable for their activities overseas. [17918]

Nigel Griffiths *[holding answer 27 November 2001]:* My ministerial colleagues and I regularly discuss a wide range of issues with our European counterparts.

Post Office Card Accounts

Mr. Waterson: To ask the Secretary of State for Trade and Industry what estimate she has made of how many post office card accounts there will be on the basis of existing plans. [18043]

Mr. Alexander: This matter is being considered within the context of an overall migration and marketing strategy for the payment of benefits by automated credit transfer on which detailed work is in progress.

Postal Deliveries

Mr. Waterson: To ask the Secretary of State for Trade and Industry what proportion of first class letters from *(a)* Eastbourne and *(b)* Wealden postcode areas were delivered by *(a)* first and *(b)* second post the next day in each of the last 20 quarters for which figures are available. [17139]

Mr. Alexander: This is an operational issue for Consignia.

I have been informed by the company that this information is not held for individual postcode areas.

Mr. Waterson: To ask the Secretary of State for Trade and Industry what recent discussions she has had with Consignia about changes to the second daily Royal Mail delivery. [17142]

Mr. Alexander: The Department has regular discussions with Consignia about a range of strategic issues facing the company. However, changes to the second daily Royal Mail delivery are operational issues for the company, subject to the regulatory powers and duties of the Postal Services Commission in respect of service standards.

Mr. Waterson: To ask the Secretary of State for Trade and Industry what proportion of *(a)* first and *(b)* second class mail was delivered as part of a second daily delivery in the last 12 months. [17140]

Mr. Alexander: This is an operational issue for Consignia.

I have been informed by the company that this information is not available for the precise split between first and second class mail delivered on second delivery but it is predominantly first class, while only 4 per cent. of mail nationally is delivered on a second delivery.

Public Service Orders

Mr. Carmichael: To ask the Secretary of State for Trade and Industry which air routes in Britain benefit from a public service order. [18730]

Mr. Jamieson: I have been asked to reply.

The following routes currently have a public service obligation imposed on them:

Glasgow-Campbelltown-Tiree

Glasgow-Barra

Orkney (Mainland)-Papa Westray

Orkney (Mainland)-North Ronaldsay

Shetland (Mainland)-Foula

Shetland (Mainland)-Papa Stour

Shetland (Mainland)-Out Skerries

Shetland (Mainland)-Fair Isle

Stornoway-Benbecula

Benbecula-Barra.

Climate Change Levy

Dr. Murrison: To ask the Secretary of State for Trade and Industry what assessment she has made of the effect of climate change levy after rebates on the manufacturing sector in *(a)* the United Kingdom and *(b)* Wiltshire; and if she will make a statement. [18422]

Mr. Andrew Smith: I have been asked to reply.

The climate change levy became operational only in April this year and the first payments are still being received by Customs and Excise. It is too early to assess its impact.

However, the impact on any specific sector, whether nationally or in any particular region, will depend on a number of factors including:

The future energy consumption of firms in the sector and the use they make of levy funded energy efficiency support.

Employment levels in those sectors and the benefits received from the levy funded national insurance contribution cuts.

The number of energy intensive firms in that sector that are eligible to receive a discount on the main rates of the levy by signing up to an energy efficiency agreement.

The use that firms in that sector make of electricity generated from levy exempt 'new' renewable sources of energy and combined heat and power.

PRESIDENT OF THE COUNCIL

Grand Committees

Mr. Beggs: To ask the President of the Council on how many occasions the Northern Ireland Grand Committee has met in Northern Ireland *(a)* in the five years prior to devolution and *(b)* since devolution. [17927]

Mr. Robin Cook: Until March 1997 the Committee had no power to meet away from Westminster and it has never done so.

Mr. Beggs: To ask the President of the Council on how many occasions the Scottish Grand Committee has met in Scotland *(a)* in the five years prior to devolution and *(b)* since devolution. [17926]

Mr. Robin Cook: Before the first meeting of the Scottish Parliament on 12 May 1999, the Scottish Grand Committee met away from Westminster as follows.

Year	*Number of occasions*
1994	2
1995	4
1996	13
1997	3
1998	2
1999	4

The Scottish Grand Committee has only met once since the first meeting of the Scottish Parliament (on 10 July 2000).

Mr. Beggs: To ask the President of the Council on how many occasions the Welsh Grand Committee has met in Wales *(a)* in the five years prior to devolution and *(b)* since devolution. [17902]

Mr. Robin Cook: Until March 1996 the Grand Committee had no power to meet away from Westminster; since then the Committee has met in Wales as follows:

Year	*Number of occasions*
1997	1
1998	2
1999[1]	1
2000	0
2001	1

[1] Before 12 May 1999

The National Assembly for Wales first met on 12 May 1999.

House of Lords Appointments Commission

Mr. Gordon Prentice: To ask the President of the Council what the cost is to date of the House of Lords Appointments Commission. [17362]

Mr. Robin Cook: I understand that the latest available figures show that the House of Lords Appointments Commission spent £248,000 in 2000–01 and to the end of October, £73,000 has been spent in 2001–02.

Departmental Expenditure Limits

Mr. George Howarth: To ask the President of the Council whether there are any plans to change *(a)* the departmental expenditure limit and *(b)* administration costs limits for 2001–02. [19405]

Mr. Robin Cook: The Privy Council Office DEL will be decreased by £444,000 from £3,405,000 to £2,961,000 and the administration costs limits will be decreased by £444,000 from £3,445,000 to £3,001,000. Within the DEL change there is no impact on capital; the impact on resources is set out in the table.

	Number
Resources	
Change	–444
New DEL	2,961,000
of which:	
Voted	–444
Non-voted	0

The change in the resource element of the DEL arises from:

1. A transfer of £320,000 to the Cabinet Office, following the transfer of the Business Co-ordination Unit under machinery of government changes.

2. A transfer of £177,000 to DEFRA, who have assumed responsibility for an official residence in Admiralty House.

3. £53,000 allocated to the Office from the Invest to Modernise Fund.

LORD CHANCELLOR'S DEPARTMENT

Parliamentary Commissioner for Administration

Mr. Chope: To ask the Parliamentary Secretary, Lord Chancellor's Department how many formal notices his Department has received in the last year from the Parliamentary Ombudsman expressing an intention to carry out an investigation; and in respect of each notice how long it took to respond. [18762]

Mr. Wills: Information on the outcome of statutory investigations which were concluded during 2000–01 are set out in the Parliamentary Ombudsman's Annual Report for 2000–01, copies of which are available in the Library of the House, or on the Parliamentary Ombudsman's website at www.ombudsman.org.uk/pca/document/part01/index/htm.

Between 1 April 2001 and 31 October 2001, the Lord Chancellor's Department received 15 new statutory statements of complaint from the Parliamentary Ombudsman and the details for each department are set out in the table.

Formal notices issued by Parliamentary Ombudsman 1 April 2001 to 31 October 2001

Department	*Number received*	*Number responded to*	*Working days to respond to each notice*
Lord Chancellor's Department[1]	2	2	16, 17
Court Service	10	10	10, 13, 15, 16, 23, 27, 34, 45, 55, 91
Public Guardianship Office	2	1	26
HM Land Registry	1	1	19
Northern Ireland Court Service	0	0	—
Public Record Office	0	0	—

[1] Letter of 27 February 2001 not received until 30 April 2001

Complaints

Mr. Wiggin: To ask the Parliamentary Secretary, Lord Chancellor's Department what progress is being made with the case of a complaint by Mr. Paul Bayliss of Lloyds & Cooper. [18005]

Mr. Wills: The Lord Chancellor as head of the judiciary has personally instructed a full investigation into all the circumstances relevant to this complaint and is not yet in a position to respond. It is the Lord Chancellor's intention to bring this investigation to as prompt a conclusion as possible.

TREASURY

National Enterprise Campaign

Mr. Flight: To ask the Chancellor of the Exchequer if he will make a statement on the progress of the National Enterprise Campaign. [18309]

Nigel Griffiths: I have been asked to reply.

The National Enterprise Campaign, now known as Enterprise Insight, is a 10-year private sector-led national campaign for enterprise. The campaign has strong support within Government and works in partnership with enterprise programme providers including Young Enterprise, Shell LiveWIRE and the Prince's Trust to promote enterprise by fostering an entrepreneurial sprit across the UK through four key initiatives: Enterprising Education; Enterprising Communities; Enterprising Media; Enterprising Business.

The campaign has made steady progress over its first 18 months. Since the launch of the Enterprising Education Campaign in July 2001, 246 business have registered their interest in promoting enterprise within schools with a further 750 expected by 2002. The aim over the next two years is to get 40,000 more young people engaged in enterprise learning in schools and 5,000 new business people to support its delivery. This will be done through a number of activities including hosting road shows and the development of a website which will enable businesses to register their interest on-line. In addition, the Entrepreneurs in Residence scheme, which matches businesses to local enterprise projects, is also well under way—so far the first five matches have already been made. Enterprise Insight also aims to promote enterprise more positively across society and, in particular, plans to work with the media using case studies and role models to help spread more positive attitudes about entrepreneurship and business.

Tourism

Mrs. Calton: To ask the Chancellor of the Exchequer what analysis his Department has undertaken on the impact of the slow down in the world economy on tourism. [18047]

Mr. Caborn: I have been asked to reply.

In addition to world economic conditions, there are a number of factors currently affecting tourism, including the impact of foot and mouth disease and the 11 September terrorist attacks. It is as yet too early to conduct a detailed assessment of the impact of world economic conditions in isolation.

Mortgages

Mr. Flight: To ask the Chancellor of the Exchequer what the average income multiple for mortgages agreed in the last financial year was for *(a)* individuals and *(b)* couples. [15927]

Ms Keeble: I have been asked to reply.

The average income-to-advance ratio for mortgaged house purchases during the last financial year is estimated to have been *(a)* 2.49 for individuals and *(b)* 2.17 for couples.

Mortgage repayments as a percentage of income for those buying homes during the last financial year are estimated to have been *(a)* 17.4 per cent. for individuals and *(b)* 15.4 per cent. for couples. During the third quarter of 2001 these figures were *(a)* 15.4 per cent. for individuals and *(b)* 13.3 per cent. for couples.

Youth Unemployment

Mr. Flight: To ask the Chancellor of the Exchequer how many people aged 18 to 24 years were unemployed for more than six months in each year since May 1992 in the constituency of Arundel and South Downs. [18312]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Howard Flight, dated 28 November 2001:

As National Statistician I have been asked to reply to your recent question on the number of people aged 18 to 24 years who were unemployed for more than six months for each year since May 1992 in the constituency of Arundel and South Downs (18312).

The Office for National Statistics (ONS) compiles statistics for unemployment from surveys following the internationally standard International Labour Organisation definition. However, for the Arundel and South Downs parliamentary constituency the survey sample size is too small to provide estimates. ONS also compiles statistics of claimants of unemployment-related benefits. The claimant count consists of all people claiming Jobseeker's Allowance or National Insurance credits at Employment Service local offices. They must declare that they are out of work, capable of, available for and actively seeking work during the week in which the claim is made.

Prior to January 1996 comparable figures for earlier years are not available on the same geographical basis. Information on computerised claims by age and duration for parliamentary constituencies from January 1996 were based on the ward boundaries of the 1981 census and are available from June 1985 to January 1996.

The information requested is given in the table overleaf.

Claimants aged 18 to 24 claiming for six months or more in the Arundel and South Downs parliamentary constituency for each May 1992 to May 2001 (computerised claims only)

	Number of claimants of unemployment benefit
May 1992	[1]418
May 1993	[1]529
May 1994	[1]447
May 1995	[1]345
May 1996	110
May 1997	40
May 1998	19
May 1999	9
May 2000	8
May 2001	3

[1] These figures refer to the Arundel parliamentary constituency

Tax Credits

Mr. Russell Brown: To ask the Chancellor of the Exchequer what the rates and thresholds of the *(a)* working families tax credit and *(b)* disabled person's tax credit will be from April 2002. [19625]

Dawn Primarolo: The main WFTC and DPTC rates and income thresholds will be increased in line with indexation from April 2002. There will be further increases aimed at helping families with children with disabilities.

Ms Buck: To ask the Chancellor of the Exchequer if he will place a copy of the responses to the tax credits consultation document in the Library. [18598]

Dawn Primarolo: The Government are very grateful for the many responses we have received to the consultation document and will be responding in due course.

Departmental Expenditure Limits

Barbara Follett: To ask the Chancellor of the Exchequer what plans he has to change Customs and Excise *(a)* departmental expenditure limit and *(b)* administration costs limits for 2001–02. [19624]

Mr. Boateng: Subject to parliamentary approval of the necessary Supplementary Estimate, the HM Customs and Excise DEL will be increased by £79,505,000 from £1,049,066,000 to £1,128,571,000 and the administration costs limits will be increased by £25,889,000 from £924,894,000 to £950,783,000. Within the DEL change, the impact on resources and capital is as set out in the table.

	£
Resources	
Change	47,520,000
New DEL	1,038,559,000
Of which:	
Voted	1,033,559,000
Non-voted	5,000,000
Capital	
Change	31,985,000
New DEL	90,012,000
Of which:	
Voted	89,012,000
Non-voted	1,000,000

The change in the resource element of the DEL arises from: the take-up of end-year flexibility entitlement of £24,208,000 on administration costs and £5,131,000 on programme expenditure as set out in the Public Expenditure Outturn White Paper (CM 5243); a switch from capital EYF of £16,000,000 into programme expenditure; additional resources of £100,000 under round 3 of the Invest to Save Budget on administration costs; and additional SR2000 resources of £1,714,000 on administration costs and £500,000 on programme expenditure for tackling organised crime. These increases are partially offset by decreases in administration costs of: £69,000 to the Cabinet Office for fast stream recruitment operations; and £64,000 to DEFRA in respect of the Whisky Export Refund Scheme. The total administration costs change is £25,889,000.

The change in the capital element of the DEL arises from: the take-up of end-year flexibility of £30,000,000; and additional funding of £1,985,000 in respect of round 3 of the Capital Modernisation Fund.

The increases will be offset by transfers or charged to the DEL Reserve and will not therefore add to the planned total of public expenditure.

Mrs. Lawrence: To ask the Chancellor of the Exchequer what plans he has to amend the Inland Revenue *(a)* departmental expenditure limit and *(b)* administration costs limit for 2001–02. [19622]

Dawn Primarolo: Subject to parliamentary approval of the necessary Supplementary Estimate, the Inland Revenue departmental expenditure limit will be increased by £83,602,000 from £2,473,375,000 to £2,556,977,000 and the administration costs limit will be increased by £26,356,000 from £2,410,165,000 to £2,436,521,000. The net administration costs limit is increased by £1,919,000 from-£7,973,000 to-£6,054,000. Within the DEL change, the impact on resources and capital is set out in table:

	£
Resources	
Change	28,018
New DEL	2,390,416
Of which:	
Voted	2,021,370
Non-voted	369,046
Capital	
Change	55,584
New DEL	166,561
Of which:	
Voted	166,561
Non-voted	0

The change in the resource element of the DEL arises from the draw down of £23,338,000 administration costs EYF and the transfer of £4,679,000 from DWP.

The change in the capital element of the DEL arises from the draw down of capital EYF and non-discretionary EYF as set out in the Public Expenditure Outturn White Paper (CM 5243).

Mr. Russell Brown: To ask the Chancellor of the Exchequer what plans he has to amend the Office for National Statistics *(a)* departmental expenditure limit and *(b)* administration costs limit for 2001–02. [19626]

Ruth Kelly: Subject to parliamentary approval of the necessary Supplementary Estimate, the Office for National Statistics DEL will be increased by £11,446,000 from £186,075,000 to £197,350,000 and the administration costs limits will be increased by £5,346,000 from £179,285,000 to £184,631,000. Within the DEL change, the impact on resources and capital is as set out in the following table.

	Resources	*Capital*
Change	5,346,000	6,100,000
New DEL	185,430,000	11,920,000
Of which:		
Voted	184,630,000	11,920,000
Non-voted	800,000	0

The increase in the resource element of the DEL arises from the take up of end-year flexibility entitlement as set out in the Public Expenditure Outturn White Paper (Cm 5243) and will be used to fund census-related and other expenditure commitments. In addition, £6,000,000 will be drawn from the Departmental Unallocated Provision to meet similar spending pressures.

The change in the capital element of the DEL arises from the take-up of funds from a Capital Modernisation Fund award of £6,100,000 for development of a statistics service to improve neighbourhood renewal.The increase will be offset by transfers or charged to the DEL Reserve and will not therefore add to the planned total of public expenditure.

Mrs. Lawrence: To ask the Chancellor of the Exchequer what plans he has to change HM Treasury's *(a)* departmental expenditure limits and *(b)* administration costs limits for 2001–02. [19623]

Ruth Kelly: Subject to parliamentary approval of the necessary Supplementary Estimate, HM Treasury's DEL will be increased by £35,267,000 from £209,578,000 to £244,845,000 and the administration costs limits will be increased by £9,678,000 from £97,011,000 to £106,689,000. Within the DEL change, the impact on resources and capital is as set out in the following table.

	Resources	*Capital*
Change	25,940	9,327
New DEL	229,768	15,077
Of which:		
Voted	200,397	14,777
Non-voted	29,371	300

The change in the resource element of the DEL for RfR1 arises from the take-up of administration costs EYF (£1,640,000) and programme costs EYF (£3,662,000), to meet the additional costs of the Treasury's planned programme of work involving additional expenditure in policy areas, including those dealing with better public services, Whole of Government Accounts and productivity, the Equitable Life Inquiry, and Debt Management Office's initiatives to improve their management of risk and further professionalise their operations; to draw down the administration costs sums allocated from the Civil Service Modernisation Fund (£570,000) for early retirement costs and an interchange project, and from the Capital Modernisation Fund (£55,000) in respect of the Evidence Based Policy Fund projects; and a transfer of administration costs to the Cabinet Office in respect of Fast Stream recruitment operations (£282,000). The change in the capital element of the DEL for RfR1 arises from the reclassification of programme expenditure EYF to capital provision (£9,404,000), for the new service relating to the indemnity and insurance cover HMT has offered to aviation companies in the wake of WTC of 11 September, by way of a loan note with Troika Insurance Company Ltd., and for additional IT and communications equipment. There are also additional non-operating appropriations in aid in respect of higher than expected capital receipts (£77,000).

The change in the resource element of the DEL for RfR2 arises from the take-up of programme costs EYF (£2,000,000), to meet the increased demand for UK coins.

The change in the resource element of the DEL for RfR3 arises from the take-up of administration costs EYF (£5,172,000) and programme costs EYF (£10,000,000), to meet the costs of e-commerce pilot schemes and to fund the disposal of surplus civil estate properties; the reclassification of programme costs EYF to administration costs for the costs associated with the OGC pay remit and VER scheme (£2,848,000); to draw down the administration costs sums allocated from the Civil Service Modernisation Fund (£325,000) for the promoting professional qualifications project; and a transfer of programme expenditure to the National Care Standards Commission in respect of the leasehold of Avonbridge House (£50,000).

The increases will be offset by transfers or charged to the DEL Reserve and will not therefore add to the planned total of public expenditure.

Tax Receipts

Mr. Jack: To ask the Chancellor of the Exchequer what steps he is taking to improve the short-term forecasting of tax receipts. [18549]

Dawn Primarolo: Short-term forecasts are routinely monitored against outturns, the reasons for discrepancies identified where possible, and allowances are made for these in future forecasts where necessary.

Mr. Jack: To ask the Chancellor of the Exchequer (1) if he will publish for each month of the current financial year the error rate occurring between the projected tax and VAT receipts and those which actually resulted; [18550]

(2) if he will place in the Library details of the economic model used by the Inland Revenue to forecast monthly tax receipts. [16304]

Dawn Primarolo *[holding answer 23 November 2001]:* I refer the right hon. Gentleman to my reply of 14 November 2001, *Official Report*, column 775W, the answer the Financial Secretary gave him on 20 July under cover of a letter and the letter which the Economic Secretary sent him on 27 September (copies of both of which have been placed in the Library of the House).

Mr. Jack: To ask the Chancellor of the Exchequer how many staff are used by the Inland Revenue and HM Customs and Excise to produce the monthly short-term forecasts of tax receipts; and what the annual costs for this exercise are. [18551]

Dawn Primarolo: Around 18 staff spend a small proportion of their time producing the monthly forecasts of tax receipts. No estimates of the annual cost are available.

Mr. Jack: To ask the Chancellor of the Exchequer if he will list the *(a)* sections and *(b)* those of grade 3 and above in the Treasury which receive copies of the Inland Revenue and Customs and Excise short-term receipts forecasts and state for each recipient the use to which the information is put. [18552]

Dawn Primarolo: The sections that receive the short-term forecasts are: Public Sector Finances, Exchequer Funds and Accounts and the Debt Management Office. No officials of grade 3 and above routinely receive copies of these forecasts.

Mr. Jack: To ask the Chancellor of the Exchequer if he will publish the methodology used to produce the levels of current receipts shown in table C4 of Budget 2001 and show how this related to the contents of paragraph C17, C18 and C19 of Budget 2001. [18553]

Dawn Primarolo: Table C4 is consistent with the Office for National Statistics methodology for Public Finance Statistics. The assumptions mentioned in paragraphs C17–19 of Budget 2001, together with those in Box C1, are used as the basis for the projections by the Inland Revenue, and Customs and Excise for taxes, on a tax by tax basis, and the Treasury for other receipts. Details of how these assumptions are converted into forecasts for revenues are given in Forecasting the Public Finances in the Treasury, by Tim Pike and David Savage, Fiscal Studies, 1998. This is available from the publications section of the Institute of Fiscal Studies website www.ifs.org.uk.

Mr. Jack: To ask the Chancellor of the Exchequer if he will make a statement on the way in which the Treasury uses the short-term forecasts of tax receipts provided by Her Majesty's Customs and Excise and the Inland Revenue. [18554]

Dawn Primarolo: The short-term forecasts are mainly used in the short-term management of Government cash flows.

Mr. Jack: To ask the Chancellor of the Exchequer if he will make a statement listing the facts and information used by *(a)* the Inland Revenue and *(b)* Customs and Excise to produce the short-term forecasts of tax and receipts referred to in the letter of 27 September sent to the right hon. Member for Fylde. [18555]

Dawn Primarolo: I have nothing further to add to the information contained in that letter.

Inland Revenue

Mr. Chaytor: To ask the Chancellor of the Exchequer what plans he has to privatise the distraint work of the Inland Revenue; and if he will make a statement. [18236]

Dawn Primarolo: This proposal is still under consideration.

Local Authority Debt Repayment

Adam Price: To ask the Chancellor of the Exchequer what rules govern annual debt repayments by local authorities in England and Wales; and if he will make a statement. [18515]

Mr. Andrew Smith: Like any other borrowers, local authorities have a contractual obligation to comply with the terms of repayment specified in their agreement with the lender. The local government capital finance system requires English and Welsh authorities each year to set aside amounts out of their revenue resources to meet debt and other credit liabilities. This helps to ensure that, whenever a debt falls due, the authority has enough money to make the repayment. The Government have no immediate plans to change these arrangements.

Financial Regulation (Overseas and Dependent Territories)

Mr. Cousins: To ask the Chancellor of the Exchequer if he will list the British overseas and dependent territories with which exchange of information agreements have been agreed *(a)* for tax and *(b)* financial regulation purposes, indicating the date of such agreement; and if he will list separately those overseas and dependent territories with which no such agreement yet exists. [17728]

Dawn Primarolo *[holding answer 26 November 2001]:* For tax purposes, the UK has Double Taxation Arrangements with Guernsey (1952), Isle of Man (1955) and Jersey (1952) (all Crown Dependencies), and the Falkland Islands (1997) and Montserrat (1947) (both Overseas Territories) which include provisions for the exchange of information for tax purposes. The UK has no such agreements with the remaining Overseas Territories, ie Anguilla, Bermuda, British Antarctic Territory, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Gibraltar, Pitcairn Islands, St. Helena and its Dependencies (St. Helena, Ascension Island and Tristan de Cunha), South Georgia and the Sandwich Islands, and Turks and Caicos Islands.

For financial regulatory purposes, the Overseas Territories of the Caribbean and Bermuda and Gibraltar have in place gateways which allow for the exchange of information with overseas regulators including the UK. The territories of the Cayman Islands, Montserrat, Turks and Caicos Islands and British Virgin Islands have introduced "compulsory powers" legislation to enable investigative assistance to overseas regulators to be provided. Bermuda's existing regulatory powers are being strengthened. Anguilla has compulsory powers legislation in draft.

The Crown Dependencies have Memorandums of Understanding providing for exchange of information with a range of UK regulatory bodies.

Exchange Rate

Adam Price: To ask the Chancellor of the Exchequer what recent steps he has taken to ensure a competitive sterling to euro exchange rate. [18517]

Ruth Kelly: The Government do not have a target for the sterling/euro exchange rate. The way to ensure long-term exchange rate stability and competitiveness is through the pursuit of sound macroeconomic policies aimed at achieving sustained growth and low inflation.

Mr. Reed: To ask the Chancellor of the Exchequer what representations he has received from manufacturers about the rate of sterling in the last six months; and if he will make a statement. [18488]

Ruth Kelly: The Chancellor and other Treasury Ministers often receive representations from manufacturers and all areas of business on a wide range of economic issues, and value their insights.

Stamp Duty

Mr. Flight: To ask the Chancellor of the Exchequer what additional revenue he raised in 2000–01 from property and land transactions in the Arundel and South Downs constituency as a result of the increases in stamp duty in the March 2000 Budget. [18331]

Ruth Kelly: The information is not available.

Manufacturing (East Midlands)

Mr. Reed: To ask the Chancellor of the Exchequer what analysis he has made of the impact of the slow down in the world economy on manufacturing in the east midlands. [18490]

Ruth Kelly: No country can insulate itself from the global economy, and these uncertain times test all regions of the UK. Because of the tough decisions this Government have taken we are today in a better position to withstand the ups and downs of the world economy.

The pre-Budget report further outlined the Government's regional strategy.

Higher Rate Taxpayers

Mr. Flight: To ask the Chancellor of the Exchequer how many higher rate taxpayers there were in the constituency of Arundel and South Downs in each year since April 1997. [18314]

Dawn Primarolo: There were 7,300 higher rate income taxpayers in the constituency of Arundel and South Downs in the 1999–2000 tax year. This estimate is based on the Survey of Personal Incomes. I regret that estimates are not available for earlier years.

Income Data

Mr. Illsley: To ask the Chancellor of the Exchequer (1) of those self-employed aged between *(a)* 18 and 35, *(b)* 36 and 45, *(c)* 46 and 50, *(d)* 51 and 55, *(e)* 56 and 60 and (h) 61 and 74 years, if he will estimate the numbers earning (i) up to £35,000 per year, (ii) between £35,000 and £45,000 per year, (iii) between £45,000 and £55,000 per year, (iv) between £55,000 and £65,000 per year, (v) between £65,000 and £75,000 per year, (vi) between £75,000 and £85,000 per year, (vii) between £85,000 and £95,000 per year and (viii) over £95,000 per year, for the tax year (A) 2000 and (B) 2001; [18600]

(2) if he will list the numbers of self-employed between the ages of *(a)* 18 and 35, *(b)* 36 and 45, *(c)* 46 and 50, *(d)* 51 and 55, *(e)* 56 and 60 and *(f)* 61 and 74 years and estimate the numbers in each category paying the (i) standard rate and (ii) higher rate of tax for the tax year 2000–01; [18609]

(3) if he will estimate, of those between the ages of *(a)* 18 and 35, *(b)* 36 and 45, *(c)* 46 and 50, *(d)* 51 and 55, *(e)* 56 and 60 and *(f)* 61 and 74 years, the numbers earning (i) up to £35,000 per year, (ii) between £35,000 and £45,000 per year, (iii) between £45,000 and £55,000 per year, (iv) between £55,000 and £65,000 per year, (v) between £65,000 and £75,000 per year, (vi) between £75,000 and £85,000 per year, (vii) between £85,000 and £95,000 per year and (viii) over £95,000 per year, for the tax year (1) 2000 and (2) 2001. [18603]

Dawn Primarolo: Estimates for the number of taxpayers with some self employed income, by range of age and total earned income (income from employment, income from self employment and pensions) are given in the tables, based on the Survey of Personal Incomes.

Estimated number of people with some self employment income by range of earnings and age, 2000–01

Thousands

	Age (lower limit)						
Earnings upper limit (£)	*18*	*36*	*46*	*51*	*56*	*61*	*74*
35,000	21	37	21	20	13	13	[1]—
45,000	12	22	12	10	7	7	[1]—
55,000	5	16	8	8	5	4	[1]—
65,000	4	11	6	6	4	3	[1]—
75,000	3	8	4	4	2	2	[1]—
85,000	1	6	3	3	2	2	[1]—
95,000	6	23	14	13	7	5	[1]—

Estimated number of people with some self employment income by range of earnings and age, 2001–02

Thousands

	Age (lower limit)						
Earnings upper limit (£)	*18*	*36*	*46*	*51*	*56*	*61*	*74*
35,000	23	39	22	21	13	13	[1]—
45,000	12	22	13	10	8	8	[1]—
55,000	6	16	8	8	5	4	[1]—
65,000	4	11	6	6	4	4	[1]—
75,000	3	8	4	4	2	3	[1]—
85,000	2	7	3	3	2	2	[1]—
95,000	6	25	15	14	8	6	[1]—

Estimated number of people with some self employment income by taxpayer's marginal rate, 2000–01

Thousands

	Age (lower limit)						
Marginal rate	*18*	*36*	*46*	*51*	*56*	*61*	*74*
Starting rate[2]	79	70	40	40	30	30	[1]—
Savers rate[3]	[1]—	7	[1]—	8	8	12	[1]—
Basic rate[4]	517	555	265	289	210	218	[1]—
Higher rate[5]	60	135	75	68	43	49	[1]—

[1] These cells have insufficient numbers in the sample to provide a reliable estimate.

[2] Taxpayers with a marginal rate at the 10 per cent. starting rate from an extra £1 of earnings

[3] Taxpayers with a marginal rate at the 20 per cent. lower rate for savings income or the 10 per cent. ordinary dividend rate from an extra £1 of earnings

[4] Taxpayers with a marginal rate at the 22 per cent. basic rate from an extra £1 of earnings

[5] Taxpayers with taxable income above the higher rate threshold.

Estimated number of taxpayers by range of earnings and age, 2000–01

Thousands

	Age (lower limit)						
Earnings upper limit (£)	*18*	*36*	*46*	*51*	*56*	*61*	*74*
35,000	270	317	164	121	66	64	11
45,000	96	140	70	58	32	30	5
55,000	51	83	42	34	19	15	3
65,000	25	50	28	23	12	11	1
75,000	13	31	16	15	7	7	1
85,000	9	23	10	11	5	5	1
95,000	38	91	47	44	23	18	2

Estimated number of taxpayers by range of earnings and age, 2001–02

Thousands

	Age (lower limit)						
Earnings upper limit (£)	*18*	*36*	*46*	*51*	*56*	*61*	*74*
35,000	315	352	179	135	70	70	12
45,000	111	158	83	63	37	33	5
55,000	57	89	43	37	22	16	3
65,000	30	57	30	26	12	12	1
75,000	16	35	19	16	9	8	1
85,000	9	23	11	12	5	5	1
95,000	42	100	51	48	25	19	2

Income Tax (Young People)

Lembit Öpik: To ask the Chancellor of the Exchequer if he plans to remove 16 and 17-year-olds from the income tax systems; and if he will make a statement. [18015]

Dawn Primarolo: We have no plans to remove 16 and 17-year-olds from the income tax system. However, if their income is below the personal allowance they will not pay tax.

Benefits (Buckingham)

Mr. Bercow: To ask the Chancellor of the Exchequer how many people received *(a)* tax credits and *(b)* means-tested benefits in the Buckingham constituency in each year since April 1997. [17848]

Dawn Primarolo: For figures back to 1998 I refer the hon. Member to the earlier reply by my right hon. Friend the Secretary of State for Work and Pensions on 19 November 2001, *Official Report*, column 153W. I understand from the Department for Work and Pensions that the equivalent figures for Buckingham for May 1997 were:

Recipients of (a) tax credits and (b) certain income related benefits in the Buckingham constituency

May 1997	*Number*
Income support	2,100
Jobseeker's allowance (income based)	[1]400
Family credit	[1]300
Disability working allowance	10
Total	2,800

[1] Sampling error is particularly high for these figures, and they should be treated as a rough guide only

Notes:

1. Apart from DWA, the figures are based on a 5 per cent. sample. They are subject to sampling error and therefore shown to the nearest hundred
2. Recipients of FC or DWA who also receive IS or JSA are included only in the income support and jobseeker's allowance figures. This eliminates double counting in the total
3. DWA figures are for April

Sources:

Income Support Quarterly Statistical Enquiry May 1997

Jobseeker's Allowance Quarterly Statistical Enquiry May 1997

Family Credit Quarterly Statistical Enquiry May 1997

Disability Working Allowance Quarterly Statistical Enquiry April 1997

There were 6,340 recipients of housing benefit and 7,470 recipients of council tax benefit in the Aylesbury Vale district council area at May 1997.

Brazilian Mahogany

Mr. Blizzard: To ask the Chancellor of the Exchequer what his policy is on the seizure by Customs and Excise of Brazilian mahogany and mahogany products shipped to UK ports. [17836]

Dawn Primarolo: Where Brazilian mahogany is subject to control under Council Regulation 338/97 on the protection of species of wild fauna and flora, and the necessary documentation is not presented to Customs at importation, then Customs would normally seize the consignment.

Impounded Vehicles

Mr. Heath: To ask the Chancellor of the Exchequer, pursuant to his answer of 14 November 2001, *Official Report*, column 766W, on impounded vehicles, what are the security reasons which prevent the geographical locations of such sites from being published; which officials are responsible for making this decision; and if he will make a statement. [18211]

Dawn Primarolo: The geographical location of storage sites for seized goods, including vehicles, is not published in order to reduce the risk of criminal attempts of theft and damage. In the recent past a vehicle with satellite tracking was deliberately burned and attempts to remove vehicles or parts of vehicles by allegedly armed men have been reported.

The decision not to publish the details of storage sites has been taken by the contract managers in consultation with Customs security officers.

Mr. Heath: To ask the Chancellor of the Exchequer, pursuant to his answer of 14 November 2001, *Official Report*, column 766W, on impounded vehicles, with which bodies Customs and Excise has made contract arrangements to supply storage facilities; when each contract arrangement was made; what the value is of each contract; and if he will make a statement. [18210]

Dawn Primarolo: The contract for the haulage and storage of excise goods and vehicles used to smuggle was signed with P&O Trans European Ltd. in 1996 for three years and renewed for a further two years in 1999. It is not possible to identify the value of this contract in relation to vehicle storage alone.

Departmental Bodies and Reviews

Mr. Fallon: To ask the Chancellor of the Exchequer what *(a)* task forces and *(b)* policy reviews with external members have been established by his Department since January 2000; and what (i) sub-groups, (ii) working parties and (iii) other subsidiary committees were established by each body. [18159]

Ruth Kelly: Information about task forces, annual reports and ad hoc advisory groups is set out in an annual report, published by the Cabinet Office. Copies of the annual report on task forces and similar bodies have been placed in the Library of the House and the annual report is being made available on the Cabinet Office's website.

Information about sub-groups, working parties and other subsidiary committees established by each body is not held centrally and could be obtained only at disproportionate cost.

Mr. Fallon: To ask the Chancellor of the Exchequer what the date of establishment was for all task forces and policy reviews with external members established by his Department since January 2000; which of them have issued their final reports and what the dates of publication were; which of them have been terminated and what the dates of termination were; and for those bodies still in existence, what their expected *(a)* reporting and *(b)* termination dates are. [18156]

Ruth Kelly: Information about task forces, annual reports and ad hoc advisory groups is set out in an annual report, published by the Cabinet Office. Copies of the annual report on task forces and similar bodies have been placed in the Library of the House and the annual report is being made available on the Cabinet Office's website.

Foot and Mouth

Mr. Peter Duncan: To ask the Chancellor of the Exchequer what the outstanding balance is of *(a)* income tax and *(b)* national insurance that has been deferred as a result of foot and mouth disease in (i) Dumfries and Galloway, (ii) Scotland and (iii) the United Kingdom. [17390]

Dawn Primarolo *[holding answer 23 November 2001]:* Between 21 March 2001 and 18 November 2001 the amount of tax and national insurance contributions deferred as a result of foot and mouth disease totalled £108.12 million.

We do not have specific figures for Dumfries and Galloway but out of the total amount of tax and NIC deferred, £11.56 million relates to Scotland and £96.56 million to the rest of the UK.

We do not yet have enough information to give a reliable figure of the net current balance outstanding.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Rural Affairs

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 21 November 2001, *Official Report*, column 320W, on rural parishes, if she will list those parishes deemed to be *(a)* vibrant, *(b)* active, *(c)* barely active and *(d)* sleeping. [18779]

Alun Michael: A list of parishes (just over 6,000) deemed to be *(a)* vibrant, *(b)* active, *(c)* barely active, *(d)* sleeping will be made available in the Library of the House. This is based on information collated from parish clerks through the Countryside Agency's Rural Services Survey.

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 21 November 2001, *Official Report*, column 319W, on the rural White Paper, if she will list the measures she will be using to determine the indicator. [18780]

Alun Michael: I refer to my answer of 21 November 2001, *Official Report*, column 319W. The research will review existing baseline and trend data to give an assessment of their suitability for use in compiling an indicator. Data sources to be considered include: Agricultural Census; National Inventory of Woodland and Trees; Countryside Survey 2000; Land Use Change Statistics; cultural heritage monuments, buildings and field patterns; perceptual and aesthetic characteristics such as tranquillity and noise mapping. At this stage in the research it is not possible to say which measures will eventually be used to determine the indicator.

Business Start-ups

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 21 November 2001, *Official Report*, column 321W, what work *(a)* has previously been done and *(b)* is being done to measure information on business start-ups. [18675]

Alun Michael: The Countryside Agency has adopted an indicator on business health. This necessitates the collection of a range of business data including business registrations and de-registrations (business registrations only include those businesses above the VAT threshold). The Countryside Agency use the number of business registrations as a proxy indicator of total business start-ups. However, in their 2001 State of the Countryside report they presented data from the Office for National Statistics on the total number of businesses, proportion of business by employee sizeband and VAT registrations and de-registrations.

The Countryside Agency are working with the Office for National Statistics to procure accurate and up-to-date information from the Inter-Departmental Business Register for 2001. In addition they are working with the Small Business Service in looking at the broader picture of "business health" in England, in particular those businesses beneath the VAT threshold. For the 2002 State of the Countryside Report they will again publish data for rural areas on business start-ups as measured by registration and de-registration to give an accurate picture of business activity in the Countryside. This may be supplemented by data collected from a local research project.

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 21 November 2001, *Official Report*, column 327W, how much of the £92 million outlined in the Rural White Paper for the Rural Bus Challenge and Rural Transport Partnership programme was spent in *(a)* 2000–01 and *(b)* 2001–02; and how much each individual initiative has received. [18782]

Alun Michael: A total of £21 million was allocated to new Rural Bus Challenge projects in 2000–01, spending over a number of financial years. Expenditure in that year on all Challenge projects, including those begun in previous years, was £11 million. There is £20 million available for awards in this year's Rural Bus Challenge competition, decisions on which will be announced shortly. Forecast expenditure in the current year on all projects is £23 million.

The Countryside Agency's Rural Transport Partnership Programme spent £4.8 million in 2000–01. For this financial year, formal grant offers total £7.1 million to date, of which £2.9 million has been spent.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 21 November 2001, *Official Report*, column 321W, on rural employment, if she will list the jobs by *(a)* category and *(b)* proportion that people have done in rural areas in (i) 1996, (ii) 1997, (iii) 1998, (iv) 1999, (v) 2000 and (vi) 2001. [18783]

Alun Michael: The table lists rural employment by category and the percentage of people employed.

Percentage

	1996	*1997*	*1998*
Energy and Water	1.0	1.0	0.4
Manufacturing	20.3	20.0	20.3
Construction	4.2	5.0	5.5
Distribution, Hotels and Restaurants	24.8	24.4	25.1
Transport and Communications	5.3	5.1	5.0
Banking, Finance, Insurance etc.	13.9	14.6	14.5
Public Administration, Education and Health	25.2	24.4	24.5
Other services	4.7	4.7	4.5

Source:

ONS Annual Employment Service

Information for 1999, 2000 and 2001 is not currently available but I undertake to write to the hon. Gentleman with this information as soon as it is to hand.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 21 November 2001, *Official Report*, column 322W, on civic amenities, how many *(a)* food shops, *(b)* post offices, *(c)* cash points, *(d)* primary schools and *(e)* GP surgeries within 4km of rural households (i) opened and (ii) closed in 2000. [18777]

Alun Michael: The Countryside Agency's Rural Services Survey in 2000 researched the geographical availability of a range of services. This was the first year that a survey of this type had been undertaken at the household level across rural England. Full postcoded lists of services were used in the survey to calculate their availability to rural households within specified distances. The survey provides information on services available at a point in time. Future surveys will therefore provide a comparison with the base figures rather than reflecting the number of the openings and closings of services.

Market Towns

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 21 November 2001, *Official Report*, column 322W, on market towns, what has been the progress of the Countryside Research Project to assess the health and viability of market towns; and if she will make a statement on the different economic and social indicators that are being considered. [18778]

Alun Michael: The Research Project was let in January 2001 and progress to date has been towards a methodological approach to developing a national headline indicator. The broad scope of the work has been to focus on the key influencing attributes of market towns including: size and spacing of market towns; urban/rural shift of economic activity; the economic base of market towns; and the clustering of economic activity. In addition, considerable work has gone into examining market towns in relation to the Index of Deprivation 2000.

Countryside Stewardship Scheme

Mr. Swayne: To ask the Secretary of State for Environment, Food and Rural Affairs if she will take into account the financial situation of rural enterprises in setting target dates for payments under the countryside stewardship scheme at the end of this year. [16147]

Alun Michael: In recognition of the problems experienced by farmers hard hit by foot and mouth disease, we have specifically extended the deadline for the receipt of countryside stewardship scheme claims to 31 December, to allow more time for completion of claim forms. We are currently processing the claims so far received as quickly as available resources permit, to ensure payments are made as soon as practicable. Our published aim is to pay claims within two months of receipt.

Mr. Swayne: To ask the Secretary of State for Environment, Food and Rural Affairs when she will announce the target date for the payment of amounts under the countryside stewardship scheme at the end of this calendar year. [16146]

Alun Michael: Our published aim for the payment of claims under the countryside stewardship schemes is two months from the date of receipt.

Mr. Swayne: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has had regarding timely payment of amounts under the countryside stewardship scheme; and if she will make a statement. [16145]

Alun Michael: I have received no recent representations on this subject. Claims for this year's payments under the countryside stewardship scheme were invited from 1 October onwards. Our published aim is to make payments within two months of receipt and the Department is currently working hard to achieve this.

Foxes

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the size of the fox population in England *(a)* at the latest available date and *(b)* in November 2000. [15830]

Alun Michael: There is no information collected centrally which could provide the basis for an answer to this question.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what assessment she has made of the impact on fox populations of the existence of artificial earths; [17967]

(2) what assessment she has made of the consequences for the level of the fox population of the temporary suspension of hunting. [17968]

Alun Michael *[holding answer 26 November 2001]:* There is no information collected centrally which could provide the basis for an answer to these questions.

Agricultural Development Scheme

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs when she will announce the outcome of bids for funding under round three of the Agricultural Development Scheme. [18873]

Margaret Beckett: Our aim is to announce the outcome in late January 2002.

Pitsea Tip

Bob Spink: To ask the Secretary of State for Environment, Food and Rural Affairs what poisonous substances have been deposited at Pitsea tip; over what period; and from which source. [3891]

Mr. Meacher: Waste has been deposited at Pitsea landfill site at least since 1935 and since that time it is estimated some 30 million tonnes of waste have been deposited from a range of sources.

Between 1967 and 1994, there were requirements to submit records of the waste deposited at the site under various waste and planning controls. This information was collected by the relevant local authorities at the time. Some of these records were passed to the Environment Agency, though full records do not exist for the complete period that the landfill site operated.

The situation changed in 1994. Under paragraph 14 of Schedule 4 to the Waste Management Licensing Regulations 1994, operators are required to keep a record of the quantity, nature and origin of the waste disposed of at each site; and to make that information available, on request, to the Environment Agency. However, the agency must act reasonably in its use of this power. The agency would be open to legal challenge in the event of unreasonably seeking detailed information on all the substances, and the source of those substances, disposed of at the Pitsea landfill site since 1994. Nevertheless the detailed licence for the site which specifies the quantities and types of waste able to be deposited at Pitsea is available for inspection at the local Environment Agency office. The following is an extract from the licence which details the general limits on the amount of waste able to be deposited at the site.

Extract from licence

Condition 2

(i) A maximum amount of 200,000 tonnes of commercial and industrial waste in liquid form, of which not more than 175,000 tonnes shall be hazardous, shall be deposited annually

(ii) not more than 37,000 tonnes of hazardous industrial waste in solid form, other than solid land clearance waste shall be deposited annually

(iii) not more than 60,000 tonnes of solid, hazardous waste, land clearance waste shall be deposited annually

(iv) not more than 5,000 tonnes in liquid form and 1,000 in solid form shall be of high hazard category

Condition 77

Notwithstanding the quantities of liquid waste permitted for disposal by condition 2, no more than 119,500 tonnes of liquid waste shall be deposited directly to landfill during the year ending 1 April 1992 and this volume shall be reduced in each successive year by at least 12,500 tonnes so that by the end of the year ending 31 March 1997, no more than 60,000 tonnes are disposed of by direct landfill.

Genetically Modified Fish

Mr. Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the Food and Agriculture Organisation's recent paper, "State of the World's Fisheries and Aquaculture", concerning genetic modification of aquatic species and their potential to increase the quantity and quality of aquaculture products. [6640]

Mr. Meacher: The paper published by the UN Food and Agriculture Organisation in 2000 recognises the potential for genetic modification to increase the quantity and quality of aquaculture products. It goes on to consider the areas of concern with genetically modified organisms (GMOs). These include possible adverse side effects on human health and the environment, trade impacts, intellectual property rights, labelling and ethics. It outlines possible solutions including the adoption of suitable legislation, codes of conduct or guidelines, and possible technical answers. The paper says that solutions will come only from addressing all sides of this complex issue. It also notes that technically there must be good scientific support with adequate testing and monitoring to reduce the uncertainties of environmental impact.

The Government note the potential of genetic modification but at this stage of development GM technology has yet to demonstrate any proven benefits in relation to aquaculture. It is feasible that the technology could be used to increase yields from fish farms or make farmed fish easier or cheaper to produce, but this is unlikely in the short term. There have been no environmental releases of GM fish in the UK and none is expected to be proposed in the foreseeable future.

However, the Government keep an open mind on this while making sure that suitable safety controls are in place to ensure protection for human health and the environment.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she takes to ensure genetically modified salmon cannot escape from confinement into the wild. [18366]

Mr. Meacher *[holding answer 27 November 2001]:* There are currently no GM salmon in this country therefore the situation does not arise. The Government's policy on containment of GM fish was outlined in the answers given to the hon. Member on 19 November 2001, *Official Report*, columns 78–79W, and on 20 November 2001, *Official Report*, column 198W.

Sustainable Development

Mr. Lazarowicz: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with the Scottish Minister regarding Scotland's contribution to United Kingdom targets on sustainable development. [13147]

Mr. Meacher: My right hon. Friend the Secretary of State has not met Scottish Ministers specifically to discuss these matters, although the Department works closely with the Scottish Executive on sustainable development issues. Scotland's contribution is reflected as appropriate in the UK Government's annual reports on our Sustainable Development Strategy, copies of which are available in the Library of the House.

Rural Ministers

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what steps the Government are taking to introduce the concept of Rural Ministers in different Government Departments. [14529]

Alun Michael: The Government consider it important that all Ministers in Home Departments are alert to the implications of their policies and programmes for people living in rural areas rather than introducing such a specific designation. The Department and I, assisted by the Countryside Agency, ensure that all major policies are assessed for their rural impact through the "rural-proofing" process described in "Our Countryside: the future" (Cmnd 4909). The Cabinet Sub-committee on Rural Renewal, chaired by my right hon. Friend the Secretary of State, and on which relevant Departments are represented, will oversee the effectiveness of the "rural-proofing" process.

Departmental Targets

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs what her Department's latest annual efficiency target is; and if it has been achieved. [15362]

Mr. Morley *[holding answer 16 November 2001]:* DEFRA's public service agreement target on efficiency is to achieve a reduction of 10 per cent. in the unit cost of administering CAP payments by March 2004, and 95 per cent. electronic service delivery capability for such payments by March 2004. We are currently on track to meet this commitment by December 2004 and the recent creation of the Rural Payments Agency will play a crucial part in delivering this.

DEFRA is committed to establishing a strong efficiency programme, based on robust measurement. As part of this programme, we are developing efficiency measures covering all aspects of the Department.

Beef

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has made to *(a)* her French counterpart and *(b)* the European Commission regarding proposals to ban beef imports into France during November. [15521]

Margaret Beckett *[holding answer 16 November 2001]:* The European Commission are looking into the agreement on supporting the beef market in France reached by the French industry to determine whether it contravenes Community rules. A number of other member states have expressed concern at the implications of the agreement for imports into France. The UK is not directly affected since France has not implemented the European

Community Decision to allow exports of British beef under the Date Based Export Scheme. The judgment of the European Court of Justice on this is expected shortly.

Dry Stone Walls

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to extend additional protection to dry stone walls. [15516]

Margaret Beckett *[holding answer 16 November 2001]:* We are considering representations that we have received on this subject. However, the primary legislation which provides the enabling powers for the Hedgerow Regulations does not provide powers to protect dry stone walls. The Department supports maintenance and restoration of dry stone walls through agri-environment schemes which are being significantly expanded under the England Rural Development Programme. The results of Countryside Survey 2000 suggested that net losses of walls had been halted by 1998.

Biodiesel Technology

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what measures she is taking to support the development of biodiesel technology; and if she will make a statement. [15505]

Margaret Beckett *[holding answer 16 November 2001]:* Following the Green Fuels Challenge a new duty rate for biodiesel, 20 pence per litre below the rate for Ultra Low Sulphur Diesel, is to be introduced in Budget 2002. Any additional measures to develop biodiesel must be based on sound evidence and this Department has recently commissioned a six-month study, on behalf of the Government-Industry Forum on non-food uses of crops, to evaluate the comparative energy, environmental and socio-economic costs and benefits of biodiesel production in the UK. The study will compare results with those for other relevant green fuels and relevant energy saving measures, and will inform the future development of policy.

Energy Crops

Mr. Swire: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of the money announced by the Government in October 2000 to promote the growth of energy crops has already been applied for; and if she will make a statement. [17277]

Mr. Morley: Our Energy Crops Scheme, part of the England Rural Development Programme, makes £29 million of assistance available to farmers. Applications which have been agreed or are being assessed total about 2 per cent. of this. This includes establishment grants for short rotation coppice and miscanthus and funding to set up a producer group for SRC growers. The low level of expenditure reflects slower than expected progress with biomass-fuelled projects. The Government have now allocated over £70 million of funding for market development and we are working closely with Government Departments and other bodies to develop opportunities in power generation, combined heat and power and heat applications. We expect this to lead to a significant increase in uptake.

River Thames (Adjacent Land)

Mr. Edward Davey: To ask the Secretary of State for Environment, Food and Rural Affairs if she will outline the policy of the Environment Agency with regard to *(a)* the provision of car parking on (i) land immediately adjacent to the river Thames and (ii) its own land immediately adjacent to the river Thames and *(b)* the leasing of its own land immediately adjacent to the river Thames. [17214]

Mr. Meacher: Local authorities are responsible for development control and policy related to car parking in their areas. In cases of new development, the Environment Agency, as a statutory consultee, has an opportunity to encourage best practice in environmental design. This includes proposals on land adjacent to the river Thames.

When considering a planning application, the agency would normally request a number of planning conditions, such as the retention of a buffer zone to allow access to flood defences for maintenance and inspection; the provision of public access rights to the riverside; and prevention of encroachment of the development on to the tidal foreshore.

These standards apply equally to development by the agency on its own land, including that adjacent to the Thames.

In cases of land leased by the agency to a third party, subject to the terms of the contract, use of the site would be a matter between the third party and the local planning authority. The agency would, if a planning application were made, be a statutory consultee in the normal way.

Animal Experiments

Mr. Redwood: To ask the Secretary of State for Environment, Food and Rural Affairs (1) how many animals have been used in live experiments tests within the EU in the last year; and how many have been used in the United Kingdom; [17815]

(2) how many animals are held in Government laboratories for live testing purposes. [17816]

Angela Eagle: I have been asked to reply.

The latest years for which we have information for the European Union as a whole are 1996–97, when the number of animals used in experiments was 11,646,000.

The latest year for which figures are available for the United Kingdom is 2000, when the number of animals involved in scientific procedures started in Great Britain was 2,643,000, with a further 14,100 in Northern Ireland. 83 per cent. of the animals used were rats, mice and other rodent species. Dogs, cats, horses and non-human primates, which are accorded special protection by the Animals (Scientific Procedures) Act 1986, were collectively used in under one per cent. of the procedures.

Information regarding the number of animals used for toxicological purposes is provided in Table 10a of the Statistics of Scientific Procedures on Living Animals Great Britain 2000. This is broken down by species of animal, but not by type of establishment.

The Home Office does not collect information relating to the number of animals held in Government laboratories or other establishments designated under the Animals (Scientific Procedures) Act 1986.

Mr. Redwood: To ask the Secretary of State for Environment, Food and Rural Affairs if she will publish the EU proposals for laboratory testing of household chemicals on animals. [17778]

Mr. Meacher: The European Commission published a White Paper on 27 February 2001 setting out the strategy for a future Community Policy for chemicals with the overall objective of ensuring a high level of protection for human health and the environment. A copy of the White Paper has been deposited in the Library of the House. Environment Ministers from all member states called on the European Commission to present, by the end of 2001, its main proposals for a simple, clear and transparent regulatory framework to implement the strategy while limiting the need for animal testing.

Sheep/Lamb Producers (Returns)

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs if she will calculate the average annual return for individual sheep and lamb producers in the UK in each of the last 10 years for which figures are available. [18205]

Mr. Morley: Estimates of the average annual return are given in the table. They are calculated as the total annual value of production of sheep and sheepmeat (including subsidies), divided by the number of farms with sheep and lambs at the June agricultural census.

Average annual return for UK sheep and lamb producers

Year	Value of production (£ million)	of which: subsidies (£ million)	Number of farms with sheep and lambs at June (Thousand[1])	Average annual return per producer (£[2])
1991	1,138	598	96.1	11,800
1992	1,159	522	96.2	12,000
1993	1,245	498	95.6	13,000
1994	1,235	448	94.4	13,100
1995	1,334	536	89.9	14,800
1996	1,295	384	88.2	14,700
1997	1,194	354	87.1	13,700
1998	1,130	479	86.8	13,000
1999	1,001	408	86.3	11,600
2000[3]	982	349	82.2	11,900

[1] Main holdings only

[2] Rounded to nearest hundred

[3] Provisional

Note:

Prepared by: Statistics (Commodities and Food) Division, Economics and Statistics Directorate, DEFRA

National Parks Task Force

Mr. Waterson: To ask the Secretary of State for Environment, Food and Rural Affairs who the members of the task force on national parks are; on what occasions Ministers have met the task force; and how many times the task force has met. [18044]

Alun Michael: There is no task force on national parks of which I am aware. A review of National Park Authorities in England is currently being undertaken by Richard Pullen, an official in DEFRA's Countryside Division. Following a three month public consultation period, which closed on 2 November, DEFRA officials are now visiting each English national park to discuss issues with National Park Authority members and stakeholders. This will lead to further discussion with Ministers about the findings of the review in the new year.

Waste

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the comparative position of the United Kingdom in relation to each other EU country regarding progress towards meeting the requirements of the Landfill Directive. [17634]

Margaret Beckett *[holding answer 23 November 2001]:* The Landfill Directive was due to be transposed into domestic law by 16 July 2001. Consultation on a set of draft Regulations to implement the technical and regulatory requirements of the Landfill Directive in England and Wales closed on 26 October 2001. The Government will be laying regulations before Parliament shortly. In advance of the regulations coming into effect the Environment Agency is using its existing powers under the Environmental Protection Act 1990 and the Pollution and Prevention and Control Regulations 2000 to apply the Directive's requirements to any permits issued in the interim.

We have also consulted on a tradeable landfill permit scheme to implement the targets in Article 5 of the Directive for the diversion of biodegradable municipal waste from landfill and will bring forward primary legislation to introduce such a scheme as soon as parliamentary time permits.

Enforcement of Directives is a matter for the European Commission and any infraction proceedings for not implementing the Directive fully or on time would be between the member state concerned and the Commission.

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to develop central monitoring of the amount of waste collected for recycling which ends up in landfill sites. [17636]

Margaret Beckett *[holding answer 23 November 2001]:* In theory all material collected for recycling should be recycled, but inevitably there will be losses. Some mixed material may be lost in the sorting process (for example at Material Reclamation Facilities). Material may also be rejected due to contamination, or sent for disposal due to the lack of a suitable market for the recycled material.

There are no current plans to centrally monitor the amount of waste collected for recycling which ends up in landfill. However, in the case of local authorities, we are looking at the way we measure household recycling rates in the Municipal Waste Management Survey to try to ensure that the rates reflect material that was both collected for recycling and actually sent for recycling. In the current 2000–01 survey we are asking for the percentage of materials collected for recycling and composting which were rejected at Material Reclamation Facilities. To ensure that such losses are minimised it is important to support markets for recycled materials through initiatives such as WRAP. It should also be noted that the best value statutory standards for household recycling rates are on the basis of material sent for recycling, not that which is collected.

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what measures she is taking to enable each local authority to provide doorstep collection of recyclable waste. [17639]

Margaret Beckett *[holding answer 23 November 2001]:* It is a matter for local authorities to decide how best to meet their Statutory Performance Targets on recycling. To enable them to meet the challenging Statutory Performance Standards for recycling, we are however, providing major extra funding. By 2003–04 revenue support in the relevant Standard Spending Assessment area will have risen £1.1 billion over 2000–01 provision. Spending Review 2000 also provides £220 million for PFI waste schemes over the spending review period and a £140 million ring-fenced fund for waste and recycling. £50 million of New Opportunities Fund moneys will also be available over the next two years to support community sector work on recycling work in the UK.

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to encourage a reduction in non-domestic waste. [17637]

Margaret Beckett *[holding answer 23 November 2001]:* Our record on managing industrial and commercial waste is already better than on domestic waste. Nevertheless in order to encourage businesses further to reduce waste and to put to better use any waste that is produced the Government in Waste Strategy 2000 have set the target to reduce by 2005 the amount of industrial and commercial waste sent to landfill to 85 per cent. of that landfilled in 1998.

There are initiatives already in place to help industry. The Envirowise Programme aims to demonstrate the benefits of managing resource use and reducing the environmental impact to companies across the whole of the UK.

The programme encourages the establishment of waste minimisation clubs. The clubs offer a means by which businesses can make environmental improvements.

The Integrated Pollution Prevention and Control regime will also have a role to play. Those regulated under the regime will be required to abide by the general principle that waste production should be avoided and that where waste is produced it should be recovered unless technically and economically impossible.

Departmental Strikes

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs how many working days have been lost through strikes by departmental staff since 1 June; and if she will make a statement. [17635]

Margaret Beckett *[holding answer 23 November 2001]:* Between 1 June and 21 November a total of 14,230 working days was lost due to strike action by departmental staff who are members of the Public and Commercial Services Union. Our aim is to resolve the dispute as quickly as possible.

Home Energy Efficiency Scheme

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs what measures are being taken to ensure that *(a)* Eaga Partnership Ltd. and *(b)* Eastern HEES Ltd. monitor the independent installers employed in relation to the home energy efficiency scheme. [16122]

Mr. Watts: To ask the Secretary of State for Environment, Food and Rural Affairs what steps her Department is taking to monitor the performance of the contractors and management of the Government's energy efficiency scheme. [18385]

Mr. Meacher *[holding answer 19 November 2001]:* The Home Energy Efficiency Scheme managers are responsible for appointing and managing contractors to carry out the installation of heating and insulation measures in homes. This includes checking that installers are able to meet the technical and quality requirements of the scheme, as well as the price tendered. Once appointed, both scheme managers continue to check the quality of work through physical inspections of all central heating, and a proportion of insulation installations.

The results of this monitoring are provided to my Department within the regular reports produced by the scheme managers. In addition an independent quality assurance contractor is employed by my Department to inspect and advise on the systems used by the scheme managers, including those relating to contractor management.

Radon Emissions

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs how many residential dwellings have been tested for radon emissions since 1988 in *(a)* Devon and *(b)* England and Wales; and what percentage of the dwellings tested were owned (i) privately and (ii) by the local authority or housing associations. [18357]

Mr. Meacher *[holding answer 27 November 2001]:* Recorded in the table is the number of residential dwellings that have been tested for radon emissions since 1988 in *(a)* Devon and *(b)* England and Wales; and the percentage of dwellings that were owned (i) privately and (ii) rented. The rented accommodation includes property that is owned by local authorities, housing associations, and the private rented sector. Records held centrally do not allow differentiation between the various types of public and private tenancy.

Parameter	*Devon*[1]	*England and Wales*[1]
Number of dwellings tested since 1988	80,000	400,000
Percentage of privately owned dwellings	85	81
Percentage of local authority and housing association owned dwellings and other tenanted dwellings[2]	10	15
Percentage of unknown tenure[3]	5	4

[1] Numerical values are rounded

[2] As recorded by the occupier at the time of measurement

[3] The occupier did not state the type of tenure

Fresh Water Supply

Mr. Jim Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the adequacy of the fresh water supply available to the UK. [16981]

Mr. Meacher *[holding answer 27 November 2001]:* The Natural Environment Research Council's Centre for Ecology and Hydrology produces monthly summaries of hydrological conditions across the UK. The latest summary indicates that groundwater resources are very healthy, and that reservoir stocks have recently increased, now being above average for this time of year.

Mr. Jim Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs where are the UK's main water sources; and what plans there are to create desalination plants. [16982]

Mr. Meacher *[holding answer 27 November 2001]:* The principal sources from which water is abstracted in the UK are surface waters (rivers and reservoirs) and groundwater (eg chalk aquifers). The main source in any given area depends on its geology though water resources can be, and are, transferred from one region to another where it is necessary to do so. Desalination is not seen as a necessary option in terms of public water supply at the present time.

Incinerator Ash (Dioxins)

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will make a statement on the quality of the Environment Agency's methods of testing incinerated material for dioxins; [18545]

(2) if she will publish the latest assessment of the level of dioxins in ash produced by each of the large scale municipal incineration plants; [18547]

(3) if she will make a statement on the toxicity of ash at large-scale municipal incineration plants. [18544]

Margaret Beckett *[holding answer 27 November 2001]:* Under the current IPC (integrated pollution control) authorisations, the Environment Agency requires all municipal waste incinerators to regularly analyse bottom ash and air pollution control residues for dioxins, carbon and a variety of metals.

These results are placed on the public register. I have asked the Environment Agency to provide the hon. Member with a summary of the recent results, and will place copies in the Library of the House. I understand latest results show the level of dioxins in bottom ash to be similar to those found in soils.

I am confident that the Environment Agency has the appropriate technical expertise to carry out accurate and repeatable dioxin analysis of incinerated material. The agency has its own accredited laboratory for dioxin analysis. Nevertheless, current analysis of the dioxin levels in incinerator residues involves the incinerator operators and the Environment Agency employing a standard sampling protocol but with analysis by a number of different laboratories approved by the United Kingdom Accreditation Service. One of the aims of this ongoing work is to confirm the accuracy and repeatability of the techniques employed.

Departmental Expenditure Limits

Mr. Kidney: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to change the *(a)* departmental expenditure limit and *(b)* administration costs limits for 2001–02. [19797]

Margaret Beckett: Subject to parliamentary approval of the necessary Supplementary Estimate, the Department for Environment, Food and Rural Affairs' DEL will be increased by £857,992,000 from £1,732,782,000 to £2,590,774,000 and the administration costs limit will be increased by £46,250,000 from £457,399,000 to £503,649,000. Within the DEL change, the impact on resources and capital is set out in the following table:

	Resources	*Capital*
Change	563,514	294,478
New DEL	2,084,642	506,132
of which:		
Voted	1,365,254	429,069
Non-voted	719,388	77,063
Start figures[1]		
Summer DEL	1,521,128	211,654
of which:		
Voted	1,054,667	174,349
Non-voted	466,461	37,305

[1] From summer supp.

The change in the resource element of the DEL arises from: (i) a take-up of £57,933,000 under the End-Year Flexibility rules, (ii) £9,000 from the Evidence Based Policy Fund within the Capital Modernisation Fund, (iii) a transfer of £510,555,000 from DTLR following the formation of DEFRA, (iv) a transfer of £610,000 from the Home Office following the formation of DEFRA, (v) a transfer of £177,000 from the Privy Council Office for the Secretary of State's accommodation costs, (vi) a transfer of £100,000 from the Department of Health for the Rural Stress Action Group, (vii) a transfer of £3,200,000 from DTLR for the Energy Efficiency Best Practice Programme, (viii) a transfer of £20,000 from DTLR for local public service agreements, (ix) a transfer of £4,394,000 to the Cabinet Office for staff transferred to governmental organisations, (x) a transfer of £1,000,000 to Department of Health for research on transmissible spongiform encephalopathy, (xi) a transfer of £929,000 to the Scottish Executive for the Pig Industry Restructuring Scheme, (xii) a transfer of £967,000 to the Home Office for the Home Energy Efficiency Scheme and, (xiii) a transfer of £1,800,000 to the Scottish Executive for the Energy Efficiency Best Practice Programme.

The change in the capital element of the DEL arises from (i) a take-up of £72,519,000 under the End-Year Flexibility rules, (ii) a take-up of £237,000 under the Capital Modernisation Fund and, (iii) a take-up of £221,722,000 from DTLR following the formation of DEFRA. There will also be a transfer of £3,000,000 from non-voted supplementary credit approvals to voted capital.

Increases will be offset by inter-departmental transfers and charged to the DEL Reserve and will not therefore add to the planned total of public expenditure.

Global Warming

Chris Grayling: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on Government responsibilities on *(a)* global warming and *(b)* Kyoto. [15991]

Mr. Meacher: My right hon. Friend the Secretary of State has lead responsibility for climate change (which includes both global warming and the Kyoto protocol). My right hon. Friend the Deputy Prime Minister also continues to play a role in international climate change discussions and negotiations on behalf of the Prime Minister.

Carbon Dioxide Emissions

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the impact of the moratorium on new gas-fired power stations on carbon dioxide emissions *(a)* to date and *(b)* over the next five years. [15504]

Margaret Beckett *[holding answer 16 November 2001]:* The effect of the moratorium on present day emissions is likely to be small, given the time lags involved in constructing new plants. There could, in principle, be a small and temporary effect on emissions over the next few years. It is however difficult to make an estimate due to many other influences that could also affect new build decisions, for example, changes in energy prices, the New Electricity Trading Arrangements, and other Government policies on energy and the environment. We would expect any effect from the moratorium to have died away before the end of the decade.

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the percentage of carbon dioxide emissions derived from *(a)* transport, *(b)* domestic sources and *(c)* industry in the last 12 months. [15506]

Margaret Beckett *[holding answer 16 November 2001]:* The table shows carbon dioxide emissions recorded in the UK's greenhouse gas inventory from transport, the domestic sector and industry in 1999, which is the most recent year for which complete information is available. Industrial emissions are divided into manufacturing industry and energy industries. The latter include power stations and refineries, and produce the electricity, refined petroleum and other energy products used elsewhere in the economy. Emissions from energy industries amounted to 48.8 million tonnes of carbon equivalent (MtC) in 1999, of which 5.2 MtC and 16.6 MtC were attributable to demand in the transport and domestic sectors. Emissions from fuels loaded in the UK and used by international aviation and shipping are not included in the UK's inventory under agreed reporting guidelines used by the United Nations Framework Convention on Climate Change. These emissions amounted to a further 8.7 MtC in 1999.

UK CO_2 emissions from transport, the domestic sector and industry in 1999, expressed as percentage of total UK CO_2 and as million tonnes carbon (MtC)

	Percentage of total UK emissions	*MtC*
Transport	22	33.2
Domestic	16	23.3
Manufacturing industry	20.1	30.1
Energy industries	32.7	48.8

Greenhouse Gases

Dr. Ladyman: To ask the Secretary of State for Environment, Food and Rural Affairs on current station lifetime plans, what projections have been made of the production of greenhouse gases if electricity produced from nuclear power stations is replaced with electricity produced from gas-fired power stations. [17368]

Mr. Meacher: On central assumptions, electricity generation from UK nuclear power stations is projected to fall from 86 terawatt hours in 2005 to 27 terawatt hours in 2020, as existing power stations reach the end of their licensed lifetimes (see table). Were it physically possible to replace all nuclear capacity by gas-fired power stations similar to the type presently being installed by 2005, the related greenhouse gas emissions would be about 8.3 million tonnes of carbon per year in 2005, falling to 2.6 million tonnes of carbon by 2020. This includes the effect of carbon dioxide arising from combustion plus minor associated emissions of methane and nitrous oxide.

	2005	*2010*	*2015*	*2020*
Nuclear generation (TWh)	86	66	40	27
Greenhouse gas emissions from fuel switching[1]	8.3	6.4	3.9	2.6

[1] Million tonnes of carbon equivalent

Foot and Mouth

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs for what reason her Department was not represented at the public inquiry into foot and mouth disease in Devon. [11737]

Margaret Beckett *[holding answer 1 November 2001]:* DEFRA co-operated with the Devon county council inquiry.

To minimise additional burdens on staff actively engaged in fighting the disease, the Department responded to a number of questions in writing.

Mr. Edwards: To ask the Secretary of State for Environment, Food and Rural Affairs what changes there were to the criteria for the payment of slaughter premium during the foot and mouth outbreak. [14000]

Mr. Morley: There were no changes to the criteria for the payment of slaughter premium during the foot and mouth outbreak.

Mr. Edwards: To ask the Secretary of State for Environment, Food and Rural Affairs on what basis slaughter premium is payable on cattle slaughtered as a result of foot and mouth disease. [13999]

Mr. Morley: Slaughter premium is not payable on cattle slaughtered during the foot and mouth outbreak but if the market value for such animals would have been influenced by expectation of slaughter premium then the valuation for compensation should reflect this. Standard valuations, which operated between 22 March and 29 July, took account of slaughter premium.

The Department will shortly be issuing clarification to interested parties.

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to implement the recommendations of Professor Mercer's report into the foot and mouth crisis in Devon; and if she will make a statement. [11734]

Margaret Beckett *[holding answer 1 November 2001]:* I refer the hon. Member to the reply given by my noble Friend the Under-Secretary of State, Lord Whitty on 31 October 2001, *Official Report, House of Lords,* columns 1416–17.

Written Answers to Questions

Thursday 29 November 2001

TRADE AND INDUSTRY

Steel Exports

10. **Helen Jackson:** To ask the Secretary of State for Trade and Industry what recent consultation she has had with representatives from the steel industry about exports of steel. [16479]

Miss Melanie Johnson: My right hon. Friend the Secretary of State for Trade and Industry has had meetings with steel industry representatives and trade unions which represent steel industry workers, about a wide range of issues.

Workers' Rights

11. **Mr. Rammell:** To ask Secretary of State for Trade and Industry if she will conduct a further review of the rights of people at work. [16480]

Alan Johnson: My right hon. Friend the Secretary of State announced plans at the TUC Conference to review the entire operation of the Employment Relations Act 1999 and to legislate in this Parliament if necessary. We are also consulting, or are about to, on other aspects of employment legislation, including TUPE and the introduction of new rights on discrimination at work.

Consignia

12. **Adam Price:** To ask the Secretary of State for Trade and Industry what assessment she has made of the effects of Consignia reform plans on *(a)* postal jobs in Wales and *(b)* the postal service in Wales. [16481]

Mr. Alexander: Consignia's modernisation plans are an operational issue for the company.

The effect of the postal service is an issue for the independent regulatory body, the Postal Services Commission, which has set standards of service for Consignia and is monitoring them closely.

Child Care

14. **Caroline Flint:** To ask the Secretary of State for Trade and Industry if she will make a statement on the contribution of the regional development agencies, Government offices and the Small Business Service to the development of child care services as part of economic regeneration and enterprise development in the last 12 months. [16483]

Nigel Griffiths: This important matter was raised with all RDA chairmen on 4 April. DTI officials have since met with the east midlands RDA who are taking a lead on how the provision of child care might be boosted.

We expect the RDAs, the SBS and Government offices to promote the development of child care services as a vital component of the strategy for future economic growth and prosperity.

Tyre Industry

15. **Rob Marris:** To ask the Secretary of State for Trade and Industry if she has made an assessment of the performance of the UK tyre-building industry; and if she will make a statement. [16484]

30. **Mr. Dennis Turner:** To ask the Secretary of State for Trade and Industry what assessment she has made of the performance of the UK tyre-building industry; and if she will make a statement. [16502]

31. **Mr. Purchase:** To ask the Secretary of State for Trade and Industry what recent representations she has received from the UK tyre-building industry about international competition; and if she will make a statement. [16504]

Nigel Griffiths: The Department has received representations from a number of hon. Members and the major tyre producers in the UK. My hon. Friend the Minister for Employment and the Regions will meet a delegation from the Parliamentary Motor Tyre Group in the near future to discuss the issue further.

Competitiveness

16. **Mr. Baron:** To ask the Secretary of State for Trade and Industry what steps she is taking to improve the UK's position in the world competitiveness league table. [16485]

Ms Hewitt: Improving UK competitiveness involves business, employees and consumers as well as Government. The Government have created a stable economic environment in which business can prosper, a climate for enterprise and the right framework for investment. We delivered low inflation, the lowest long-term interest rates for 35 years and consistent policies on tax and regulation. Last week I announced a series of changes to give my own Department a clear emphasis on enterprise, innovation and competition so that it is better focused on the need to close the UK's productivity gap with its competitors.

Manufacturing (Smart Awards)

18. **Mr. Kidney:** To ask the Secretary of State for Trade and Industry what contribution Smart awards have made to improving the productivity of manufacturing businesses. [16487]

Ms Hewitt: The main aim of Smart is to stimulate technological innovation to increase the competitiveness of small and medium sized businesses, rather than to increase productivity. The independent evaluation of Smart this year found that as a result of their awards 77 per cent. of participants improved the quality of their products, services and processes, 26 per cent. reduced costs and 71 per cent. improved their market position.

Broadband Communications

19. **Mr. Peter Duncan:** To ask the Secretary of State for Trade and Industry what progress has been made in extending broadband telecommunications to rural communities. [16489]

Mr. Alexander: Broadband services by one or more of ADSL, cable or wireless technologies are available to 60–60 per cent. of households in the UK. Satellite services, which potentially can offer coverage of the entire country, are beginning to become available. We have established a £30 million fund to help extend affordable broadband services to areas where they are not currently available.

35. **Mr. Allan:** To ask the Secretary of State for Trade and Industry, what plans she has to improve access to broadband telecommunications networks in 2002. [16508]

Mr. Alexander: The Government will shortly set out their strategy for making the broadband market more extensive and competitive. Regional Development Agencies and the devolved administrations are already preparing plans for innovative projects, under the £30 million fund to extend broadband networks announced on 9 October.

Manufacturing (North-west)

20. **Mr. Nicholas Winterton:** To ask the Secretary of State for Trade and Industry, what recent assessment she has made of prospects for manufacturing output in the north-west of England. [16490]

Alan Johnson: Officials at the Department of Trade and Industry work continuously with regional and national partners to assess the prospects for all sectors of industry. In addition, the North West Development Agency is preparing a report assessing the impact of the events of 11 September and its aftermath on the economy of the region and identifying possible remedial measures.

Compliance Costs (Small Businesses)

21. **Mr. Andrew Turner:** To ask the Secretary of State for Trade and Industry, what assessment she has made of the change in the compliance cost of regulation for businesses with fewer than five employees since 1997. [16492]

Nigel Griffiths: The information required could be obtained only at a disproportionate cost. However, the Government are working to ensure that the compliance cost of regulation is kept to a minimum for both small and large businesses.

Rural Post Office Services

22. **Mr. Heath:** To ask the Secretary of State for Trade and Industry if she will make a statement on Post Office services in rural areas. [16493]

Mr. Alexander: The Government are committed to the maintenance of a nationwide network of post offices and have placed a formal requirement on the Post Office to maintain the rural network and to prevent any avoidable closures of rural post offices.

Venture Capital Funds (RDAs)

23. **Mr. Wyatt:** To ask the Secretary of State for Trade and Industry if she will make a statement on the operation of the regional development agency venture capital funds. [16494]

Alan Johnson: A number of RDAs are operating, or overseeing the development of venture capital funds in their regions. These funds are designed to target particular sectors of the SME market or geographical areas within their region, for example in the West Midlands there is the Advantage Technology Fund, in the North East the North East Seed Capital Fund and in Yorkshire and the Humber the South Yorkshire Investment Fund.

In addition, RDAs continue to play an important role by acting as sponsors to the development of Regional Venture Capital Funds.

Aerospace Industry

24. **Sir Teddy Taylor:** To ask the Secretary of State for Trade and Industry if she will make a statement on the impact on the aerospace industry of the reduction in the number of passengers since 11 September. [16495]

Mr. Wilson: I refer the hon. Member to the reply given earlier to my hon. Friends the Members for Wythenshawe and Sale, East (Paul Goggins) and for Caerphilly (Mr. David) on 29 November 2001, *Official Report*, columns 1087–88.

Miners' Compensation

25. **Mr. Bryant:** To ask the Secretary of State for Trade and Industry what recent progress has been made in the payment of compensation for former miners and their dependants. [16496]

Mr. Wilson: In relation to compensation for respiratory disease IRISC, the Department's claims handlers, have registered almost 170,000 claims to date. 54,230 individual payments have been made, amounting to £221 million. The main outstanding issues have now largely been resolved. This means that where previously only interim payments could be made, these claims can now be settled in full. Although it will take some time for the process to ramp up fully in all respects, the Department's aim is that IRISC will have made 50,000 offers by the end of next year.

The Department continues to adhere to the prioritisation agreement set out in the Handling Agreement, whereby the most elderly and ill claimants are dealt with first. Widows are also being prioritised, above those by other estates. The Department aims to process the most vulnerable claims by spring 2002.

In relation to compensation for vibration white finger (VWF), IRISC have registered over 130,000 claims. There have been 73,527 individual payments made, amounting to £408.9 million.

Nuclear Power

26. **Norman Baker:** To ask the Secretary of State for Trade and Industry if she will make a statement on the Government's policy in respect of nuclear power generation capacity. [16497]

Mr. Wilson: Nuclear power contributes to our broad energy policy objectives of ensuring secure, diverse, sustainable supplies of energy at competitive prices by providing about one quarter of UK electricity generation and helping limit carbon emissions. In common with all other energy options, nuclear's role in UK energy policy is being considered by the current performance and innovation unit energy review which is due to report to my right hon. Friend the Prime Minister by the end of the year.

Manufacturing (Rural Areas)

27. **Mr. Drew:** To ask the Secretary of State for Trade and Industry what action she is taking to help manufacturing in rural areas. [16498]

Alan Johnson: Manufacturing companies in rural areas benefit from the strengthened regional support we have introduced and the wide range of policies we are pursuing to foster productivity, encourage enterprise, and raise innovation and skills.

My hon. Friend the Minister responsible for small business announced on 7 November 2001 the establishment of the Development Fund for Rural Renewal. This £3 million support programme will provide funding for projects that offer support to enterprises, including manufacturing, in areas facing difficulties due to the effects of foot and mouth disease.

Gender Pay Gap

28. **Mrs. Calton:** To ask the Secretary of State for Trade and Industry if she will make a statement on the Government's strategy to eliminate the gender pay gap. [16500]

Ms Hewitt: Earlier this year we asked Denise Kingsmill to examine and report on possible measures to improve women's employment prospects and so reduce the pay gap. We are currently considering her report, which will be published next week. It would be premature to make a statement today.

Climate Change Levy

29. **Dr. Pugh:** To ask the Secretary of State for Trade and Industry what representations she has received recently from manufacturing industry on the effects of the climate change levy. [16501]

Mr. Wilson: The Department has received a number of representations from individual businesses, trade associations and other organisations about the climate change levy.

Directors' Remuneration

32. **Mr. McCabe:** To ask the Secretary of State for Trade and Industry what plans she has to increase the power of shareholders to determine directors' remuneration. [16505]

Miss Melanie Johnson: I refer my hon. Friend to the answer given by my right hon. Friend the Secretary of State for Trade and Industry to my hon. Friend the Member for Gedling (Vernon Coaker) on 19 October 2001, *Official Report*, column 1376W.

Clean Coal Technology

33. **Rachel Squire:** To ask the Secretary of State for Trade and Industry if she will make a statement on the prospects for clean coal technology. [16506]

Mr. Wilson: Future coal-fired power generation will need to reduce its current levels of greenhouse gas and other emissions and to this effect the Government support a programme of research and development into cleaner coal technologies. We are also reviewing the case for a cleaner coal technology demonstration plant and are due to report our findings in the near future.

Regional Development Agencies

34. **Mr. Dhanda:** To ask the Secretary of State for Trade and Industry what steps she will take to enhance the role of the regional development agencies. [16507]

Alan Johnson: My right hon. Friend the Secretary of State for Trade and Industry is continuing the process of enhancement of the RDAs started last year with the announcement of additional funding, more spending flexibility and a stronger economic focus. Implementation culminates on 1 April 2002 when the RDAs' existing programmes are brought together into a single, broader and more flexible programme managed through testing outcome and output targets. She also announced on 22 November 2001, *Official Report*, column 396W, a series of changes to the structure and operation of her Department. One change will be the transfer of responsibility for some Regional Selective Assistance grants from Regional Government Offices to the RDAs.

Mr. Kevan Jones: To ask the Secretary of State for Trade and Industry what changes in board membership there have been in each of the regional development agencies in the last 12 months. [18371]

Alan Johnson *[holding answer 27 November 2001]:* In the 12 months to 26 November, there have been four resignations: Mike Bird resigned from the board of Advantage West Midlands and Sal Brinton, Chris Mole and Peter Dawe resigned from the board of the East of England Development Agency.

I refer my hon. Friend to the answer I gave on 24 October 2001, *Official Report*, column 250W which announced re-appointments to the boards.

I am currently consulting on the new appointments to the eight English Regional Development Agencies outside London, as required by the Regional Development Agencies Act 1998. An announcement on the outcome of the appointments process will be made in due course.

Appointments to the London Development Agency are the responsibility of the Mayor of London.

High-tech Businesses

Lynne Jones: To ask the Secretary of State for Trade and Industry what steps she is taking to create a healthy environment for encouraging the growth of high-tech businesses. [16486]

Mr. Alexander: The DTI is committed to supporting high-tech companies and is engaged in a range of activities to assist these companies reach their full growth potential.

Hydrological Fracturing

Ms Walley: To ask the Secretary of State for Trade and Industry (1) what recent representations her Department has received regarding the technology and engineering involved in hydrological fracturing; [7346]

(2) what recent research has been done by her Department into the effects of hydrological fracturing; [7347]

(3) what *(a)* quantitive and *(b)* qualitative research methods were used in studies by her Department on hydrological fracturing; who commissioned such studies; and what examples of field trial stages have been published; [7345]

(4) what recent research has been completed by the relevant authorities on the environmental, commercial and social effects of hydrological fracturing. [7349]

Mr. Wilson: My Department, as part of its Cleaner Coal Technology Programme, has funded a number of projects that included work on hydrological fracturing, although it has not commissioned specific R&D on this subject.

The Natural Environment Research Council (NERC) has funded research into hydrogeology, including the hydrological fracturing of rock and other media. NERC's British Geological Survey (BGS) has undertaken work reviewing the use of the technology of fracturing in Coal Bed Methane production. A list of the NERC research portfolio, including grants funded through NERC's Micro to Macro programme, is listed below on Annexe 1.

Annexe 1

Hydrological Fracturing: Grants funded by NERC 1997–98 to date

Non-thematic grants

ROPA Seismic imaging of subseismic natural fracture systems (1996–98, British Geological Survey)

Basement structural controls on fault architectures, accommodation zones and sedimentation in rift systems (1996–2000, Royal Holloway)

Fracture characterisation of deep repository sites (1998–99, Imperial College)

Self-organisation of fluid flow, chemical reactivity and rock strength in porous reservoir rocks (1999–2001, Edinburgh University)

The hydraulic properties of rock fractures under normal and shear loading (1996–97, Imperial College)

Submarine rifting laboratory studies of tensile and extensional fracture in mor rocks, leading to numerical models of tectonic and hydrothermal process (1995–97, University College, London)

Localised flow in fractured rock masses: mechanisms, modelling and characterisation (1999–2002, Imperial College)

Modelling porosity development and flow in heterogeneous media (1999–2001, British Geological Survey)

Scaling of fluid behaviour associated with flow through complex geological structures (1999–2001, Leeds University)

Fully determined fluid velocity fields for complex 2D media with multi-scaled heterogeneity (2000–03, University of Ulster)

Fracture induced anisotropic seismic attenuation (2001–03, Imperial College)

Characterisation of the unsaturated hydraulic properties of the Sherwood Sandstone using combined cross-borehole radar and resistivity tomography (1998–2000, Lancaster University)

The significance of saline fluids in high-temperature deep-crustal metamorphism (1999–2002, Edinburgh University)

Vadose zone flow mechanisms in hydraulically layered aquifers using time domain reflectometry (2000–02, Leeds University)

Molecular modelling of clay-fluid interactions under sedimentary basin conditions: the structure and mobility of water and light hydrocarbons (1999–2002, University College London)

Exceptional porosity in oil-bearing sandstones (2000–02, Scottish Universities Research and Reactor Centre)

Thematic grants—Micro to Macro programme

Analysis of reaction and flow in stochastically heterogeneous porous media (1999–2001, Cambridge University)

New micro-geochemical traces of fluid and solute transport in sedimentary basins (1999–1999, Edinburgh University)

Scaling properties of fluid flow in fractured rocks (1999–2002, University College London)

Controls of matrix and fracture flow from geochemical analysis of produced oil (2000–02, Reading University)

Localised flow in fractured rock masses mechanisms, modelling and characterisation (1999–2002, Southampton University/ Imperial College)

Determination of hydraulic properties of distributed fractures using seismic techniques (1999–2002, Cambridge University/ British Geological Survey)

Modelling porosity development and flow on heterogeneous media (1999–2001, British Geological Survey)

Scaling of fluid behaviour associated with flow through complex geological structures (1999–2001, Leeds University)

Quantifying the effects of biofilm growth on hydraulic properties and on sorption equilibria: micro to macro measurements (2000–02, Manchester University)

Multi-scale fluid-flow path analysis: calibration and modelling using mineralisation systems (2000–02, Imperial College)

Cementation of oilfield sandstones: micro-geochemical tracers, reveal macro-fluid hydrogeology (2000–02, Edinburgh University)

Fully determined fluid velocity fields for complex 2D media with multi-scaled heterogeneity (2000–02, Ulster University)

The scaling behaviour of fluid rock flow in rock fractures (2000–02, Aberdeen University)

Novel flow and transport models for systems exhibiting non-integer flow dimensions (2000–02, University College London)

Determination of hydraulic properties of distributed fractures using seismic techniques (1999–2002, British Geological Survey/Cambridge University)

Modelling porosity development and flow in heterogeneous media (1999–2001, University College London)

Multi-scale fluid-flow path analysis calibration and modelling using mineralisation systems (2000–02, Leeds University)

Quantifying the scaling of physical transport in structured heterogeneous porous media (2001–04, Birmingham University)

Thematic grants—Ocean Drilling Programme

High resolution fluid flow patterns at the Nankai convergent plate margin (2001–04, University of Wales, Aberystwyth)

Grants relating to coal measures and methane

Hydrogeology of flooded, abandoned mine workings—an integrated hydraulic/hydrogeochemical analysis (2000–2000, Newcastle-upon-Tyne University)

Urban regeneration of coalfields: generic studies of contaminated land and groundwater issues exemplified in Wolverhampton (1998–2002, Sheffield University/British Geological Survey).

Nuclear Security

Llew Smith: To ask the Secretary of State for Trade and Industry what is the annual budget for the Office for Civil Nuclear Security; and if she has plans to increase the budget following the events of 11 September. [15581]

Mr. Wilson: The budget for the Office for Civil Nuclear Security (OCNS) is approximately £1.5 million in the current year. The measures which need to be taken following the events of 11 September, including nuclear security, are currently under review.

Paul Flynn: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact on the competitiveness of the nuclear power industry of additional security requirements since 11 September. [16893]

Mr. Wilson: No such assessment has been undertaken.

Workplace Bullying

Mr. Reed: To ask the Secretary of State for Trade and Industry what plans she has to introduce monitoring of the incidence of workplace bullying. [18486]

Alan Johnson: Bullying and harassment have no place in today's work environment and are unacceptable whenever they occur. The Government strongly condemn such behaviour and believe employees should be able to work without fear of encountering bullying from their employers or anyone else.

The adoption of best employment relations practice should help create a culture where bullying becomes unacceptable. We have established the Partnership Fund which provides support for organisations wishing to develop policies to tackle bullying in the workplace. The Department is also working closely with the Health and Safety Executive on the development of management standards. The first step is to undertake research to establish the real extent of the problem and how it manifests itself in the workplace.

There is a range of legislative measures in place designed to protect employees from the worst offences.

Economic Development Zone (Lancashire)

Geraldine Smith: To ask the Secretary of State for Trade and Industry what *(a)* organisations, *(b)* interest groups, *(c)* individuals and *(d)* community forums have been consulted in relation to the bid put forward to the regional development agency by Lancaster city council for an economic development zone. [18252]

Alan Johnson *[holding answer 26 November 2001]:* Lancaster's bid is endorsed by the Lancaster and Morecambe Local Strategic Partnership. If accepted, the EDZ strategy will be implemented through an Action Plan Partnership based on the existing broadly-based Lancaster Single Regeneration Budget Board. Steps have been taken to ensure key partners are fully involved and informed.

Export Licences

Mr. Key: To ask the Secretary of State for Trade and Industry what initiatives the Export Control Office is taking to reduce the processing time of licence applications. [17427]

Nigel Griffiths *[holding answer 27 November 2001]:* The Government recognise that the system for processing export licence applications requires continuous improvement if we are to deliver a more efficient and effective system for export licensing which is accountable, transparent and customer focused. I have introduced "time-lines" to track cases. The Export Control Organisation (ECO) has taken a number of initiatives to reduce the time taken to process individual export licence applications. These include:

> building productive customer relationships, including setting up a joint CBI/ECO working group to work with exporters to address issues of concern, including delays in processing export licence applications;
>
> enhancing IT systems to ensure they deliver further business process improvements. It is planned that this will lead to, amongst other things, standard individual export licence applications being accepted over the internet next year;
>
> establishing more effective partnerships with other Government Departments. Departments involved in the licensing process have agreed in principle to a Service Level Agreement, which we hope to finalise shortly. This will ensure that Departments work better together and focus more sharply on outputs; and
>
> establishing new structures which allow us to continually review and improve the efficiency and effectiveness of the decision making process. There are regular meetings between officials in all Departments involved in the export licensing process to identify ways of improving the export licensing system, as well as to discuss particular licence applications.

One North East

Mr. Kevan Jones: To ask the Secretary of State for Trade and Industry for what reasons Mr. Hugh Morgan Williams has been removed from the board of One North East; and if a representative of the North East CBI is to be appointed in his place. [18370]

Alan Johnson *[holding answer 27 November 2001]:* I refer my hon. Friend to the answer I gave on 24 October 2001, *Official Report*, column 250W, which announced the decision to implement a rolling programme of board appointments. To achieve this it was necessary for some effective RDA board members to make way for new appointees. Hugh Morgan Williams will not be reappointed to the board of One North East when his appointment term ends in December 2001. The decision not to reappoint Hugh Morgan Williams was no reflection on his performance and I hope he will feel able to continue his involvement in the regeneration of the North East.

New appointments under the rolling programme will be announced shortly. These appointments are being made in accordance with the Code of Practice of the Commissioner for Public Appointments. Board members are appointed as individuals and not as representatives of organisations. They are appointed on merit and for the skills and expertise that they can offer.

Arms Purchasing

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry if she will make a statement on sustainable development in relation to arms purchasing. [18671]

Nigel Griffiths *[holding answer 28 November 2001]:* Under the consolidated EU and national arms export licensing criteria the Government are currently obliged to take into account whether or not a proposed arms export would seriously undermine the economy or seriously hamper the sustainable development of the recipient country. Under clause 8 of the Export Control Bill, these criteria would be treated as published guidance that the Government must have regard to in making licensing decisions.

British Arms Manufacturers

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what controls there are to ensure that British arms manufacturers who manufacture arms abroad are regulated properly. [18670]

Nigel Griffiths *[holding answer 28 November 2001]:* Controls already apply to the export of goods or technology required for the development, production or use of military equipment and other equipment subject to export control. Such controls would apply to exports intended for use in overseas production. The Export Control Bill would add to the range of controls available to Government by providing the power to control the electronic transfer of military technology currently only applicable for dual-use items. The Government are consulting EU partners about including an explicit reference to overseas production in the EU Code of Conduct on Arms Exports.

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what measures contained in the Export Controls Bill will control the activities of British brokers in supplying arms if they make a deal outside of the United Kingdom. [18669]

Nigel Griffiths *[holding answer 28 November 2001]:* Clause 4 of the Export Control Bill would provide the Secretary of State with powers to make orders in connection with trade controls, commonly referred to as trafficking and brokering. This power would allow such controls to be imposed on acts carried out abroad by a United Kingdom person or by a person acting under the control of a United Kingdom person. As set out in the dummy orders relating to the Bill, which were made available to Parliament in October, the Government propose to introduce controls on trafficking and brokering by United Kingdom persons overseas of equipment whose export has been banned because of evidence of its use in torture and long-range missiles, and trafficking and brokering by such persons to any destination subject to a UN, EU, OSCE or UK arms embargo.

Government Office for the North West

Mr. Hoyle: To ask the Secretary of State for Trade and Industry if she will review the *(a)* operations and *(b)* procedures in the Government Office for the North West. [18964]

Alan Johnson: My right hon. Friend the Secretary of State for Trade and Industry has recently carried out a review of the business support functions of the whole Department, including those services provided via the Government Offices. On 22 November, my right hon. Friend the Secretary of State for Trade and Industry announced key changes to be made to the role of the Government Offices. A review of the Government Office for the North West's performance during the first half of the 2001–02 financial year, against outcomes set in the Department of Trade and Industry's Business Plan, is under way.

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what *(a)* advice and *(b)* support the Government Office for the North West can provide to businesses on management buyouts. [18962]

Alan Johnson: The Government Office for the North West and partners, including the Small Business Service and the North West Development Agency, provide general advice to businesses on a wide range of issues. Where a company is situated in an Assisted Area, the Government Office may be able to offer direct financial support for the management buyout.

Mr. Hoyle: To ask the Secretary of State for Trade and Industry for what reason no file was held at the Government Office for the North West on the closure of Thomas Witter in Chorley. [18961]

Alan Johnson: The Government Office for the North West holds files where companies seek financial assistance or some other substantive relationship. No such approach has been received from Thomas Witter Ltd.

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what the role of the Government Office for the North West is in helping businesses that have been taken into administration. [18960]

Alan Johnson: The role the Government Office for the North West is to provide advice and support to local companies, whatever their situation, or to direct them to the most appropriate sources of advice and support. Provision of financial assistance depends on a number of factors including the size of the company concerned, the nature of its business and its location.

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what recent assessment she has made of the quality of the operation of the Government Office for the North West; and if she will make a statement on the future of the Government Office for the North West. [18925]

Alan Johnson: A review of the Government Office for the North West's performance during the first half of the 2001–02 financial year, against outcomes set in the Department of Trade and Industry's Business Plan, is under way. On 22 November, my right hon. Friend the Secretary of State for Trade and Industry announced key changes that will be made to the DTI, including changes to the role of the Government Offices. There will continue to be a need for a strong DTI presence in the Government Office, but with a greater emphasis on influencing the whole range of government activity in the regions and on playing a stronger role in helping to shape policy and strategy centrally.

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what role the Government Office for the North West played in relation to Thomas Witter; and what procedures will be in place for staff at the Government Office for the North West to deal with the case of Thomas Witter. [18963]

Alan Johnson: Government Office officials brought the case of Thomas Witter Ltd. to the attention of the North West Development Agency, who agreed to consider whether support might be available from the intervention fund. Staff at the Government Office for the North West will continue to follow the correct procedures in dealing with this case.

Aluminium Industry

Mr. Dalyell: To ask the Secretary of State for Trade and Industry what assessment she has made of the *(a)* financial and *(b)* employment situation in the British aluminium industry. [17654]

Mr. Wilson: With greater consolidation in the world aluminium industry over the last two years, rationalisation is inevitable. In response to the downturn in world aluminium markets major global players, notably Alcan and Alcoa (which both own plant in the UK), have brought forward plans for restructuring their respective global operations. Along with other countries, the UK will be affected.

Solar Power

Mr. Chaytor: To ask the Secretary of State for Trade and Industry if she will list the total amounts of grant aid available in *(a)* 2000–01 and *(b)* 2001–02 for the installation of domestic solar water heating systems, together with (i) the name of each local project responsible for administering this budget, (ii) the targets set in these financial years for each local project and (iii) their budget allocation. [16632]

Mr. Wilson: There are no grants available for the installation of solar water heating systems from central Government at present, though professionally installed systems have benefited from a reduced rate (5 per cent.) of VAT since April 2000. Government do not maintain a register of the number of systems installed and neither does the trade association, though it is probably somewhere between 3,000 and 5,000 systems a year.

There are various incentives and grants available from individual local authorities and organisations and from some utilities. Some useful examples can be found on the Energy Saving Trust website www.practicalhelp.org.uk or on the website of the trade association www.solartradeassociation.org.uk

Mr. Chaytor: To ask the Secretary of State for Trade and Industry if she will list the total amount of grant aid available in *(a)* 2000–01 and *(b)* 2001–02, for the installation of photovoltaic panels and roofing together with (i) the name of each local project responsible for administering the budget, (ii) the targets set in both of these financial years and (iii) their budget allocation. [16634]

Mr. Wilson: The Department has funded two rounds of the Domestic PV Systems Field Trial in 2000 and 2001, together supporting some 32 projects (over 500 homes) for the budget of £5.4 million. In addition, a Call for Proposals for the Large-Scale Building—Integrated PV Field Trial for Public Buildings is currently open. This should see around 15 projects on schools, hospitals etc. being supported for the budget of £3 million, and the results should be known by the end of February 2002.

The names of the nine project teams from the first round of the Domestic Field Trial will be included in a newsletter being prepared by the Building Research Establishment, and a copy will be sent to my hon. Friend and copies placed in the Libraries of the House. Summaries of the 23 successful projects from the second round are attached to the press release of 22 October on the DTI website, www.dti.gov.uk. No targets were set for these financial years.

Looking to the future, the Department is currently working up the design for the first phase of the Major PV Demonstration Programme, announced in the Government's White Paper "Opportunity for All", on 13 February 2001. This has £20 million allocated over the next two financial years, and it is envisaged it will be open to applications from all types and sizes of building, with an average 50 per cent. capital grant on offer. There are no specific targets as yet, but it is expected that the first phase will result in up to 3,000 domestic roof-top systems and a couple of hundred larger non-domestic installations. Targets for subsequent phases will depend on the success of the first phase and the level of funding available.

Afghanistan

Ann Clwyd: To ask the Secretary of State for Trade and Industry (1) if the Government have *(a)* transferred and *(b)* approved the transfer of controlled goods to (i) the Northern Alliance, (ii) its component factions and (iii) other non-state actors operating in Afghanistan since 11 September; [18215]

(2) what plans the Government have to facilitate the delivery of controlled goods to *(a)* the Northern Alliance, *(b)* its component factions and *(c)* other non-state actors operating in or around Afghanistan; [18220]

(3) what plans the Government have to transfer controlled goods to *(a)* the Northern Alliance, *(b)* its component factions and *(c)* other non-state actors operating in Afghanistan; [18216]

(4) if the Government have facilitated the delivery of controlled goods to *(a)* the Northern Alliance, *(b)* its component factions and *(c)* other non-state actors operating in Afghanistan since 11 September; [18217]

(5) what plans the Government have to fund weapons purchases by *(a)* the Northern Alliance, *(b)* its component factions and *(c)* other non-state actors operating in Afghanistan; [18226]

(6) if the Government have funded weapons purchases by *(a)* the Northern Alliance, *(b)* its component factions and *(c)* other non-state actors operating in Afghanistan since 11 September. [18221]

Mr. Bradshaw: I have been asked to reply.

The Government are involved in military operations in self-defence against international terrorists within Afghanistan. Information and plans about these operations are extremely sensitive, and it would not be in the public interest for them to be disclosed. In my opinion, exemptions 1a) and b) (Defence, Security and International Relations) of the Code of Practice on Access to Government Information apply here.

Public Service Orders

Mr. Carmichael: To ask the Secretary of State for Trade and Industry what funds are available from *(a)* the Treasury and *(b)* the EU for the subsidising of public service orders. [18728]

Mr. Jamieson: I have been asked to reply.

Public Service Obligations (PSOs) are at present imposed in the UK only on lifeline routes within Scotland. These routes receive subsidies from the Scottish Executive and the Island Councils. There is no provision for the EU to subsidise air services which are subject to PSOs.

DEFENCE

War Pensions

Dr. Palmer: To ask the Secretary of State for Defence if he will set out the new rates of war pensions and allowances proposed from April 2002. [19996]

Mr. Ingram: The information requested is set out in the table. The Annual uprating of war pensions and allowances for 2002 will take place from the week beginning 8 April.

War pensions rates

Weekly rates unless otherwise shown

	Rates 2001	*Rates 2002*
Disablement Pensions (100% rates)		
Officer (£ per annum)	6,251.00	6,356.00
Other ranks	119.80	121.80
Age allowances		
40–50%	8.00	8.15
over 50 but not over 70%	12.35	12.55
over 70 but over 90%	17.55	17.85
over 90%	24.70	25.10
Disablement gratuity		
Specified minor injury (minimum)	762.00	775.00
Specified minor injury (maximum)	5,695.00	5,792.00
Unspecified minor injury (minimum)	316.00	321.00
Unspecified minor injury (maximum)	7,406.00	7,532.00
Unemployability allowance		
Personal	74.00	75.25
Adult dependency increase	41.75	42.45
Increase for first child	9.70	9.85
Increase for subsequent children	11.35	11.55
Invalidity allowance		
Higher rate	14.65	14.90
Middle rate	9.30	9.50
Lower rate	4.65	4.75
Constant attendance allowance		
Exception rate	90.40	92.00
Intermediate rate	67.80	69.00
Full day rate	45.20	46.00
Part day rate	22.60	23.00
Comforts allowance		
Higher rate	19.40	19.70
Lower rate	9.70	9.85
Mobility supplement	43.10	43.85
Allowance for lowered standard of occupation (maximum)	45.16	45.92
Exceptionally severe disablement allowance	45.20	46.00
Severe disablement occupational allowance	22.60	23.00
Clothing allowance (£ per annum)	154.00	157.00
Education allowance (£ per annum) (maximum)	120.00	120.00
War widow's pension		
Widow (private)	90.45	92.00
Widow (NCO)	90.75	92.30
Widow—officer (£ pa maximum)	5,594.00	5,689.00
Childless widow u-40 (private)	21.75	22.12
Childless widow u-40 (NCO)	21.75	22.12
Childless widow (Officer maximum £s pa)	5,594.00	5,689.00
Supplementary pension	58.95	59.95
Age allowance		
(a) age 65 to 69	10.35	10.55
(b) age 70 to 79	19.85	20.20
(c) age 80 and over	29.55	30.05
Children's allowance		
Increase for first child	14.30	14.55
Increase for subsequent children	15.95	16.20
Orphan's pension		
Increase for first child	16.20	16.50
Increase for subsequent children	17.85	18.15
Unmarried dependant living as spouse (maximum)	88.40	89.95
Rent allowance (maximum)	34.20	34.80
Adult orphan's pension (maximum)	69.75	70.95
Widower's pension		
Private (maximum)	90.45	92.00
Officer (£ per annum) (maximum)	5,594.00	5,689.00

RAF Halton

Mr. Lidington: To ask the Secretary of State for Defence if he will list the properties at RAF Halton which his Department *(a)* has disposed of in the last five years, *(b)* classifies as surplus to requirements and *(c)* plans to classify as surplus to requirements. [17644]

Dr. Moonie *[holding answer 26 November 2001]:* Three minor disposals of garden or amenity land of minimal value have been made over the past five years. In addition, 12 properties were transferred permanently to Annington Homes Ltd. (AHL) as part of the sale of the Married Quarters Estate in November 1996 with a further 82 properties following on 1 June 2001.

Halton Hospital plus an area adjoining the south-west corner known as The Old Pumping Station at Warneford Avenue (0.4ha) has been classified as surplus to requirements. A further 57 properties are likely to be handed back to AHL in March 2002.

Halton House officers' mess may become surplus in due course. However, the ongoing Defence Training Review includes RAF Halton and it is too early to say what the outcome will be. There are no plans to declare any further family quarters at Halton surplus to requirements in the foreseeable future.

Mr. Lidington: To ask the Secretary of State for Defence if Defence Estates has set a target date for the disposal of the site of the Princess Mary Hospital, RAF Halton. [17646]

Dr. Moonie *[holding answer 26 November 2001]:* We anticipate that the site will be sold in March 2003.

Civil Affairs Group

Mr. Swayne: To ask the Secretary of State for Defence when and where elements of the Civil Affairs Group have been deployed on operations; and what the number of personnel involved was. [18870]

Mr. Ingram *[holding answer 28 November 2001]:* The Civil Affairs Group was formed initially in 1997. The numbers of Civil Affairs Group personnel deployed on operations, and the locations and dates of those deployments are shown in the table.

Dates	*Number*	*Regular*	*TA*
OP Palatine—Bosnia			
November 1997 to May 1998	[1]4	—	4
November 1997 to May 1998	[1,3]4	4	2
	[2]2	—	—
OP Agricola—Macedonia/Kosovo/Albania			
February 1999 to June 1999	[1]1	1	—
April 1999 to July 1999	[1]3	—	3
	[2]2	—	2
June to July 1999	[1]2	1	1
	[2]2	2	—
July 1999 to August 1999	[1]2	—	2
	[2]2	—	2
July 1999 to October 1999	[1,3]2	—	2
	[2]2	—	2
October 1999 to December 1999	[1,3]3	—	3
	[2]3	1	2
May 2001 to January 2002	[2]1	—	1
OP Langar—East Timor			
August 1999 to September 1999	[1]1	1	—
September 1999 to December 1999	[1]1	1	—
OP Pallister/Silkman—Sierra Leone			
April 1999 to June 1999	[1]2	2	—
November 2000 to February 2001	[1]1	1	—
January 2001 to June 2001	[1]1	—	1
	[2]1	1	—
February 2001 to May 2001	[1]1	1	—
June 2001 to October 2001	[2]2	2	—
September 2001 to January 2002	[1]2	—	2

[1] Officers

[2] Other ranks (ORs)

[3] Denote that the numbers include personnel not on the Civil Affairs Group establishment but who were trained by the Group and deployed with them to undertake Civil Affairs and Civil/Military Co-operation tasks.

Mr. Swayne: To ask the Secretary of State for Defence what plans he has to deploy elements of the Civil Affairs Group to Afghanistan; and if he will make a statement. [18871]

Mr. Ingram *[holding answer 28 November 2001]:* The situation in Afghanistan continues to be fluid and our forces remain well balanced to respond to events as they unfold. A core force package, including a detachment from the Civil Affairs Group, is maintained at very high readiness to deploy if required. Personnel from the Civil Affairs Group are already involved in planning and liaison tasks outside Afghanistan.

POWs (Far East)

Peter Bradley: To ask the Secretary of State for Defence whether the advice as to their qualification on nationality grounds offered in the War Pensions Agency's leaflet 12 to potential claimants of the ex-gratia payment for British groups who were held prisoner by the Japanese during World War Two conforms to current guidance. [17149]

Dr. Moonie: Yes. The War Pensions Agency Leaflet No. 12 lists among the potential claimants for the ex-gratia payment "surviving British civilians who were interned by the Japanese in the Far East during the Second World War". A separate War Pensions Agency note explaining the requirement to confirm a bloodline to the United Kingdom and how this can be done, is sent out with each claim form.

EU Rapid Reaction Force

Dr. Julian Lewis: To ask the Secretary of State for Defence what changes of role his Department has assessed to be required for the proposed EU rapid reaction force in consequence of the 11 September attacks. [18257]

Mr. Hoon: There are no plans for a standing EU rapid reaction force.

While the capabilities being developed under the European Security and Defence Policy (ESDP) can also play an important role in any military response to international terrorism, the scope of ESDP should remain firmly focused on crisis-management tasks.

Armed Forces (Drugs)

Dr. Murrison: To ask the Secretary of State for Defence what assessment he has made of the armed forces compulsory drug testing programme; and if he will make a statement. [18412]

Mr. Ingram: Our policy is that drug misuse is incompatible with service in the armed forces. The use of random compulsory drug testing of staff sends a clear message to service personnel about this policy. In addition, it provides a means of measuring the level of drug misuse in the services, and whether the misuse of a particular drug, or class of drugs, is on the increase or is in decline. It is also an important means with which to assess and audit the effectiveness of the education programmes run by each of the services.

Territorial Army

Mr. Swayne: To ask the Secretary of State for Defence, pursuant to his answer of 22 November 2001, *Official Report*, column 373W, on the Territorial Army, for what reason the decision was taken to re-tender for the national advertising contract. [18842]

Dr. Moonie: In accordance with normal practice the national advertising contract for the Territorial Army and Regular Army is subject to regular review. The Army Training and Recruiting Agency's recruiting authorities, in conjunction with the Central Office of Information, reviewed the current contract and concluded that there was a need to refresh the current advertising campaign and that this was best achieved by a process of re-tendering.

Gibraltar

Syd Rapson: To ask the Secretary of State for Defence what talks have taken place with the Spanish Government on their refusal to permit British military aircraft to fly over their airspace to Gibraltar; and what reason has been given by the Spanish Government for refusing to permit British military aircraft to fly through Spanish air space en route to Gibraltar. [19139]

Mr. Ingram: There have been no recent discussions with Spain about restrictions on British military aircraft flying through Spanish air space.

Army Personnel

Mr. Swayne: To ask the Secretary of State for Defence how many people *(a)* joined and *(b)* left the Army in each month between 1 May and 1 September. [16468]

Mr. Ingram: The number of people joining and leaving the Army in each of the months between May and September is as follows:

Month	*Joined*[1]	*Left*[1]
May	1,152	1,186
June	782	1,257
July	1,004	1,136
August	1,157	1,084

[1] The table shows all personnel who joined or left UK regular forces with the exception of illegal absentees. The list includes transferees from other services, Royal Air Force, Royal Navy and personnel joining from other nation's services.

Exercise Saif Sareea 2

Mr. Swayne: To ask the Secretary of State for Defence what instructions he gave to joint chiefs of staff not to proceed with exercise Saif Sareea 2; and if he will make a statement. [19375]

Mr. Hoon: None. The Ministry of Defence regularly reviews its forward programme and re-evaluates all commitments in the defence plan to ensure that they represent good value for money. Given its scale and importance, Exercise Saif Sareea 2 was kept under particularly careful review to ensure that it met this criteria and the armed forces training requirements. In the early part of 2000 a number of options for the exercise were investigated as part of this process. The review confirmed the importance of carrying out an exercise on this scale and at this distance from the UK. Recent events have proved this to be the case.

Afghanistan

Mr. Nicholas Winterton: To ask the Secretary of State for Defence if he will make a statement on the *(a)* number and *(b)* nature of the casualties sustained among British armed forces in Afghanistan. [19082]

Mr. Hoon: I can confirm that four service personnel were wounded on operations in Afghanistan, one seriously. They are all now back in the UK receiving treatment.

PRIME MINISTER

E-democracy

Mr. Anthony D. Wright: To ask the Prime Minister what plans he has to further e-democracy. [20086]

The Prime Minister: I have asked my right hon. Friend the President of the Council and Leader of the House of Commons to chair a new Cabinet Committee on e-democracy. The composition and terms of reference of the new committee are:

Ministerial Committee on e-Democracy (MISC17)

Composition

The President of the Council and the Leader of the House of Commons (Chair)

Secretary of State for Trade and Industry

Financial Secretary to the Treasury

Minister without Portfolio

Minister of State for Transport, Local Government and Regions

Minister of State for Home Affairs

Minister of State for Trade and Industry

Minister of State for Cabinet Office

Parliamentary Secretary for the Leader of the House of Commons Office

Parliamentary Under-Secretary of State for Education and Skills

Invited to attend

The e-Envoy

Terms of Reference

"To consider ways of strengthening the democratic process by engaging the public and their elected representatives through the use of the internet and other electronic means."

Pledge to British Muslims

Mr. Andrew Turner: To ask the Prime Minister if he *(a)* instructed or *(b)* agreed to the Cabinet secretary signing the pledge to British Muslims; and if he will make a statement. [15120]

The Prime Minister: The secretary of the Cabinet signed the pledge as head of the home civil service because he thought it particularly important at this time to reassure Muslims and those of different faiths within the civil service through a positive statement of this kind. Diversity is an important part of the agenda for the reform of the civil service. He believed it to be a non-controversial statement put forward by a well-established organisation affiliated to the Muslim Council of Britain and he understood that it had the support of all the main political parties. He did not act under instruction.

Mr. Andrew Turner: To ask the Prime Minister when he was invited by the Islamic Society of Britain to sign their pledge to British Muslims; when a text for the pledge was first communicated to him; when he agreed to sign; and whether the text first communicated to him was that which was signed on his behalf. [15121]

The Prime Minister: It is not our practice to give details on such matters. The Deputy Prime Minister signed it on the Government's behalf and all three main political parties were represented at the launch of the pledge.

Pledge

Mr. Andrew Turner: To ask the Prime Minister if he will list the pledges signed by *(a)* the holder of the office of Cabinet secretary and *(b)* himself since 1 May 1997. [15119]

The Prime Minister: No record of pledges is kept. I signed a variety of expressions of support, as previous Prime Ministers have done before me.

Successive secretaries of the Cabinet, as head of the home civil service, have made public commitments to the continued reform of the civil service and to particular aspects of it.

Suez Medal

Bob Spink: To ask the Prime Minister what plans he has to issue a Suez medal for service between 1951 and 1954. [18177]

The Prime Minister: The Committee on the Grant of Honours, Decorations and Medals which advises Her Majesty the Queen on the issue of such medals has not made any recommendation on this issue. But I am sure it will consider any representations the hon. Member may wish to make on this matter.

International Crime Tribunal

Mr. Paul Marsden: To ask the Prime Minister what representations he has made to the United Nations Security Council to establish an international criminal tribunal to try the perpetrators of the attacks on 11 September; and if he will make a statement. [18851]

The Prime Minister: International criminal courts or tribunals are not a substitute for national jurisdictions, and never have been. They are there to take action against individuals who have committed crimes for which a relevant national jurisdiction is unable or unwilling to take action. That does not apply in this case. The United States has every justification to try those responsible for the attacks in its own country.

Decommissioning (IRA)

Rev. Martin Smyth: To ask the Prime Minister if he will request from the Independent International Commission on Decommissioning the inventory of the weapons decommissioned by the IRA. [18861]

The Prime Minister: On 23 October the Independent International Commission on Decommissioning reported that it had witnessed a quantity of IRA arms being put beyond use. It confirmed the material in question includes arms, ammunition and explosives.

However, in the interest of furthering the decommissioning process, the Commission declined to provide further details. We all must respect the Commission's own judgment on how best to proceed to fulfill its mandate, the decommissioning of all paramilitary arms.

I look forward to further progress on the arms issue alongside the full implementation of the Good Friday Agreement, and the long-term stability of the Northern Ireland political institutions.

Saif Sareea 2

Mr. Swayne: To ask the Prime Minister what discussions he had with the joint chiefs of the defence staff regarding *(a)* possible cancellation of and *(b)* reduction in the scope of exercise Saif Sareea 2. [19376]

The Prime Minister: None.

TRANSPORT, LOCAL GOVERNMENT AND THE REGIONS

Rail Regulator

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to change the powers of the Rail Regulator. [15502]

Mr. Byers *[holding answer 16 November 2001]:* We intend to streamline the existing structure while still recognising that there will be a continued need for some form of independent economic regulation.

Eurostar

Mr. Don Foster: To ask the Secretary of State for Transport, Local Government and the Regions what track access charges have been paid by Eurostar for use of tracks *(a)* between Waterloo and the Channel Tunnel, *(b)* within the Channel Tunnel, *(c)* on French rail lines and *(d)* on Belgian rail lines, for each year since the commencement of operations. [15950]

Mr. Jamieson: The Track Access Charges for Eurostar services are commercially sensitive and cannot therefore be made public.

Track Access Charges in France and Belgium are not paid by Eurostar (UK) Ltd. but are dealt with by their business partners, SNCF and SNCB.

Car Ownership (Buckingham)

Mr. Bercow: To ask the Secretary of State for Transport, Local Government and the Regions how many people owned a car in the Buckingham constituency in the last year for which information is available. [17846]

Mr. Jamieson: The Department has no information on the number of people owning cars in the Buckingham constituency. The Driver and Vehicle Licensing Agency record shows that the number of currently licensed cars registered to keepers in the Buckingham constituency at December 2000 was 44,899.

Registered Social Landlords

Ms Buck: To ask the Secretary of State for Transport, Local Government and the Regions how many *(a)* council and *(b)* Registered Social Landlord (RSL) properties there are where the target rents are below current rents at current prices; and how many and what percentage of (i) council and (ii) RSL properties there are in each English region where the target rent is at or below current rents at current prices. [17824]

Ms Keeble: The information is not currently available. Social landlords will only have completed their property valuations and calculated their target rents under the reforms around the end of this calendar year.

Ms Buck: To ask the Secretary of State for Transport, Local Government and the Regions if he will estimate the number and percentage of *(a)* council and *(b)* RSL rents scheduled to fall as a result of his policy to restructure rents in *(i)* England and *(ii)* each region. [17825]

Ms Keeble: The information is not available in the form requested. In particular, the figures critically depend on assumptions about what would have happened to rents in the absence of restructuring.

East Coast Main Line

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions which phases of the infrastructure upgrades on the East Coast Line have so far been *(a)* started and on what date and *(b)* completed and on what date; on what dates the subsequent phases of the upgrades are due (i) to start and (ii) to be completed; and if he will make a statement. [17790]

Mr. Byers *[holding answer 23 November 2001]:* Phase 1 of the project, which commenced in 1999, provides capacity improvements to the Leeds Station area and is expected to be completed by 2004–05. The Strategic Rail Authority is continuing to take forward project development work on the upgrade.

Millennium Dome

Nick Harvey: To ask the Secretary of State for Transport, Local Government and the Regions if he has set a deadline for concluding *(a)* the sale and *(b)* a lease of (i) the Millennium Dome and (ii) the site of the Millennium Dome. [18069]

Ms Keeble: I refer the hon. Member to the reply I gave to the hon. Member for South Suffolk (Mr. Yeo) on 16 November 2001, *Official Report,* column 906W.

Nick Harvey: To ask the Secretary of State for Transport, Local Government and the Regions what offers have been made *(a)* to purchase and *(b)* to lease (i) the Millennium Dome and (ii) the site of the Millennium Dome since 1 January. [18070]

Ms Keeble: While the process to secure a long-term use of the Dome continues, it would not be appropriate to publish such information, which is commercially confidential. To reveal any of these details would undermine on-going discussions, would not be conducive to a successful conclusion and would be against the public interest.

Social Housing

Mr. Drew: To ask the Secretary of State for Transport, Local Government and the Regions how many houses were built by the 10 largest housing associations in each of the last three years; how many are projected for next financial year; and what grant was payable to each association in each of those years. [18351]

Ms Keeble *[holding answer 27 November 2001]:* (a) Based on information supplied by the Housing Corporation, the number of self-contained units built by the 10 largest housing associations in each of the last three years are as shown in the following three tables. Also shown is the total grant allocated to the housing association during each year for building purposes.

		Self-contained units built		
1998–99	*Total*	*Built without subsidy*	*Built with subsidy*	*Allocation £000*
North British Housing Ltd.	795	112	683	16,092
Sanctuary Housing Association	677	34	643	7,670
London and Quadrant Housing Trust	532	0	532	14,828
Riverside Housing Association Ltd.	465	0	465	8,812
The Guinness Trust	439	0	439	10,295
Hyde Housing Association Ltd.	432	13	419	13,299
Northern Counties Housing Association Ltd.	392	114	278	5,337
William Sutton Trust	327	0	327	4,512
Home Group Ltd.	291	56	235	12,622
Anchor Trust	282	0	282	3,892
Total	4,632	329	4,303	97,358

		Self-contained units built		
1999–2000	*Total*	*Built without subsidy*	*Built with subsidy*	*Allocation £000*
North British Housing Ltd.	1,131	569	562	14,947
Home Group Ltd.	593	0	593	12,089
The Guinness Trust	584	0	584	7,457
Sanctuary Housing Association	495	5	490	2,894
Hyde Housing Association Ltd.	458	17	441	10,650
London and Quadrant Housing Trust	398	0	398	12,880
Northern Counties Housing Association Ltd.	312	31	281	5,464
Riverside Housing Association Ltd.	291	109	182	5,806
Anchor Trust	151	0	151	11,147
Paddington Churches Housing Association Ltd.	104	0	104	4,681
Total	4,517	731	3,786	88,016

2000–01	Total	Self-contained units built Built without subsidy	Built with subsidy	Allocation £000
Home Group Ltd.	705	5	700	7,605
North British Housing Ltd.	577	47	530	13,350
The Guinness Trust	416	0	416	14,544
Hyde Housing Association Ltd.	416	10	406	15,834
Northern Counties Housing Association Ltd.	306	45	261	4,400
London and Quadrant Housing Trust	284	0	284	22,106
Riverside Housing Association Ltd.	274	62	212	4,827
Anchor Trust	132	0	132	12,615
Sanctuary Housing Association	111	0	111	6,315
Peabody Trust	56	12	44	3,659
Total	3,277	181	3,096	105,255

Notes:

1. The top 10 RSLs/HAs by size, for each of the three periods, was determined by totalling, for each RSL, the following figures:
their total stock of self-contained units;
the number of hostel/shared housing bedspaces;
the number of units where the RSL had an interest in a shared ownership scheme or a leasehold for the elderly scheme;
the stock managed for non-RSLs (stock managed for other RSLs was excluded).
2. It is important to note that grants allocated to an RSL may not necessarily be reflected in the number of units built within that same year.
3. The total grant allocation is the sum of the ADP grant allocated by the Housing Corporation and the LASHG grant allocated by the local authority.
4. The number of units built annually comprises new-build self-contained units only.

(b) Housing Corporation allocations to the top 10 RSLs in 2001–02 for the construction of new units are as follows:

	ADP allocation £000	Number of units to be built with this allocation
Peabody Trust	17,736	243
Riverside Housing Association Ltd.	2,034	95
Sanctuary Housing Association	1,328	74
Northern Counties Housing Association Ltd.	3,282	108
North British Housing Ltd.	9,522	283
Home Group Ltd.	11,569	288
Hyde Housing Association Ltd.	15,565	315
The Guinness Trust	9,883	243
London and Quadrant Housing Trust	22,538	352
Anchor Trust	8,153	140
Total	101,610	2,141

Note:

The allocation figures represent the start-of-year position for accepted allocations prior to grant confirmation. Note that the allocation in the table refers to ADP allocations by the Housing Corporation only. Information on LASHG grants for the current year are not yet available.

Ms Buck: To ask the Secretary of State for Transport, Local Government and the Regions how many households in council and RSL properties will not have reached their target rents by 2012–13. [18625]

Ms Keeble: The information is not available. In particular, rate of increase of actual council and RSL rents over the next 10 years will depend, among other things, on the outcome of future spending reviews (for council rents) and periodic reviews by the Housing Corporation (for RSL rents).

Aviation Industry

Mr. Donohoe: To ask the Secretary of State for Transport, Local Government and the Regions what calculations his Department has made as to the additional costs incurred as a result of increased security measures at United Kingdom airports since 11 September by *(a)* United Kingdom airports, *(b)* airlines and *(c)* other service providers. [18451]

Mr. Jamieson: Following informal contacts between my Department and the aviation industry we estimate that the extra security measures introduced since 11 September will have cost the aviation industry about £50 million by the end of the year.

Mr. Donohoe: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to assist *(a)* United Kingdom airports and *(b)* airlines in respect of additional costs incurred as a result of increased security measures at United Kingdom airports. [18452]

Mr. Jamieson: We are considering whether emergency aid should be paid to the UK aviation industry to compensate for the events of 11 September, and we will take the guidelines on state aid issued by the European Commission and endorsed by the EU Transport Council fully into account in any decision.

Car Ownership (Arundel and South Downs)

Mr. Flight: To ask the Secretary of State for Transport, Local Government and the Regions how many people owned a car in the constituency of Arundel and South Downs in the last year for which figures are available. [18311]

Mr. Jamieson: The Department has no information on the number of people owning cars in the Arundel and South Downs constituency. The Driver and Vehicle Licensing Agency record shows that the number of currently licensed cars registered to keepers in the Arundel and South Downs constituency at December 2000 was 47,966.

Homeless People

Mr. Don Foster: To ask the Secretary of State for Transport, Local Government and the Regions what proportion of non-secure lettings made by local authorities by region in each of the years 1997–98 to 2000–01 were *(a)* introductory tenancies and *(b)* lettings made to discharge their duties to homeless households under section 193 of the Housing Act 1996. [18300]

Ms Keeble: Information on the number of lettings made by local authorities to discharge their duties to homeless households under section 193 of the Housing Act 1996 is not available centrally.

The table gives the available information on

(a) the proportion of local authority non-secure lettings that were introductory tenancies; and

(b) the proportion of non-secure lettings to homeless households in priority need. The latter will include lettings that are made to discharge the local authorities duties to homeless households under section 193 of the Housing Act 1996 and may include some lettings that are introductory tenancies (that would end the section 193 duty).

Introductory tenancies as a percentage of local authority non-secure lettings and percentage of all non-secure lettings given to homeless households in priority need

Percentage

	1997–98	*1998–99*	*1999–2000*
North East			
Introductory tenancies	84	92	93
Homeless households	19	12	14
North West			
Introductory tenancies	95	97	98
Homeless households	13	12	14
Yorkshire and The Humber			
Introductory tenancies	68	68	64
Homeless households	30	29	34
East Midlands			
Introductory tenancies	36	73	77
Homeless households	68	29	22
West Midlands			
Introductory tenancies	60	87	92
Homeless households	33	16	25
East of England			
Introductory tenancies	20	26	42
Homeless households	80	80	60
London			
Introductory tenancies	29	51	56
Homeless households	75	59	68
South East			
Introductory tenancies	12	25	40
Homeless households	93	81	67
South West			
Introductory tenancies	27	67	69
Homeless households	78	46	47
England			
Introductory tenancies	63	77	81
Homeless households	40	29	30

Note:

Homeless households are households in priority need for whom a statutory duty has been accepted by a local authority under homelessness provisions of Housing Acts. Lettings to these households have been expressed as a percentage of lettings to "new" tenants i.e. excluding transfers and exchanges between existing tenants of social landlords.

Source:

DTLR Housing Investment Programme returns (annual)

Detling Beacon

Hugh Robertson: To ask the Secretary of State for Transport, Local Government and the Regions if there has been an increase in *(a)* air traffic using and *(b)* night flights in the corridor five miles either side of Detling Beacon in Kent since 11 September. [18471]

Mr. Jamieson: We are not aware of any increase in either air traffic users or night flights in the corridor five miles either side of the Detling Beacon since 11 September.

Housing Management

Mr. Miller: To ask the Secretary of State for Transport, Local Government and the Regions if he will announce his decisions on the first round of local authorities' bids for additional resources to establish arm's-length housing management companies to improve their housing standards. [18828]

Mr. Byers: We have decided that conditional allocations should be made to the following local authorities sufficient to support capital investment through arm's-length companies on housing improvements in 2002–03 and 2003–04 up to the sums indicated:

£ million

Local authority	*Conditional allocation*
Ashfield	24.0
Derby	31.1
Hounslow	35.0
Kirklees	62.5
Rochdale	24.2
Stockton-on-Tees	44.5
Westminster	20.3
Wigan	58.3

If confirmed, these allocations should ensure that the housing stock of most of the authorities concerned meets the Government's decent homes standard by 2006.

Final allocations will depend on services delivered by the arm's-length company achieving an excellent rating from the Housing Inspectorate. Exceptionally, for round one only, we are prepared to allocate 50 per cent. of conditional allocations where companies are assessed as good and likely to improve. Authorities will also require the Secretary of State's approval under section 27 of the Housing Act 1985, the granting of which will be subject to the criteria set out in my Department's Guidance last April, including criteria on the responsibilities, constitution and staffing of the arm's-length companies.

We have been unable to accept the bid from Kensington and Chelsea because it did not fully separate strategic and operational responsibilities between the council and the proposed company as required by the arm's-length principle.

Authorities to which we have been unable to make conditional allocations in round one are invited to consider applying again. The closing date for applications in round two is the end of February 2002.

Housing Stock (Radon Emissions)

Mr. Steen: To ask the Secretary of State for Transport, Local Government and the Regions how many discretionary grants have been awarded for remedial work to reduce the risk from radon emissions in *(a)* Devon and *(b)* England and Wales since 1996; and what has been the total cost. [18356]

Ms Keeble *[holding answer 27 November 2001]:* The Government have made available to all local housing authorities in England and Wales a single capital pot of £705 million this year for housing capital expenditure purposes. Any discretionary grant given by an authority for radon remedial work will be from this source. We do not have reliable centrally collected figures on the number of such discretionary grants for this or earlier years.

Rural Public Transport

Mr. Breed: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to the answer of 22 November 2001, *Official Report*, column 423W, on rural public transport, if he will list *(a)* the local authorities that have received local transport capital funding, *(b)* the organisations that received central Government funding from the Rural Bus Challenge and *(c)* the organisations that received support from the Rail Passenger Partnership in 2001–02. [18835]

Ms Keeble: All local highway authorities in England (outside London) are allocated funding annually for local transport capital investment through the Local Transport Plan process. The allocation of the £1.36 billion capital funding made available for local transport in 2001–02 was announced in December 2000.

The following 34 English local authorities have received funding to date in 2001–02 from the Rural Bus Challenge Fund:

Bedfordshire
Cumbria
Devon
Dorset
East Riding
East Sussex
Essex
Hampshire
Herefordshire
Hertfordshire
Kent
Lancashire
Leicestershire
Milton Keynes
Norfolk
North Lincolnshire
North Yorkshire
Northamptonshire
Northumberland
Nottinghamshire
Plymouth
Redcar and Cleveland
Shropshire
South Yorkshire
Staffordshire
Stockton-on-Tees
Suffolk
Thurrock
Torbay
Tyne and Wear
Warwickshire
West Yorkshire
Wiltshire
Worcestershire.

The Rail Passenger Partnership scheme funds partnerships that may consist of local authorities, passenger transport executives, train operators or public transport consortia. To date, for 2001–02, funding for the following 21 partnership schemes have been approved by the Strategy Rail Authority:

Vale of Glamorgan Rail Services
Anglia Service Improvement Package
Brentford Station Improvements
Taff Corridor Rolling Stock
Thornaby Station Facilities
Additional Class 333 trailer vehicles
Clitheroe and Blackburn Rail Services
Carmarthen-Milford-Haven Services
Swanage Rail Services
Haverfordwest Station Improvements
Burnham-on-Crouch Station Refurbishment
Heart of Wales Rail Services
Hexham-Carlisle Passenger Information
Waterbeach Station Facilities
Redruth Station Refurbishment
Tamar Valley (Winter Sunday Service)
Tees Valley Cycle Spaces
Liskeard Station Refurbishment
Southminster Branch Line
FGE Cycle Spaces
Traintaxi—national scheme.

Affordable Housing

Malcolm Bruce: To ask the Secretary of State for Transport, Local Government and the Regions what *(a)* number and *(b)* proportion of affordable housing units (i) have been built since March 2001 and (ii) will be built by March 2002. [18788]

Ms Keeble: The number of dwellings built by registered social landlords and local authorities in England in the six months from April 2001 to September 2001 is 7,300. This figure is 11 per cent. of all dwellings built in the period. Figures on the number of dwellings built by tenure are published monthly in the Housebuilding Statistical Release. The next release, giving figures for October 2001, will be published on 6 December. Information on how many dwellings will be built by March 2002 is not available.

Small Business (Rate Relief)

Malcolm Bruce: To ask the Secretary of State for Transport, Local Government and the Regions what steps she has taken to introduce legislation to provide rate relief for small businesses on former agricultural sites. [18784]

Dr. Whitehead: Provisions for a five year 50 per cent. mandatory rate relief scheme for new small businesses on what had previously been agricultural premises are contained in the Rating (Former Agricultural Premises and Rural Shops) Act 2001. The Act covers England and

Wales. The Act was commenced in England on 15 August. It has not yet been commenced in Wales, which is a matter for the National Assembly for Wales.

Green Belt Planning Applications

Mr. Chaytor: To ask the Secretary of State for Transport, Local Government and the Regions if he will list for each of the last 10 years the number of planning applications approved in the green belt for *(a)* residential and *(b)* commercial properties for each region of England. [16631]

Ms Keeble: The information requested is not held centrally by the Department, and could not be obtained without disproportionate cost.

Council Tax Benefit

Mr. Daisley: To ask the Secretary of State for Transport, Local Government and the Regions if he will abolish the council tax benefit subsidy limitation scheme before the 2002–03 settlement. [18922]

Dr. Whitehead: An announcement on whether the council tax benefit subsidy limitation scheme will be operated in 2002–03 will be made as part of the statement on the provisional local government finance settlement, which will be made on Tuesday 4 December, subject to the progress of Parliamentary business.

Car Safety

Ms Drown: To ask the Secretary of State for Transport, Local Government and the Regions what steps he is taking to improve the safety of cars with regard to pedestrians. [16491]

Mr. Jamieson: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Wigan (Mr. Turner) on 23 November 2001, *Official Report*, column 505W.

Planning Applications

Mr. Hoban: To ask the Secretary of State for Transport, Local Government and the Regions how many planning applications were awaiting a decision by him on *(a)* the most recent date, *(b)* 31 December 2000, *(c)* 31 December 1999, *(d)* 31 December 1998 and *(e)* 31 December 1997. [19201]

Ms Keeble: Information available is in the following form.

Date	*Numbers of called-in planning applications not decided*[1]
31 March 1998	57
31 March 1999	19
31 March 2000	60
31 March 2001	28

[1] These figures are the difference between the number of applications called-in in the year ending 31 March and the number cases decided in that year.

Regional Assemblies

Tim Loughton: To ask the Secretary of State for Transport, Local Government and the Regions what his timetable is for elected regional assemblies in England. [19311]

Dr. Whitehead: As the Deputy Prime Minister stated in the summer, the Government intend to publish a White Paper on regional governance. This will set out our plans for taking forward the manifesto commitment on elected regional government in England and indicate a timetable for setting up the first elected assemblies.

A27

Tim Loughton: To ask the Secretary of State for Transport, Local Government and the Regions when he will publish his *(a)* proposals and *(b)* timetable for road safety improvements for pedestrians at the Boundstone College crossing on the A27 at Sompting in West Sussex. [19301]

Mr. Jamieson: I have asked the Chief Executive of the Highways Agency, Mr. Tim Matthews, to write to the hon. Member.

Letter from Tim Waltham to Tim Loughton, dated 29 November 2001:

> The Transport Minister, David Jamieson, has asked me to reply to your recent Parliamentary Question about the proposal and timetable for road safety improvements at the Boundstone College crossing on the A27 at Sompting.
>
> A Public Consultation on four options for a grade separated pedestrian facility took place at Boundstone Community College in June 1999. The results were published in July 2000, indicating that the preferred option was a footbridge for pedestrians and dismounted cyclists.
>
> The bridge is being designed in detail and we expect to publish details of the proposals next Summer. Progress thereafter will depend on the reaction to those proposals. Subject to that, construction could commence in 2003/04.
>
> If you would like further details the Project Manager, Ing Fischer, at our Dorking office would be pleased to help you. His telephone number is 01306 878362.

Registered Vehicle Keepers (Buckinghamshire)

Mr. Bercow: To ask the Secretary of State for Transport, Local Government and the Regions how many registered vehicle keepers there are in the Buckingham constituency. [16912]

Mr. Jamieson *[pursuant to his reply, 23 November 2001, c. 499W]:* The number of currently licensed vehicles registered to keepers in the Buckingham constituency at December 2000 was 53,316.

Traffic Congestion

Tim Loughton: To ask the Secretary of State for Transport, Local Government and the Regions what his projections are for *(a)* traffic congestion, *(b)* the number of vehicles on the roads in the UK and *(c)* the number of car passenger and bus passenger miles travelled by (i) 2005, (ii) 2010 and (iii) 2020. [19302]

Mr. Jamieson: *(a)* "Transport 2010—The 10 Year Plan" forecasts that, as a result of the Plan, congestion in England will be some 6 per cent. lower in 2010 than in 2000. No forecasts have yet been made for 2005 or 2020.

(b) The Table shows the latest forecasts of the number of cars and light vans available to households for private use in Great Britain:

Year	*Cars in GB*
2000	25,127,000
2005	27,249,000
2010	29,480,000
2020	33,365,000

Source:
TEMPRO (Tripend Model Program) Version 4.1

DTLR does not make forecasts of the total number of heavy goods vehicles or buses.

(c) DTLR has not made forecasts of car or bus passenger miles.

English Partnerships

Mr. Pickthall: To ask the Secretary of State for Transport, Local Government and the Regions (1) if he will review the role of English Partnerships in relation to the former new towns; [18792]

(2) if he will return the assets in new towns held by English Partnerships to local authorities; [18794]

(3) if he will ensure that regeneration of former new towns is assisted by reinvestment of assets realised by English Partnerships locally and without clawback. [18793]

Ms Keeble: A review of all English Partnerships' activities is now under way. It is, of course, considering a wide range of issues, including EP's role in the former new towns and the future ownership of land there.

I expect the first part of the review to be completed by about Christmas, with a second part, looking in more detail at the implementation of the recommendations, ready by Easter 2002.

River Thames

Jim Dobbin: To ask the Secretary of State for Transport, Local Government and the Regions what progress has been made on the recommendations made by Lord Justice Clarke to increase safety on the River Thames. [19912]

Mr. Jamieson: I have today placed in the Libraries of the House an updated summary of the action taken on each of Lord Justice Clarke's 74 recommendations.

Park Homes Working Party

Diana Organ: To ask the Secretary of State for Transport, Local Government and the Regions what progress he has made on his consideration of the report of the Park Homes Working Party. [20017]

Ms Keeble: I am pleased to announce today the publication of the Government's response to the report of the Park Homes Working Party, copies of which have been placed in the Library of the House. The response gives a detailed response to each of the Working Party's recommendations and indicates how we intend to take them forward. It also includes a summary of the responses received to our consultation on the Working Party's report last year. The response indicates our commitment to taking forward the agenda for reform in this area, with the aim of ensuring a fair balance of interests between the rights and responsibilities of residents and site owners of park homes.

Local Government Funding (Buckinghamshire)

Mr. Goodman: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the allocation of central Government funds to *(a)* Wycombe district council and *(b)* Buckinghamshire county council in each of the last four years. [14870]

Dr. Whitehead *[pursuant to his reply, 19 November 2001, c. 40W]:* The general grants (Revenue Support Grant, National Non Domestic Rates and damping grants) and ring-fenced grants for Buckinghamshire for 1989–99 was £211.229 million.

Terrorism

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions what have been the estimated costs of *(a)* emergency planning and *(b)* other operations undertaken by local authorities in connection with events following the 11 September terrorist attacks; if additional costs will be supported by central Government; and if he will make a statement. [13843]

Mr. Denham *[holding answer 9 November 2001]:* Central Government have not required local authorities to do any additional emergency planning work since 11 September, but immediately reminded them that they should ensure that their emergency arrangements, including contact details, are up to date. No information is held centrally on 'other operations' which may have been undertaken by local authorities following 11 September attacks.

Subsequently, in October a "Response to the Deliberate Release of Chemicals and Biological Agents—Guidance for Local Authorities" was issued. As with any guidance issued, it inevitably requires local authorities to review their emergency arrangements, and probably revise some aspects of their plans, but this does not attract significant additional costs.

Manchester Airport

Mr. George Osborne: To ask the Secretary of State for Transport, Local Government and the Regions what recent discussions the Government have had with FLS Aerospace about the future of their operation at Manchester Airport. [18273]

Mr. Wilson: I have been asked to reply.

The Government have not had any discussions with FLS Aerospace about the future of their operation at Manchester Airport.

NORTHERN IRELAND

Criminal Justice Review

Linda Gilroy: To ask the Secretary of State for Northern Ireland if he will extend the period of consultation on the criminal justice review. [19995]

Mr. Browne: In the light of representations made by the political parties and those involved in delivering criminal justice services, I have decided to extend the period of consultation on the Government's response to the criminal justice review by a further four weeks to 7 January 2002.

Police Service of Northern Ireland

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland who was consulted before the proposed badges for the Police Service of Northern Ireland were designed; and at what cost. [18877]

Jane Kennedy: No one was consulted before the designs were first commissioned. The aggregate costs for the sample emblem designs were £41,329.45 (inclusive of VAT). This figure includes research, presentation materials and colour photocopying.

Decommissioning

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland when he expects the next event in the decommissioning process to take place. [11993]

Jane Kennedy: The Independent International Commission on Decommissioning reported on 23 October that it had witnessed a quantity of IRA arms being put beyond use according to the terms of the decommissioning schemes and regulations. However, in the interest of furthering the process of putting all arms beyond use, the commission declined to provide further details including on the timing of further events.

The commission's mandate under the terms of the Good Friday agreement is to facilitate the decommissioning of all paramilitary arms. To that end, it reported that it is continuing contact with the IRA representative. The Government have every confidence in General de Chastelain and his colleagues and we should all respect their wishes on how best to proceed to fulfil their mandate.

RUC Policing and Human Rights

Mr. McNamara: To ask the Secretary of State for Northern Ireland what was the attendance at the RUC policing and human rights conference broken down by *(a)* perceived community background, *(b)* gender and *(c)* occupation; and what was the cost of (i) organising and (ii) promoting this event. [17760]

Jane Kennedy: Approximately 230 delegates attended the policing and human rights conference on each of the two days on which the event took place (1 and 2 October). Community background information was not sought from delegates, nor were records kept of gender and occupation breakdown. However, the organisations invited to attend the conference are as listed.

Age Concern
Alliance Party
Amnesty International
Amsterdam Police
An Garda Síochána
Asylum Seekers
Bar Council of Northern Ireland
Belfast Islamic Society
Bramshill Police College
British Deaf Association
British Irish Rights Watch
British Telecom
Catholic Church
Chinese Welfare Association
Church of Ireland
Committee on the Administration of Justice
Community Development Centre
Community Safety Centre
Council of Europe
Danish Centre for Human Rights
Danish National Police Academy
Deaf Senior Citizens Northern Ireland
Democratic Unionist Party
Director of Public Prosecutions
Disability Action
Equality Commission for Northern Ireland
Evangelical Alliance
Finnish Police
Gendarmerie Nationale (France)
Greater Belfast Community Network
Greater East Belfast Partnership
Greater Shankill Alternatives
Guide Dogs Association
Home Office
Human Rights Commission, Republic of Ireland
Independent Commission on Policing
Indian Community Centre
Inner East Youth Project
International Red Cross
Law Society of Northern Ireland
Malta Police
Mediation Network
Men's Advisory Project
Methodist Church
Metropolitan Police
Muti-cultural Resources Centre
National Police Academy (Norway)
Northern Ireland Association for the Care and Resettlement of Offenders
Northern Ireland Association for Community Restorative Justice

Northern Ireland Council for Ethnic Minorities
Northern Ireland Council for Voluntary Activity
Northern Ireland Gay Rights Association
Northern Ireland Human Rights Commission
Northern Ireland Office
Northern Ireland Women's Aid
Northern Ireland Youth Centre
Office of the First and Deputy First Ministers
Oversight Commissioner's office
Parades Commission for Northern Ireland
Police Authority for Northern Ireland
Police Federation for Northern Ireland
Police Ombudsman's Office
Presbyterian Church
Progressive Unionist Party
Queen's University Belfast
Rainbow Project
Rape Crisis Centre
Royal National Institute for the Blind
Royal National Institute for Deaf People
RUC
School of Police (Catalonia)
Short Strand Community Forum
Sinn Feín
Social and Democratic Labour Party
Tenants Action Group (Ballymena)
Tenants Action Group (Belfast)
The Blind Centre for Northern Ireland
Travellers Movement Northern Ireland
Ulster Unionist Party
United Kingdom Unionist Party
University of Essex
University of Ulster
Victim Support Northern Ireland
Women's Coalition Party.

In addition, community representatives from 97 per cent. of district command areas also attended.

The total cost of the conference was £57,880.

Police Informants

Mr. McNamara: To ask the Secretary of State for Northern Ireland how much the police in Northern Ireland paid to informers in the last year for which figures are available; how many informers received payments; and what the average payment made was. [17806]

Jane Kennedy: The police service of Northern Ireland does not comment on matters relating to the number of covert human intelligence sources as defined under the Regulation of Investigatory Powers Act 2000. However, I can say that a total of £176,580 was paid out for information received during the period 1 January 2000 to 1 January 2001.

DEPUTY PRIME MINISTER

Regulation

Mr. George Osborne: To ask the Deputy Prime Minister what assessment he has made of the cost to businesses of regulations introduced since 1997. [16488]

Mr. Leslie: All regulatory proposals likely to have a significant cost to business require a Regulatory Impact Assessment. Prior to the introduction of the Regulatory Impact Assessment process in 1998, Cost Compliance Assessments were used. These assessments are published by Departments and are placed in the Libraries of the House.

Tim Loughton: To ask the Deputy Prime Minister how many regulatory measures the Government *(a)* introduced and *(b)* abolished in the last year. [16474]

Mr. Leslie: During 2000, 3,487 pieces of primary and secondary legislation were introduced. Over 98 per cent. of the total relates to Statutory Instruments (SIs), the vast majority of which had only a local or temporary effect, such as routine air traffic and road closure orders. A better measure of the regulatory burden is the number of regulatory impact assessments produced by Departments for proposals imposing significant costs on business, charities or voluntary organisations. Last year, less than 5 per cent. of the total imposed significant costs.

An estimate of the total number of regulatory measures abolished in the last year could be provided only at disproportionate cost.

The Government are determined to minimise the burden of regulation on business and others. The Regulatory Reform Act 2001 now provides a powerful tool for reforming over-burdensome, over-complex and outdated primary legislation. The Prime Minister has asked all Departments to identify further areas of legislation that might be reformed under the Act and other procedures.

Freedom of Information Act

Matthew Taylor: To ask the Deputy Prime Minister on what date his Department established a working group of officials to prepare his Department for the implementation of the Freedom of Information Act 2000; and on what dates this committee has met since it was set up. [14772]

Mr. Leslie: An Open Government Unit was established in the Cabinet Office early in 2000, with responsibility for the implementation of the Freedom of Information Act 2000 and other government openness initiatives within the Cabinet Office. the Unit will ensure that the Cabinet Office complies with the implementation plans set out in the paper placed in the Library of the House on 13 November 2001 by the Parliamentary Secretary, Lord Chancellor's Department, my hon. Friend the Member for Doncaster, Central (Ms Winterton), as stated in her answer on 13 November 2001, *Official Report*, column 692W.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what *(a)* direct and *(b)* indirect involvement the Government have had in the supply of Russian weapons to (i) the Northern Alliance, (ii) its component factions and (iii) other non-state actors operating in and around Afghanistan since 11 September. [17951]

Mr. Bradshaw: The Government are involved in military operations in self-defence against international terrorists within Afghanistan. Information and plans about these operations are extremely sensitive, and it would not be in the public interest for them to be disclosed. In my opinion, exemptions 1*(a)* and *(b)* (Defence, Security and International Relations) of the Code of Practice on Access to Government Information apply here.

General Affairs Council

Mr. Hood: To ask the Secretary of State for Foreign and Commonwealth Affairs what the outcome was of the General Affairs Council held in Brussels on 19 and 20 November; what the Government's stance was on each issue discussed, including its voting record; and if he will make a statement. [18019]

Mr. Bradshaw: My right hon. Friend the Foreign Secretary and I represented the UK at the General Affairs Council (GAC) in Brussels on 19 November.

The GAC adopted the sixteen 'A' Points listed in document number 14061/01. It also noted the resolutions, decisions and opinions adopted by the European Parliament and in its part-session of 22–25 October 2001 in its part-session in Strasbourg listed in document number 12865/01. Copies of both documents have been placed in the Libraries of both houses.

World Trade Organisation

Following a presentation by the Commission, the Council welcomed the decision, taken at the Fourth Ministerial Conference of the WTO in Doha on 9–14 November, to launch a new round of multilateral trade negotiations.

Work in other Council Formations

The Presidency drew attention to the Secretariat's report of the main issues being discussed by other sectoral meetings of the Council of Ministers.

Enlargement

The Commission presented its Enlargement Strategy Paper and the Regular Progress Reports on the thirteen candidates. The GAC will discuss these further at its next session on 10 December in preparation for the Laeken European Council.

Future of EU

The GAC discussed, on the basis of a Presidency non-paper, preparations for a Declaration to be made at the Laeken European Council. The Presidency concluded that the Declaration would comprise three sections:

(i) a political analysis of the state of the Union, including the perceptions and expectations of public opinion;

(ii) themes for the debate on future of Europe, based on the Nice agenda, and comprising:

—European Union objectives and policies

—Demarcation of powers between the Union and its member states

—Democratic legitimacy

—the Union's capability to decide and conduct its policies

—Simplification and general presentation of the European project

(iii) the Council Decision to convoke the Convention.

The Presidency agreed to present its draft declaration to member states, taking account of their contributions, before the Presidency's pre-Laeken tour of EU capitals. The themes identified in the Presidency's draft declaration would be presented in the form of open questions.

The Presidency identified some supplementary themes, which would be points of reference for the Laeken Declaration:

—the principles of subsidiarity and proportionality;

—the legitimacy of the European Parliament, the links between it and the EU's national Parliaments and the increased role of the latter;

—preserving the acquis communautaire;

—the enhanced external dimension of the Union;

—the effectiveness of the Union's decision-making process.

Middle East Peace Process

Ministers reviewed the situation in the Middle East in the light of contracts made during:

—the EuroMed Ministerial Conference in Brussels on 5 November;

—the ministerial week of 9–16 November at the UN General Assembly; and

the tour of the region by Guy Verhofstadt, Romano Prodi and Javier Solana.

Ministers also completed preparations for the Second meeting of the EU-Israel Association Council, held on 20 November in Brussels, for which the GAC adopted an EU Declaration.

Afghanistan

The GAC adopted Conclusions. These welcomed the adoption of Security Council Resolution 1378 and reiterated the EU's support for the efforts of the UN Special Representative, in particular the objective to establish rapidly a transitional administration in Afghanistan. The GAC recalled that such efforts were intended to install a legitimate, broad-based, multi-ethnic government committed to establishing human rights. The EU would continue to participate in seeking a political solution. The Union called on the Northern Alliance to exercise restraint and to facilitate the rapid establishment of a new administration which enjoyed both national and international support. Humanitarian aid remained an absolute priority and would be subject to closer co-ordination between member states, the Commission, specialist humanitarian agencies, the Afghanistan Support Group and non-governmental organisations.

While recognising the primary role of the Afghan people in determining their future, the GAC called on the UN and international financial institutions to devise a plan for the economic, social and institutional reconstruction of Afghanistan, which would help co-ordinate the efforts of the international community. The EU intended to participate actively in the meeting in Washington on 20 November.

The GAC decided it would appoint a Special Representative of Afghanistan, to work under the authority of the High Representative.

Joint meeting with defence ministers: declaration on military capabilities

In a joint meeting with defence ministers, the GAC issued a Declaration which outlined an action plan to take forward work to meet the Helsinki headline goal (the ability, by 2003, for member states to be able to deploy up to 60,000 personnel within 60 days for military crisis management operations).

Joint meeting with interior ministers: declaration on police capabilities

In a joint meeting with interior ministers the GAC adopted a Police Conference Declaration stating that the policing targets set by the Feira European Council had been met. The target was for 5,000 police officers to be available for EU and other international policing missions by 2003, including 1,000 for rapid deployment.

EU internal action following the terrorist attacks in the USA

The GAC reviewed the work conducted to date and envisaged in implementing the action plan/road map on the fight against terrorism. The Council concluded that work would continue, notably regarding: EU/third country relations, non-proliferation, disarmament, arms exports and biological and chemical terrorism. The GAC stressed that implementation of UN Security Council Resolution 1373 remained a priority. The GAC asked COREPER to examine a French proposal to create an international forum on the financing of terrorism.

Western Balkans

The GAC adopted conclusions which:

(i) urged the Serbian and Montenegrin authorities to agree quickly on constitutional arrangements, by means of a democratic and construction dialogue, which would provide for a democratic Montenegro in a democratic Federal Republic of Yugoslavia (FRY). The GAC asked The High Representative (HR) to visit Belgrade and Podgorica to reaffirm the EU's position, promote further dialogue and report back to the next GAC on 10 December. The Council affirmed that any referendum that resulted from the current process should be conducted democratically and in accordance with the Montenegrin Constitution;

(ii) welcomed the peaceful and orderly legislative elections in Kosovo, which were an important step towards fully implementing United Nations Security Council Resolution 1244. The newly elected Kosovars should be encouraged to carry out their functions in strict compliance with the constitutional framework for provisional self-government. The GAC also called on them to co-operate fully with UNMIK and with the Belgrade authorities, in accordance with the joint document signed on 5 November 2001;

(iii) welcomed the adoption of the constitutional provisions of the Macedonia Framework Agreement of 13 August and the announcement of the new constitution by the Macedonian Parliament on 15 November. It also urged all parties to apply the Framework Agreement in its entirety without delay and to observe the cease-fire. The EU was willing to play its full part in the context of the donors' meeting, once the conditions were met.

(iv) agreed that EU would continue to play a leading role in the Stability Pact. The Pact's activities ought to be based on the principles of concentration/refocusing and regional appropriation. The GAC stressed the importance of enhancing the complementarity between the Pact and the Stabilisation and Association Process. The GAC emphasised that the impetus for regional co-operation must come from the region itself.

Africa: Great Lakes and Etritrea

The GAC discussed the Ministerial troika mission to the Great Lakes Region to take place on 20–25 November. The GAC confirmed its support for the Lusaka process (concerning the Democratic Republic of the Congo (DRC)) and for the holding of the Congolese dialogue under the Lusaka Agreement. It also welcomed the adoption of UN Security Council Resolution 1376 and endorsed the requests made to States which had still begun to withdraw their forces from the DRC in accordance with Resolution 1304.

The GAC also welcomed the donor information conference for the DRC to be held in Brussels on 20 December on the initiative of the World bank, further to the donor information conference held in Paris in July. It welcomed the meeting to be held in Brussels on 21 December, which would give impetus to the establishment of a regional trust fund for DDRRR (Disarmament, demobilisation, reintegration, resettlement and relocation).

The GAC welcomed the swearing in of a transitional government in Burundi on 1 November (in line with the Arusha process). The Council expressed its deep concern about the recent upsurge of violence and strongly condemned the attacks on the health centres and the kidnapping of schoolchildren by armed groups. The GAC recalled that it had adopted a Joint Action and released EUR 9.5 million to support the deployment of a special protection unit, provisionally composed of a South African battalion, and called again on the international community to contribute to that unit's funding. The GAC welcomed the Commission's signing of the National Indicative Programme on EU aid for Burundi.

The GAC welcomed the agreement between Presidents Museveni and Kagame of Rwanda and Uganda brokered by the United Kingdom, which aimed to reduce the sources of tension between the two countries and thus contribute to the region's stability. The Council also adopted an updated common position on Rwanda, further to that of September 2000. The Ministerial troika visit the region on 20–25 November would provide an opportunity to assess support in the States concerned for organising a Great Lakes Conference, under the aegis of the United Nations and African Union, once the Lusaka and Arusha peace processes had progressed sufficiently.

The GAC expressed deep concern at the situation in Eritrea, in particular persistent infringements of opposition rights, curbs on press freedom and the lack of information on the prominent figures who had been detained. It regretted that no solution had yet been found to the problem of the expulsion of the Italian Ambassador to Asmara, who was the representative of the European Union. It also regretted that the Eritrean Head of State, Mr. Isayas Afewerki, had not received the European Union Heads of Mission. The GAC said that talks should take place rapidly, in line with the Cotonou Agreement. These should address the EU's concerns, and set a timetable for the organisation of free and fair elections. The GAC noted that the relevant Council Bodies were examining the possible practical implications for EU aid if the current situation were to continue.

Overseas Countries and Territories (OCTs)

The GAC agreed a new Decision on the association of the overseas countries and territories with the European Community for the period 2001–07. This will result in increased EU aid for the UK's overseas territories.

Presidency meetings with EU institutions' Trade Unions

The Presidency briefed on its recent meetings with the EU Trade Unions. The meetings had covered the issues the Unions wanted the GAC to take into consideration when it addressed the Commission's personnel policy reform programme next year.

Voting Record

No formal votes were taken on the points under discussion at the GAC.

Espionage

Mr. Jenkins: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the imprisonment of 12 UK citizens in Greece on alleged espionage charges. [18388]

Mr. Bradshaw: Twelve British and two Dutch nationals were arrested on 8 November in Kalamata airbase after allegedly taking photographs at the base. Such photography is illegal in Greece. The group were charged with espionage on 12 November. They appeared before an Investigating Magistrate on 27 November when further espionage charges were laid.

Following the hearing on 27 November, the group was remanded in custody. They will now appear in front of a three strong panel of judges in Kalamata. We hope this will take place as quickly as possible. This hearing will not be a trial as such but is a review mechanism within the Greek justice system.

The British plane spotters and their families were naturally disappointed that the case did not conclude on 27 November. So were we. We are talking to the Greek authorities to request that all avenues are pursued to ensure that the review takes place very quickly. Our objective remains to ensure proper conditions for the detainees and a speedy and transparent judicial process.

Weapons

Dr. Julian Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs which countries his Department has assessed as seeking to make *(a)* nuclear, *(b)* biological and *(c)* chemical weapons. [18260]

Mr. Bradshaw: It is not Government policy to comment on specific intelligence matters or assessment.

Iraq and Iran

Dr. Julian Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of whether *(a)* Iraq and *(b)* Iran have covertly produced biological weapons. [18268]

Mr. Bradshaw: It is not Government policy to comment on specific intelligence assessments. However, with reference to Iraq, I refer the hon. Member to the answer which the Prime Minister gave to my hon. Friend the Member for Linlithgow (Mr. Dalyell) on 5 November 2001, *Official Report*, column 6W.

EU Treaties

Mr. George Osborne: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the areas under the third pillar of the EU treaties to which co-decision with the European Parliament *(a)* applies and *(b)* does not apply. [18440]

Peter Hain: The third pillar, or Title VI of the Treaty on European Union, contains provisions for co-operation between member states in the fields of police and judicial co-operation in criminal matters. There are no areas under the third pillar to which co-decision with the European Parliament applies. However, within Title VI, under Article 39(1) of the Treaty on European Union, the Council is required to consult the European Parliament before adopting any measure referred to in Article 34(2)(b), (c) and (d). These measures are:

> framework decisions for the purpose of approximation of the laws and regulations of the member states;
>
> decisions for any other purpose consistent with the objectives of Title VI; and
>
> conventions which the Council shall recommend to member states for adoption in accordance with their respective constitutional requirements.

Article 39(2) requires the Presidency and Commission regularly to inform the European Parliament of discussions in the areas covered by Title VI. Article 39(3) says that the European Parliament may ask questions of the Council or make recommendations to it, and that each year it shall hold a debate on progress made in the areas referred to in Title VI.

Entry Clearance

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to visit the Joint Entry Clearance Unit. [18735]

Mr. Bradshaw: My right hon. Friend has not yet visited the Joint Entry Clearance Unit, but he does plan to visit Departments of the Foreign and Commonwealth Office that he has not yet seen. As Minister responsible for entry clearance I visited the Joint Entry Clearance Unit on 12 June.

Visa Cases

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 16 July 2001, *Official Report*, column 45W, on visa cases, when it became the practice not to disclose details of individual visa cases in a public forum; and for what reason. [18628]

Mr. Bradshaw: It is a well-established general practice not to disclose the names of applicants or details of individual visa applications on confidentiality grounds. This practice is in accordance with Exemption 12 of the Code of Practice on Access to Government Information and reflects the Government's obligations under the Data Protection Act 1998. I refer my hon. Friend to his answer of 22 March 2001, *Official Report*, columns 316–17W.

Parliamentary Commissioner for Administration

Mr. Chope: To ask the Secretary of State for Foreign and Commonwealth Affairs how many formal notices his Department has received in the last year from the

Parliamentary Ombudsman expressing an intention to carry out an investigation; and in respect of each notice how long it took to respond. [18763]

Mr. Straw *[holding answer 27 November 2001]:* Information on the outcome of statutory investigations which were concluded during 2000–01 are set out in the Parliamentary Ombudsman's Annual Report for 2000–01, copies of which are available in the Library of the House, or on the Parliamentary Ombudsman's website at www.ombudsman.org.uk/pca/document/para01/index/htm.

Between 1 April 2001 and 31 October 2001, the Foreign and Commonwealth Office received 13 new statutory statements of complaint from the Parliamentary Ombudsman. The FCO responded to them all; in 11 cases the FCO met the agreed deadline set by the Ombudsman's office; while in the other two, the deadline was missed by one day.

Zimbabwe

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Zimbabwe; and what steps he will take to ensure *(a)* the conditions of the land reform deal negotiated at Abuja, Nigeria are honoured and *(b)* the criteria for Commonwealth membership are maintained. [18255]

Mr. Bradshaw *[holding answer 28 November 2001]:* I refer my hon. Friend to the answer given by my right hon. Friend the Foreign Secretary on 27 November 2001, *Official Report*, columns 815–18.

Gibraltar

Mr. Watts: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to ensure that Gibraltarians can vote in the 2004 elections to the European Parliament. [19998]

Peter Hain: We unequivocally accept the obligation to give effect to the judgment of the European Court of Human Rights in the case of Matthews *v.* UK and we are committed to extending the European franchise in time for the 2004 elections to the European Parliament. To this end, we will be seeking legislative time in order to bring in the necessary domestic legislation. We will, of course, consult the Government of Gibraltar on the legislative and practical details.

Andorra

Mr. Hoyle: To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings he has held with the joint sovereigns of Andorra in the last three years, with specific reference to the use of Andorra as a route for smuggling into the UK. [19133]

Peter Hain: The Secretary of State has not had any formal bilaterals with the French President and/or the Bishop of Urgell in the last three years. Officials have met regularly with Andorran parliamentarians and officials during the last three years to discuss issues of mutual interest.

CULTURE, MEDIA AND SPORT

Sport England (Athletics)

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport (1) what targets her Department has set Sport England for the funding of athletics; and if she will make a statement; [17945]

(2) what plans she has to direct Sport England to divert the resources earmarked for the 2005 World Athletics Championships to the development of grassroots athletics; and if she will make a statement. [17943]

Mr. Caborn: The UK's offer to stage the World Athletics Championship in Sheffield in 2005 has not been accepted by the International Association of Athletic Federations. Sport England will therefore reallocate the lottery funds originally earmarked in principle for staging the Championships to other projects to benefit grassroots sport including athletics in particular.

UK Athletics, Sport England and officials from my Department are co-operating to produce an agreed development plan for athletics which aims to increase the number of people involved in the sport as competitors, organisers, coaches and officials; to improve systems for identifying and developing talent; provide better facilities; and strengthen support for our top competitors. Details of the plan are under discussion and will be published in the near future.

Tourism

Dr. Murrison: To ask the Secretary of State for Culture, Media and Sport what plans she has to bring the level of Government grant-in-aid to the English Tourist Council into line with that to the Scottish, Wales and Northern Ireland tourist boards. [18416]

Dr. Howells: Government aid to the Scottish Tourist Board, the Wales Tourist Board and the Northern Ireland Tourist Board per head of the population has always been much higher than that to the English Tourism Council (ETC) over the last decade. Each administration now makes its own decisions on funding that take into account local conditions and needs and the extent to which financial support is needed to address market failure in different parts of the country.

Direct comparisons of Government grant do not, of course, provide the whole answer. In England, the local authorities also spend over £90 million each year promoting tourism. DCMS's £1 billion expenditure on arts, museums, galleries, sport etc. also directly benefits tourism. In addition, Government funding to English tourism is set to increase from £10 million in 2001–02 to £12 million in 2002–03 and £12.5 million in 2003–04. Visitor spending in England is higher, at £222 per head of the population, than that in Scotland (£160 per head) or Wales (£92 per head) and total spending by tourists in England has grown faster in recent years.

Cunningham Review

Mr. Reed: To ask the Secretary of State for Culture, Media and Sport if she will list the recommendations of the Cunningham Review which have not been accepted by her Department. [18485]

Mr. Caborn: The recommendations set out in the Elite Sports Funding Review are directed at both the Sports Councils and my Department. Implementation of many of the recommendations is already being progressed by the Sports Councils in co-operation with the national governing bodies of sport. The remaining recommendations are being carefully considered within the context of my Department's spending review.

Lottery Funding

Ms Shipley: To ask the Secretary of State for Culture, Media and Sport how indoor sports facilities will be affected in the West Midlands by the New Opportunities for School and Community Sports Lottery funds. [18338]

Mr. Caborn: £61,274,000 has been provisionally allocated to local areas in the West Midlands and the large majority of this funding will be used to provide new or modernised sports facilities. The proportion of this funding used for indoor and outdoor facilities will be decided by local partnerships led by LEAs, as they develop bids that best meet local priorities and strategies.

Derek Casey

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the redundancy payment to Derek Casey, former Chief Executive Officer of Sport England. [19084]

Mr. Caborn: Full details of the severance package for the former Chief Executive of Sport England will be disclosed in Sport England's accounts which will be laid before the House as soon as possible.

International Association of Athletic Federations

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport which Ministers represented her Department at the IAAF Annual Award ceremony in Monte Carlo on 25 November. [19083]

Mr. Caborn: No Minister from this Department attended this event.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Departmental Press Notices

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the press notices issued by her predecessors on each day between 10 September and 10 October 2000 on subjects which are the responsibility of her Department. [8944]

Mr. Morley: During the period from 10 September to 10 October 2000, a total of 38 press releases were issued by the MAFF press office. I have also established that the environment and rural affairs press group issued 12 press releases for this period while part of DETR.

The press releases are in the public domain and can be found on the following websites:

www.defra.gov.uk
www.dtlr.gov.uk
www.home.office.gov.uk

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the press notices issued by her Department on each day between 10 September and 10 October. [8943]

Mr. Morley: During the period from 10 September to 10 October 2001, a total of 45 press releases were issued by the DEFRA press office.

Please note that this included 33 press releases from activities formerly identified as MAFF related and 12 press releases from the recently merged environment press office, now part of the DEFRA press office.

These press releases are in the public domain and can be found on the following websites:

www.defra.gov.uk
www.dtlr.gov.uk
www.home.office.gov.uk

Departmental Procurement

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the Government's procurement policy and what plans there are for Departments to join together to *(a)* reduce procurement costs, *(b)* increase efficiency and *(c)* operate green procurement policies. [16744]

Mr. Morley: The Government's procurement policy is that all public procurement of goods and services is to be based on value for money, having due regard to propriety and regularity. Value for money is not the lowest price—it is defined as the optimum combination of whole life costs and quality to meet the user's requirement. The Office of Government Commerce (OGC) was created to lead a wide-ranging programme to modernise procurement in central civil Government. DEFRA is supportive of and committed fully to working with the OGC in delivering this wide-ranging programme. One of the areas in which OGC is encouraging a joined-up approach is in the aggregation of requirements and wider use of existing agreements. This will make a significant contribution to *(a)* reducing procurement costs and *(b)* increased efficiency.

With regard to *(c)* the joint HM Treasury/DETR (now DEFRA) note, on environmental issues in purchasing, explains how Departments can pursue their "green" strategies within the above procurement policy framework. In particular, it explains how environmental issues can be reflected in specifications.

Bio-security

Alistair Burt: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what plans the Government have to improve national bio-security; how much money is allocated to target *(a)* airports and *(b)* containers arriving in ports in the current financial year; [16944]

(2) what changes have been made to increase bio-security in the UK since 2000; [16945]

(3) what action is planned by the Government to prevent the entry of potentially infected illegal meat into the United Kingdom. [16956]

Mr. Morley: All consignments of fresh meat imported into the UK from other EU member states must have been produced in accordance with the harmonised Community rules laid down in Council directive 64/433/EEC. Imports from third countries must have been produced to standards at least equivalent to those in the directive. Among other things, this directive sets out the licensing, structural and veterinary supervision requirements to be applied in abattoirs, cutting plants and cold stores.

All meat imported into the UK from third countries must enter at designated UK border inspection posts (BIPs) where it is subject to veterinary inspections. All consignments are subject to documentary and identity checks and at least 20 per cent. of consignments undergo physical checks. These ensure import conditions are met and that the products remain in a satisfactory condition during transport. In line with Community rules, random spot checks at destination may be carried out on consignments of fresh meat imported into the UK from other EU member states.

New arrangements have been introduced across all enforcement agencies involved to improve the sharing and analysis of information about known or suspected illegal imports. We are building up a database of details which is enabling us to target enforcement action and to make best use of available resources. Our national regulations have also been amended to assist local authorities in seizing suspected illegal imports when they are found at point of sale. The Food Standards Agency is also encouraging local authorities to ensure that checking for illegal imports is part of their routine inspection of food premises.

Alongside this we have introduced improved publicity to ensure that travellers are aware of the restrictions on what may be imported. Posters have been placed at main airports and we have asked UK travel agents and airlines using UK airports to make information about import controls available to travellers. Recognising that it is most effective to inform travellers before they leave for their journey to the UK, the Foreign and Commonwealth Office has been active via British embassies abroad, providing information directly to travellers and via travel agents and local media.

We are keeping these measures under review and will make improvements as necessary. In addition, we are looking at a wide range of other options to ensure the rules on imports are enforced effectively and efficiently. These include, for example, the possible use of sniffer dogs and x-ray machines at ports and airports and changes to administrative structures.

Apart from a small number of ports that import only animal products not intended for human consumption where import controls are operated by the state veterinary service, local authorities are responsible for controls at ports in their areas and the financial information requested is not held centrally.

We are taking every opportunity to drive home the importance of observing high standards of bio-security on and around farms. We have used interviews in the national and local media and placed advertisements in the local and farming press. We have produced a video demonstrating a practical approach to bio-security. This has been made available to all livestock farmers and others in the industry, accompanied by a leaflet and letter from Jim Scudamore, the chief veterinary officer. Special bio-security arrangements have been applied within restricted infected areas and subject to stringent enforcement.

In the Animal Health Bill currently before Parliament, we are emphasising the importance of bio-security by linking the payment of compensation on infected premises to compliance with disease control measures. In addition, recommendations on future national bio-security measures may emerge from the independent inquiries into foot and mouth established by the Government.

Growth Promoters

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the growth promoters that are permitted to be given to *(a)* pigs, *(b)* poultry and *(c)* other farm animals. [17413]

Mr. Morley: The following growth promoters are authorised under directive 70/524/EEC to be used as feed additives for pigs, poultry and other farm animals:

(a) Pigs

(i) Flavophospholipol

(ii) Salinomycin sodium

(iii) Avilamycin

(b) Poultry

Laying hens, turkeys, other poultry excluding ducks, geese, pigeons—Flavophospholipol

Chickens for fattening, turkeys—Avilamycin

(c) Other farm animals

Calves, rabbits, cattle for fattening—Flavophospholipol

Animals bred for fur, excluding rabbits—Flavophospholipol

Cattle for fattening—Monensin Sodium.

Spanish Fishermen (Compensation)

Mr. Austin Mitchell: To ask the Secretary of State for Environment, Food and Rural Affairs for what reason and how much EU compensation is being paid in this financial year to Spanish fishermen for loss of fishing opportunities in Morocco; what the UK contribution is to this compensation; and what EU compensation is to be paid to British fishermen for loss of fishing opportunities under Cod Preservation plans. [17306]

Mr. Morley: The European Council, at its meeting in Nice in December 2000, asked the Commission if it did not prove possible to conclude a future fisheries agreement with the Kingdom of Morocco to propose, keeping within the financial perspective, a specific action programme for restructuring the Community fleet which had fished within the framework of the old agreement.

Now that negotiations between the EU and Morocco on a new agreement have failed, the proposal before the Council of Fisheries Ministers on 27 November would provide 197 million euros of new Community money, over two years, towards the restructuring of the fleets concerned, which are Spanish and Portuguese. We have made sure in negotiating that the terms of the measures are aimed at achieving real restructuring which avoids diversion of effort to Community waters.

This measure will not increase the UK's contribution to the EU budget.

No EU compensation has been paid to British fishermen as a result of recovery measures to protect cod stocks. I would find it difficult in principle to justify making compensation payments for a decline in stocks, particularly when the cause of the problem could relate to overfishing, or for conservation measures put in place to improve stocks and fishing opportunities in the future.

However, in order to promote the restructuring of the UK fleet, decommissioning schemes totalling £36 million are currently in place in England, Scotland and Northern Ireland.

Sheep Brains (Testing)

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the level of testing of sheep brains for BSE and scrapie; and when she expects to publish the results of the next round of testing. [18209]

Mr. Morley: Between November 2000 and the end of September 2001, 465 sheep scrapie suspects have been tested at the VLA. 284 were found to be positive for scrapie; none have given results indicative of BSE. The Department is also strain-typing, using mouse bioassay, brains from scrapie-infected sheep collected since 1996. In about 180 cases, experiments have reached the first point at which, if BSE was clearly present, it might have become apparent. It has not done so, although the work is still on-going and experiments cannot therefore be interpreted as excluding the presence of BSE. It is likely to require several more years before the strains can be definitively identified. The outcome of all investigations, whether research or surveillance, are kept under continual review, and guidance sought from SEAC where necessary. We will continue to put all our research into the public domain at the earliest opportunity.

In the new year, the Department will be launching an abattoir survey and a fallen stock survey to test for TSEs, including scrapie, some 23,000 sheep aged over 18 months. This is part of an EU-wide programme designed to give information on the incidence of scrapie and other TSEs in the European Union. Quantitative data in terms of numbers of animals tested, and number positive, will be reported regularly to the European Commission in accordance with our statutory obligations. This information will also be put in the public domain. Qualitative analysis, whether in terms of the prevalence of scrapie infection in the population sampled, or the nature of any scrapie identified, will under normal circumstances require completion of the survey, and possible further investigations.

Sheep/Lamb Industry

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will make a statement for the forecast level of the ewe premium for 2001; [18207]

(2) what assessment she has made of *(a)* the future of the European Union's sheepmeat regime and *(b)* the prospects for the United Kingdom's sheep and lamb industry; and if she will make a statement on the Council of Ministers meeting on 20 November. [18204]

Mr. Morley: The European Commission has made forecasts of the final rate of the ewe premium during the course of the year to enable advances of the premium to be paid; its most recent forecast is for a final rate of 10.779 euros. However, the final rate of the premium will not finally be determined until the average community market price for sheepmeat for the marketing year is known.

The European Commission has proposed a number of changes to the sheepmeat regime. These include replacement of the current deficiency-type premium calculation with a fixed rate premium of 21 euro with effect from 2002. The proposals were considered by the Agriculture Council on 20 November and I refer the hon. Member to my reply to my hon. Friend the Member for Clydesdale (Mr. Hood) on 26 November 2001, *Official Report*, column 690W.

Foot and Mouth

Patrick Mercer: To ask the Secretary of State for Environment, Food and Rural Affairs if she will grant a right for farmers to appeal against the slaughter of stock thought to be infected with foot and mouth before they are killed. [18065]

Mr. Morley: If a farmer does not agree with the decision to cull his stock, he has the right to make representations to the district veterinary manager.

This right is not affected by the Animal Health Bill currently before Parliament.

Mr. Moore: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to make insurance against outbreaks of foot and mouth disease compulsory for livestock farmers. [19247]

Mr. Morley: The Department is continuing to study the options for insurance against the consequences of outbreaks of livestock diseases.

Late Payments

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs if the industrial action by her Department's civil servants has led to a backlog in processing *(a)* IACS payments and *(b)* compensation payments; and if the Government will pay interest to farmers affected by late payments. [18295]

Mr. Morley: Industrial action by PCS members has affected the Department's ability to process payments as normal, although every effort continues to be made to make payments within the appropriate time scales. It is not Government policy to pay compensation for payments which might miss payment deadlines because of industrial action.

Sheep Annual Premium

Gareth Thomas: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what representations she has received with regard to the level of sheep annual premium for the forthcoming year; [18084]

(2) when she expects to announce the level of sheep annual premium for the forthcoming year. [18085]

Mr. Morley *[holding answer 26 November 2001]:* We have received a number of representations on the European Commission's proposal to replace the current deficiency-type premium calculation with a flat rate premium of 21 euro with effect from 2002. Under the Commission's proposals, member states would be able to pay the flat rate from 16 October 2002.

The proposals were considered by the Agriculture Council on 20 November. No agreement was reached at that meeting and we expect that discussions will resume in the Council in December.

Parliamentary Commissioner for Administration

Mr. Chope: To ask the Secretary of State for Environment, Food and Rural Affairs how many formal notices her Department has received in the last year from the parliamentary ombudsman expressing an intention to carry out an investigation; and in respect of each notice how long it took to respond. [18765]

Mr. Morley *[holding answer 27 November 2001]:* Information on the outcome of statutory investigations which were concluded during 2000–01 are set out in the parliamentary ombudsman's annual report for 2000–01, copies of which are available in the Library of the House, or on the parliamentary ombudsman's website at

www.ombudsman.org.uk/pca/document/par01/index.htm

Between 8 June 2001 (the date on which the Department for Environment, Food and Rural Affairs was set up) and 31 October 2001, the Department received one new statutory statement of complaint from the parliamentary ombudsman. The time taken to respond was 28 days.

Rural Affairs

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what was spent on *(a)* the England rural development programme, *(b)* the farm business advisory service and *(c)* other services for farmers in 2001–02. [18836]

Alun Michael: *(a)* Expenditure on the England rural development programme from 16 October 2000 to 15 October 2001 (the European agricultural guidance and guarantee fund financial year) amounted to £125,931,200.00 The figure excludes state aid and modulation.

(b) DEFRA is invoiced quarterly in arrears by the small business service for delivery of the farm business advice service. The amount invoiced at the end of September for work carried out in this financial year was £1.3 million. This figure was lower than anticipated due to the temporary suspension of the service and restricted access to farms as a result of the foot and mouth disease outbreak. Current forecast expenditure for the whole of 2001–02, based on business link service delivery predictions, is £11.55 million.

(c) Figures on expenditure on other services to farmers in 2001–02 are not held centrally due to the number and variety of sources of assistance available.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs how many farm businesses received regional development agency support in 2001–02, stating in each case the level of funding made available. [18681]

Alun Michael: This information is not available in the form requested and could be obtained only at disproportionate cost.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* people have been helped by the England rural development programme by category and *(b)* farmers have received free consultancy advice from the farm business advisory service. [18785]

Alun Michael: *(a)* 3,924 new land based agreements were signed under the England rural development programme (ERDP) for the scheme year 2000–01. Of these, 2,572 were agri-environment scheme agreements, and 1,352 related to afforestation and other forestry measures. Around 10,500 claims for support were paid in 2001 to upland farmers under the hill farm allowance, which is also part of the ERDP.

Three new rural economy schemes were introduced in October 2000 under the ERDP: the rural enterprise scheme (RES), the processing and marketing grant (PMG) and the vocational training scheme (VTS). These schemes operate on a competitive basis and are designed to support rural enterprises and rural services. Up to the end of October 2001, 136 RES projects had been approved at a total grant value of some £8 million. Over the same period, 20 PMG projects and 72 VTS projects were approved, representing a further £5 million and £2 million respectively of grant expenditure.

Foot and mouth disease had a marked effect on delivery of the ERDP, but a number of initiatives intended to minimise the impact have been or are being pursued, including extended application windows for the land based schemes.

(b) Over the year since the farm business advice service was launched in October 2000 until the end of September 2001, 7,613 farms requested the service, 4,637 farms received an initial diagnostic visit and 2,851 farms received the full three-day service resulting in an action plan.

Farmers throughout England directly affected by the foot and mouth outbreak were invited to apply for the enhanced five-day service at the end of August 2001. By the end of September, 1,146 farmers had registered for the enhanced service and 319 had received an initial visit.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the extent to which delivery has been achieved on *(a)* provision of new service standards, *(b)* additional sure start schemes and *(c)* increasing police visibility and accessibility in rural areas. [18787]

Alun Michael: *(a)* The rural services standard set out in the rural White Paper brings together standards and targets from a range of rural services. It is our intention to review and update this standard annually starting in 2002.

(b) Sure start aims to support young children and their families living in disadvantaged areas so that they have improved life chances. To date the Government have announced 437 out of the 500 sure start programmes planned to be operational by April 2004. In addition to the 500 full-scale sure start programmes, £22 million has been allocated to establish 50 small sure start programmes to reach pockets of deprivation, particularly those in rural areas. The third round of pilot projects began in seven

rural districts at the end of July, and it is expected that the fourth round of pilots, which will involve a further six rural districts, will commence at the end of November.

(c) Police authorities were required to report in annual policing performance plans how they spent the extra £15 million (2000–01) and how they intended to spend the additional £30 million (2001–02) on improving policing services in rural areas. In addition chief constables are required to outline in their annual report what measures have been taken to improve visibility and accessibility in each ward and parish in their force area. These publications can be found on individual police force websites.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the *(a)* funds available in the Countryside Agency grant scheme for village services launched in April and *(b)* proportion spent through the scheme in 2000–01. [18790]

Alun Michael: The funds allocated to each of the schemes in the Countryside Agency's vital village programme are:

	£ million
Parish Plans	[1]5
Community Service Grant	[1]15
Parish Transport Grant	[1]15

[1] Over three years

The vital villages programme only started in 2001–02 so expenditure was zero in 2000–01.

Fisheries Council

Mr. Hood: To ask the Secretary of State for Environment, Food and Rural Affairs what the outcome was of the Fisheries Council held in Brussels on 27 November; what the Government's stance was on each issue discussed, including its voting record; and if she will make a statement. [19644]

Mr. Morley: I represented the UK at the Fisheries Council on 27 November.

The Council discussed the Commission's proposal to extend the multi-annual guidance programme (MAGP IV) for one year until the end of 2002, and will return to the subject at its next meeting.

The Council reached political agreement on rules for the restructuring of the Spanish and Portuguese fleets which used to fish in Moroccan waters. Many of the vessels in these fleets have been tied up in port since December 1999, when the EU-Morocco fisheries agreement expired. The rules govern the use of the 197 million euros which have been allocated to fund, during 2002 and 2003, the destruction of vessels, conversion to non-fishing uses, export of vessels to third countries and conversion of vessels to other fishing methods. The UK and a number of other member states made it clear that they expect Spain and Portugal to ensure that vessels modernised with EU money under the measure will not fish in EU waters.

There was a qualified majority in the Council in favour of a decision applying provisionally the renewed EU-Mauritania fisheries agreement, whose predecessor expired on 31 July 2001. The agreement provides for fishing opportunities in Mauritanian waters over five years at a cost of 86 million euros per year. Along with a number of other member states the UK, in supporting the proposal, made clear that we consider there is substantial room for improvement in the way that such agreements are negotiated and monitored: I stressed in particular the need to make sure that they provide value for money, promote environmentally sustainable fishing and are coherent with Community development policy. I made it clear that we are looking for a thorough debate, within the framework of the forthcoming review of the common fisheries policy, on the handling of such agreements.

The Council noted the Commission's report on the monitoring of implementation of the CFP and the Commission's communication on serious infringements of the CFP rules during 2000. The Commission urged greater consistency among member states on matters such as the size of penalties.

The Council also noted the difficulties being experienced by the Commission in reaching agreement in the Community's negotiations with Norway, Iceland, the Faroes, Greenland and Russia about fixing and allocating the total allowable catch for blue whiting in 2002. There was agreement that the Community should continue to argue for a responsible approach to exploiting this pressurised stock.

The Council was given an indication by the Commissioner of how he intends to launch his proposals for reforming the common fisheries policy. He intends to bring this forward in the form of a number of separate legislative proposals in the course of 2002. He intends to start by launching a "road map" of the Commission's plans in the new year, once the European Parliament has delivered its opinion on the Commission's Green Paper on the CFP review. The Commission then envisages that there might be an orientation debate at the Council in April, with subsequent Councils considering different elements of the legislative proposals.

The Commission and the Presidency both urged member states which had not yet completed their national procedures for ratifying the UN Straddling Stocks agreement to do so as soon as possible. This is required so that the EU can ratify the agreement which will now be entering into force in December.

Cattle Auctions

Jim Knight: to ask the Secretary of State for Environment, Food and Rural Affairs when auction markets for cattle will be restored in *(a)* Dorset and *(b)* areas that have been spared infection by foot and mouth disease. [16308]

Mr. Morley: A decision to reopen auction markets in Dorset or elsewhere in England and Wales will be made in the light of scientific and veterinary advice on progress with the eradication of FMD. It is not possible to state a precise time but it is expected to be in the early part of 2002, provided there are no further outbreaks.

Flood Defence

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list for each of the last 10 financial years the Government's annual expenditure on flood prevention and flood defences. [16633]

Mr. Morley: Flood defence is provided by the Environment Agency, local authorities and internal drainage boards. The great majority of their expenditure is provided by Government in the form of DEFRA grant (which is used by local authorities to fund levies to the Environment Agency, special levies to internal drainage boards and to finance their own spend on flood and coastal defence). The following table sets out total Government funding of flood and coastal defence for the last 10 years:

	£ million
1991–92	269.6
1992–93	279.7
1993–94	277.0
1994–95	274.0
1995–96	272.3
1996–97	309.7
1997–98	312.4
1998–99	315.9
1999–2000	326.3
2000–01	[1]328.5

[1] Information updated since response to the answer given to the hon. Member for Mid-Bedfordshire (Mr. Sayeed) on 9 November 2001, *Official Report*, column 451W.

Total expenditure is budgeted to increase to some £377 million in the current financial year and forecast to increase further to £393 million in 2002–03 and £414 million in 2003–04.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs when she expects to announce the results of her review into the financial and institutional arrangements governing flood defence matters; and if she will make a statement. [19088]

Mr. Morley: The conclusions of the review of flood and coastal defence funding arrangements will be published soon and will coincide with the initiation of a public consultation on recommendations in the report.

Countryside Visits

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 22 November 2001, *Official Report*, column 425W, on countryside visits, how many people visited the countryside in *(a)* 1996 and *(b)* 1998. [18834]

Alun Michael: The United Kingdom leisure day visits survey shows that in 1996 there were 1,302 million day visits and in 1998 there were 1,253 million day visits to the countryside. Figures are not available for the number of different people who visited the countryside.

Ash Moor, Petrockstowe

Mr. Burnett: To ask the Secretary of State for Environment, Food and Rural Affairs what microbiological studies have been carried out in relation to Ash Moor Petrockstowe; and if she will place the studies in the Library. [19136]

Mr. Morley: There is no requirement to include microbiological studies within an environmental impact assessment and none were carried out at Ash Moor.

Mr. Burnett: To ask the Secretary of State for Environment, Food and Rural Affairs what the grid references are of the site on which a geological survey was carried out in relation to Ash Moor Petrockstowe and if she will place the survey in the Library. [19138]

Mr. Morley: The draft environmental impact assessment on the Ash Moor mass burial site includes the appropriate information on the hydrology, geology and hydrogeology of the site. The information will be included in the final published text.

Mr. Burnett: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the environmental impact assessment in relation to Ash Moor Petrockstowe; and if she will revoke the decision to allow the site to be brought into use for the disposal of animal carcases. [19135]

Mr. Morley: The draft environmental impact assessment on the Ash Moor mass burial site is currently the subject of consultation with interested bodies. The final text will be published in the usual way. There are no current plans to use the Ash Moor site for the disposal of animal carcases.

Market Towns

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list *(a)* the level of funds available for the regeneration programme for the next three years, *(b)* the number of market towns that have received support in 2001–02 and *(c)* the number of market towns, as defined by the Government. [18786]

Alun Michael: From next April regional development agencies will make their forward spending plans within single budgets covering all their activities, rather than in several separate programme budgets. Rural regeneration budgets will no longer be separately identified within regional development agency total budgets. However regional development agencies must identify key planned rural outputs, and will in due course be able to report in arrears on actual expenditure in rural areas.

Rate Relief (Village Businesses)

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to introduce legislative proposals to extend the mandatory rate relief scheme for village shops to *(a)* small food shops, *(b)* pubs and *(c)* petrol filling stations. [18789]

Alun Michael: The village shop rate relief scheme was extended to include pubs and petrol stations in April 2001. Under the scheme, the sole village pub or petrol station with a rateable value of £9,000 or less in a qualifying settlement, is eligible to receive 50 per cent. rate relief from central Government. Local authorities have the power to top the relief up to 100 per cent.

In August, a rate relief scheme for farm diversification and village food shops was introduced. Under the scheme, mandatory 50 per cent. rate relief will be provided to all food shops with a rateable value below £6,000 in designated villages of less than 3,000 population.

Councils still have the discretion to give up to 100 per cent. relief to any business in a settlement which is eligible for the rate relief scheme with a rateable value below £12,000.

Town and Parish Councils

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs which town and parish councils have received financial assistance for *(a)* training and *(b)* preparation of local plans in 2001–02, stating in each case the level of funding made available. [18791]

Alun Michael: *(a)* The Countryside Agency, in consultation with the National Association of Local Councils, is still in the process of working up a national training strategy for town and parish councils. No parish or town council has therefore received funding for training from the Countryside Agency.

(b) The parish plans grant scheme was launched in April this year. The target is to have 1,000 communities producing town or parish plans by 2004.

The maximum level of grant available is £5,000 to cover 75 per cent. of the costs of producing the plan. To date, 243 parish and town councils have registered an interest to produce a plan and 72 have been made a formal offer of grant. Grant is paid out against actual expenditure but applicants can claim an "up front payment" of 25 per cent. of their grant application to help them get started.

Food and Farming Policy

Mr. Todd: To ask the Secretary of State for Environment, Food and Rural Affairs when she expects the Policy Commission on Food and Farming to report. [20224]

Margaret Beckett: The independent Policy Commission was tasked in the summer with reporting to the Government by the end of this year. The commission is making good progress and will complete the bulk of its work in that timetable, but it will now deliver its final report by the end of January 2002.

Sheep Brain Experiment

Mr. Todd: To ask the Secretary of State for Environment, Food and Rural Affairs if she will publish the reports of audits she has commissioned into the sheep brain pool experiment at the Institute for Animal Health. [20225]

Margaret Beckett: I have now received the reports of the two independent auditors, the UK Accreditation Service (UKAS) and Risk Solutions. I intend to publish them, along with a response from the Institute for Animal Health to the issues raised in the audits, at 9.30 am tomorrow (30 November) and will make the documents available to hon. Members through the Vote Office and Libraries.

National Forest (East Midlands)

David Taylor: To ask the Secretary of State for Environment, Food and Rural Affairs when she will report on the National Forest Company's progress in creating the National Forest in the east midlands. [19997]

Mr. Morley: I have arranged for copies of the National Forest Company's annual report and its accounts for 2000–01 to be placed in the House Libraries.

Aggregates Levy

Mr. Win Griffiths: To ask the Secretary of State for Environment, Food and Rural Affairs what estimates she has made of the increase in the use of recycled aggregate as a consequence of the introduction of the aggregates levy. [17925]

Ms Keeble *[holding answer 27 November 2001]:* I have been asked to reply.

The increase in the use of recycled aggregates as a consequence of the introduction of the aggregates levy cannot be predicted with certainty. The size of any change will depend on how the producers and consumers of aggregate respond to the levy and to consequent changes in prices, in both the short and longer term. The regulatory impact assessment prepared in 2000 to accompany the proposal for the levy noted that, using the short run elasticities produced by ECOTEC for the Quarry Products Association in 1998, a best estimate of the impact of a £1.60 levy on the demand for primary aggregates would be a reduction of around 10 per cent. of production or, currently, about 24 million tonnes per year. Alternative materials, including recycled aggregate, would replace some of this reduced production, and less aggregate would be required as a result of increased efficiency and a reduction in waste of all aggregates in construction and manufacturing processes. At any level of production, the levy should encourage a shift away from virgin aggregate towards alternative materials such as recycled aggregate.

Salmon Farming

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact of salmon farming on the environment; and if she will make a statement. [13869]

Mrs. Liddell: I have been asked to reply.

Responsibility for this matter rests with the Scottish Executive. I understand however that the key issues of concern have been identified and a range of actions designed to tackle them have been embarked upon.

SOLICITOR-GENERAL

Court of Appeal

Mr. Miller: To ask the Solicitor-General how many references there have been to the Court of Appeal under section 36 of the Criminal Justice Act 1972 since 1972. [18302]

The Solicitor-General: By virtue of section 36 of the Criminal Justice Act 1972, the Attorney-General may seek the opinion of the Court of Appeal on a point of law arising out of any trial on indictment where there has been an acquittal. Since 1972, there have been at least

56 Attorney-General's references where the Court of Appeal has given its opinion on a point of law. The figures for the last few years are as shown.

1998: 2

1999: 2

2000: 5

2001: 2.

HEALTH

Health Care Rationing

Peter Bottomley: To ask the Secretary of State for Health what recent assessment he has made of the extent of health care rationing. [11093]

Mr. Hutton: Patients continue to be assessed on the basis of clinical need, and it has been repeatedly made clear that those patients in clearest need will be treated as a matter of priority, regardless of any other factors. The National Institute for Clinical Excellence and the Committee for Health Improvement have been set up to ensure a faster more uniform uptake of treatments which work for the patient. In addition to this the NHS Plan sets out a commitment that by 2003, following a review of the existing weighted capitation formula used to distribute national health service funding, reducing inequalities will be a key criterion for allocating NHS resources to different parts of the country.

Disaster Planning (Wyre Forest)

Dr. Richard Taylor: To ask the Secretary of State for Health what plans have been made for the reception of casualties if a major disaster occurs in Wyre Forest. [11188]

Mr. Hutton: We are determined to ensure that the national health service is in as strong a position as possible to handle major incidents and we have recently asked senior NHS doctors and managers to review their arrangements for major incidents.

In line with Government guidance, Worcestershire has a comprehensive major incident plan in place for a range of possible scenarios. The plan has been developed in collaboration with health services across Worcestershire and involving all the emergency services and the local authority emergency planning departments.

Past experiences of major disasters in this country and abroad suggest that hospitals and minor injury centres both within Worcestershire and outside the district could be deployed depending on the scale of the disaster and the nature of injuries sustained. The Government's recent guidance to health authorities on major incident planning procedures is designed to heighten awareness as a precautionary measure and forms part of the Department's on-going work on medical countermeasures for biological incidents.

Major Trauma Casualties (Worcestershire)

Dr. Richard Taylor: To ask the Secretary of State for Health how many major trauma casualties could be received and treated simultaneously at hospitals in Worcestershire and neighbouring areas. [11189]

Mr. Hutton: The ability of hospitals to respond to major trauma is dependent on a number of factors. Within each hospital the ability to receive such casualties will depend on the number of resuscitation bays and intensive care units (ICU) beds available.

Only hospitals that have adequate facilities such as resuscitation, theatres, ITU and clinical expertise should receive major trauma. Currently in Worcestershire there are:

spaces for up to 12 patients and two resuscitation bays at the Alexandra Hospital,

spaces for up to seven patients and three resuscitation bays at Worcester Royal Infirmary.

There is the potential for spaces for up to 20 patients and four resuscitation bays in the new hospital in Worcester, due to open in April next year.

Worcestershire's major incident plan has escalation procedures to involve other sectors of the health and social services locally, and in surrounding areas. The Hereford and Worcestershire Ambulance Service National Health Service Trust would work in collaboration with local and surrounding acute hospitals and neighbouring ambulance trusts to ensure that patients are taken to the nearest appropriate facility.

Nurses

Andrew George: To ask the Secretary of State for Health how many *(a)* registered and *(b)* formerly registered nurses have taken up a full or part-time contract with the NHS after a break in their nursing career in each of the last three years for which records are available. [16398]

Mr. Hutton: The information requested is shown in the table.

Qualified nurses, midwives and health visitors who have returned to practice in the national health service

Year or part year	*Part time*	*Full time*
1 February 1999 to 31 January 2000	1,636	1,156
1 February 2000 to 31 January 2001	2,579	1,518
1 February 2001 to 31 October 2001	1,496	1,286

Note:

Data collected by the Department do not identify whether returning nurses are registered or formerly registered.

Andrew George: To ask the Secretary of State for Health what assessment he has made of the number of registered and formerly registered nurses who are not employed as nurses and who are *(a)* under 30, *(b)* under 40, *(c)* under 50 and *(d)* under 60 years of age. [16388]

Mr. Hutton: Data covering the number of registered and formerly registered nurses are collected by the United Kingdom Central Council for Nursing, Midwifery and Health Visiting (UKCC).

The table is the Department's analysis of the data supplied.

Nurses in England not working in the national health service

England—September 2000	*Less than 30*	*30 to less than 40*	*40 to less than 50*	*50 to less than 60*	*Not known*	*Total*
Nurses in England with effective registration who are not working in the NHS	29,020	48,240	47,990	35,290	30	160,580
Nurses previously registered in England who have let their UKCC registration lapse	2,720	29,790	36,680	35,950	1,490	106,630

Notes:

1. Individual records have been matched to health authorities and regions in England by postcode. Where postcode data are inaccurate or missing records have been matched by town/city.
2. Nurses have to register with the UKCC every three years to stay on the UKCC register.
3. Figures relate to the area of practice at the time of registration.
4. Numbers are rounded to the nearest 10.

Source:

UKCC databases analysed by the Department of Health

Deep Vein Thrombosis

Mr. John Smith: To ask the Secretary of State for Health what contribution his Department will make to the World Health Organisation study into deep vein thrombosis and air travel. [16319]

Jacqui Smith: The Department, in conjunction with the Department for Transport, Local Government and the Regions is planning to make a contribution to the World Health Organisation study in terms of financial support and the provision of advice, the details of which are under consideration.

Palliative Care

Miss Widdecombe: To ask the Secretary of State for Health how much of the money assigned to palliative care over three years has been spent; and if he will make a statement on how it was spent. [16353]

Jacqui Smith: By 2004 the national health service will be investing an additional £50 million which will match, on a national basis, the investment made by the voluntary sector. We will be monitoring the information from financial frameworks and cancer network service delivery plans to ensure that this investment is happening.

Plasmapheresis

Mr. Waterson: To ask the Secretary of State for Health what provision there is in the NHS for the treatment of severe sensitivity to light by plasmapheresis. [17144]

Mr. Hutton: Facilities for plasmapheresis are available in many large national health service haematology or immunology departments. We are not aware, however, of any photosensitive eruption for which it is routine treatment and for which the NHS would provide facilities.

Atypical Antipsychotic Drugs

Mr. Heald: To ask the Secretary of State for Health what estimate he has made of the average cost per patient of prescribing atypical antipsychotic drugs. [17222]

Jacqui Smith *[holding answer 22 November 2001]:* Information on the number of patients prescribed atypical antipsychotic drugs is not available.

The average net ingredient cost per prescription item for atypical antipsychotic drugs dispensed in the community in England in 2000 was £70.06.

The Department has asked the National Institute for Clinical Excellence to appraise the clinical and cost effectiveness of atypical antipsychotic drugs.

Operations

Mr. Heald: To ask the Secretary of State for Health what proportion of operations carried out under the NHS were performed in the private sector in the last 12 months. [19381]

Mr. Hutton: This information is not available in the form requested.

The Department has recently surveyed health authorities and trusts on the amount of activity they are purchasing for national health service patients within the private sector and will publish key results in due course. The Department is also currently reviewing its information needs as far as NHS-funded activity in the private sector is concerned.

Primary Care Trusts

Mr. Hoban: To ask the Secretary of State for Health what criteria will be used to allocate funding to primary care trusts. [19197]

Mr. Hutton: We currently allocate funding to health authorities, and they allocate funding to primary care trusts, on the basis of the relative needs of their populations. A weighted capitation formula is used to determine each health authority and primary care trust's fair share of available resources, to enable them to commission similar levels of services for populations in equal need.

In future the intention is that allocations will be made direct to primary care trusts. This is subject to the passage of legislation through Parliament. Allocations will continue to be based on the principle of weighted capitation.

Waiting Times

Mr. Hoban: To ask the Secretary of State for Health how many patients were waiting for *(a)* in-patient treatment and *(b)* out-patient appointments in each quarter of (i) 2000 and (ii) 2001 for *(a)* less than six months, *(b)* between six and 12 months, *(c)* between 12 and 18 months and *(d)* over 18 months. [19196]

Mr. Hutton: The number of inpatients waiting less than six months; between six and 12 months; between 12 and 18 months; and over 18 months in each quarter of 2000 and 2001 are given in the table.

More than half of the patients waiting over 18 months at end September 2001 are awaiting single use instruments for tonsillectomy or adenoidectomy. This is because the National Health Service has been advised only to carry out these procedures (when routine) using single-use supply instruments due to the theoretical risk of contracting vCJD. A sufficient supply of these instruments is now available, therefore we expect that the number of patients waiting for tonsillectomy or adenoidectomy procedures on the list will start to reduce and we will be able to ensure treatment of actual and potential over 18 month waiters in the coming months.

Inpatient data (trust based)

	Number of patients waiting			
Quarter ending	*Less than 6 months*	*6–12 months*	*12–18 months*	*More than 18 months*
March 2000	768,791	219,229	49,039	7
June 2000	774,867	221,642	61,380	1
September 2000	756,620	224,089	51,113	2
December 2000	767,254	217,912	49,205	10
March 2001	760,736	203,833	41,941	217
June 2001	770,715	220,471	46,333	356
September 2001	757,846	232,786	44,462	208

Source:

Department of Health—KH07 quarterly return

Data are not collected on the number of outpatients waiting in the time frames requested. However, data are collected on the number of outpatients waiting between three months and six months; and over six months. These data have been given in the table.

Outpatient data (trust based)

Number of patients still waiting for a first outpatient appointment following GP referral who have waited over 13 and over 26 weeks

	Number still waiting	
Quarter ending	*13–25 weeks*	*Over 26 weeks*
March 2000	269,385	132,223
June 2000	314,157	130,335
September 2000	309,928	125,840
December 2000	285,519	113,618
March 2001	201,981	81,847
June 2001	274,421	85,099
September 2001	307,248	92,821

Source:

Department of Health—QMO8 quarterly return

Mr. Lidington: To ask the Secretary of State for Health if he will list for *(a)* each health authority and *(b)* in total, (i) the authority-wide resident-based (A) in-patient and (B) daycase waiting list target for March 2002, (ii) the authority-wide profiled target for such cases for October 2001, (iii) the number of patients waiting for (1) in-patient and (2) daycase treatment in October 2001, (iv) the difference between (i) and (iii) and (v) the difference between (ii) and (iv). [19320]

Mr. Hutton: The latest information is given in the table. Data for October 2001 are not available until 7 December; therefore September 2001 data have been provided instead. There is a single profile for in-patients covering daycases and ordinary admissions.

Profiles are a management tool to ensure maintenance of the manifesto commitment. They are used to review progress, and to inform discussion between the Department and health authorities. The manifesto commitment was achieved in March 2000 and has been maintained since.

		Of which:					
Name	*Total in-patient waiting list (September 2001)*	*Ordinary patients*	*Daycase patients*	*In-patient waiting list profile for September 2001*	*Difference to September 2001 profile*	*Percentage difference to September 2001 profile*	*Waiting list plan for March 2002*
Hillingdon HA	4,167	2,341	1,826	4,001	166	4.1	4,059
Kensington, Chelsea and Westminster HA	4,477	2,552	1,925	4,456	21	0.5	4,504
Redbridge and Waltham Forest HA	10,349	5,019	5,330	10,542	−193	−1.8	11,197
Bedfordshire HA	10,304	4,744	5,560	10,411	−107	−1.0	9,818
Berkshire HA	14,495	6,962	7,533	14,568	−73	−0.5	14,006
Buckinghamshire HA	13,221	6,857	6,364	12,960	261	2.0	12,928
Croydon HA	6,561	3,189	3,372	6,848	−287	−4.2	6,630
East Kent HA	16,414	7,750	8,664	16,278	136	0.8	15,625
West Kent HA	24,236	10,311	13,925	22,827	1,409	6.2	23,748
Kingston and Richmond HA	7,122	2,490	4,632	7,233	−111	−1.5	6,999
Lambeth, Southwark and Lewisham HA	15,914	8,290	7,624	15,964	−50	−0.3	16,274
Merton, Sutton and Wandsworth HA	10,084	4,753	5,331	9,878	206	2.1	9,977
East Surrey HA	8,527	4,449	4,078	8,768	−241	−2.7	8,900
West Surrey HA	14,644	6,383	8,261	14,339	305	2.1	14,550
East Sussex Brighton and Hove HA	17,893	10,053	7,840	17,028	865	5.1	17,260
West Sussex HA	18,714	9,705	9,009	18,640	74	0.4	18,554
Barking and Havering HA	10,804	5,371	5,433	9,929	875	8.8	10,078
Brent and Harrow HA	8,244	4,625	3,619	8,309	−65	−0.8	8,550
Camden and Islington HA	6,083	3,671	2,412	5,662	421	7.4	5,418
Ealing, Hammersmith and Hounslow HA	13,734	6,801	6,933	13,178	556	4.2	13,188
East London and City HA	11,388	6,549	4,839	11,514	−126	−1.1	11,590
North Essex HA	20,872	10,095	10,777	20,925	−53	−0.3	22,027
South Essex HA	17,408	7,165	10,243	16,522	886	5.4	16,908
South Lancashire HA	7,936	3,485	4,451	8,355	−419	−5.0	8,540
Liverpool HA	10,596	5,304	5,292	11,132	−536	−4.8	11,084
Manchester HA	12,189	5,674	6,515	11,016	1,173	10.6	11,325
Morecambe Bay HA	6,789	2,747	4,042	6,177	612	9.9	6,123

Name	*Total in-patient waiting list (September 2001)*	*Of which:* *Ordinary patients*	*Daycase patients*	*In-patient waiting list profile for September 2001*	*Difference to September 2001 profile*	*Percentage difference to September 2001 profile*	*Waiting list plan for March 2002*
St. Helens and Knowsley HA	9,514	4,590	4,924	8,794	720	8.2	8,627
Salford and Trafford HA	12,828	4,965	7,863	11,401	1,427	12.5	11,233
Sefton HA	7,430	3,420	4,010	7,297	133	1.8	7,251
Stockport HA	7,249	3,754	3,495	6,740	509	7.6	6,632
West Pennine HA	11,663	4,678	6,985	12,051	−388	−3.2	12,03
Northamptonshire HA	13,728	6,508	7,220	13,255	473	3.6	13,196
Oxfordshire HA	10,942	6,034	4,908	10,053	889	8.8	10,173
Suffolk HA	15,255	7,703	7,552	14,363	892	6.2	14,999
Barnsley HA	4,243	2,092	2,151	4,953	−710	−14.3	4,435
North Derbyshire HA	8,202	3,529	4,673	8,735	−533	−6.1	8,600
Southern Derbyshire HA	12,470	5,099	7,371	12,824	−354	−2.8	12,800
Doncaster HA	4,111	1,964	2,147	4,331	−220	−5.1	4,120
Leicestershire HA	16,056	8,355	7,701	16,556	−500	−3.0	16,100
Lincolnshire HA	15,717	7,370	8,347	16,195	−478	−3.0	16,600
North Nottinghamshire HA	7,976	4,131	3,845	7,847	129	1.6	8,000
Nottingham HA	11,365	6,106	5,259	11,328	37	0.3	11,615
Rotherham HA	3,819	2,019	1,800	3,696	123	3.3	3,700
Sheffield HA	11,287	5,626	5,661	10,568	719	6.8	10,475
Bury and Rochdale HA	9,523	4,613	4,910	8,700	823	9.5	8,664
North Cheshire HA	8,747	6,944	4,682	8,938	−191	−2.1	8,821
South Cheshire HA	14,148	6,944	7,204	14,570	−422	−2.9	14,046
East Lancashire HA	12,441	5,166	7,275	11,990	451	3.8	12,036
North West Lancashire HA	11,350	4,564	6,786	11,560	−210	−1.8	11,704
North and Mid Hampshire HA	10,508	5,667	4,841	10,059	449	4.5	10,088
Southampton and SW Hampshire HA	13,564	6,383	7,181	13,933	−369	−2.6	14,708
Somerset HA	11,623	5,785	5,838	11,142	481	4.3	11,122
South and West Devon HA	13,771	7,315	6,456	13,343	428	3.2	13,005
Wiltshire HA	12,397	6,387	6,010	11,524	873	7.6	10,434
Avon HA	21,492	11,959	9,533	19,981	1,511	7.6	19,990
Birmingham HA	15,197	7,270	7,927	14,379	818	5.7	14,393
Wigan and Bolton HA	13,540	6,417	7,123	13,274	266	2.0	13,577
Wirral HA	5,602	3,205	2,397	4,909	693	14.1	4,808
Bradford HA	10,001	3,765	6,236	9,822	179	1.8	10,255
County Durham and Darlington HA	11,508	5,635	5,873	11,209	299	2.7	11,313
East Riding and Hull HA	11,637	6,144	5,493	11,673	−36	−0.3	11,807
Gateshead and South Tyneside HA	7,671	3,471	4,200	7,778	−107	−1.4	8,244
Leeds HA	13,675	6,890	6,785	13,510	165	1.2	14,286
Newcastle and North Tyneside HA	6,945	3,584	3,361	7,696	−751	−9.8	7,839
North Cumbria HA	7,497	3,069	4,428	7,478	19	0.3	7,752
South Humber HA	7,848	2,837	5,011	8,474	−626	−7.4	8,310
Northumberland HA	5,177	2,420	2,757	4,932	245	5.0	4,910
Sunderland HA	6,095	2,817	3,278	5,911	184	3.1	6,127
Tees HA	10,952	5,286	5,666	10,624	328	3.1	10,984
Wakefield HA	6,721	3,492	3,229	7,087	−366	−5.2	7,394
North Yorkshire HA	13,795	6,491	7,304	14,571	−776	−5.3	14,460
Calderdale and Kirklees HA	10,564	4,716	5,848	11,068	−504	−4.6	10,760
Cornwall and Isles of Scilly HA	12,004	6,317	5,633	12,388	−384	−3.1	12,123
Dorset HA	8,736	4,152	4,584	9,745	−1,009	−10.4	9,745
North and East Devon HA	10,991	5,830	5,161	11,178	−187	−1.7	11,273
Gloucestershire HA	8,205	3,879	4,326	7,920	285	3.6	7,935
Coventry HA	4,807	2,575	2,232	4,152	655	15.8	4,187
Dudley HA	4,792	2,327	2,465	4,627	165	3.6	4,327
Herefordshire HA	2,792	1,338	1,454	2,048	384	15.9	2,630
Sandwell HA	4,601	2,031	2,570	4,466	135	3.0	4,520
Shropshire HA	7,012	3,984	3,028	6,705	307	4.6	7,053
Solihull HA	3,487	1,689	1,798	3,448	39	1.1	3,523
North Staffordshire HA	6,473	3,074	3,399	6,494	−21	−0.3	6,715
South Staffordshire HA	12,667	5,800	6,867	12,530	137	1.1	12,767
Walsall HA	2,741	1,533	1,208	2,576	165	6.4	2,608
Warwickshire HA	10,345	4,679	5,666	9,507	838	8.8	9,780
Wolverhampton HA	3,730	2,166	1,564	3,651	79	2.2	3,726
Worcestershire HA	9,517	4,613	4,904	9,738	−221	−2.3	9,950
Cambridgeshire HA	14,616	7,443	7,173	13,834	782	5.7	13,641
Norfolk HA	18,493	8,589	9,904	18,301	192	1.0	17,442
Isle of Wight, Portsmouth and South East Hampshire	14,876	7,373	7,503	12,681	2,195	17.3	13,026
Barnet, Enfield and Haringey HA	15,076	8,638	6,438	15,353	−277	−1.8	15,865
Hertfordshire HA	21,513	11,141	10,372	21,897	−384	−1.8	22,373
Bexley, Bromley and Greenwich HA	13,817	6,933	6,884	13,230	587	4.4	14,288
England	1,022,300	497,793	524,507	1,005,411	16,889	1.7	1,007,728

Nursing Care

Mr. Lidington: To ask the Secretary of State for Health how many *(a)* nursing home beds per 10,000 population over 18, *(b)* residential places per 10,000 population over 18 and *(c)* mental health nursing home beds (EMI) per 10,000 weighted population there are in (i) the Buckinghamshire health authority area and (ii) England. [19312]

Jacqui Smith: The information available is given in the table. Details relating to 31 March 2001 will be published at the end of November 2001, in the Statistical Bulletin "Community Care Statistics 2001: Residential personal social services for adults, England".

Rate of nursing beds, residential places and mental health nursing beds per 10,000 population aged 18 and over in the Buckinghamshire health authority area and England in 2000, as at 31 March 2000—rates per 10,000 population aged 18+

	(i) Buckinghamshire health authority area	*(ii) England*
(a) Registered nursing beds	36	50
(b) Residential places[1]	64	90
(c) Mental health nursing home care beds[2]	2	7

[1] Information is presented for the combined area of Buckinghamshire and Milton Keynes

[2] Registered nursing beds for client group of 'mental health' in general and mental nursing homes, private hospitals and clinics

Source:

Department of Health's annual returns

Mr. Lidington: To ask the Secretary of State for Health what proportion of nursing posts are vacant in *(a)* the Buckinghamshire health authority area and *(b)* England. [19314]

Mr. Hutton: The information requested is shown in the table.

Department of Health Vacancy Survey 2001
Qualified nurses, midwives and health visitors

whole-time equivalents

	3 month vacancy rates (Percentage)	*Number of 3 month vacancies*	*Number of staff in post*
England	3.4	9,000	256,200
Buckinghamshire HA	7.8	230	2,680

Notes:

1. Three month vacancies are vacancies as at 31 March 2000–01 which trusts are actively trying to fill, which had lasted for three months or more (whole time equivalents).
2. Three month vacancy rates are three month vacancies expressed as a percentage of three month vacancies, plus staff in post from September 1999–2000 medical and dental and non-medical workforce censuses (whole time equivalent).
3. HA figures are based on trusts, and do not necessarily reflect the geographical provision of healthcare.
4. Numbers are rounded to the nearest ten.
5. Percentages are rounded to one decimal place.
6. England totals include staff form special health authorities.
7. Totals may not equal sum of component parts due to rounding.
8. Staff in post figures are taken from the Department of Health Non-medical Workforce Census, September 2000.

Source:

Department of Health Vacancies Survey

Social Services

Mr. Lidington: To ask the Secretary of State for Health how many full-time equivalents per 10,000 population work in social services in *(a)* Buckinghamshire, *(b)* Milton Keynes and *(c)* England. [19316]

Jacqui Smith: As at 30 September 2000 the number of whole-time equivalent personal social services staff employed by local authorities per 10,000 population was 22.1 in Buckinghamshire, 32.1 in Milton Keynes unitary authority and 43.4 in England.

Children (Local Authority Care)

Tim Loughton: To ask the Secretary of State for Health if he will give his estimate for the number of looked after children in the care of local authority social services departments per calendar year in each of the last 10 years. [19310]

Jacqui Smith: The information requested is in the table. Figures are not collected on a calendar year basis but are supplied on the basis of years ending 31 March.

Number of children looked after by local authorities, years ending 31 March, England

Year	*Number*
1992	55,500
1993	51,600
1994	49,100
1995	49,500
1996	50,600
1997	51,100
1998	53,300
1999	55,500
2000	58,100
2001	58,900

Notes:

1. Figures exclude children accommodated under an agreed series of short-term placements.
2. Numbers are rounded to the nearest hundred.

Source:

Department of Health annual statistical return SSDA 903

Adoption

Tim Loughton: To ask the Secretary of State for Health what activities he includes under the heading of Adoption Support Services. [19227]

Jacqui Smith: The Adoption and Children Bill provides that adoption support services means counselling, advice and information in connection with adoption, and other such services as are specified in regulations. Our intention is that the adoption support services included in the regulations will include financial support.

The White Paper "Adoption: a new approach" published in December 2000, a copy of which is available in the Library, includes examples of the types of services that could be provided in a comprehensive adoption support services. These include the provision of support groups for those affected by adoption, facilitating contact between adopted children and birth parents, providing practical help (such as respite care) to adoptive families, and child therapeutic services. The aim is to ensure that all those affected by adoption, particularly adoptive families, can be helped to effectively access mainstream services and also be provided with support to meet needs specific to the adoptive placement.

The development of the national framework for adoption support is being informed by a stakeholder group and the work of the adoption and permanence task force. We intend to publish the framework for consultation in the spring and to finalise this in the light of the consultation responses prior to publishing draft regulations for consultation.

Tim Loughton: To ask the Secretary of State for Health what his assessment is of the likely impact of the Adoption and Children Bill within five years of enactment on *(a)* the number of children adopted, *(b)* the proportion of babies adopted as a percentage of the total and *(c)* the proportion of looked after children adopted as a percentage of the total compared with current figures. [19232]

Jacqui Smith: It is not possible to provide figures for the position five years after the enactment of the Adoption and Children Bill. However, a number of the provisions in the Bill will encourage more prospective adopters to come forward. In particular, the independent review mechanism should build confidence in the assessment process for prospective adopters and the adoption support frameworks should ensure that those adopting can be confident that they will receive the assistance they need to make any placement work. The Adoption Register for England and Wales will also facilitate the matching of children waiting for new families with approved adopters and help to increase the numbers of children being adopted.

Tim Loughton: To ask the Secretary of State for Health what his intentions are regarding increasing the number and nature of adoptions taking place across local authority boundaries. [19223]

Jacqui Smith: We expect to see an increase in the numbers of children placed across local authority boundaries, particularly of older children and sibling groups, as a result of increased consortia working and the impact of the Adoption Register for England and Wales.

Tim Loughton: To ask the Secretary of State for Health when he proposes to produce a report on the system of home studies for adoption placements. [19213]

Jacqui Smith: The White Paper "Adoption—a new approach", a copy of which is available in the Library, makes clear that the Department will carry out a fundamental review of the assessment process for adopters and the operation of adoption panels. Work has begun to determine the scope of this project and it is our intention to establish a stakeholder group to input to the process early in the New Year. We will bring forward proposals for consultation during 2002 and implement the resulting changes as part of the wider Adoption and Children Bill implementation.

Tim Loughton: To ask the Secretary of State for Health what assessment he has made of the likely cost of regulation of voluntary adoption agencies under the terms of the Adoption and Children Bill as it relates to the Care Standards Act 2000. [19208]

Jacqui Smith: Information on the anticipated costs of regulation was prepared and included in the recent consultation document "Frequencies of Inspection and Regulatory Fees", a copy of which is in the Library.

Tim Loughton: To ask the Secretary of State for Health when after Royal Assent he expects the terms of the Adoption and Children's Bill to come into force. [19228]

Jacqui Smith: We are considering the timetable for bringing the measures in the Adoption and Children Bill into force and will come to a view as the Bill makes its progress through Parliament.

Tim Loughton: To ask the Secretary of State for Health what his policy is regarding fees which may be charged by adoption agencies in respect of the provision of services to persons providing facilities as part of the adoption service resulting from the Adoption and Children Bill. [19211]

Jacqui Smith: Clause 11 of the Adoption and Children Bill enables the appropriate Minister (the Secretary of State in England and the National Assembly in Wales) to make regulations prescribing the fees which may be paid and charged by adoption agencies to organisations such as other adoption agencies and adoption support agencies in respect of the provision of services as part of the Adoption Service. We believe that the existing inter-agency fee system operated by adoption agencies should continue to operate as it does at the moment. However, we have promised to keep the inter-agency fee under review and this power will enable us to make any changes we may consider necessary at a future date.

It is not our intention to enable local authorities to charge adopters or prospective adopters in respect of domestic adoption services, and nothing in Clause 11 permits them to do so.

However, the Bill enables the appropriate Minister to make regulations prescribing the fees which may be charged by local authorities to adopters and prospective adopters in respect of intercountry adoption. It is intended that the regulations will enable local authorities to charge fees to contribute towards their costs in providing information, preparing and assessing prospective adopters, obtaining medical reports and police checks and preparing post-placement and post-adoption reports in respect of intercountry adoption cases. These charges will not be permitted to include any element of profit.

Tim Loughton: To ask the Secretary of State for Health what study he has made of cases of criminal assault against birth parents by their adopted children; and how many such cases he has studied. [19205]

Jacqui Smith: There has been no such study. Concerns have been expressed about the small minority of cases where birth parents may be placed at some risk where access is provided to the birth records.

Tim Loughton: To ask the Secretary of State for Health if he will make a statement on the effectiveness at tracking adopted children in the system operating in England and Wales. [19309]

Jacqui Smith: Looked after children who are placed for adoption are monitored through central data collections and local tracking mechanisms in the same way as any other looked after child.

Once an adoption order is made it would not be appropriate to track adopted children in this way. However, we are committed to securing long-term success and stability for adoptions. That is why in the White Paper "Adoption—a new approach", a copy of which is in the Library, we undertook to work with the relevant stakeholders to develop appropriate ways of obtaining regular information on the success of permanent placements, including adoption (for example, through voluntary anonymous surveys and through the provision of adoption support services). We will use this information to inform future policy developments and to help us to develop and set targets that focus on the success and stability of all permanent placements, both before and after the making of relevant Court Orders. We aim to set such targets by 2004–05.

Next year, we shall develop an integrated children's system, a key theme of our Quality Protects programme, which will bring together planning and record keeping for children in need in the community and those looked after by local authorities. It will provide a single, coherent record for the child's case history until adoption and will help planning and decision making. The aim is to improve individual local authorities' information and record keeping.

Tim Loughton: To ask the Secretary of State for Health (1) what the procedure for appeal against the findings of a panel will be and what complaints procedure will be available to the applicants in his proposals for setting up review panels in clause 12 of the Adoption and Children Bill; [19217]

(2) which ombudsman will be responsible for complaints against adoption review panels proposed in the Adoption and Children Bill. [19218]

Jacqui Smith: To encourage more people to apply to adopt and to build confidence in the adopter assessment process, the White Paper "Adoption—a new approach" committed the Government to provide an independent review where an adoption agency intends to turn down a prospective adopter's application. A copy of the White Paper has been placed in the Library. The Bill includes powers enabling the appropriate Minister to make regulations to establish such a mechanism, which may be run by an independent body. The intention is that the independent review mechanism will review, at a prospective adopter's request, applications that adoption agencies have indicated they are minded to turn down. It is also intended to use the independent review mechanism to review adoption agency qualifying determinations about the disclosure of information concerning a person's adoption. It will remain the responsibility of the adoption agency to make a final decision after taking into consideration the recommendation of the independent review. Detail on how the review mechanism will work, the complaints procedure and the determinations that it will be used to review will be fully consulted on.

Tim Loughton: To ask the Secretary of State for Health under clause 12 of the Adoption and Children Bill, to which organisations he might delegate his functions in respect of the operation of review panels. [19307]

Jacqui Smith: To encourage more people to apply to adopt and to build confidence in the adopter assessment process, the White Paper "Adoption—a new approach" committed the Government to provide an independent review where an adoption agency intends to turn down a prospective adopter's application. A copy of the White Paper has been placed in the Library.

The Bill includes powers enabling the appropriate Minister to establish a mechanism, which may be run by an independent body, to review qualifying adoption agency determinations. Details of how the review mechanism system will work will be fully consulted on. Any organisation wishing to apply to operate the independent review mechanism will be required to demonstrate that it has the relevant expertise to enable it to perform this function.

Tim Loughton: To ask the Secretary of State for Health if he will list the representations he has received regarding adoption since publication of the draft adoption Bill in March. [19296]

Jacqui Smith: We have received representations from the British Agencies for Adoption and Fostering, the Local Government Association, the Association of Directors of Social Services, NORCAP, Adoption UK, Barnardos, and many other interested parties and private individuals.

Tim Loughton: To ask the Secretary of State for Health what is the meaning of child's welfare in the Adoption and Children Bill. [19229]

Jacqui Smith: Clause 1(2) of the Adoption and Children Bill makes the child's welfare the paramount consideration of the court or adoption agency in any decision about the adoption of a child. It brings the welfare test into line with that in the Children Act 1989, with the important addition that the court or agency must consider the child's welfare throughout his life, in recognition of the lifelong implications of adoption. Under Clause 1(3) the court or agency must also bear in mind that in general any delay is likely to prejudice the child's welfare.

The "child's welfare" is not defined in the Bill, as is the position under both the Children Act 1989 and the Adoption Act 1976. Case law under the 1989 and 1976 Acts shows that the courts have given a wide interpretation to the term "welfare". Clause 1(4) sets out some of the issues that will be relevant in a "welfare checklist" that must be applied by the court or agency in determining the best interests of the child in any decision relating to adoption. It includes a requirement to have regard to the child's ascertainable wishes and feelings about the decision and to his particular needs. It also obliges the court or agency to have regard to the relationship the child has with his relatives, the prospects of and benefits to the child of this relationship continuing, the ability of his relatives to provide the child with a secure home and to meet his needs, and their views concerning the decision relating to the adoption of the child.

Tim Loughton: To ask the Secretary of State for Health if he will publish a preliminary list of those overseas countries to which Chapter 6 of the Adoption and Children Bill will apply. [19294]

Jacqui Smith: Chapter 6 of the Adoption and Children Bill covers all adoptions with a foreign element. This includes children habitually resident outside the British Islands brought into the United Kingdom by individuals habitually resident in the United Kingdom, whether they were adopted outside the United Kingdom or it is planned to adopt them in the United Kingdom. It also includes the taking out of the United Kingdom for adoption children who are Commonwealth citizens or habitually resident in the United Kingdom.

Once the Bill is implemented overseas countries will fall into three distinct categories:

(i) Those that have ratified the 1993 Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption. Prospective adopters will be required to follow prescribed procedures to adopt under the Convention. Convention adoptions will be automatically recognised in the United Kingdom. We are currently consulting on this system and the draft guidance and draft Regulations for England and Wales to be issued under the Adoption (Intercountry Aspects) Act 1999.

(ii) Those that have adoption procedures that meet requirements prescribed by my right hon. Friend the Secretary of State (following consultation with the National Assembly for Wales). These are specified "overseas adoptions" and will be recognised in the United Kingdom. The intention is to consult upon the criteria prior to making regulations. It is likely that they will be based upon the key principles enshrined in international law, including the law in the overseas country:

ensures that the child has been freely given up for adoption and that this has not been induced by payment or compensation of any kind;

makes attempts to place the child in a family in their own country;

confirms that intercountry adoption is in the child's best interests;

requires that the domestic and intercountry adoption arrangements and requirements are the same;

ensures that profit is not made from the process;

ensures that the prospective adopters have been assessed and approved as suitable to adopt in their home country.

Prospective adopters habitually resident in the United Kingdom will be required to follow the prescribed procedures and satisfy conditions prior to adopting overseas to avoid committing an offence under Clause 80 of the Adoption and Children Bill.

(iii) Those countries that have not ratified the Hague Convention and do not have procedures that meet the prescribed criteria for inclusion in the Order specifying "overseas adoptions". Any adoption order made in one of these countries would not be recognised under United Kingdom law and so any child brought into the UK from one of these countries would need to be adopted under UK law. Prospective adopters habitually resident in the UK will be required to follow the prescribed procedures and satisfy prescribed conditions prior to bringing a child back into the UK to avoid committing an offence under Clause 80 of the Adoption and Children Bill.

Tim Loughton: To ask the Secretary of State for Health how many overseas adoption applications have been processed by his Department in each of the last five years. [19207]

Jacqui Smith: The table shows how many overseas adoption applications the Department has processed in each of the last five years.

Intercountry adoption applications processed by the Department of Health

	Number
2000	351
1999	277
1998	258
1997	221
1996	310

Tim Loughton: To ask the Secretary of State for Health if he will publish his Regulatory Impact Assessment of the Adoption and Children Bill. [19210]

Jacqui Smith: The Regulatory Impact Assessment on the Adoption and Children Bill was published on 19 October 2001, the date of introduction of the Bill. It is available in the Library and on the Department's website.

Tim Loughton: To ask the Secretary of State for Health what his proposals are for which local authority should be responsible for the resourcing and provision of specialist educational provision for persons adopted outside of the original local authority's area. [19222]

Jacqui Smith: The Adoption and Children Bill provides a power to make regulations setting out where the responsibility lies for assessment and provision of adoption support services in cases where a child is placed with an adoptive family living in a different local authority area. We will use this power to make regulations which put in place a clear system for the provision of adoption support services in these circumstances. We will also make regulations to ensure the appropriate flow of funding between local authorities in such cases. These regulations will form part of the new framework for adoption support which we are currently developing. We intend to consult fully on the framework and the draft regulations, to ensure that we get the detail right.

We also intend to issue guidance and directions to health authorities, primary care trusts and local education authorities to ensure the joined-up planning and provision of public services in connection with adoption.

Tim Loughton: To ask the Secretary of State for Health what estimate he has made of the proportion of children subject to special guardianship orders which would be issued under Clause 110 of the Adoption and Children Bill as opposed to full adoption proceedings. [19214]

Jacqui Smith: It is impossible to estimate accurately the proportion of children who are likely to be the subject to a special guardianship order as compared with adoption. However, we believe the order will be of particular benefit to older children who do not wish to be adopted, but who do want the greater security offered by special guardianship. We have made it clear that special guardianship orders will be accompanied by access to a full range of support services including, where appropriate, financial support, to help the placement succeed. The responses to the consultation on the report of the performance and innovation unit's on adoption[1] were overwhelmingly in favour of creating such an order. We will continue to consult fully on how best to introduce the special guardianship order to optimise its use, where appropriate.

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[1] Adoption: issued for consultation, (July 2000), Cabinet Office, London

Tim Loughton: To ask the Secretary of State for Health what his proposals are for payment of allowances for the new special guardianship orders proposed in the Adoption and Children Bill. [19295]

Jacqui Smith: The White Paper "Adoption—a new approach", a copy of which is in the Library, made it clear that special guardianship orders would be accompanied by access to a full range of support services including, where appropriate, financial support, to help the placement succeed. This is reflected in the Adoption and Children Bill. The details of these arrangements will be included in a draft national framework for adoption financial support which we intend to publish for consultation next spring.

Tim Loughton: To ask the Secretary of State for Health what proposals he has for encouraging the provision of intermediary services to people connected with adoption as a result of the Adoption and Children Bill. [19226]

Jacqui Smith: The provision of intermediary services to people connected with adoption will be considered as part of the development of the adoption support framework promised in the White Paper "Adoption—a new approach", a copy of which is available in the Library.

Tim Loughton: To ask the Secretary of State for Health when he proposes to publish regulations relating to the provision of assessments and support services for people connected with adoption. [19221]

Jacqui Smith: We intend to publish our proposals for the handling of assessments for adoption support and a draft framework for the provision of adoption support services, including financial support, for consultation in the spring. After considering the consultation responses we will publish for consultation the draft Regulations to give effect to our final proposals under Clauses 2, 3 and 4 of the Adoption and Children Bill.

Tim Loughton: To ask the Secretary of State for Health what was the average time for completion of adoption for children identified as potential adoptees under the age of one in each of the last 10 years. [19212]

Jacqui Smith: Information on the duration of the period between 'best interest decision' and date of adoption has been collected centrally only since 1 April 2000. In order to show a 10-year time series, the data in the table show the average duration between the date of start of care and date of adoption for children who were aged under one when care started.

Estimate number of children adopted from care during years ending 31 March 1993–2001 aged under one year at start of latest period of care, and the average duration of that period of care. England

		Average duration	
	Number	Years	Months
1993	1,150	2	7
1994	1,000	2	8
1995	930	2	9
1996	910	2	7
1997	890	2	5
1998	1,190	2	7
1999	1,270	2	2
2000	1,520	2	2
2001	1,710	2	2

Estimate number of children adopted from care during years ending 31 March 1993–2001 aged under one year at start of latest period of care, and the average duration of that period of care. England

Sources:
1993 to 1997—SSDA903
1998 to 2000—SSDA903 and Key Statistics
2000-AD1 return

At 31 March 2001, the average length of time between entry into care and the best interest decision for all children adopted was one year, one month.

Tim Loughton: To ask the Secretary of State for Health if he will list the procedures for obtaining a child's ascertainable wishes as set out in the Adoption and Children Bill. [19231]

Jacqui Smith: Clause 1(4)(a) of the Adoption and Children Bill provides courts and adoption agencies with a legal obligation to ascertain the child's wishes and feelings about all decisions relating to adoption, and to take them into account considering the child's age and understanding. The precise procedure will be set out for adoption agencies in regulations and guidance, and for the courts in court rules and in guidance.

We intend to consult on the new draft regulations and guidance before the Bill's provisions are implemented.

Tim Loughton: To ask the Secretary of State for Health how many foster parents are on the register of social services departments in each local authority in England and Wales; and how many were on the register in *(a)* 1990 and *(b)* 1995. [19215]

Jacqui Smith: Figures for 1990 and 1995 are not held.

We do have data supplied to the Department by councils from 1998–99 when they applied for training support project grants at the beginning of each financial year to train/assess foster carers to the Care NVQ Level 3. These figures detail the numbers of foster carers who were contracted directly by the council and via independent fostering agencies.

Data are as follows:

Number of foster carers

	Directly contracted by local councils	Contracted by LCs via independent agencies	Total
1998–99	29,689	835	30,524
1999–2000	30,166	1,085	31,251
2000–01	30,003	1,502	31,505
2001–02	30,343	2,023	32,366

Tim Loughton: To ask the Secretary of State for Health on what advice he based his proposals to restrict the right of access to an adopted person's birth certificate and birth parent details granted in the Adoption Act 1976 as set out in Chapter 3 of the Adoption and Children Bill. [19204]

Jacqui Smith: Officials have advised me that section 51 of the Adoption Act 1976 has worked well in the vast majority of cases. However, since the 1976 Act there have been concerns about a small number of cases where there could be a risk to birth parents if they were traced through the birth records.

Tim Loughton: To ask the Secretary of State for Health if it is his intention to change the number of *(a)* voluntary organisations and *(b)* informal groups providing adoption support services in England and Wales. [19225]

Jacqui Smith: The Adoption and Children Bill includes new provisions requiring adoption support agencies to register with the National Care Standards Commission in England and with the National Assembly in Wales. Agencies in addition to adoption agencies which are registered with the National Care Standards Commission will be able to provide specialist support in connection with adoption. Registration in this way will ensure that such services are provided to a high standard.

The Bill's provisions on registration of adoption support agencies will provide an improved level of protection for people receiving adoption support services. Our intention is to regulate organisations and individuals providing professional support services, not to prevent people from providing informal support in their own homes.

We promised in our White Paper "Adoption: a new approach", published in December 2000, to develop new frameworks for adoption support and financial support. We will publish the frameworks for consultation in the spring. There may be a slight increase in the number of organisations providing adoption support as a wider range of services are made available under the frameworks.

Tim Loughton: To ask the Secretary of State for Health what proposals he has for the *(a)* selection of members, *(b)* qualifications and training of members, *(c)* payment of members, *(d)* scrutiny and *(e)* likely operating cost, in relation to review panels set up under Clause 12 of the Adoption and Children Bill; and at what stages he envisages review panels will operate. [19216]

Jacqui Smith: To encourage more people to apply to adopt and to build confidence in the adopter assessment process, the White Paper "Adoption—a new approach" committed the Government to provide an independent review where an adoption agency intends to turn down a prospective adopter's application. A copy of the White Paper has been placed in the Library. The Bill includes powers enabling the appropriate Minister to make regulations to establish a mechanism, which may be run by an independent body, to review qualifying adoption agency determinations. Details of how the review mechanism system will work, including the composition of the body and its membership, will be fully consulted on.

Tim Loughton: To ask the Secretary of State for Health what his assessment is of reasonableness for a period of delay as used in the Adoption and Children Bill. [19230]

Jacqui Smith: This will depend on the facts of the particular case.

Tim Loughton: To ask the Secretary of State for Health what proposals he has for funding centrally the operation of the review panels under the Adoption and Children Bill. [19308]

Jacqui Smith: The cost of establishing and administering the independent review mechanism will be met centrally from the extra £66.5 million for adoption announced in the White Paper "Adoption—a new approach", a copy of which has been placed in the Library. We have promised to consult on the detail of how the independent review mechanism will operate, to ensure that we get it right. The running costs of the review mechanism will be taken into account in the forthcoming spending review.

Capital Spending Projects

Tim Loughton: To ask the Secretary of State for Health if he will list those capital spending projects being negotiated in the NHS where the lead on building and management involves an overseas firm or organisation. [19298]

Mr. Hutton: Detailed negotiation information is only held centrally on private finance initiative projects with a capital value of £25 million and over. No information is held centrally regarding the country in which the bidders are either registered or owned. Information is therefore supplied for all trusts which have shortlisted or preferred bidders, ie: the stage at which negotiations begin. These are listed in the table.

NHS trust	*Consortia name*	*Builder*	*Facilities management*
Southern Derbyshire Acute Hospitals	1. Concept Healthcare 2. Healthcare Projects	1. Kier 2. Skanska	1. Building and Property 2. Medirest
Havering Hospitals	1. Byhave Ltd. 2. Catalyst	1. Bouygues 2. Bovis	1. Ecovert 2. Sodexho
Gloucestershire Royal	Gloucester Healthcare Partnerships	Balfinger and Berger	M and W Zander
University Hospitals Warwickshire and Coventry	Skanska Innisfree	Skanska	ISS Mediclean
Central Manchester Healthcare	1. Catalyst Healthcare 2. Mowlem Health Solutions 3. New Hospitals	1. Bovis 2. Mowlem 3. Taylor Woodrow	1. Sodexho 2. Aqumen 3. Medirest
Blackburn, Hyndburn and Ribble Valley Healthcare	Balfour Beatty Charterhouse	Balfour Beatty	Haden

North Bristol NHS Trust

Mr. Webb: To ask the Secretary of State for Health if hospital improvement plans submitted by the North Bristol NHS Trust are among the proposals by trusts that he has prioritised for capital investment under his 10 year plan. [19193]

Ms Blears: No detailed proposals for a major redevelopment of hospital services have yet been submitted to the Department by the North Bristol National Health Service Trust.

SCOTLAND

Section 28 (Local Government Act)

Mr. Bercow: To ask the Secretary of State for Scotland (1) what assessment she has made of the effect of the repeal of section 28 of the Local Government Act 1988 in Scotland; [11851]

(2) what representations she has received about the repeal of section 28 of the Local Government Act 1988 in Scotland. [11850]

Mrs. Liddell: I have received no representations about—and made no assessment of the effect of—the repeal of section 28 of the Local Government Act 1988 in Scotland.

TREASURY

Special Purpose Vehicles

Mr. Pickles: To ask the Chancellor of the Exchequer if the Treasury *(a)* monitors and *(b)* offers advice to other Government Departments on special purpose vehicles. [18222]

Mr. Andrew Smith: The Treasury does not monitor special purpose vehicles (SPVs). Where it is directly involved in individual public-private partnerships, the Treasury will take a close interest in the performance of the contractual counterparties, including where these are SPVs. Its role in agreeing broad strategies and approaches to the use of SPVs will not involve it in advising Departments in special cases.

As part of its operational and business guidance for Departments, the Office of Government Commerce published in October guidance on the financial appraisal of suppliers, which includes advice on assessing bidders' financial and economic standing, whether they are SPVs or single companies.

Vocational Training Relief

Mr. Syms: To ask the Chancellor of the Exchequer what will replace the vocational training relief. [17989]

Dawn Primarolo: In his pre-Budget statement the Chancellor of the Exchequer outlined the Government's new approach to training and to tackling the intermediate skills deficit in the UK work force.

HIPC Initiative

Mr. Reed: To ask the Chancellor of the Exchequer what assessment he has made of the impact of the HIPC initiative on the debt levels of the HIPC nations; and if he will make a statement. [18489]

Ruth Kelly: The UK believes that the enhanced HIPC initiative is working and already 24 countries have qualified for debt relief. According to World bank and IMF estimates these countries will, on average, have their debts reduced by two-thirds, this will bring their debt service ratios to below the developing country average. The World bank and IMF also estimate that HIPC is delivering US$2.4 billion annually to those countries that have reached Decision Point, and that these countries are allocating about 75 per cent. of their debt relief to social services, such as education and health. Of these, four countries have exited the process and have benefited from irrevocable debt cancellation. The UK continues to work hard to ensure that the HIPC initiative is a success, and to ensure it delivers a sustainable exit from debt for the poorest countries. The UK continues to push for other countries to adopt its policies of offering 100 per cent. interim relief, and holding payment in trust for those countries that have to yet benefit from interim relief.

Arundel and South Downs

Mr. Flight: To ask the Chancellor of the Exchequer how many people received *(a)* tax credits and *(b)* means-tested benefits in the constituency of Arundel and South Downs in each year since April 1997. [18313]

Dawn Primarolo: The available information for Arundel and South Downs is in the table:

Recipients of (a) tax credits and (b) certain income related benefits in the Arundel and South Downs constituency

	Working families tax credit (WFTC)/family credit (FC)	*Disabled persons tax credit/disability working allowance (DWA)*	*Income support (IS)*	*Jobseeker's allowance (income based) (JSA)*	*Total*
May 1997	700	10	3,500	600	4,800
May 1998	500	17	3,100	200	3,800
May 1999	600	20	3,000	300	3,900
May 2000	700	20	2,900	200	3,069
May 2001	900	17	3,200	100	3,324

Notes:

1. Apart from DPTC and DWA, the figures are based on a 5 per cent. sample. They are subject to sampling error and therefore shown to the nearest hundred.

2. Recipients of WFTC/FC or DPTC/DWA who also receive IS or JSA are included only in the first two columns. This eliminates double counting in the total.

3. WFTC and DPTC replaced FC and DA from October 1999.

4. DPTC and DWA figures are for April.

Sources:

Income Support Quarterly Statistical Enquiries May 1997-May 2001

Jobseeker's Allowance Quarterly Statistical Enquiries May 1997-May 2001

Working Families' Tax Credit/Family Credit Quarterly Statistical Enquiries May 1997-May 2001

Disabled Person's Tax Credit/Disability Working Allowance Quarterly Statistical Enquiries April 1997-April 2001

Housing benefit and council tax benefit figures are not available for the Arundel and South Downs constituency. The table shows figures for the local authorities overlapping the constituency:

Total housing benefit and council tax benefit case load for local authorities overlapping the Arundel and South Downs constituency, May 1997-May 2001

Local authority/period	*Total:* *Housing benefit*	*Council tax benefit*
Arun		
May 1997	7,820	10,900
May 1998	7,310	10,120
May 1999	7,420	10,190
May 2000	6,640	9,200
May 2001	6,330	8,840
Chichester		
May 1997	5,450	6,620
May 1998	5,160	6,270
May 1999	5,130	6,310
May 2000	4,570	5,510
May 2001	4,460	5,580
Horsham		
May 1997	4,780	5,680
May 1998	4,580	5,370
May 1999	4,320	4,990
May 2000	4,050	4,680
May 2001	4,030	4,700
Mid Sussex		
May 1997	4,700	5,660
May 1998	4,270	5,020
May 1999	4,080	4,770
May 2000	3,670	4,310
May 2001	3,960	4,500

Notes:

1. The data refer to benefit units, which may be a single person or a couple.

2. The figures have been rounded to the nearest 10 cases.

3. If the local authority failed to respond, figures for the missing data will have been estimated.

Source:

Housing Benefit and Council and Council Tax Benefit Management Information System Quarterly 100 per cent. case load stock-count taken each May from 1997 to 2001.

Euro

Adam Price: To ask the Chancellor of the Exchequer if it is his policy to seek revision of the framework set down by the Stability and Growth Pact as part of the preparations for UK euro entry. [18518]

Ruth Kelly: The Government have said that they will only recommend joining a successful single currency if it is in our national economic interest to do so, and if the economic case for joining is clear and unambiguous. The five tests will define whether a clear and unambiguous case can be made.

Pensions

Mr. Illsley: To ask the Chancellor of the Exchequer (1) how many members of defined contribution pension schemes are paying the *(a)* higher rate and *(b)* standard rate of tax; [18627]

(2) if he will estimate the number of members of defined contribution pension schemes paying the *(a)* higher rate and *(b)* standard rate of tax. [18610]

Dawn Primarolo: Available estimates for 2001–02 are contained in the table, it is not possible to break down those contributing to occupational schemes according to whether they are in defined benefit or defined contribution schemes. All those contributing to personal pensions will be in defined contribution schemes.

Thousands

	Number of individuals with contributions *Occupational pension schemes*[1]	*Personal pension schemes*[2]
Marginal rate of income tax		
Basic rate	8,000	3,500
Higher rate	2,000	500

[1] Approximate estimates based on overall numbers from the GAD survey of occupational pension schemes and survey data on the earnings distribution of contributors.

[2] Approximate estimates based on overall numbers from plan managers, survey data, and relief claimed on tax returns by higher rate and self-employed contributors. Figures are provisional and consistent with the 1999–2000 Survey of Personal Incomes projected to 2001–02 levels of earnings and prices.

Mr. Illsley: To ask the Chancellor of the Exchequer (1) how many defined contribution occupational pension schemes are covered by the pre-1987 tax regime; and how many members of such schemes there are; [18611]

(2) how many defined contribution occupational pension schemes are covered by the 1987 to 1989 tax regime; [18626]

(3) how many occupational pension schemes are covered by the *(a)* pre-1987 and *(b)* 1987 to 1989 tax regime. [18604]

Ruth Kelly: Latest estimates from the Government Actuary's Department Survey of Occupational Schemes (1995) suggested that there were 8.8 million active members in 38,000 defined benefit occupational schemes; 1.1 million members in 109,000 defined contribution occupational schemes; and around 0.3 million members in 4,000 mixed defined benefit/defined contribution schemes. It is not possible to derive from this survey or from other sources how many schemes and members are covered by the different tax regimes.

Railtrack

Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 20 November 2001, *Official Report*, column 267W, on the accounting treatment of the successor organisation to Railtrack, on what date he received a reply from the Office for National Statistics; and if he will place in the Library advice given by the ONS on the accounting treatment of other possible successor organisations to Railtrack. [19183]

Mr. Andrew Smith: ONS replied on 5 October to Treasury's request of 3 October for advice on the accounting treatment of a company limited by guarantee that was a possible successor organisation to Railtrack. ONS has not given any advice on other possible successor organisations to Railtrack.

Inland Revenue Investigations

Mr. Goodman: To ask the Chancellor of the Exchequer if the Inland Revenue make inquiries into family backgrounds in advance of looking at the financial affairs of the individual into whom they are inquiring. [18889]

Dawn Primarolo: The Inland Revenue does not routinely look into family backgrounds before commencing a tax inquiry. But there are circumstances in which it would be relevant to do so. For example, the main reason for considering whether to inquire might be that an individual's reported income seemed much lower than his probable expenditure.

In such a case the Revenue might look at the financial position of others in the household to see whether their incomes and, therefore, possible contribution to family finances might account for any perceived shortfall. Preliminary research of this kind helps to focus inquiries on those cases presenting the biggest risks.

Capital Assets

Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 20 November 2001, *Official Report*, column 270W, on capital assets, what guidelines the *(a)* National Audit Office and *(b)* Treasury issue on how to classify who bears the risks and rewards associated with an asset. [19189]

Mr. Andrew Smith: Generally accepted accounting practices are used to determine who bears the risks and rewards associated with an asset, and hence its accounting treatment. These are applied by accountants working for departments, and subsequently audited by the National Audit Office (NAO). The Office for National Statistics (ONS) follows the same treatment for national accounts.

The Treasury's "Resource Accounting Manual" makes clear that all complex transactions should be accounted for under the overriding principles of the Accounting Standards Board's (ASB) Financial Reporting Standard (FRS) 5 "Reporting the Substance of Transactions". Such transactions include those where ownership of capital assets reverts to the public sector, for leasing transactions, the more specific principles of the ASB's Statement of Standard Accounting Practice (SSAP) 21 "Accounting for Leases and Hire Contract Contracts". For Private Finance Initiative transactions, more specific guidance is given in the Treasury document "Technical Note no. 1 (revised)—How to Account for PFI Transactions", which sets out additional practical guidance on how to apply the ASB's Application Note "Amendment to FRS5—Private Finance Initiative and Similar Contracts".

The aspect of the question relating to National Audit Office guidelines has been referred to the Chairman of the Public Accounts Commission who can respond on behalf of the NAO.

Inland Revenue (Informers)

Mr. Gray: To ask the Chancellor of the Exchequer with regard to Section 32 of the Inland Revenue Regulation Act 1890, what criteria the Commissioners of Inland Revenue employ to determine whether to exercise their discretion afforded by the Inland Revenue Regulation Act 1890 to reward an informer; when these criteria were established; and how they differ from the criteria previously in force. [18927]

Dawn Primarolo: Financial rewards can be made to an informer following the conclusion of an inquiry where tax is recovered as a result of the information provided. In deciding the amount of any reward, the Commissioners have regard to the amount of tax recovered. Calculation details are not disclosed since this would enable an informer to estimate the amount of tax recovered, which would breach the Revenue's duty of confidentiality to the taxpayer.

It is not possible to say whether these criteria have applied unaltered since the enactment of 1890, but they have remained unchanged for many years.

National Insurance (Married Women)

Mr. Page: To ask the Chancellor of the Exchequer what action he is taking to inform working women of the consequences of paying the married women's rate of National Insurance. [16503]

Dawn Primarolo: I refer the hon. Member to Inland Revenue leaflet CA 13 "National Insurance contributions for women with reduced elections". The leaflet, which was updated in May 2001 and can also be found on the Inland Revenue website, explains what contributions married women pay and the implications for future contributory benefit entitlement resulting from keeping their reduced liability.

The Inland Revenue undertook a major publicity exercise in October 2000 writing to around 250,000 married women who had previously elected to pay reduced rate National Insurance contributions. The letter advised them to consider their elections following recent structural changes to National Insurance contributions. A dedicated helpline was set up to provide further information and assistance and some 63,000 telephone inquiries were received.

The September 2001 edition of the Employers Bulletin, which again can be found on the Inland Revenue's website, included an article about married women's reduced rate contributions recommending action that employers should take on a regular basis to remind their employees, who pay a reduced rate, what information they need to report which could affect their National Insurance liability.

NHS (Additional Spending)

Tim Loughton: To ask the Chancellor of the Exchequer what assessment his Department has made of the cost-effectiveness of additional spending on the NHS since 1997. [19286]

Mr. Andrew Smith: Government Departments are required to demonstrate that all their expenditure on services provides value for money. The Public Service Agreement between the Treasury and the Department of Health requires NHS trusts to converge over time on a benchmark defined by the cost of care commissioned from NHS trusts which perform well against indicators of fair access, quality and responsiveness. The Treasury monitors progress against the benchmark regularly.

Climate Change Levy

Mr. Cameron: To ask the Chancellor of the Exchequer if he will review the operation of the Climate Change Levy; and if he will make a statement. [16499]

Mr. Boateng: As with all taxes, the Climate Change Levy is reviewed as part of the normal Budget process.

HOME DEPARTMENT

Armed Police

Mr. Steen: To ask the Secretary of State for the Home Department what training is given to armed police to deal with firearms situations involving suspects suffering from mental illness. [16686]

Mr. Denham: The basic training that all new recruits receive includes an element that raises awareness of mental illness and highlights the importance of communicating effectively and sensitively with people suffering from a mental disorder. Individual forces also provide further training for their officers on these issues. Details are not held centrally of all such local provision.

The Association of Chief Police Officers Manual of Guidance on police use of firearms recognises that people suffering from mental illness may not realise the seriousness of the situation they are in or respond 'normally' to conventional negotiating strategies. The guidance stresses the importance of police negotiators, armed officers and Firearms Incident Commanders having an understanding of people who suffer from mental illness and suggests some actions which may reduce the risk of firearms use. It also stresses that a person's impairment does not reduce the potential harm they may inflict if the incident is not resolved, and that it is the role of the police to deal with the threat irrespective of motive.

It is important that the Government should continue to explore with the police all possible options for ensuring that officers are able to deal with such incidents effectively and in a way that protects the public and police officers.

In conjunction with the Association of Chief Police Officers and Northern Ireland Office, we are currently reviewing, as a matter of priority, the range of 'less lethal' alternatives to firearms. As one would expect, all have differing levels of risk and effectiveness associated with them, and any advantages of such alternatives have to be properly and fully assessed against any disadvantages.

In addition, under section 79(1) of the Police Act 1996, I have asked the Police Complaints Authority (PCA) to report on the lessons to be learned from investigations supervised by them since January 1998 into incidents in which police shootings occurred and which resulted in death or injury. The PCA have begun work on this review, and I have asked them to report within six months. The report will be laid before Parliament and published.

Fingerprinting

Mr. Crausby: To ask the Secretary of State for the Home Department what quality control systems are in place to ensure the accurate retrieval of fingerprints found at the scene of a crime. [16951]

Mr. Denham: The training of a fingerprint expert requires that before that person is registered as an expert, he/she must be competent to deal with the process for retrieval of fingerprints from a scene of crime, together with accurate recording of that process. That process includes a requirement to take a Polaroid photograph indicating precisely where the fingerprint has been lifted from and sign across edge of the tape once the fingerprint has been lifted. The essential steps to ensure the probity and continuity of the exhibited fingerprint have been tried and tested within the Criminal Justice System on countless occasions. They meet the high standards of integrity required by our courts.

15 Forces have the ISO9002 Quality Standard for its procedures and have attained that quality standard. The remainder have met an agreed national Association of Chief Police Officers (ACPO) standard which is audited at least once a year by an independent audit process.

Mr. Crausby: To ask the Secretary of State for the Home Department what plans he has to review the fingerprint service in the United Kingdom. [16952]

Mr. Denham: I do not have plans to review the fingerprint service in the United Kingdom. The Association of Chief Police Officers created a Project Group to review the fingerprint evidential standard in 1996. Only after a meticulous programme of work spanning five years, including a comprehensive review of the processes and procedures within all 42 fingerprint bureaux in the 43 Forces in England and Wales, was the evidential standard changed on 11 July 2001.

Public Service Agreements

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on progress towards the public service agreement target for removing failed asylum seekers. [16922]

Angela Eagle: The public service agreement target is to enforce the immigration laws more effectively by removing a greater proportion of failed asylum seekers. Latest information on performance against the target will be published in the 'Asylum Statistics Q3 2001 United Kingdom' on 30 November.

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on progress towards the public service agreement target for improving the satisfaction of victims and witnesses with their treatment in the criminal justice system. [17059]

Mr. Keith Bradley: The 2000 British Crime Survey showed that 58 per cent. of victims were satisfied with their treatment by the criminal justice system. An equivalent figure from the 2001 British Crime Survey is awaited.

The 2000 Witness Satisfaction, which was the first national survey of witnesses, showed that 75 per cent. of witnesses were very or fairly satisfied with the treatment they received. A similar survey in 2002 will show whether the proportion of satisfied witnesses has increased.

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on the public service agreement target for efficiency savings in the Police Service. [17308]

Mr. Denham: I am pleased to say that Her Majesty's Inspectorate of Constabulary (HMIC) has reported that all 43 police forces in England and Wales achieved the two per cent. efficiency savings required in 2000–01 under the public service agreement. The requirement included an obligation for efficiency gains to be used for the benefit of front line policing. A copy of the HMIC report is in the Library.

UK Youth Parliament

Lembit Öpik: To ask the Secretary of State for the Home Department when he will respond to the manifesto submitted to the Government for comment by the UK Youth Parliament; and if he will make a statement. [18016]

Mr. Denham: I shall be responding as soon as possible to the manifesto on behalf of the Government.

Antisocial Behaviour Orders

Dr. Kumar: To ask the Secretary of State for the Home Department how many antisocial behaviour orders have been obtained and how many further orders are awaiting court hearings, broken down by area, since their introduction; and if he will make a statement on their impact on antisocial behaviour. [17127]

Mr. Denham *[holding answer 22 November 2001]:* Official statistics on the number of Antisocial Behaviour Orders (ASBO) taken out are based on quarterly returns received from Magistrates' Courts Committees. A review identified an undercount and my Department therefore undertook an exercise with the police to obtain more reliable figures. As a result of this reconciliation exercise the total number of ASBOs issued up until the end of September this year was 466, which is 184 more than previously reported. A breakdown by area is given in the table.

Information is not held centrally on the number of applications for ASBOs awaiting court hearing.

Since their introduction in April 1999 ASBOs have been used successfully in a variety of cases and have made a real difference for the better in people's lives.

Number of antisocial behaviour orders issued as from 1 April 1999 to 30 September 2001 by police force area

	ASBOs
Police force area	*Issued*
Avon and Somerset	28
Bedfordshire	2
Cambridgeshire	8
Cheshire	—
Cleveland	10
Cumbria	2
Derbyshire	12
Devon and Cornwall	10
Dorset	4
Durham	10
Essex	—
Gloucestershire	4
Greater Manchester	24
Hampshire	4
Hertfordshire	9
Humberside	11
Kent	15
Lancashire	16
Leicestershire	5
Lincolnshire	1
Merseyside	17
Metropolitan Police[1]	40
Norfolk	17
Northamptonshire	3
Northumbria	15
North Yorkshire	10
Nottinghamshire	16
South Yorkshire	6
Staffordshire	10
Suffolk	5
Surrey	4
Sussex	7
Thames Valley	7
Warwickshire	3
West Mercia	47
West Midlands	65
West Yorkshire	15
Wiltshire	—
Dyfed Powys	—
Gwent	1
North Wales	1
South Wales	2
England and Wales	466

[1] Including City of London.

Criminal Records Bureau

Mr. Cameron: To ask the Secretary of State for the Home Department what other Home Office contracts have been awarded to the company providing the Criminal Records since 1997 and were completed to *(a)* time and *(b)* budget. [17746]

Mr. Denham: Information available for other contracts awarded to Capita by my Department since 1997, which were completed *(a)* on time and *(b)* on budget, is as follows:

Year	*Company*	*Contract*
1997	Capita[1]	Designing and Managing Building Projects
1998–99	Capita EC	Environment/Space Planning
1998	Capita Business Service	Recruitment of General Managers
1998	Capita Training	Conferences and Training
1999	Capita Business Service	Consultancy Support
1999	Capita Business Service	Productions of Purchase Manual
1999	Capita Business Service	Efficiency Review
2000	Capita Business Service	HMP Blakenhurst Bid Team
2000–01	Capita Business Service	Quantum Project

[1] Advisory contracts for which Capita was not the prime contractor

Mr. Cameron: To ask the Secretary of State for the Home Department (1) if he will make a statement on progress with the Criminal Records Bureau; [17745]

(2) what is the *(a)* original and *(b)* latest (i) completion date and (ii) cost for the Criminal Records Bureau. [17747]

Mr. Denham: I refer the hon. Member to the answer that I gave to the hon. Member for Colchester (Bob Russell) on 26 October 2001, *Official Report*, column 449W.

It has always been the intention that the Criminal Records Bureau should be self-financing by means of the charges that it makes for the Disclosures that it produces.

Motorways

Mr. Greg Knight: To ask the Secretary of State for the Home Department if he will ask chief constables in England and Wales for a report on the effectiveness of Regulation 12 of the Motorway Traffic (England and Wales) Regulations 1982, as amended, in their county areas. [17410]

Mr. Denham: The enforcement of motorway regulations is an operational matter for chief officers of police. I understand from the Association of Chief Police Officers that they consider that the prohibition of Heavy Goods Vehicles (HGV) and coaches from the outside lane of motorways enhances traffic flow and affords other drivers some degree of protection from large vehicles. Most HGV drivers observe the prohibition, although a small minority exercise poor lane discipline which can cause annoyance to other motorists. There is, however, little evidence to suggest that this is a significant problem, and we do not consider that a review of the regulation is necessary at this time.

Thames Valley Police

Fiona Mactaggart: To ask the Secretary of State for the Home Department how many recorded crimes per 1,000 population there were in each of the Crime and Disorder Reduction Partnerships in the Thames Valley police area in the last year for which figures are available. [18649]

Mr. Denham: Details of recorded crime figures for violence against the person, sexual offences, robbery, burglary in a dwelling, theft of a motor vehicle and theft from a vehicle are collected centrally for each Crime and Disorder Reduction Partnership (CDRP) in England and Wales. The most recent information is available in the Home Office Statistical Bulletin number 12–01, entitled 'Recorded Crime: England and Wales, 12 months to March 2001', published on 19 July 2001. The details for Thames Valley CDRPs are given in the table.

Crime and Disorder Reduction Partnership areas in Thames Valley police force area: Number of crimes recorded by the police per 1,000 population—April 2000 to March 2001

	Violence against the person	*Sexual offences*	*Robbery*	*Burglary dwelling*	*Theft of a motor vehicle*	*Theft from a vehicle*
Aylesbury Vale	6.3	0.4	0.8	3.3	3.4	12.9
Bracknell Forest	6.3	0.4	0.5	3.2	4.5	11.0
Cherwell	6.7	0.3	0.2	2.8	4.2	9.1
Chiltern	3.4	0.3	0.5	4.0	3.2	7.6
Milton Keynes	10.0	0.8	1.0	5.8	7.4	11.6
Oxford	13.2	0.7	2.3	10.8	8.6	17.3
Reading	10.8	0.8	3.7	12.8	11.6	25.4
Slough	11.1	0.8	2.7	12.4	10.1	40.3
South Bucks	4.1	0.3	0.8	13.0	6.9	30.6
South Oxfordshire	4.1	0.3	0.1	5.4	3.6	9.5
Vale of White Horse	4.9	0.6	0.2	3.1	3.0	5.0
West Berkshire	4.5	0.3	0.3	3.0	3.1	10.3
West Oxfordshire	3.8	0.3	0.2	1.9	1.7	5.6
Windsor & Maidenhead	8.3	0.5	0.7	7.1	4.9	23.9
Wokingham	3.1	0.2	0.7	5.6	3.4	12.4
Wycombe	6.2	0.4	0.8	7.4	5.5	12.1

Note:

Crime rates based on resident population may give a misleading impression in areas where numbers of non-residents, such as commuters and visitors, are significant.

Animals (Scientific Procedures) Act

Dr. Starkey: To ask the Secretary of State for the Home Department what measures will be available to public authorities to protect the academic confidentiality of information contained in project licences held under the Animals (Scientific Procedures) Act 1986 after the Freedom of Information Act 2000 is implemented. [18297]

Angela Eagle: The Freedom of Information Act 2000 covers a wide range of public authorities including public sector academic institutions. The right of access will apply to information held by such institutions subject to the conditions and exemptions set out in the Act.

Section 41 of the Act exempts as a class information obtained from any other person if its disclosure would constitute a breach of confidence actionable by that or any other person. Other exemptions in the Act which may be relevant to applications to academic institutions for information relating to project licences granted under the Animals (Scientific Procedures) Act 1986 relate to personal information the disclosure of which would contravene the data protection principles set out in the Data Protection Act 1998 (section 40 of the Freedom of Information Act); and commercial interests (section 43).

It is impossible to judge hypothetically what would or would not be disclosed, as all requests under Freedom of Information will be assessed on a case by case basis. But the Government believe that the Act achieves a proper balance between the right to know, the right to privacy and the preservation of confidentiality where disclosure would be contrary to the public interest.

The timetable for the implementation of the Freedom of Information Act was recently announced. Implementation will be in stages with the duties on public authorities to apply Publication Schemes—details of the information they will provide pro-actively—being introduced first. This will be staggered for different parts of the public sector. The individual right of access will follow in January 2005.

INTERNATIONAL DEVELOPMENT

Departmental Expenditure Limits

Mrs. Betty Williams: To ask the Secretary of State for International Development what plans she has to change the *(a)* resource departmental expenditure limit and *(b)* administration costs limit for her Department in 2001–02. [19950]

Clare Short: Subject to parliamentary approval of the necessary Supplementary Estimate the Department for International Development Departmental Expenditure Limit for 2001–02 will be increased from £3,114,570,000 to £3,127,152,749. The Administration Cost Limit will increase from £67,246,000 to £67,561,000. Within this DEL change, the impact on resources and capital are as set out in the table.

£

	Resources	*Capital*
Change	12,582,749	—
New DEL	3,127,152,749	—
Of which:		
Voted	2,450,932,749	—
Non-voted	676,220,000	—

The change in the resource element of the DEL arises from:

A transfer of £22,656,813 from DFID's non-voted Departmental Unallocated Provision (DUP) to the Ministry of Defence for Conflict Prevention in sub-Saharan Africa;

A transfer of £4,435,438 from DFID's non-voted DUP to the Foreign and Commonwealth Office for Conflict Prevention in sub-Saharan Africa;

A transfer of £8,900,000 from the FCO to DFID for Global Conflict Prevention;

A transfer of £100,000 from DFID's non-voted DUP to the Cabinet Office (SIA) for Conflict Prevention in sub-Saharan Africa;

A transfer of £15,000,000 from the Reserve in support of a new International Monetary Fund Poverty Reduction Growth Facility for Pakistan;

A transfer of £15,000,000 from the Reserve in support of humanitarian relief in Afghanistan;

A transfer of £570,000 from the Foreign and Commonwealth Office (FCO) for a contribution to the refurbishment of BHC Lusaka;

A transfer of £10,000 to the Home Office for DFID's contribution to the "Groupe d'etats Contre la Corruption" (GRECO);

A transfer of £510,000 from the Cabinet Office for the Civil Service Modernisation Fund;

A transfer of £195,000 to the Cabinet Office for funding of Fast Stream Recruitment.

The increase will be met by inter-departmental transfers or from the DEL Reserve and will not therefore add to the planned total of public expenditure.

Democratic Republic of Congo

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on *(a)* the progress of the peace process in the Democratic Republic of Congo, *(b)* her recent visit to the region and *(c)* the latest International Crisis Group report on the Inter-Congolese dialogue. [18635]

Clare Short: I had a useful visit to the region in August where I met with Presidents Kagame and Museveni, President Kabila and Mr. Bemba, Mr. Onusumba and representatives of MONUC among others to discuss the importance of moving the Lusaka Peace Process forward. These have been some promising signs in recent months with no major ceasefire violations, the start of the Inter-Congolese Dialogue (due to reconvene in the new year), and more frank discussions about disarmament, demobilisation, and re-integration. But the situation remains fragile. The international community needs to give its full support to pushing all the elements of the Lusaka Peace Process forward, including the Inter-Congolese Dialogue.

Mrs. Spelman: To ask the Secretary of State for International Development if she will respond to the UN report of the Panel of Exports on the Illegal Exploitation of Natural Resources and other Forms of Wealth in the Democratic Republic of Congo, in particular section III part D. [18630]

Clare Short: We welcome the publication of the revised report last week. We believe it is an improvement on the previous highly flawed report. We shall raise any specific allegations with the Governments concerned and press them to take action to investigate substantiated allegations against groups and individuals. But we also believe that the way forward for the region—including better management of mineral resources—is the full implementation of the Lusaka peace accord.

Angola

Mrs. Spelman: To ask the Secretary of State for International Development what assessment she has made of the sanctions against terrorists in Angola since the publication of the third report of the Monitoring Mechanism on Sanctions against UNITA. [18632]

Clare Short: We welcome the Monitoring Mechanism's latest report in October. The report is currently under discussion by the Security Council and we look forward to a timely follow-up.

The Government fully support the sanctions imposed by UNCSRs 864, 1127, and 1173 as a means of bringing UNITA to the negotiating table. We are currently investigating two UK companies named in the latest report and hope to report back to the Sanctions Committee shortly.

Malawi

Mrs. Spelman: To ask the Secretary of State for International Development what actions her Department is taking to promote good governance in Malawi; and what assessment she has made of the decision of major donors to suspend development aid to the country. [18631]

Clare Short: Malawi is an extremely poor country with very weak capacity in all government systems. We are implementing a £34 million programme aimed at improved safety, security and access to justice for poor and vulnerable people, by strengthening the judiciary and reform of the police and prison services. We are assisting the Anti Corruption Bureau and Ombudsman's office, and we are helping to improve public expenditure management.

All donors are at present maintaining their programmes in Malawi.

Afghanistan

Dr. Julian Lewis: To ask the Secretary of State for International Development (1) what assessment she has made of the effect of the collapse of Taliban rule on the scale of population displacement in Afghanistan; [17173]

(2) what assessment she has made of the willingness of the Northern Alliance and other non-Taliban forces *(a)* to permit and *(b)* to assist in the distribution of humanitarian aid; [17175]

(3) what assessment she has made of the continuing need for air drops as a means of supplying emergency food aid to the Afghan people following the collapse of Taliban rule; [17174]

(4) what assessment she has made of the opportunities to render accelerated humanitarian assistance to the Afghan people as a result of the collapse of Taliban rule. [17172]

Clare Short: Where there have been improvements in the security situation, some international staff of humanitarian agencies have returned to Afghanistan, and access to these parts of the country has increased. However, while the changing situation has resulted in some people in the north of the country being able to return to their homes, continued fighting in the south has caused further displacement. Because of ongoing security concerns, access to vulnerable groups in this regions is extremely limited.

The UN Regional Humanitarian Coordinator met with the leadership of the United Front-led Government of the Islamic State of Afghanistan on 20 November in Kabul. The UN has received assurances from the leadership that they will help to ensure the safety and security of UN national and international staff. Improved security is key to enhancing the ability of humanitarian agencies to deliver assistance to those in need. We, and the rest of the international community, will continue to urge the authorities in Afghanistan to assist with the relief effort, and to help stabilise the environment in which the humanitarian community are trying to operate.

Efforts are under way to maximise the delivery of assistance into Afghanistan, especially in the worst affected areas of the North. The World Food Programme is working to maximise the delivery of food by road, including in areas of Afghanistan worst affected by winter. WFP has launched its first airbridge from Tajikistan to Faizabad in Northern Afghanistan. Four flights a day are planned to use this route over the next few weeks, despatching a total of 2,000 tons of food. Airdrops are still being seriously considered as a fall-back measures. WFP, with assistance from my Department, are well advanced with contingency plans for air drops using identified drop zones. Again, this is heavily dependant on security considerations.

Fair Trade

Mr. Weir: To ask the Secretary of State for International Development what is the value of fairly traded *(a)* tea and *(b)* coffee used in her Department in each of the last five years. [17554]

Clare Short: Fairtrade coffee was introduced in our East Kilbride office in September 1999 and in London in June 1998. In East Kilbride, no tea is sold, but the value for coffee is:

September 1999-December 2000: £1,925

2001: £10,150.

In London, in 1998 and 1999 coffee was served at hospitality functions only. Tea was introduced in 2000, and both tea and coffee were offered for general sale from January 2000. Figures are:

1998: Coffee £1,245

1990: Coffee £2,004

2000: Coffee £4,185. Tea £320

2001: Coffee £4,868. Tea £310.

Ministerial Visits

Chris McCafferty: To ask the Secretary of State for International Development if she will list the developing countries visited by her Under-Secretary of State for International Development in *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and countries expected to be visited in *(f)* 2002, *(g)* 2003 and *(h)* 2004. [16639]

Clare Short: The Under-Secretary of State for International Development visited:

South Africa, Montserrat and Ukraine in 1997

Colombia, Ukraine, Bulgaria, Russia, Brazil, Fiji, West Bank and Gaza, Jordan and South Africa in 1998.

Montserrat, Egypt, Central America, Palau, Cambodia, Poland and South Africa in 1999.

Romania, Moldova, Kosovo and Kazakhstan in 2000.

Kyrgyzstan, Albania, Indonesia and Malawi in 2001.

The Under-Secretary of State plans to visit Ukraine in December 2001 and Bangladesh in the first quarter of 2002. No visits have been planned beyond this.

Scottish Devolution

Mrs. Lait: To ask the Secretary of State for International Development what her policy is regarding consultations prior to the publication of proposals involving the transfer of powers to the Scottish Executive by *(a)* primary legislation and *(b)* Order in Council. [13817]

Clare Short: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Scotland on 14 November 2001, *Official Report,* column 748W.

LORD CHANCELLOR'S DEPARTMENT

Disability Access

Tim Loughton: To ask the Parliamentary Secretary, Lord Chancellor's Department what measures he is taking to improve disability access to courts in England and Wales; and what financial resources are being made available for this purpose. [19289]

Mr. Wills: At the end of 1997 the Court Service commissioned the Royal Association for Disability and Rehabilitation (RADAR) to devise a methodology to enable it to conduct disability access audits of all its courts and offices. It involved Court Service personnel who had been trained in the process visiting every building on the estate to identify where they failed to meet the standards required and what remedial work would be required.

On this basis, a three year programme of works was devised (starting in 2001–02) to enable works to be completed well in advance on the 1 October 2004 Disability Discrimination Act 1995 deadline for physical improvements. £5 million has been set aside for this year and targeted on the principal court centres across the estate.

Under the Justices of the Peace Act 1997, the provision and improvement of magistrates courthouse accommodation is a matter for each Magistrates Courts Committee (MCC) to determine, in consultation with the local paying authority or authorities. Since 2000, the Department has provided £2.5 million to enable MCCs to improve facilities for the disabled in magistrates courts across England and Wales. Officials will shortly be assessing the 2002–03 bids received from MCCs for further improvement works.

Tim Loughton: To ask the Parliamentary Secretary, Lord Chancellor's Department what advice his Department has given to court staff on assisting disabled people attending court. [19287]

Mr. Wills: Every public office has a Customer Service Officer whose training includes considering the needs of disabled customers. To support that service, in October 1999 every member of Court Service staff was given a booklet containing guidance on assisting disabled customers. The booklet suggests ways of helping people with a range of disabilities. It also outlines arrangements for provision of assistance such as large print leaflets and communication support for deaf people. All relevant Court Service training events cover disability issues. A liaison officer is available at Court Service Headquarters to assist with disability issues.

Tim Loughton: To ask the Parliamentary Secretary, Lord Chancellor's Department, what cover is provided to court employees by court service insurance policies when dealing with people with disabilities. [19290]

Mr. Wills: The Court Service does not provide any insurance cover for its employees.

Tim Loughton: To ask the Parliamentary Secretary, Lord Chancellor's Department, which court buildings in England and Wales have been assessed as disability-friendly. [19288]

Mr. Wills: I am advised that there is no definition within the Disability Discrimination Act 1995 of 'disability-friendliness' against which to make such as assessment.

However, in so far as Part M of the Building Regulations 1991 require the design of new and refurbished buildings to enable disabled people to gain independent access into and within the building, all new court builds and major court refurbishments completed since 1992 could be said to be 'disabled-friendly'. It is not possible, in the time available, to provide specific details.

I would also refer the hon. Member to my earlier reply, which sets out the steps which my Department is taking to improve disabled facilities in courts by the 1 October 2001 deadline set by the DDA.

Court Service

Kali Mountford: To ask the Parliamentary Secretary, Lord Chancellor's Department, when he will publish the Court Service annual report for 2000–01. [20020]

Mr. Wills: The Court Service annual report for 2000–01 has been published today and copies have been placed in the Libraries of both Houses.

Departmental Expenditure Limits

Mr. Levitt: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans she has to amend the Lord Chancellor's Department's Departmental Expenditure Limit and Running Costs Limits for 2001–02. [20019]

Ms Rosie Winterton: Subject to parliamentary approval of the necessary Request for Resources 1, the Lord Chancellor's Department Departmental Expenditure Limit for 2001–02 will be increased by £22,034,000 from £2,732,900,000 to £2,754,934,000. The increase is the net effect of take up of End Year Flexibility entitlement of: £9,000,000 in respect of Capital Modernisation Fund; £1,031,000 in respect of DEL capital expenditure; £1,355,000 in respect of an award from the Invest to Modernise Fund; £408,000 in respect of the Invest to Save Budget; awards from the Capital Modernisation Fund totalling £1,888,000 in respect of new projects and £1,174,000 from the Invest to Modernise Fund; transfers in respect of transfers of business from the Home Office in the sum of £614,000; from the Department for Work and Pensions in the sum of £20,000; from the Department for Transport, Local Government and the Regions in the sum of £100,000 and from the Ministry of Defence in the sum of £176,000. Transfers of business arising from the Machinery of Government changes of £406,000 from Cabinet Office and £5,862,000 from Home Office are also included in this supplementary estimate.

The Administration cost limit for the Lord Chancellor's Department Request for Resources 1 will be increased by £5,344,000 from £612,786,000 to £618,130,000. The increase is caused by take up of End Year Flexibility entitlement of £1,355,000; an award of £1,174,000 from the Invest to Modernise fund; Transfers in respect of transfers of business from the Home Office in the sum of £480,000; from the Ministry of Defence in the sum of £176,000; from the Department for Transport, Local Government and the Regions in the sum of £100,000 and to the Department for Work and Pensions in the sum of £200,000. Transfers of business arising from the Machinery of Government changes of £406,000 from Cabinet Office and £1,853,000 from Home Office are also included in this supplementary estimate.

The increases will be offset by transfers from the Departmental Expenditure Limits of the Home Office, Department for Work and Pensions, Department for Local Government, Transport and the Regions, and the Ministry of Defence, take-up of End Year Flexibility entitlement, an award from the Invest to Modernise Fund and awards from the Capital Modernisation Fund and will not therefore add to the planned total of public expenditure.

Freedom of Information

Jim Knight: To ask the Parliamentary Secretary, Lord Chancellor's Department when he will report to Parliament his proposals for bringing fully into force those provisions of the Freedom of Information Act 2000 which are not yet in force. [20018]

Mr. Wills: The Lord Chancellor has today laid a Report on the Implementation of the Freedom of Information Act 2000 before both Houses. Copies of the Report have been placed in the Libraries of both Houses.

Judges' Accommodation

Mr. Stinchcombe: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the *(a)* units of residential accommodation owned or rented by the Lord Chancellor's Department for occupation by judges on circuit, *(b)* accumulative capital value of the same when last valued, *(c)* the running costs of maintaining the same for the financial years (i) 1997–98, (ii) 1998–99 and (iii) 1999–2000 and *(d)* the number of judges accommodated in the same for each of the above years and the number of nights they were so accommodated. [18629]

Mr. Wills: A list of the units of residential accommodation owned or rented by the Lord Chancellor's Department for occupation by judges on circuit is contained in table 4.

The Capital Value of the Freehold Lodging Estate was £10.84 million as at June 2000.

The total cost of running the judges' lodgings during the three years in question was:

Table 1

Year	*£*
1997–98	4,776,684.08
1998–99	5,232,956.97
1999–2000	4,785,683.07

The number of High Court judges accommodated in the lodgings over the three years in question was:

Table 2

Year	*Number of judges accommodated*
1997–98	84
1998–99	81
1999–2000	88

The number of nights judges were accommodated in the lodgings over the three years in question was:

Table 3

Year	*Number of nights accommodated*
1997–98	6,143
1998–99	6,185
1999–2000	6,116

Table 4

Property—Judges' Lodgings	*Property tenure*
Birmingham	Leasehold
Bristol	Leasehold
Caernarfon	Hiring
Cardiff	Freehold
Carlisle	Hiring
Chelmsford	Leasehold
Chester	Freehold
Exeter	Hiring
Leeds	Leasehold
Leicester	Hiring
Lewes	Leasehold
Lincoln	Hiring
Liverpool	Leasehold
Maidstone	Freehold
Manchester	Freehold
Mold	Leasehold
Northampton	Hiring
Norwich	Freehold
Nottingham	Freehold
Oxford	Leasehold
Plawsworth	Freehold
Plymouth	Hiring
Preston	Freehold
Reading	Freehold
St. Albans	Freehold
Sheffield	Freehold
Stafford	Hiring
Swansea	Freehold
Truro	Hiring
Warwick	Hiring
Winchester	Leasehold
Worcester	Hiring

WORK AND PENSIONS

Analytical Job Evaluation Schemes

Barbara Follett: To ask the Secretary of State for Work and Pensions what proportion of the work force is covered by analytical job evaluation schemes. [18306]

Alan Johnson: I have been asked to reply.

No systematic data are collected on the prevalence of job evaluation schemes across the economy. Job evaluation schemes tend to be used by large private sector employers and by many parts of the public sector.

Attendance Allowance

Mr. Cousins: To ask the Secretary of State for Work and Pensions how many claimants of attendance allowance there are broken down by each nation and region as at the most recent date for which figures are available; and if he will estimate the extent of underclaiming of attendance allowance. [12647]

Maria Eagle: The latest available information on the number of people receiving attendance allowance is in the table.

People in receipt of attendance allowance at 31 May 2001

Country and Government Office Region	*People in receipt*
Great Britain	1,290,000
England	1,064,500
North East	62,800
North West	178,700
Yorkshire and Humber	112,100
East Midlands	97,300
West Midlands	134,500
East	112,100
London	112,500
South East	130,600
South West	123,900
Wales	95,800
Scotland	129,700

Notes:

1. All figures rounded to the nearest hundred.

2. Estimates of the amount of underclaimed attendance allowance are not routinely made.

Source:

Analytical Services Division: 5 per cent. data.

Lone Parents

Mr. Willetts: To ask the Secretary of State for Work and Pensions how many lone parents on income support have been subjected to a sanction because they have failed to attend a personal adviser interview. [7908]

Mr. Clappison: To ask the Secretary of State for Work and Pensions how many lone parents have had income support reduced as a sanction under the new deal for lone parents; and what provision is made for sanctions to be applied in the case of lone parents who attend interviews but decline to co-operate in the process of looking for work. [9678]

Mr. Nicholas Brown: Sanctions are not applied under the new deal for lone parents as it is a voluntary programme. However, since April 2001, lone parents with a youngest child of school age (at least five years and three months old) have been asked to take part in a meeting with a personal adviser to discuss the range of help available to move into work when they make a claim for income support.

Lone parents currently claiming income support are being invited to a compulsory personal adviser meeting, on a rolling programme, starting this year with those with a youngest child of 13 to 15 years.

If lone parents currently claiming income support fail to attend a compulsory personal adviser meeting their benefit is sanctioned. This has happened in 362 cases up to 26 October. If the lone parent subsequently participates in a personal adviser meeting then the sanction is lifted. Lone parents are not required to take further action beyond participating in a personal adviser meeting.

ONE Service

Mr. Clappison: To ask the Secretary of State for Work and Pensions what steps he is taking to ensure that personal advisers in the ONE programme are adequately trained in work-focused initiatives. [11924]

Mr. Nicholas Brown: There is a Learning and Assessment Framework (LAF) in place for the ONE pilots, which supports the structured training and development of the staff performing various roles in ONE offices. As part of this, all personal advisers undertake an assessment of knowledge and skills required to carry out their job. This self-assessment covers all areas of their work as advisers, including competence in conducting work-focused interviews. Where training needs are identified, the LAF provides information on the various learning tools available through ONE Training Team, Benefits Agency and Employment Service Regional Training Centres. To meet their training needs attendance on a course or open learning may be appropriate, or they may arrange to meet with local voluntary organisations to widen their knowledge and understanding of clients with special needs. Regular reviews of the progress made towards meeting identified learning needs is an integral part of the staff performance and appraisal system.

Lynne Jones: To ask the Secretary of State for Work and Pensions what his policy is on the provision of separate information on the outcome of participation in ONE by people with mental illnesses; and if he will make a statement. [7989]

Mr. Nicholas Brown: Results from the ONE evaluation about the experiences of sick or disabled people, including those with mental illness, have been published in the Department's Research Series (numbers 126, 139, 140, 149 and 150) and In-house report number 84.

Sick or disabled clients, including those with mental illness, have generally viewed the ONE service positively. When personal advisers have tailored their help to clients' circumstances, their advice and guidance has been well received.

The ONE client survey examines experiences of and outcomes from ONE for different groups of clients. Information on clients' individual characteristics, including the nature of their health problems, was also collected. Where differences between the experiences of clients with mental illnesses compared with sick or disabled clients as a whole are identified, these will be reported. The first survey information relating to clients with mental illnesses should be published later this year.

Teenage Parents (Jarrow)

Mr. Hepburn: To ask the Secretary of State for Work and Pensions what assistance is available to teenage parents in the Jarrow constituency to get *(a)* work, *(b)* education and *(c)* training. [9106]

Mr. Nicholas Brown: Teenage parents aged 18 or over are able to take full advantage of new deal for young people, which offers tailored help in finding work or suitable training, and improving prospects of remaining in sustained employment.

Teenage lone parents in receipt of income support can choose to join the new deal for lone parents, which offers a package of advice and support, including information on training opportunities, employment, in-work benefits, and child care arrangements. An in-work support service is also provided to help lone parents make the transition into employment.

Job Retention and Rehabilitation Pilots

Mr. Berry: To ask the Secretary of State for Work and Pensions when he plans to make further announcements about the structure and scope of the job retention and rehabilitation pilots; and if he will make a statement. [17259]

Mr. Nicholas Brown: The aim of the job retention and rehabilitation pilot is to provide robust evidence about the overall impact of job retention and rehabilitation services and their cost effectiveness, and the relative impact of three intervention strategies ("boosting" help in the workplace; in health care services; and both in the workplace and through health care).

The feasibility of delivering this in practice through a "live" service to clients is currently being assessed through the three month "Feasibility Phase" of the pilot which is due to end on 18 January 2002. Nine prospective delivery organisations are being supported to fully develop, cost and submit proposals for service delivery that are fully consistent with evaluation requirements. The evaluator contracted for the feasibility phase, the National Centre for Social Research, will report on the feasibility of the pilot as a whole in the context of service delivery bids submitted to the Department.

We would expect to make an announcement on the future of the pilot, its structure and scope, after we have fully considered the outcome of the feasibility phase.

Fair Trade

Mr. Weir: To ask the Secretary of State for Work and Pensions (1) what is the value of fairly traded *(a)* tea and *(b)* coffee used in his Department in each of the last five years; [17568]

(2) what fairly traded products, other than tea and coffee, have been purchased by his Department in each of the last five years; and what was their value. [17569]

Mr. Nicholas Brown: Information on expenditure on fairly traded products is not available and could be collected only at disproportionate cost. The majority of fair trade goods are obtained by outsourced services, eg catering. Civil servants buy a coffee or tea of their choice for their own consumption.

Public Bodies

Mr. Andrew Turner: To ask the Secretary of State for Work and Pensions (1) if he will list those public bodies to which his Department appoints members and which are not listed in Public Bodies 2000; [17707]

(2) if he will list those public bodies which are the responsibility of his Department and which are not listed in Public Bodies 2000. [17708]

Mr. Nicholas Brown: Public Bodies 2000 sets out information on non-departmental public bodies (NDPBs), certain public corporations (including nationalised industries) and NHS bodies. There are four types of NDPB: executive NDPBs; advisory NDPBs; tribunal NDPBs; and boards of visitors to penal establishments. The next edition will be published around the end of the year. Information about task forces, annual reports, and ad hoc advisory groups is set out in an annual report published by Cabinet Office. Copies of Public Bodies 2000 are in the Library of the House and this publication may be accessed via Cabinet Office's website http://www.official-documents.co.uk/document/caboff/pb00/pb00.htm. Copies of the annual report on task forces and similar bodies have also been placed in the Library of the House and the annual report is being made available on Cabinet Office's website.

My right hon. Friend the Secretary of State appoints members and is responsible for the following public bodies which do not appear in the Public Bodies 2000 publication: Disability Rights Commission (DRC), Independent Living Fund (ILF), Independent Review Service (IRS), Social Fund Commissioner (IRS for the Social Fund) and the 10th Anniversary Trust.

Responsibility for the Appeals Service and Motability lie with the Department for Work and Pensions although my right hon. Friend does not appoint members. the Lord Chancellor's Department (LCD) makes appointments for the Appeals Service and Motability board members are drawn from finance, industry, the professions, trade unions and voluntary organisations.

Local Bodies

Mr. Andrew Turner: To ask the Secretary of State for Work and Pensions if he will list those local bodies which were set up under legislation which is the responsibility of his Department and its predecessors since May 1997. [17709]

Mr. Nicholas Brown: The Advisory Committee for Disabled People in Employment and Training (ACDET), the Disability Rights Commission (DRC), Race Education and Employment Forum (REEF) and the Appeals Service (TAS) are those bodies set up since May 1997 and are the responsibility of my right hon. Friend the Secretary of State. ACDET was set up in June 1998, REEF on 16 November 1999, and DRC and TAS in April 2000.

Regulatory Impact Assessments

Mrs. Browning: To ask the Secretary of State for Work and Pensions what were the gross costs of the Regulatory Impact Assessment for *(a)* the Social Security Benefit Up-rating (No. 2) Order 2000 and *(b)* the Social Security Fraud Bill (revised). [17750]

Mr. McCartney: These costs are shown in the published regulatory impact assessments which are available in the Library.

Winter Fuel Payments

Mr. Alan Campbell: To ask the Secretary of State for Work and Pensions how many older people will receive winter fuel payments this winter in Tynemouth constituency. [17994]

Mr. McCartney: Last winter, around 19,300 people aged 60 and over in Tynemouth constituency received a winter fuel payment. The figure for this year will be similar.

Mr. Reed: To ask the Secretary of State for Work and Pensions how many older people will receive winter fuel payments this winter in the Loughborough constituency; what plans he has to extend winter fuel payments to other groups in receipt of benefits; and if he will make a statement. [18473]

Mr. McCartney: Last winter, around 15,000 people aged 60 and over in the Loughborough constituency received a winter fuel payment. The figure for this year will be similar. There are no plans to change the existing regulations.

Pensions Service

Mr. Boswell: To ask the Secretary of State for Work and Pensions how many local advisers will be assigned to each local office of the new Pensions Service; what its total staffing complement will be; and if he will make a statement on plans to offer claimants a personal interview if requested. [18026]

Mr. McCartney *[holding answer 23 November 2001]:* The Pension Service will provide a customer-focused service dedicated to the needs of today's and future pensioners. It will be modern and efficient, and accessible by telephone, post, in time the internet and locally where pensioners need to do so. It will work to join up services for pensioners both locally and nationally and will build on existing best practice.

There will be a local service in each area offering a face to face service for those customers who need it. In addition the local service will work with other locally based organisations to provide information on the full range of local services of interest to pensioners through outreach and visiting activity. The design and size of the local service is currently being planned.

New Deal

Mr. Clappison: To ask the Secretary of State for Work and Pensions what *(a)* record is kept and *(b)* assessment made of the destinations of people who leave the new deal for lone parents for employment. [18055]

Mr. Nicholas Brown: Records of the destination of people leaving the new deal for lone parents are published monthly in the Statistical First Release, which is available in the Library.

Mr. Hepburn: To ask the Secretary of State for Work and Pensions what assessment his Department has made on the effectiveness of the new deal for lone parents in south Tyneside. [17404]

Mr. Nicholas Brown: We are giving lone parents more choices and more help than ever before to move off welfare and into work. The new deal for lone parents is a key part of this range of support and has helped over 100,000 lone parents to find work.

By the end of August, 2,116 lone parents had joined the new deal for lone parents in the Gateshead and south Tyneside district. 301 of these lone parents have taken up education or training opportunities and 1,064 have moved into work.

Mr. Clappison: To ask the Secretary of State for Work and Pensions what proportion of those on the new deal for lone parents left for employment in the last 12 months, broken down by region. [9641]

Mr. Nicholas Brown: Across Great Britain 56 per cent. of those leaving the new deal for lone parents left for employment during the last 12 months.

A regional break down is provided in the table.

Proportion of people leaving new deal for lone parents for employment, August 2000-July 2001

Employment service region	*Percentage*
Scotland	62
Wales	63
Northern	60
North West	57
Yorkshire and Humberside	66
West Midlands	52
East Midlands and Eastern	59
South West	58
London and South East	46

Mr. Clappison: To ask the Secretary of State for Work and Pensions what research he has *(a)* commissioned and *(b)* evaluated into the effects of the new deal for lone parents on levels of employment and benefit take-up among lone parents. [9680]

Mr. Nicholas Brown: The following reports have been commissioned but have not yet been published:

Date expected	*Title*
Spring 2002	Synthesis Report 2002
Spring 2003	Quantitative Survey of Lone Parents

The following reports have already been published:

Date	*Title*
June 2000	The New Deal for Lone Parents: A Review of Evaluation Evidence
April 2001	Jobfinders Grant: Research amongst lone parents
August 2001	New Deal for Lone Parents: An Evaluation of the Innovative Pilots
October 2001	NDLP Evaluation: A Quantitative Survey of Lone Parents on Income Support

The Statistical First Release, published monthly with information from the NDLP database, also includes useful information.

Mr. Clappison: To ask the Secretary of State for Work and Pensions how many people have entered the new deal gateway *(a)* once, *(b)* twice and *(c)* three times or more in respect of the (i) new deal for lone parents, (ii) new deal for young people, (iii) new deal for the over 25s, (iv) new deal for the over 50s and (v) new deal for disabled people. [11593]

Mr. Nicholas Brown: At August 2001, 697,400 people had entered the new deal for young people programme. Of these 100,200 clients have entered the programme twice and 9,100 have entered three or more times.

At August 2001, 355,400 people had entered the pre-April 2001 new deal 25 plus programme. Of these 65,150 clients have entered the programme twice and 11,150 have entered three or more times.

Information is not available on the number of people re-entering the new deal for lone parents, the new deal for disabled people or new deal 50 plus.

Mr. Clappison: To ask the Secretary of State for Work and Pensions what research he has *(a)* commissioned and *(b)* evaluated into the impact of the new deal for the over 50s on levels of employment and benefit take-up among the over 50s. [11594]

Mr. Nicholas Brown: Although there has been a considerable amount of research into benefit take-up by pensioners, there is none which has been specifically targeted at the over 50s.

Research of new deal 50 plus has been commissioned. The research reports (with dates where published) are:

Evaluation of new deal 50 plus: qualitative evidence from clients: first phase—July 2000

Evaluation of new deal 50 plus: qualitative evidence from ES and BA staff: first phase—August 2000

Evaluation of new deal 50 plus: qualitative evidence from ES and BA staff: second phase—March 2001

Evaluation of new deal 50 plus: qualitative evidence from clients: second phase—March 2001

Evaluation of new deal 50 plus: Research with Individuals (Wave 1)—September 2001

Evaluation of new deal 50 plus: Research with Individuals (Wave 2)—September 2001

Evaluation of new deal 50 plus: qualitative evidence from clients: third phase—November 2001

Evaluation of new deal 50 plus: Summary Report.

Copies of the published reports can be found in the Library.

Mr. Clappison: To ask the Secretary of State for Work and Pensions how many participants in the new deal have received *(a)* training and *(b)* subsidised employment in the construction industry in each year since 1997. [11600]

Mr. Nicholas Brown: We estimate that since April 1998 about 12 per cent. of subsidised employment starts in the new deal for young people have been in the construction industry. All subsidised employment participants receive training. Construction training can also be accessed through the further education and training option.

Mr. Goodman: To ask the Secretary of State for Work and Pensions how many *(a)* male and *(b)* female members of each ethnic group have participated in the new deal from the Wycombe constituency since it was set up. [14868]

Mr. Nicholas Brown: Figures are not available for the new deal for disabled people and the new deal for partners. Due to the small volumes involved, figures for the other new deals broken down by ethnic group are not published at constituency level because of the risk of identifying individuals.

Mr. Clappison: To ask the Secretary of State for Work and Pensions what targets he has set in respect of the new deal for the over 50s in the next 12 months. [15836]

Mr. Nicholas Brown: New deal 50 plus forms part of the A2 annual performance agreement (APA) target, which aims to get 410,000 people into work in 2001–02. The A2 target also includes the new deal for young people, new deal 25 plus, employment zones, jobseeker's allowance long-term unemployed and people with disabilities not counted under other APA targets.

Mr. Clappison: To ask the Secretary of State for Work and Pensions how many participants in the new deal for 50 plus received training grants in each of the last 12 months. [15843]

Mr. Nicholas Brown: The information is in the table.

Month	*Numbers claiming the new deal 50 plus training grant*
October 2000	112
November 2000	120
December 2000	124
January 2001	133
February 2001	140
March 2001	189
April 2001	150
May 2001	183
June 2001	166
July 2001	155
August 2001	180
September 2001	158

Mr. Jim Cunningham: To ask the Secretary of State for Work and Pensions if he will make a statement on the implementation of the new deal 50 plus in Coventry. [16270]

Mr. Nicholas Brown: New deal 50 plus has been operating nationally since April 2000. In the first 18 months of national operation over 51,000 people have been helped into work, including 350 people in Coventry.

Mr. Clappison: To ask the Secretary of State for Work and Pensions, pursuant to the answer of 19 November 2001, *Official Report*, column 160W, which Government Departments have taken on staff through the new deal programme since its inception. [18058]

Mr. Leslie: I have been asked to reply.

I refer the hon. Member to the answer I gave my hon. Friend the Member for Chatham and Aylesford (Mr. Shaw) on 28 November 2001, *Official Report*, column 901W.

Mr. Clappison: To ask the Secretary of State for Work and Pensions, pursuant to the answer of 19 November 2001, *Official Report*, column 160W, how many participants in *(a)* the new deal for young people and *(b)* the new deal for the long-term unemployed have entered (i) employment and (ii) sustained employment lasting more than 13 weeks in Government Departments in each year since 1997, broken down by each Department. [18059]

Mr. Leslie: I have been asked to reply.

This information is not held centrally and can be provided only at disproportionate cost.

Industrial Injuries Disablement Benefit

Mr. Salmond: To ask the Secretary of State for Work and Pensions further to his answer of 6 November 2001, *Official Report*, column 195W, on industrial injuries disablement benefit, for what reason information is not available on claims for industrial injuries disablement benefit which have been refused as a result of the applicant's condition being caused through work processes and not as a result of accident or prescribed disease. [18928]

Mr. Nicholas Brown: In general we do not keep records of the reasons for disallowing claims for benefit where to do so would serve no purpose. If, in the course of reviewing scientific and medical developments, the Industrial Injuries Advisory Council recommends changes to the way conditions caused by work processes are dealt with under the industrial injuries scheme, we will consider those recommendations and monitor the number of cases affected.

EDUCATION AND SKILLS

Individual Learning Accounts

Alistair Burt: To ask the Secretary of State for Education and Skills what representations she has received from training providers affected by the closure of the ILA scheme for an introduction of another scheme; and if she will make a statement. [17297]

John Healey *[holding answer 22 November 2001]:* We have received representations from a number of Individual Learning Account (ILA) registered providers expressing disappointment about the withdrawal of the programme. Many have also offered their help in the development of our future plans. We welcome their offers and will take advantage of their experience. I hope to announce more details on the process for developing a further scheme in due course.

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many people were under investigation in relation to individual learning accounts *(a)* before 30 October and *(b)* at the latest available date. [19323]

John Healey: Before 30 October 2001 29 cases had been taken up for investigation by the Department's Special Investigations Unit. As at 27 November 2001 this had increased to 60 cases. The police are currently involved in five cases.

Mr. Damian Green: To ask the Secretary of State for Education and Skills whether she consulted training providers before bringing forward the suspension of the Individual Learning Account scheme; and if she will make a statement. [19325]

John Healey: Because of the need to take immediate action it was not possible to consult training providers. The Department for Education and Skills called in police to investigate new allegations of fraud and theft involving Individual Learning Accounts. Officers from the Department's Special Investigations Unit had confirmed the allegations on Thursday 22 November. With the advice of the police and to prevent serious risk to public funds, the ILA programme was shut down on Friday 23 November.

Mr. Damian Green: To ask the Secretary of State for Education and Skills what considerations informed her decision to bring forward the suspension date for individual learning accounts. [19326]

John Healey: The Department for Education and Skills called in police to investigate new allegations of fraud and theft involving individual learning accounts. Officers from the Department's Special Investigations Unit were alerted to those allegations on Wednesday 21 November and confirmed them on Thursday 22 November. With the advice of the police and to prevent a serious risk to public funds, the ILA programme was shut down on Friday 23 November.

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many complaints had been received in relation to the operation of individual learning accounts *(a)* before 30 October and *(b)* at the latest available date. [19324]

John Healey: Up to 31 October 2001 there had been 8,448 (0.33 per cent.) complaints received concerning the operation of individual learning accounts. As at 19 November 2001 the number of complaints had increased to 10,276 (0.41 per cent.). Just over a quarter of complaints have raised questions about non-compliance of learning providers with the rules of the ILA scheme.

Mr. Damian Green: To ask the Secretary of State for Education and Skills what estimate she has made of the public expenditure consequences of the operations of the individual learning account scheme between 30 October and 23 November. [19327]

John Healey: We cannot give a figure for expenditure between 30 October and 23 November.

There are still significant numbers of payments due in respect of claims already made by learning providers and committed expenditure in respect of learning already booked by providers on the ILA Centre system before it was shut down on 23 November. Because of the police investigation into allegations of fraud and abuse we do not, currently, have access to Capita's ILA Centre system on which the data are stored. We also need to validate both the claims and the bookings held on the ILA Centre system and take action to recoup moneys which have been improperly claimed. As a result it is not possible to estimate the extent of the additional financial commitment at present.

FE Course Costs

Mr. Chaytor: To ask the Secretary of State for Education and Skills what assessment she has made for the current financial year of the average cost per student following a two-year curriculum 2000 programme in *(a)* a school sixth form, *(b)* a sixth form college and *(c)* a tertiary college. [18348]

Mr. Ivan Lewis: The department does not publish the average cost per student of a two-year Curriculum 2000 programme. However, the latest estimate of the average delegated funding per sixth form student in schools per year for 2001–02 is £3,330. The total funding per full time equivalent student in FE sector colleges per year in

2001–02 is £3,660. Separate figures for sixth form colleges and tertiary colleges are not available. It should be noted that the two unit funding figures quoted are not directly comparable, as the FE unit funding includes total public funding allocated for further education, while the schools' figure is based only on delegated funds and excludes other funding which the school receives centrally from LEAs which impact on post-16 students.

Class Sizes (Somerset)

Mr. Laws: To ask the Secretary of State for Education and Skills what the average secondary school class size was in *(a)* the County of Somerset and *(b)* the constituency of Yeovil in (i) 1996, (ii) 1997, (iii) 1998, (iv) 1999, (v) 2000 and (vi) 2001; and if she will make a statement. [18373]

Mr. Timms: The available information is shown in the following table.

Average class sizes in maintained secondary schools: Classes taught by one teacher

January each year	*Somerset LEA*	*Yeovil parliamentary constituency*
1996	23.2	23.9
1997	23.2	23.2
1998	23.9	24.2
1999	23.9	24.1
2000	23.6	24.8
2001	23.9	[1]—

[1] Not available

Written Answers to Questions

Friday 30 November 2001

CULTURE, MEDIA AND SPORT

"Time for Reform" Consultation Exercise

Ms Stuart: To ask the Secretary of State for Culture, Media and Sport when she expects legislation to be introduced to implement the recommendations of the "Time for Reform" consultation exercise. [19449]

Mr. Caborn: We remain fully committed to the policies set out in the White Paper "Time for Reform" and intend to introduce legislation to reform and modernise the alcohol and public entertainment licensing laws as soon as parliamentary time permits.

Ministerial Visits (North-East)

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport how many times since November 2000 Ministers from her Department have visited *(a)* the Teesside area and *(b)* Middlesbrough, South and Cleveland, East constituency to meet with locally based businesses. [19070]

Mr. Caborn: Ministers from this Department visited the Tees Valley area on four occasions since November 2000 and met a number of individuals and organisations which included locally based businesses. None of these visits were to the Middlesbrough, South and Cleveland, East constituency.

Film Industry

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport what recent action she has taken to support and develop the UK film industry. [19068]

Mr. Caborn: The Government set up the Film Council in October 1999 to develop a sustainable UK film industry. It has since launched the following initiatives:

£60 million of lottery funding for investment over a three year period in film development and production.

A new £1 million a year training fund making awards for schemes targeting writers and development executives, and producers and business executives.

9 regional screen agencies to develop film regionally.

A £1 million scheme to teach young people to make short films using digital technology.

The Cinema Marketing Agency, a co-funded venture between the Film Council and the All Industry Marketing Committee, to market and promote cinema to all audiences in order to increase the frequency of cinema-going.

The new MEDIA Desk backed by the Film Council, providing information about the MEDIA Plus programme to the UK film, television and new media industry.

A research and Statistics Unit for the first time able to provide comprehensive and authoritative data and information on the film industry for the benefit of the industry itself, Government and the media.

In addition the Film Council, through the British Film Commission, continues to promote inward investment from the international film industry into the UK. The British Film Institute is driving forward the strategy for film culture and education in the UK. The Film Council also co-funds film activities in Scotland, Wales and Northern Ireland.

My right hon. Friend the Chancellor of the Exchequer, in his March Budget, extended to 2005 the tax relief for film. This will help encourage investment in British film production.

Sports Clubs

Mr. Reed: To ask the Secretary of State for Culture, Media and Sport what discussions she has had with the Chancellor of the Exchequer about tax relief for community and amateur sports clubs. [18494]

Mr. Caborn: My Department has been in regular dialogue with HM Treasury and the Inland Revenue following my right hon. Friend the Chancellor of the Exchequer's announcement in his Budget speech of his intention to consult on a tax relief for community amateur sports clubs. My officials have also been in close dialogue with representatives of Sport England, the Central Council of Physical Recreation and the National Playing Fields Association on this issue.

Following the pre-Budget report this week, the Government are pleased to announce that the Treasury is today launching a consultation document on the best way for tax relief to help community amateur sports clubs that make a positive contribution to their local communities. The Charity Commission has also today announced that it will recognise as charitable community amateur sports clubs that promote participation in healthy recreation by the provision of facilities for the playing of particular sports. This development should enable many community amateur sports clubs to obtain charitable status and the tax relief that goes with it. My officials have been in discussion with the Charity Commission about the potential impact of this development.

DEFENCE

NATO

Mr. Jenkin: To ask the Secretary of State for Defence how much the UK will pay to NATO as its share of NATO's overall costs in *(a)* 2001–02, *(b)* 2002–03 and *(c)* 2003–04; and what the equivalent figures are for other NATO member countries. [19822]

Mr. Hoon: The Ministry of Defence pays the UK's contributions to NATO's Military Budget and Security Investment Programme. It also makes a very small payment towards the Civil Budget, to which the major contributor is the Foreign and Commonwealth Office. The estimated net expenditure for the current financial year is £113 million. Subject to exchange rate and other technical variations, we would expect the next year's payments to be of the same order. In the subsequent year, ceilings have still to be agreed for NATO's budget year 2003 which is the major influence on our financial year 2003–04 payments.

We do not have figures for other NATO countries. However, their payments are made in accordance with the agreed cost shares for each budget.

Mr. Jenkin: To ask the Secretary of State for Defence how often the NATO-ESDP Working Groups on capabilities have met; and if he will make a statement. [19823]

Mr. Hoon: The NATO-EU Ad Hoc Working Group on Capabilities has met eight times, including its inaugural meeting on 28 July 2000.

The group was set up following the Feira European Council in June 2000. The group has enabled useful exchanges of information and dialogue between the two organisations on capability development issues, in addition to the extensive staff contacts that have taken place on the development of the Headline Goal and the Defence Capabilities Initiative.

Departmental Report

Mr. Crausby: To ask the Secretary of State for Defence when he plans to publish a report on his Department's performance during financial year 2000–01. [20351]

Mr. Hoon: Information about the Ministry of Defence's (MOD's) performance during the last financial year is contained within the MOD Performance Report 2000–01, which will be laid before the House on 30 November, as Cmd 5290. Copies of this report will be placed in the Libraries of both Houses.

Operation Veritas

Mr. Jenkin: To ask the Secretary of State for Defence if he expects that the extra £100 million allocation announced in the Chancellor's pre-Budget report will fully cover the costs associated with Operation Veritas in the current financial year. [19827]

Mr. Hoon: The extra £100 million has been made available by my right hon. Friend the Chancellor of the Exchequer to cover new equipment and immediate operational requirements needed for operations in Afghanistan and the campaign against international terrorism.

We are at a relatively early stage of Operation Veritas. The financial data on the costs of the operation are still being gathered. I hope to be able to provide the information in due course.

European Security and Defence Policy

Mr. Jenkin: To ask the Secretary of State for Defence which defence projects in the EU have been *(a)* initiated and *(b)* brought forward as a result of the aspiration to achieve the objectives of the European Security and Defence Policy. [19829]

Mr. Hoon: Decisions to initiate or accelerate defence projects are driven by a wide range of factors. These encompass both national priorities and the relevant commitments of nations towards international bodies such as NATO and the EU.

The European Council has agreed that the capability objectives of the European Security and Defence Policy and those of NATO will, for the countries concerned, be mutually reinforcing. It is therefore neither practical nor necessary to categorise project initiatives solely under a European Security and Defence Policy or NATO heading.

EU Defence Spending

Mr. Jenkin: To ask the Secretary of State for Defence if he will list the EU member states which are increasing their defence spending in real terms over the next three years. [19830]

Mr. Hoon: The UK is committed to increasing its defence expenditure in real terms between financial years 2000–01 and 2003–04. Other countries' defence spending plans are a matter for them. EU member states have committed themselves to real increases in defence capability over the next few years, in particular at the Capabilities Improvement Conference in Brussels on 19–20 November.

HMS Gannet

Sandra Osborne: To ask the Secretary of State for Defence what the reasons were for the timing of the decommissioning of Squadron 819 at RNAS Prestwick. [17655]

Mr. Ingram: The planned date for the reduction of HMS Gannet to a Forward Operating Base remains 31 March 2002. In order to achieve this drawdown in practical terms it has been necessary to reduce the supporting infrastructure and move the Anti-Submarine Warfare helicopters based at HMS Gannet in stages, at the same time re-appointing the personnel of 819 Naval Air Squadron (NAS) associated with these aircraft. This resulted in the decommissioning of 819 NAS on 1 November 2001.

Sandra Osborne: To ask the Secretary of State for Defence how many Royal Navy personnel are based at HMS Gannet; and what was the cost of their *(a)* accommodation and *(b)* subsistence for each of the last 12 months. [17656]

Mr. Ingram: There are 210 service personnel serving in HMS Gannet. The total accommodation and subsistence costs for the past 12 months are as follows:

£000

	Accommodation costs	*Subsistence*
2001		
November	86	27
October	109	27
September	111	9
August	98	8
July	117	8
June	99	7
May	123	8
April	107	7
March	103	8
February	102	7
January	94	6
2000		
December	96	6
Total	1,245	128

Sandra Osborne: To ask the Secretary of State for Defence how many Royal Navy personnel will be based at HMS Gannet, Prestwick from April 2002; and how they will be accommodated. [17657]

Mr. Ingram: The Scheme of Complement for the HMS Gannet Forward Operating Base, from 1 April 2002, will be 82 RN personnel. They will be accommodated in either Service Family Accommodation (Married Quarters) for married and accompanied individuals, or Substitute Single Service Accommodation for those who are either unmarried or are married but are serving unaccompanied.

Sandra Osborne: To ask the Secretary of State for Defence what the cost is of the lease of the HMS Gannet site at Prestwick airport; and how long the lease has to run. [17658]

Mr. Ingram: There are two leases at the HMS Gannet site—one for the domestic site, known as Greensite and one for the operational site. The current leases for these two sites are due to expire in November 2013 and July 2019 respectively. Because the cost of the leases is commercially confidential, I am withholding the information requested under Exemption 13 of the Code of Practice on Access to Government Information.

TRANSPORT, LOCAL GOVERNMENT AND THE REGIONS

Departmental Staff

Mr. Andrew Turner: To ask the Secretary of State for Transport, Local Government and the Regions how many employees of *(a)* his Department and *(b)* agencies sponsored by his Department work in (i) London, (ii) areas benefiting from EU objective 1 status, (iii) areas with objective 2 status and (iv) other areas. [16111]

Dr. Whitehead *[holding answer 19 November 2001]:* The number of permanent and casual civil servants employed by DTLR(C) at 1 October is given in the table. The numbers for the agencies are based on the Departmental annual report for 2001. The information on the number of staff working in areas benefiting from EU objective 1 and objective 2 status is unavailable due to the disproportionate cost of collection.

	DTLR(C)	*Agencies*
London	2,828	1,001
Elsewhere	727	12,808
Total	3,555	13,809

Street Warden Scheme

Ms Buck: To ask the Secretary of State for Transport, Local Government and the Regions which areas in London were successful in their bids under the street warden scheme; and which were unsuccessful. [17775]

Ms Keeble: The Government Office for London received 45 street wardens bids. 18 bids, totalling more than £4.2 million, were approved.

Organisations other than local authorities, for example, housing associations, were eligible to apply under this DTLR funded pilot scheme. The table shows the successful and unsuccessful bids, the lead agency and the bid area.

Lead agency	*Bid area*
Successful bids	
London Borough of Redbridge	Hainault Ward
London Borough of Bromley	Commercial areas of West Wickham and Hayes
London Borough of Harrow	Wealdstone Area
Paddington Churches Housing Association	Stamford Hill Neighbourhood
London Borough of Camden	Kings Cross
London Borough Southwark	Peckham High Street
London Borough Lewisham	Catford Town Centre
London Borough of Greenwich and Greenwich Community Safety Trust	Safer Thamesmead and Abbey Wood Wardens Project
Barnet Community Safety Partnership	East Finchley, High Barnet and Finchley Central
Genesis Housing Group	North Addington Neighbourhood Wardens Project
Hyde Housing Association	Lyon street area
Royal Borough of Kingston	Council housing estates
Hammersmith and Fulham Crime Reduction Partnership	Shepherds Bush Green Triangle
Bethnal Green Connecting Communities Partnership	Bethnal Green Gateway
Neighbourhood Management Service	Bowes Park street
London Borough of Barking and Dagenham	River, Village and Goresbrook Wards
London Borough of Wandsworth	Clapham Junction
London Borough of Merton	Lavender, Pollards Hill, St. Helier Wards and Mitcham and Wimbledon Town Centres
Unsuccessful bids	
London Borough of Ealing	Acton Town Centre
London Borough of Ealing	Ealing and West Ealing Town Centre
London Borough of Ealing	Southall Town Centre
London Borough of Lambeth	Clapham Common and Streatham Neighbourhoods
London Borough of Bromley	St. Mary Cray Ward
London Borough of Bexley	Town Centres and Residential Areas
London Boroughs of Richmond upon Thames and Hounslow	Butts Farm, Leeson and Hounslow Heath street
London Borough of Hounslow	Hounslow Town Centre
London Borough of Hounslow	Hounslow Neighbourhood
Notting Dale NWP	Notting Dale Police Sector, North Kensington
London Borough of Hillingdon	Town Centres in Hillingdon
The New West End Company (NWEC)	Bond street, Oxford street and Regent street
Poplar Area Neighbourhood Partnership	Poplar street
Lilac Project	Soho, Covent Garden and Bloomsbury
London Borough of Waltham Forest	Bakers Arms street

Lead agency	*Bid area*
London Borough of Barnet	Various towns within LB Barnet
The Circle Initiative	Five areas of central London
Wandsworth Council	Clapham Junction (Added Value Bid)
London Borough of Newham	Community Forum street
London Borough of Brent	Wembley
Kingston Town Centre Management Ltd.	Kingston Town Centre
London Borough of Islington	Islington High street
London Borough of Tower Hamlets	Stepney
High Trees Community Development Trust	St. Martin's Estate and surrounding area
Object X2D	Wandsworth
Clapton Community Housing Trust	Upper Clapton road and Wrenns Park Estate
Croydon Council	Fieldway and New Addington

Terminal 5

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his statement of 20 November, on Terminal 5, if he will set out the terms of reference of the research study to reassess attitudes to aircraft noise. [17792]

Mr. Byers *[holding answer 23 November 2001]:* The initial terms of reference are as follows:

Aims and objectives

A1. The White Paper, "New Deal for Transport", announced the Government's intention to formulate an aviation policy looking some 30 years ahead and stated the principle that the aviation industry should, in broad terms, meet the external costs it imposes. The Department's consultation on "The Future of Aviation" noted (para 149) that further research into the monetary valuation of the effects of noise may be needed to inform charging strategies.

A2. The Study is to reassess attitudes to aircraft noise in England; their correlation with the Leq noise index; and to examine (hypothetical) willingness to pay in respect of nuisance from such noise, in relation to other elements, on the basis of stated preference (SP) survey evidence.

Issues and scope

A3. The Study shall be of sufficient scale and scope to provide a methodologically robust re-assessment of the validity of the Leq family of noise indices as a proxy for relative community annoyance; and in particular the relative weightings on average event noise level and number of events.

This project was announced by my hon. Friend the Member for Coventry, North-East (Mr. Ainsworth) in May and is not directly connected with the planning decision on Heathrow Terminal 5. The project consists of two phases and is expected to last approximately three years. The contract has recently been awarded to a consortium led by The MVA Consultancy.

I will also ensure that all available research into sleep disturbance and attitudes to aircraft noise by day and by night will be taken into account in the consultation about the bight noise regime at the designated London airports to be undertaken by 2003.

Homeless People

Mr. Don Foster: To ask the Secretary of State for Transport, Local Government and the Regions what proportion of lettings were made available to homeless households in priority need by local authorities; what proportion of lettings were made available to homeless households in priority need by housing associations; and how many homeless households were in temporary accommodation by region at the end of each year from 1991–92 to 2000–01. [18301]

Ms Keeble: The available information is as follows:

Proportion of local authority and registered social landlord lettings made available to new tenants who were homeless households in priority need; and number of homeless households in temporary accommodation arranged by the local authority at 31 March: by region

	1991–92	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
North East									
LA lettings (percentage)	27	24	20	18	16	13	9	13	11
RSL lettings (percentage)	n/a	n/a	n/a	n/a	15	12	6	6	5
Numbers accommodated[1]	400	500	500	500	500	500	700	1,000	1,100
North West									
LA lettings (percentage)	25	25	24	21	19	16	11	10	10
RSL lettings (percentage)	n/a	n/a	n/a	n/a	16	13	8	7	6
Numbers accommodated[1]	2,700	3,100	2,800	2,300	2,200	2,100	2,400	2,200	2,000
Yorkshire and the Humber									
LA lettings (percentage)	29	32	29	23	19	15	16	16	13
RSL lettings (percentage)	n/a	n/a	n/a	n/a	21	17	10	8	8
Numbers accommodated[1]	2,300	2,200	1,900	1,600	1,400	1,000	1,200	2,200	1,400
East Midlands									
LA lettings (percentage)	41	40	32	28	26	20	13	14	16
RSL lettings (percentage)	n/a	n/a	n/a	n/a	25	21	14	12	10
Numbers accommodated[1]	1,900	1,600	1,400	1,600	1,500	1,400	1,300	1,600	2,000
West Midlands									
LA lettings (percentage)	41	42	36	31	30	27	29	26	22
RSL lettings (percentage)	n/a	n/a	n/a	n/a	26	21	16	14	14
Numbers accommodated[1]	1,900	1,700	1,500	1,200	1,200	1,100	2,000	1,500	1,800

Proportion of local authority and registered social landlord lettings made available to new tenants who were homeless households in priority need; and number of homeless households in temporary accommodation arranged by the local authority at 31 March: by region

	1991–92	1992–93	1993–94	1994–95	1995–96	1996–97	1997–98	1998–99	1999–2000
East of England									
LA lettings (percentage)	40	40	34	34	30	28	17	23	21
RSL lettings (percentage)	n/a	n/a	n/a	n/a	30	25	16	19	19
Numbers accommodated[1]	4,300	3,900	3,200	3,100	2,800	2,600	3,280	3,600	4,500
London									
LA lettings (percentage)	64	65	56	52	51	49	43	49	57
RSL lettings (percentage)	n/a	n/a	n/a	n/a	53	51	41	41	44
Numbers accommodated[1]	39,500	38,000	30,100	25,800	24,600	24,000	25,600	30,500	37,700
South East									
LA lettings (percentage)	41	41	39	39	38	34	23	26	32
RSL lettings (percentage)	n/a	n/a	n/a	n/a	39	36	25	26	25
Numbers accommodated[1]	8,300	8,100	7,300	7,300	6,700	6,400	7,700	8,800	9,700
South West									
LA lettings (percentage)	40	42	39	37	35	32	18	24	27
RSL lettings (percentage)	n/a	n/a	n/a	n/a	32	31	22	26	31
Numbers accommodated[1]	2,900	2,800	2,700	2,800	2,600	2,200	3,300	4,700	4,800
England									
LA lettings (percentage)	38	39	35	31	28	25	20	22	22
RSL lettings (percentage)	n/a	n/a	n/a	n/a	30	26	18	18	18
Numbers accommodated[1]	64,300	62,000	51,500	46,300	43,500	41,600	46,400	56,200	64,800

[1] Homeless households in temporary accommodation arranged by local authorities

Note:

Homeless households are households in priority need for whom a statutory duty has been accepted by a local authority under homelessness provisions of Housing Acts. Lettings to these households have been expressed as a percentage of all secure LA lettings and all RSL lettings to new tenants, ie excluding transfers and exchanges between existing tenants of social landlords

Sources:

DTLR Housing Investment Programme returns (annual):
Housing Corporation "CORE" returns

Mr. Don Foster: To ask the Secretary of State for Transport, Local Government and the Regions if he will list *(a)* by region and *(b)* by size of property in terms of number of bedrooms the proportion of (i) secure lettings made available by local authorities to homeless households and (ii) lettings made available to homeless households by housing associations in 2000–01. [18299]

Ms Keeble: Information for 2000–01 is not yet available. Information on 1999–2000 lettings reported by local authorities on their 2000 Housing Investment Programme (HIP) returns, and corresponding data in respect of registered social landlord lettings collected through the CORE data systems are given in the tables:

Table 1: Lettings to homeless households in 1999–2000 as a proportion of all LA new secure lettings and RSL lettings to new tenants by region

Percentage

	LA lettings	*RSL letting*
North East	11	5
North West	10	6
Yorkshire and the Humber	13	8
East Midlands	16	10
West Midlands	22	14
East of England	21	19
London	57	44
South East	32	25
South West	27	31
England	22	18

Table 2: Lettings to homeless households in 1999–2000 as a proportion of all LA new secure lettings and RSL lettings to new tenants by size of property in terms of number of bedrooms

Percentage

	LA lettings	*RSL lettings*
One bedroom properties	15	10
Two bedroom properties	[1]28	23
Three or more bedroom properties		29
Total all properties	22	18

[1] Data only available for two or more bedrooms

Note:

Homeless households are households in priority need for whom a statutory duty has been accepted by a local authority under homelessness provisions of Housing Acts. Lettings to these households have been expressed as a percentage of lettings to new tenants ie excluding transfers and exchanges between existing tenants of social landlords.

Sources:

DTLR Housing Investment Programme (HIP) returns (annual):
Housing Corporation "CORE" returns.

Mr. Bercow: To ask the Secretary of State for Transport, Local Government and the Regions how many homeless people there are in the Buckingham constituency. [20132]

Ms Keeble: The information is as follows:

Homeless households (and homeless at home) in accommodation at 31 March 2001 in Aylesbury Vale

	Number
Total	195
of which:	
With dependant children or a pregnant woman	159
In bed and breakfast accommodation	5
Rough sleeping	[1]0–10

[1] Local authority estimate of the typical number of people currently sleeping rough in the area on any single night.

Note:

There are a high number of people in temporary accommodation at 125 in Aylesbury Vale, but the proportion in bed and breakfast accommodation is relatively low at 2 per cent.

Source:

Housing Investment Programme 2001 Housing Strategy Statistical Appendix

Malcolm Bruce: To ask the Secretary of State for Transport, Local Government and the Regions how many *(a)* permanent and *(b)* temporary homeless people there were in rural areas broken down by local authority in (i) 1996, (ii) 1997, (iii) 1998, (iv) 1999, (v) 2000 and (vi) 2001. [19647]

Ms Keeble: I have placed the information requested in the Library.

Public Transport (ME Sufferers)

Ann Keen: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to provide for the subsidisation of public transport use for ME sufferers. [18830]

Ms Keeble: The Transport Act 2000 guarantees that disabled people are entitled to at least half fares or better on local bus services, with a free bus pass. In addition the Transport Act 1985 (outside London) and the Greater London Authority Act 1999 (London) give local authorities the discretion to provide concessionary travel for their resident disabled people on public transport services.

The provisions in all three Acts extend the concessions to a wide range of disabled people. It is for local authorities to decide whether a person is eligible for concessionary travel given the definitions of the Acts.

Home Zones

Mr. Lazarowicz: To ask the Secretary of State for Transport, Local Government and the Regions how many home zones are *(a)* in force and *(b)* under preparation or development, broken down by local authority. [18854]

Ms Keeble: We are currently monitoring nine pilot home zone projects in England and Wales. The pilot schemes are in Ealing, Lambeth, Leeds, Manchester, Monmouthshire, Nottingham, Peterborough, Plymouth and Sittingbourne. A number of local authorities have implemented home zones outside of the pilot project.

A £30 million challenge fund for home zones in England was announced by the Prime Minister in April. 237 bids were received from 110 local traffic authorities. We hope to announce details of the successful schemes before Christmas.

House Sales

David Wright: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the effectiveness of the home search and survey process in the house sale market; and what plans he has to improve the system. [18914]

Ms Keeble: Surveys and searches are intended to tell prospective home buyers about the condition of the property they are buying and about registered title, charges, planning highways and other matters directly affecting the property. Nearly all prospective home buyers have searches carried out, but only a minority commission a professional survey. Most of the remainder rely on a valuation inspection carried out on behalf of a lender. This is often a false economy since a valuation inspection is not a condition survey.

Searches and survey information are of key importance to home buying decisions and yet, under the present home buying and selling process, they become available only after terms have been agreed between buyer and seller. This is a major cause of uncertainty, delay and transaction failure. Our research showed that 28 per cent. of transactions failed after terms had been agreed, and that in 43 per cent. of those cases the reason was problems revealed by either an independent survey or a lender's valuation inspection. This failure rate costs consumers in the region of £350 million each year in wasted expenditure.

Our package of measures to improve the home buying and selling process will address this problem. Home sellers will be required to make key information available in the form of a "seller's pack" before terms are agreed, rather than the buyer having to uncover the facts later under the current system.

Modernising the process of carrying out searches is also a crucial part of the reform package. The National Land Information Service (NLIS) will provide a fast, one-stop, on-line national searches service.

As soon as parliamentary time allows, we will introduce legislation to make it easier for people buying and selling homes through a seller's pack.

Planning Appeals

Norman Baker: To ask the Secretary of State for Transport, Local Government and the Regions how many planning applications were subject to an appeal against refusal; what percentages of appeals were *(a)* wholly allowed, *(b)* partially allowed and *(c)* dismissed; and in how many cases costs were awarded against the relevant council in respect of planning applications submitted to (i) Lewes district council and (ii) Wealden district council for each year from 1990 to date. [19087]

Ms Keeble *[holding answer 29 November 2001]:* The provision of information on planning appeals is the responsibility of the Planning Inspectorate. I have asked the Inspectorate's Chief Executive, Mr. Chris Shepley, to write to the hon. Member.

Letter from C. J. Shepley to Norman Baker, dated 30 November 2001:

The Secretary of State has asked me to reply to your Question about planning appeal statistics in the Lewes District Council and Wealden District Council areas.

The numbers of appeals received in these areas are shown on the enclosed tables. Information available about decisions issued in 1990 is not fully available as our statistics database records only appeals received from 1990 onwards. Many of the decisions in 1990 would have been received in 1989, so no record exists. For planning appeals, partially allowed decisions are recorded as allowed.

It is not possible to provide the information requested about costs awards as these records are only maintained on a national basis.

Planning appeals received

Year	*Lewes D. C.*	*Wealden D. C.*
1990	40	106
1991	60	131
1992	69	130
1993	60	96
1994	60	76
1995	58	74
1996	53	92
1997	61	84
1998	46	70
1999	49	77
2000	57	84
2001 to date	48	61

Planning appeals decided—Lewes D. C.

Year	*Decided*	*Percentage allowed*	*Percentage dismissed*
1990	n/a	n/a	n/a
1991	68	16	84
1992	62	37	63
1993	52	33	67
1994	49	31	69
1995	43	44	56
1996	54	37	63
1997	46	37	63
1998	49	35	65
1999	47	40	60
2000	48	38	62
2001 to date	44	27	73

Planning appeals decided—Wealden D. C.

Year	*Decided*	*Percentage decided*	*Percentage dismissed*
1990	n/a	n/a	n/a
1991	137	20	80
1992	116	24	76
1993	91	27	73
1994	74	26	74
1995	58	24	76
1996	65	26	74
1997	82	43	57
1998	73	32	68
1999	64	38	62
2000	69	28	72
2001 to date	57	30	70

West Coast Main Line

Mr. Hoyle: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the time scale for introducing high speed trains on the west coast main line. [18918]

Mr. Jamieson *[holding answer 29 November 2001]:* High-speed trains currently operate on the route at 110 mph. 125 mph running is expected from 2003.

Mr. Hoyle: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on the upgrade of the west coast main line. [18919]

Mr. Jamieson *[holding answer 29 November 2001]:* The Government remain committed to providing a revitalised rail network, and the west coast main line upgrade is an integral part of that commitment. It is clear from our discussions with the Strategic Rail Authority, the Railway Administrator and Virgin that parts of the project are subject to uncertainties over cost increases and timetables. We are in discussion with the parties on the issues involved and the options. At this stage we cannot predict the outcome of those discussions, but we are working hard to reach agreement on a project which is value for money and can be delivered to a clear timetable, subject to the need to obtain any planning consents.

Social Housing (Rural Areas)

Mr. Breed: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to his answer of 26 November 2001, *Official Report*, column 693W, on social housing, if he will list the proportion of social housing stock in rural areas that has transferred from local authority ownership under *(a)* the right-to-buy scheme and *(b)* registered social landlords in (i) 1996, (ii) 1997, (iii) 1998, (iv) 1999, (v) 2000 and (vi) 2001. [19906]

Ms Keeble: The number of local authority dwellings in rural areas transferred from local authority ownership under the right-to-buy scheme and to registered social landlords (as reported by local authorities) in each of the years 1995–96 to 2000–01 as a proportion of the total authority stock at 1 April each year is as follows:

Proportion of LA stock transferred from LA ownership

Percentage

Year	*Right to buy scheme*	*To RSLs*
1995–96	1.2	3.4
1996–97	1.2	2.1
1997–98	1.5	1.5
1998–99	1.4	5.5
1999–2000	2.0	3.5
2000–01	1.6	6.9

Mr. Breed: To ask the Secretary of State for Transport, Local Government and the Regions, pursuant to the answer of the Secretary of State for Environment, Food and Rural Affairs, of 26 November 2001, *Official Report*, column 319W, on the Rural White Paper, if he will list the proportion of social housing stock occupied in rural areas by local authority in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999, *(e)* 2000 and *(f)* 2001. [19787]

Ms Keeble: I have placed the information requested in the Library. The table presents data showing the derived levels of occupied social stock as at 1 April in each year from 1996 to 2001, distinguishing between stock owned by local authorities and by Registered Social Landlords, in authorities categorised as either 'mixed rural' or 'deep rural' at local authority level. For comparison purposes information is shown based on post local govern reorganisation boundaries. Estimates of residential housing stock and vacancy levels are reported by local authorities annually on housing investment programme returns.

Planning

Mr. Clifton-Brown: To ask the Secretary of State for Transport, Local Government and the Regions how many of the planning issues called in last year were rejected. [19834]

Ms Keeble: 127 planning applications were called-in in the last financial year (1 April 2000 to 31 March 2001). Of the 55 applications which have so far been determined planning permission was refused in 31 cases.

Affordable Housing (Planning Guidance)

Mr. Drew: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement on how section 106 agreements can be made to encourage cross-boundary co-operation between authorities for the purposes of the delivery of affordable housing; and what guidance he gives on what reference should be made to *(a)* circular 6/98 and *(b)* Planning Policy Guidance 3. [19468]

Ms Keeble: Planning Policy Guidance Note 3 "Housing" advised that regional planning bodies may need to estimate the future balance between market and affordable housing, and identify and assess regional and sub-regional trends and factors which are likely to influence local housing need. In drafting regional planning guidance, they should also take into account regional housing statements which provide a regional context for local authorities when drawing up their housing strategies and support the development of more strategic approaches to tackling housing need.

We intend to publish shortly a consultation document on our proposals for reforming planning obligations and how we might increase the provision of affordable housing through the planning system.

Mr. Drew: To ask the Secretary of State for Transport, Local Government and the Regions what checks his Department makes to ensure that there are consistent determinations through the planning process with particular reference to the provision of affordable housing through section 106 agreements. [19469]

Ms Keeble: Development plans form the framework within which decisions on proposals for development are taken. The Secretary of State is a statutory consultee in their preparation and can make objections when there are conflicts with national guidance, including on affordable housing, which do not appear to be justified by local circumstances. He has powers of intervention to direct that plan proposals shall be modified before adoption. He can also call in planning applications where the provision of affordable housing is at issue.

Flood Plains

Mr. Drew: To ask the Secretary of State for Transport, Local Government and the Regions if he will list those planning applications that have been agreed for development in the flood plains since the introduction of the revised Planning Policy Guidance 25; and what was the position of the Environment Agency in each case. [19467]

Ms Keeble: This information is not available centrally.

The Environment Agency reports annually under the high-level targets published in 1999 on its response to planning applications, identifying cases where the agency sustained objections on flood-risk grounds and final decisions, by the local planning authority or on appeal, were in line with or contrary to agency advice. The report for 1999–2000, covering the period from 1 October 1999 to 31 March 2000 was placed in the Library of the House by the then Minister for Planning on 21 December 2000, *Official Report*, column 311W. The report for 2000–01, covering the period from 1 April 2000 to 31 March 2001, is expected to be published shortly.

NATS

Sandra Osborne: To ask the Secretary of State for Transport, Local Government and the Regions (1) what assessment he has made of the ability of the NATS PPP to provide for the *(a)* debt repayment and *(b)* capital investment contained in the business plan negotiated with the strategic partner; [17659]

(2) how the investment required by National Air Traffic Services in the next 10 years will be funded. [17662]

Mr. Jamieson: NATS are finalising their business plan, which will take into account the impact of the event of 11 September. The plan will be submitted to the Government shortly.

Sandra Osborne: To ask the Secretary of State for Transport, Local Government and the Regions if an application has been made to alter the strategic agreement for National Air Traffic Services; and if he will make a statement. [17660]

Mr. Jamieson: The Airline Group (the Government's strategic partner in the Public Private Partnership for National Air Traffic Services) has made application to alter the Strategic Partnership Agreement in relation to the deferral in the completion of the New Scottish Centre. The Strategic Partnership Agreement regulates the relationship between the Government and the Airline Group as shareholders in National Air Traffic Services.

Sandra Osborne: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to review the structure of the NATS PPP following the events of 11 September. [17661]

Mr. Jamieson: I have no plans for such a review.

Sandra Osborne: To ask the Secretary of State for Transport, Local Government and the Regions how the costs of voluntary redundancies at NATS will be met; and what assessment he has made of the effects on the pension fund. [17663]

Mr. Jamieson: NATS has made provision for such restructuring costs as part of its Business Plan. The direct effect on the pension fund will be the injection of moneys to the fund to support the cost of pension enhancement for those fund members taking voluntary retirement.

Sandra Osborne: To ask the Secretary of State for Transport, Local Government and the Regions if Service Level Agreements with NATS engineers will be guaranteed following the engineering review. [17666]

Mr. Jamieson: NATS has defined service levels for all its operational equipment systems. As part of its engineering review, the company has been reviewing the required levels of service for these systems, and these will continue to be included in Service Level Agreements.

Sandra Osborne: To ask the Secretary of State for Transport, Local Government and the Regions what report he has received from the Economic Regulator on cost cutting measures for NATS. [17667]

Mr. Jamieson: No such report has been received.

Atlantic House, Prestwick

Sandra Osborne: To ask the Secretary of State for Transport, Local Government and the Regions what progress has been made in replacing the oceanic system at Atlantic House in Prestwick; and what is his estimate of its operational date. [17664]

Mr. Jamieson: Procurement options are being investigated and, pending a decision on the way forward, it is not possible to predict the operational date of the new system. In the meantime the current system is subject to a sustained programme that will keep it fully operational and capable of meeting the forecast capacity demand at least until 2006. The existing system is currently enjoying its best performance since its introduction, with 100 per cent. availability in 2001.

Sandra Osborne: To ask the Secretary of State for Transport, Local Government and the Regions what is his estimate of the lifespan of the upgraded radar system being installed at Atlantic House, Prestwick. [17665]

Mr. Jamieson: The new radar data processing system at Prestwick is capable of displaying a maximum of 350 aircraft on a radar screen at any one time. The current maximum number being displayed is around 150. The system could be modified to display a greater number of targets if that were required. However, the project plan was based on the assumption that the system would not reach the capacity of 350 aircraft being displayed on a screen before 2012.

Rough Sleepers

Mr. Coleman: To ask the Secretary of State for Transport, Local Government and the Regions when he will make an announcement of the rough sleepers unit's progress towards meeting the target to reduce the number of people sleeping rough. [20409]

Ms Keeble: The latest figures on rough sleepers in England will be placed in the Libraries of both Houses on the morning of Monday 3 December.

WORK AND PENSIONS

Benefit Fraud

Phil Hope: To ask the Secretary of State for Work and Pensions when he will publish the inspection report of the Benefit Fraud Inspectorate in respect of Birmingham city council. [20453]

Malcolm Wicks: The Benefit Fraud Inspectorate report was published today in respect of Birmingham city council and copies of the report have been placed in the Library.

BFI reports that the council's performance in benefits administration was poor and counter fraud activity was very weak at the time of inspection. Inspectors found claims processing backlogs and a very poor filing system. There was a significant risk of internal fraud with procedural weaknesses including flawed computer access control and management checking.

BFI considered the council's overpayment administration was inadequate with some £3.5 million of overpayments outstanding for over two years without any recovery action being instigated. Overpayments were regularly reclassified as "fraudulent" without evidence of it—£2.2 million was reclassified in this way in 1999–2000.

The report notes the council recognised its benefit administration inadequacies and restructured its service shortly before the inspection. This included the establishment of a central overpayment team.

Inspectors found that a high level of WBS savings was claimed inappropriately. The council was failing to gather enough evidence and was not meeting subsidy order requirements. The report also notes other weaknesses in the council's counter fraud activity including a failure to analyse risks or use inspectors' powers.

The report makes recommendations to help the council address weaknesses and to improve the administration of housing benefit and council tax benefit, as well as its counter fraud activities.

My right hon. Friend the Secretary of State is now considering the report and will be asking the council for its proposals in response to the findings and recommendations of the BFI.

Mr. Sarwar: To ask the Secretary of State for Work and Pensions if he will estimate the extent of benefit fraud in *(a)* Scotland and *(b)* the United Kingdom on an annual basis. [10754]

Malcolm Wicks: Our most recent estimate is that £2 billion is lost annually through benefit fraud in Great Britain. This estimate cannot be broken down by region.

We have set firm targets for reducing the amount of fraud and error in income support and jobseeeker's allowance and we have already met our first milestone, of a 10 per cent. reduction, 18 months ahead of schedule.

Harry Cohen: To ask the Secretary of State for Work and Pensions if he will place in the Library the legal advice received by his Department on the disclosure of databases of personal data held by third parties to benefit fraud officials, as covered by the anti-fraud social security legislation of 1997 and 2001. [17216]

Malcolm Wicks: We do not publish internal discussion and advice. This is in line with Part II, paragraph 2 of the Code of Practice on Access to Government Information.

Pension Forecasts

Lynne Jones: To ask the Secretary of State for Work and Pensions if he will make a statement on the manner in which the Government will provide information to individuals about combined state and private pension forecasts. [8410]

Mr. McCartney: Combined pension forecasts are issued by private/occupational pension providers using information made available by the Department for Work and Pensions.

Individuals will be informed about combined pension forecasts by their scheme provider/employer, and can choose whether or not they wish to receive one.

Pilot exercises conducted with the private sector demonstrated that recipients of the new joint statement, which provides people with easy to understand information on both their state and private pensions, found the service helpful in planning their future income needs in retirement.

The focus of the Department's recruitment activity is on pension scheme providers and employers with occupational pension schemes who will offer the new combined pension forecast service to their members. We will continue to provide general information to individuals about the various pension options available and the importance of reviewing their needs regularly through our pensions education campaign.

The Department for Work and Pensions commenced the recruitment of pensions scheme providers at the annual Pensions Show on 17 October 2001 and intend to exhibit at appropriate industry events in the future.

New Deal

Mr. Clappison: To ask the Secretary of State for Work and Pensions what resources are being targeted to help people aged *(a)* 50 and over and *(b)* under 25 years who are not working, to set up their own businesses. [11652]

Mr. Nicholas Brown: The new deal 50 plus, new deal for disabled people, new deal 25 plus, work based learning for adults and training for work, all provide a range of help for people over 50 who wish to set up in business. Support for the under 25s who wish to establish their own business is provided by two major initiatives: the self-employment route of new deal for young people and the youth enterprise initiative.

Mr. Clappison: To ask the Secretary of State for Work and Pensions what alternative to individual learning accounts is offered to new deal 50 plus participants reaching the end of their 52 weeks on employment credit and in receipt of a training grant. [15845]

Mr. Nicholas Brown: We are currently in the process of making alternative arrangements following the suspension of ILAs. In the meantime, people can still access the £150 new deal 50 plus contribution by contacting their local Jobcentre.

Mr. Swire: To ask the Secretary of State for Work and Pensions how many people in East Devon are on the new deal programme, broken down by each category of the new deal. [17266]

Mr. Nicholas Brown: The information is in the table.

Programme	*Number of people on the programme*[1]
New deal for young people	25
New deal 25 plus	22
New deal for lone parents	158
New deal 50 plus[2]	[3]46

[1] End August 2001

[2] Employment credit claims

[3] At end of September 2001

Source:

New Deal Evaluation Database

Constituency level information is not available for the new deals for disabled people and partners.

Mortgage Support

Ms Buck: To ask the Secretary of State for Work and Pensions what proportion of working age households in each English region were receiving mortgage support through their income support in *(a)* March 1997 and *(b)* March 2001. [17772]

Malcolm Wicks: The available information is in the table.

Working age income support (IS) recipients receiving income support mortgage interest payments by Government office region, as at February 1997 and February 2001

English region	*February 1997* *Number of IS cases (thousand)*	*February 1997* *Percentage of working age population*	*February 2001* *Number of IS cases (thousand)*	*February 2001* *Percentage of working age population*
All England	208.3	0.7	149.0	0.5
North East	10.3	0.7	8.1	0.5
North West	36.2	0.9	27.0	0.6
Yorkshire and Humberside	20.8	0.7	16.9	0.5
East Midlands	15.3	0.6	11.6	0.4
West Midlands	23.2	0.7	18.0	0.6
East	21.3	0.7	14.4	0.4
London	32.0	0.7	22.4	0.5
South East	29.5	0.6	18.1	0.4
South West	19.6	0.7	12.5	0.4

Notes:

1. North West includes Merseyside Government office region, previously shown separately
2. Working age income support recipients are defined as single people or family units receiving income support where the main recipient is of working age (male 16–64, female 16–59). This will include cases where the main recipient's partner is of state pension age
3. Figures are based on a 5 per cent. sample and are therefore subject to a degree of sampling error
4. Case load figures have been rounded to the nearest hundred; percentages are given to one decimal place

Sources:

Income Support Quarterly Statistical Enquiry, February 1997 and February 2001

Office for National Statistics mid-term estimates of the population for 1997 and 2000

Hospitalisation (Deduction of Benefits)

Mr. Francois: To ask the Secretary of State for Work and Pensions if his Department's regulations governing deduction of benefits for people admitted to hospital for six weeks or more include consideration or fixed costs incurred, with particular reference to standing charges for utilities. [18075]

Mr. McCartney: The deduction is intended to reflect the fact that hospital in-patients do not have to meet all their day-to-day living expenses.

Child Poverty

Mr. Clifton-Brown: To ask the Secretary of State for Work and Pensions what work his Department has carried out in dealing with child poverty in the last three years. [19835]

Malcolm Wicks: Child poverty and social exclusion are complex and multi-dimensional concepts, affecting many aspects of children's lives—including their living standards, health, housing, the quality of the environment, and opportunities to learn. The Government are committed to ending child poverty within 20 years. Our strategy for tackling child poverty and social exclusion is set out in the annual "Opportunity for all" reports. The third "Opportunity for all" report (Cm 5260) presents the latest information on the indicators used to monitor progress against this strategy.

Child Support

Mr. Drew: To ask the Secretary of State for Work and Pensions (1) if he will make a statement on what plans he has for existing Child Support Agency customers to be progressed on to the new regulations from April 2002; [19899]

(2) if he will make a statement on the means by which individual CSA customers will be able to seek a review of their cases after the introduction of the new regulations; and what repayments will be backdated to the start of the new regime. [19900]

Malcolm Wicks: Changes to the child support scheme will take effect for new cases from April 2002. Existing cases will be transferred to the new scheme about a year later. The precise date will be announced when we are confident that it is working well for new cases.

When CSA converts existing cases both parents will be notified of the decision and how it has been arrived at. For the vast majority of existing cases the new calculation will take effect from a common date. Either parent can ask the CSA to look at the decision again within one month of notification if they think that it is wrong. If the CSA accepts that the decision is wrong they will correct it straight away. If it turns out that the non-resident parent has overpaid maintenance in the meantime the sums involved may be refunded or offset against future liability.

Either parent can also appeal against the CSA's decision to an independent tribunal who will consider whether the agency applied the law correctly.

Mr. Drew: To ask the Secretary of State for Work and Pensions if he will outline his policy towards disclosure under CSA regulations; how he plans to change it after April 2002 in respect of departures; and what impact this will have upon the rights of a new partner to a parent with non-resident responsibilities. [19901]

Malcolm Wicks: The Child Support Agency treats the protection of personal information very seriously and it will only disclose information gathered for child support purposes in circumstances permitted by law.

Changes to the child support scheme, which are to be introduced for new cases by April 2002, will not include any provision for departures. However, either parent will be able to apply for the child support rates to be varied in specified, exceptional cases. The decision making process for variations will be streamlined. Applications for a variation can be submitted before the maintenance calculation has been made, thus enabling the system to operate more quickly.

The financial details of a NRP's new partner will not normally be relevant in the changed child support scheme.

TRADE AND INDUSTRY

End of Life Vehicles Directive

Mr. Whittingdale: To ask the Secretary of State for Trade and Industry if she will place copies of the responses to her Department's consultation paper on the End-of-Life Vehicles Directive in the Libraries of both Houses. [18469]

Ms Hewitt: A list of those who responded and a summary of their responses will be placed in the Libraries of both Houses shortly. Copies of individual responses whose authors have not requested confidentiality will be placed in the DTI library.

Mr. Whittingdale: To ask the Secretary of State for Trade and Industry what criteria she will use for the regulatory impact assessment of the End-of-Life Vehicles Directive; and if she will make a statement. [18468]

Ms Hewitt: A partial regulatory impact assessment of options for implementing the directive was contained in a DTI Consultation Paper published on 10 August 2001. A further regulatory impact assessment will be carried out in the process of finalising the method of implementation. This will identify, and quantify as far as possible, the costs and benefits of implementation, and will be drawn up in accordance with the accepted practices and procedures outlined in the Cabinet Office's published guidance.

Strategy Board

Mr. Whittingdale: To ask the Secretary of State for Trade and Industry (1) when she expects to appoint her Department's Strategy Board; and if she will make a statement; [18531]

(2) what criteria will be used to select the business members of her Department's Strategy Board; [18533]

(3) what the terms of appointment of the business members of her Department's Strategy Board will be; and if members will receive remuneration. [18532]

Ms Hewitt *[holding answer 27 November 2001]:* I am considering all issues connected with the establishment of the new Strategy Board, including the criteria to be applied, terms of appointment and remuneration. I expect to make the appointments before 1 April 2002, and will announce them when they are made. We will be adopting an open and transparent procedure for making these appointments and I shall be making an announcement on this procedure in due course.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Countryside Visits

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs (1) for what reason the Countryside Agency Leisure Day Visits Survey *(a)* did not take place during 2001 and *(b)* will take place during 2002; [19600]

(2) pursuant to her answer of 22 November 2001, *Official Report*, column 425W, on countryside visits, for what reason the United Kingdom Day Visitors Survey was not carried out in *(a)* 2000 and *(b)* 2001. [19782]

Alun Michael: The United Kingdom Day Visits Survey was not scheduled to take place in 2001. There is a biennial survey programme sponsored by 10 organisations. A survey did not take place in 2000 because of lack of resources. The 2002 survey will put the programme back on schedule.

Hunting

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the potential dangers of transmission of foot and mouth disease from the travelling of hunters from areas where hunting is still suspended to areas where the suspension has been lifted. [17970]

Mr. Morley *[holding answer 26 November 2001]:* Participants in hunting whose main dwelling is not in an FMD free county, or those who have visited livestock premises in an at risk or high risk county within seven days of a hunt, will not be able to take part in hunting. Hunt organisers will be responsible for certifying that these and other rules are being followed to DEFRA's satisfaction and it is intended that records will be kept of participants to ensure that these rules are enforced.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the economic impact on the rural economy of the temporary suspension of hunting. [17966]

Alun Michael *[holding answer 26 November 2001]:* The Department has not carried out an assessment of the economic impact on the rural economy from the temporary suspension of hunting. Our priority has been to concentrate on the eradication of the foot and mouth outbreak.

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs what information is required from landowners before permits are issued allowing the resumption of hunting with dogs on their land. [18383]

Alun Michael: The arrangements for a temporary system of permits to regulate hunting with dogs in FMD free counties from 17 December were announced on 15 November and copies were placed in the Library of the House.

For the proposed permit system, landowners will not be required to submit any information to DEFRA. It will be down to the proposed permit holder and the hunt secretary or person responsible for the hunt (if different) to supply all necessary information.

Industrial Action

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 22 November 2001, *Official Report*, column 422W, on industrial action, if she will list the level of payments by category that have been delayed since the dispute began. [19905]

Mr. Morley: The major impact of industrial action has been on the arable area payments scheme where normally around 60–70 per cent. of payments are made in the first two or three weeks of the payment window, which runs from 16 November to 31 January. This year the figure is expected to be a little over 50 per cent.

On the livestock schemes the industrial action has had minimal impact. To date industrial action has had limited impact on payments on England Rural Development Plan (ERDP) schemes, some targets on service standards are likely to be missed.

Agrimonetary Support

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 23 November 2001, *Official Report*, column 519W, on departmental costs, if she will list the representations she has received from the European Union concerning the late payment of support moneys to farmers. [19786]

Mr. Morley: The Rural Payments Agency is in touch with the European Commission and they are fully aware of progress on CAP payments.

Research

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what research is being carried out by her Department for which moneys from the budgets for *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03 have been committed. [19234]

Mr. Morley: Details of all on-going research funded by DEFRA—including the title, the contractor, the budget committed, and the start and scheduled end dates of individual projects—can be viewed on the Department's website at http://www.defra.gov.uk/research/projects. As research projects are commissioned, they are posted on the site.

Rural White Paper

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 21 November 2001, *Official Report*, column 321W, on local education authorities, and of

26 November 2001, *Official Report*, column 690W, on educational attainment, what measures her Department plans to use to monitor headline indicator 3 on page 166 of the Rural White Paper. [19783]

Alun Michael: The Rural White Paper headline indicator 3—better education for all—will be informed by the work of the Countryside Agency on the development of its own indicators on education and training.

The agency currently reports on the attainment to national vocational qualification level 3 by those economically active within the Labour Force Survey and also pupils reaching Key Stage 2 within primary schools. The agency plans to continue working with these indicators but to supplement them by developing robust and consistent data on broader educational attainment—A levels, GCSEs—analysed and reported for rural areas.

Tuberculosis

Mr. Clifton-Brown: To ask the Secretary of State for Environment, Food and Rural Affairs what changes her Department is proposing on animal movement restrictions for those herds subject to 12-month test intervals for tuberculosis; and what *(a)* economic and *(b)* animal health and welfare assessments she has made. [19896]

Mr. Morley: Veterinary risk assessment suggests that there is an increased risk of spread of bovine TB from herds where the test is overdue and that the risk is greatest in areas with a higher historic incidence of TB.

One way to minimise this risk would be to place such herds under movement restrictions until tested clear. This would entail financial losses for some of the farmers affected. Coming so soon after FMD such a decision would not be taken lightly.

DEFRA officials are assessing the levels of risk that attach to different types of herd and whether placing some herds under restriction would be proportionate. As part of this exercise officials are discussing proposals with the NFU and other stakeholders. No decision has yet been reached.

Mr. Clifton-Brown: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made in the last six months of the threat of tuberculosis to *(a)* human and *(b)* animal health. [19897]

Mr. Morley: Tuberculosis in cattle is caused by the organism *M. bovis* and this can also cause tuberculosis in humans. Most tuberculosis in humans is caused by a different organism *M. tuberculosis*.

There remains a growing threat to cattle health from *M. bovis* TB. Provisional statistics show that last year new incidents of cattle TB were confirmed in some 1,000 herds and just over 8,300 cattle were slaughtered under disease control measures. Incidence was projected to rise by some 20 per cent. in 2001. Incidence is higher in the south west than elsewhere in England. It is not yet clear what the effect of the suspension of TB testing during the FMD epidemic has been on disease transmission within herds.

The occurrence of bovine tuberculosis in humans remains rare and runs at about 50 cases a year. There is no evidence of an upward trend. Most cases are thought to arise from re-activation of infection caught before the introduction of widespread pasteurisation of most milk in the 1950s or from infection caught abroad. The geographic spread of incidence in humans does not reflect the geographic spread of the disease in cattle in England. The threat of cattle TB to humans continues to be assessed as low but the situation is under regular review. The recent rise of *M. tuberculosis* TB in humans is of greater concern.

Organic Production

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on progress on the Organic Action Plan; what organisations she has met to discuss the Organic Action Plan; and if she will outline the *(a)* aims, *(b)* objectives and *(c)* targets set by the Government to meet the Organic Action Plan. [19721]

Mr. Morley: My right hon. Friend the Secretary of State announced the Government's intention to set up an Action Plan for Organic Farming in her speech to the Green Alliance on 24 October 2001. On 26 November I was joined by the Environment Minister, the Rural Affairs Minister, and the Food and Farming Minister, Lord Whitty, for exploratory talks with representatives of the organic food and farming sector with a view to launching the Organic Action Plan next year.

Organisations involved in the discussions included the National Farmers Union, the Soil Association, Country Land and Business Association, the Royal Society for the Protection of Birds, the Environment Agency, English Nature, Sustain, Food and Drink Federation, British Retail Consortium, the Institute of Grocery Distribution and representatives from organic certification and research bodies. The industry's response to the Government's initiative was very positive, which I welcome.

The plan will look at how the organic sector will consolidate gains already made and will set out a strategy for its future direction. Work will begin once the independent Policy Commission on the Future of Farming and Food has reported. This will allow the Policy Commission's recommendations to be taken into consideration in drawing up the Action Plan's detailed aims and objectives.

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what steps her Department is taking to encourage UK supermarket companies to increase the level of purchasing of domestically produced organic food and produce; [18200]

(2) what cross-departmental discussions she has had to encourage organic food consumption in *(a)* schools, *(b)* hospitals and *(c)* other departmentally-funded institutions. [18203]

Mr. Morley: On 24 October, in a speech to the Green Alliance, my right hon. Friend the Secretary of State announced our intention to establish an action plan to set out the future direction of the organic food and farming sector. Work on the plan will begin when the Policy Commission on the Future of Farming and Food has reported so that any recommendations the Commission might have can be taken on board. An important issue for the action plan will be how to maximise our farmers' and growers' share of the expanding market for organic produce. We hope that all sectors involved, including the major retailers, will work together in taking this initiative forward.

In addition the high-level Sustainable Procurement Group, also announced on 24 October, will investigate and make recommendations on how procurement officials on the Government estate can more fully support the Government's sustainable development objectives, including those on food.

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs if she will calculate *(a)* the area of fully organic UK farmland and *(b)* the number of companies licensed to produce organic foodstuffs. [18201]

Mr. Morley: As at June 2001, the area of fully organic land in the UK was 351,000 hectares. A further 271,000 hectares was in conversion. 3,876 farmers and 2,063 processors (including importers) were registered with the organic inspection bodies.

Mr. Heath: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the profitability of organic enterprises. [17932]

Mr. Morley: Indicative net margin figures for typical enterprises can be found in the booklet on conversion available from the Organic Conversion Information Service, which we fund. I will arrange for a copy to be sent to the hon. Gentleman.

Foot and Mouth

Mr. Edwards: To ask the Secretary of State for Environment, Food and Rural Affairs how many applications she has received for interest for late payment of foot and mouth compensation. [18643]

Mr. Morley: The Department's foot and mouth disease claims unit has received 307 claims for interest on delayed compensation payments.

Mr. Swire: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made about when Devon will be given disease free status from foot and mouth. [18332]

Mr. Morley: Devon attained FMD free status on 27 November once all outstanding serological testing had been completed.

Mr. Edwards: To ask the Secretary of State for Environment, Food and Rural Affairs if she will pay interest for the late payment of foot and mouth compensation to Mr. Whittal Williams, a constituent. [18642]

Mr. Morley: There is no obligation on the Department to pay statutory compensation within a specific time limit or to pay interest on delayed compensation payments. At the outset of the disease we had an aim in mind for the time it would take us to make payments, but the enormous scale of the outbreaks and the pressing need to deal with them as quickly as possible so as to eradicate the disease meant that our priority was to focus available resources on achieving that objective. We were therefore unfortunately not always successful in meeting our goal for making payments.

The Department apologises for the inconvenience caused by any delay on its part but interest will not be paid on compensation payments.

Mr. Whittal Williams' claim for interest was referred to the Department by his National Farmers Union representative and an official reply was sent on 3 October.

Mr. Luff: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the methods used to control the foot and mouth epidemic in Mongolia and of the lessons for the United Kingdom; and if she will make a statement. [17462]

Mr. Morley: FMD is endemic in parts of Asia, Africa, the middle east and south America. The Department has not made any specific assessment of the outbreak in Mongolia.

Patrick Mercer: To ask the Secretary of State for Environment, Food and Rural Affairs what further measures the Government plan to ensure a rapid ban on livestock movement should another outbreak of foot and mouth take place. [18066]

Mr. Morley: In the event of a new outbreak of foot and mouth disease, local movement restrictions would be imposed as soon as disease is suspected. The introduction of national movement restrictions would be based on veterinary advice as to risks posed to the wider livestock industry.

Late Payment of Commercial Debts (Interest) Act

Mr. Edwards: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the applicability of the Late Payment of Commercial Debts (Interest) Act 1998 to her Department. [18636]

Mr. Morley: The Late Payment of Commercial Debts (Interest) Act 1998 has applied to the public sector (and therefore DEFRA) since 1 November 1998.

The legislation provides a statutory right for certain businesses to claim interest on late payment of commercial debts. It applies to any UK commercial contract to which DEFRA is a party.

With regard to foot and mouth matters, DEFRA takes the view that compensation and cleansing and disinfection costs payable to farmers under the Animal Health Act 1981 and Foot and Mouth Disease Order 1983 (as amended) are not commercial contracts within the scope of the Act.

Farmers' Markets

Mr. Heath: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to encourage the development of farmers' markets. [17931]

Mr. Morley: The reply given by my right hon. Friend the Secretary of State to the hon. Member for East Surrey (Mr. Ainsworth) on 20 November 2001, *Official Report*, column 198W, gave details of the measures that we have been taking to encourage the development of farmers' markets. Among other things it referred to the possible availability of grant under the Rural Enterprise Scheme and to the support being provided by the Countryside

Agency, whom we grant aid. This support complements that being provided at a local and national level by a variety of governmental and non-governmental bodies.

Sheep Export Ban

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs when the ban on the export of sheep from the United Kingdom will be lifted. [16719]

Mr. Morley: The European Union's Standing Veterinary Committee agreed to allow limited exports of sheep meat from specified countries of GB from 12 November 2001. The current ban on the export of livestock from GB has been extended to 31 January 2002. It is not possible at this stage to predict how long the ban will remain in place. Export restrictions on livestock from Northern Ireland were lifted on 7 June 2001.

Contaminated Food (Border Inspections)

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to increase the number of inspectors at ports to detect contaminated food; and if she will make a statement. [12360]

Mr. Morley *[holding answer 5 November 2001]:* All products of animal origin imported from third countries into the UK must enter at designated UK Border Inspection Posts (BIP) where they are subject to veterinary inspections. The inspection services at the BIP are the responsibility of the local authority and we expect them to have adequate staff properly to carry out their duties. However, the BIP has to be approved by the European Commission, which conducts periodic inspection missions, and which has to be satisfied that the inspection services are adequate. If they are not, the approval of the BIP may be suspended.

Products of animal origin produced within the EU may circulate freely in the single market, and are not subject to border checks. They may be subject to checks at the point of destination within the UK.

In respect of food not of animal origin the Food Standards Agency monitors general food enforcement activity by all local authorities, including port health authorities, and has recently begun a programme of audits to provide more detailed information on enforcement standards.

Fishermen

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on her policy on extending MAGP IV by a year; and what measures she will take to assist payments to UK fishermen from this budget line. [19580]

Mr. Morley: I welcome the Commission proposal to extend MAGP IV by one year while setting digressive limits on the capacity of the EU fleet, and reducing eligibility for grants for construction and modernisation of vessels. The purpose of the MAGP IV programme is to set quantified limits on member states' fleets, rather than to provide payments to fishermen.

Flood Defences

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs how much new public money has been spent in 2001 on improving flood defences in *(a)* York, *(b)* Uckfield, *(c)* Yalding, *(d)* Leamington Spa, *(e)* Stratford Upon Avon and *(f)* Lewes. [17830]

Mr. Morley: Operational responsibility for flood alleviation measures with the local operating authorities, namely the Environment Agency, Internal Drainage Boards and local councils. DEFRA provides grant for flood defence capital works, and associated studies, which meet essential technical, economic and environmental criteria and achieve an appropriate priority score.

I understand the Environment Agency has incurred expenditure in 2001 on such flood alleviation initiatives as studies, flood warning improvements, emergency repairs and maintenance at these sites but has not undertaken capital improvement works.

Food (Pesticide Residues)

Ms Shipley: To ask the Secretary of State for Environment, Food and Rural Affairs if the Government are undertaking a comprehensive study of the effects of pesticide residues in food; and if she will make a statement. [18212]

Mr. Morley: The Department works closely with the Food Standards Agency (FSA) on all matters concerning pesticide residues in food. Ministers are advised on this subject by the independent Pesticide Residues Committee (PRC) which oversees a wide-ranging surveillance programme. The results from this programme are published quarterly on the committee's website at www.pesticides.gov.uk

There has been some specific concern over the potential combined effects of pesticide residues and at the request of the FSA, the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT), a group of independent experts, established a Working Group for the Risk Assessment of Mixtures of Pesticides/Veterinary Medicines (WIGRAMP).

The working group is now in the process of preparing a draft report. It is hoped to issue the draft report for consultation early in 2002 and to hold a further open meeting before the report is passed to the COT for their consideration. The FSA are aiming to publish the finalised report in early summer 2002. The minutes of working group meetings and other information concerning the group can be found through the FSA website at http://www.foodstandards.gov.uk/committees/cot

Ministerial Engagements

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs how many ministerial engagements *(a)* were cancelled between 1 January and 31 May and *(b)* have been cancelled since 1 June. [18037]

Mr. Morley *[holding answer 27 November 2001]:* There is no record kept of cancelled engagements in DEFRA Minister's diaries. When engagements have had to be cancelled, wherever possible we try to re-instate them at a later date. All engagements are subject to ministerial and parliamentary business.

Flood Relief

Sir Michael Spicer: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to spend some of the money for flood relief announced by the Deputy Prime Minister when he visited Upton on Severn on projects in Upton on Severn. [18923]

Mr. Morley *[holding answer 29 November 2001]:* This Department provides grants for flood and coastal defence capital works, and associated studies, which meet essential technical, economic and environmental criteria and achieve an appropriate priority score. Further to increases in spending plans in the last two spending reviews, additional funding of £51 million over the four years from 2000–01 was announced in November 2000 following the severe flooding last year. An increased priority was given to urban flood defences and the grant rates for all river flood defences were increased by 20 per cent.

Operational responsibility for flood management measures rests with the local operating authorities, normally the Environment Agency and local councils, who decide which projects to promote and their timing. The operational authorities are invited to submit applications for DEFRA funding.

In the last 12 months the Agency has installed water gauges to measure the obstructing effects of the redundant railway embankment to the west of Upton. It has invited every property at risk of flooding to be linked to it's telephone flood warning service and it participated in the recent Flood Fair to promote self help protection measures. Upton on Severn is also in the area covered by the Catchment Flood Management Plan being developed for the River Severn. The study is being financed by DEFRA and conclusions are expected by the middle of next year.

Pig Farmers

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to introduce special movement pig licences for farmers in Devon. [15626]

Mr. Morley *[holding answer 16 November 2001]:* There are no such plans. However, the restrictions on pig movements in Devon were eased from 27 November when the county was granted FMD Free Status. Movements still require a licence from the local authority.

Livestock Movements (Departmental Website)

Hywel Williams: To ask the Secretary of State for Environment, Food and Rural Affairs on what dates and at which times the autumn movement of livestock scheme website at www.fmdamll.defra.gov.uk/logon.asp has been unavailable; and if she will make a statement on the impact on applicants of the unavailability of the website. [16331]

Mr. Morley: The address quoted by the hon. Member is incorrect. Guidance on the Autumn Movement Licensing Scheme has been constantly available on the DEFRA website at www.defra.gov.uk/footandmouth/.

Agricultural Supply Industry

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what support her Department has given to the agricultural supply industry following the outbreak of foot and mouth disease. [14056]

Mr. Morley: The Department has provided support to the agricultural supply industry following the foot and mouth disease outbreak through a number of initiatives. These include:

Providing direct help to the wide range of small rural businesses that have been severely affected by FMD including help with rates, bills, tax, and national insurance.

Setting up the FMD helpline and the Farm Business Recovery helpline.

Regional seminars which provide national and regional advice on subjects such as diversification, grants, restocking and local initiatives.

Farm Business Advice Service (FBAS) whose advisers will help farmers to make decisions about the future direction of their business. The service is funded by DEFRA and operated by the Small Business Service through Business Links.

A 24 m extension to the Business Recovery Fund to help rural economies damaged by foot and mouth disease.

Research (GM Animals)

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs how many GM animals were being used in research at the latest date for which figures are available, broken down by species; and if he will make a statement on the efficiency rates of this technique. [9598]

Angela Eagle: I have been asked to reply.

The number of scientific procedures started in the last year for which figures are available, involving genetically modified animals and showing the species and the purposes for which they were used, is given in Table 3.3 of the publication "Statistics of Scientific Procedures on Living Animals, Great Britain, 2000", a copy of which is in the Library. The number of animals used is close to the number of procedures, as animals are not normally re-used.

Questions about the science involved are primarily for the Minister of Science and Innovation at the Department of Trade and Industry. However, I understand a range of techniques are used, depending on the required type of modification, to produce new lines of genetically modified animals. The efficiency of the techniques ranges broadly from 1 per cent. to 30 per cent. (that is, the number of successfully genetically modified offspring as a percentage of the number of germ cells or embryos manipulated).

The offspring of established genetically modified lines are also reported in the Home Office/National Statistics annual publication mentioned. About 35 per cent. of such offspring are used in research programmes, the remainder being used for further breeding only.

Table 3.3: Procedures using genetically modified animals in breeding procedures or research

Great Britain 2000 — *Number of procedures*

Species of animal	*Generation of founder animals*	*Maintenance of breeding colony*	*Used for further non-regulated scientific purpose*[1]	*Used in further regulated procedures*	*Used in production and other procedures*[2]	*Used in safety evaluation studies*[3]	*Total*
Mouse	15,129	373,313	86,052	46,250	52,622	1,794	575,160
Rat	433	1,153	155	987	659	—	3,387
Other Rodent	—	—	—	—	—	—	—
Rabbit	—	7	—	16	—	—	23
Cat	—	—	—	—	—	—	—
Dog	—	—	—	—	—	—	—
Ferret	—	—	—	—	—	—	—
Other Carnivore	—	—	—	—	—	—	—
Horse and other equids	—	—	—	—	—	—	—
Other Ungulates	321	1,064	—	—	6	—	1,391
New World monkey	—	—	—	—	—	—	—
Old World monkey	—	—	—	—	—	—	—
Other mammal	—	—	—	—	—	—	—
Bird	2	—	—	—	—	—	2
Reptile/Amphibian	51	63	15	133	—	—	262
Fish	—	1,367	—	—	148	—	1,515
Total	15,936	376,967	86,222	47,386	53,435	1,794	581,740

[1] See Annex A of Appendix C

[2] Includes production of various biological materials (codes B50-B56 in Appendix C); also includes procedures not concerned with production (code B79)

[3] Reported using A codes in rows 10–12 (see Appendix C)

PRIME MINISTER

European Arrest Warrant

Mr. Rosindell: To ask the Prime Minister what recent representations he has received from *(a)* the European Criminal Bar Association of Defence Lawyers and *(b)* Fair Trials Abroad, concerning the European arrest warrant; and if he will make a statement. [19592]

The Prime Minister: As far as I am aware, I have not received any representations.

It is the Government's intention to implement the European arrest warrant as part of the wider reform of extradition law by means of a Bill later in this parliamentary Session.

Security

Mr. Hancock: To ask the Prime Minister what plans there are to create a Cabinet Minister for United Kingdom Security; and if he will make a statement. [19769]

The Prime Minister: My right hon. Friend the Secretary of State for the Home Department has responsibility for security, terrorism and civil emergencies.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Mr. Alan Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs how much money Coalition members have given to the Northern Alliance and its supporters since the beginning of the conflict in Afghanistan. [17450]

Mr. Bradshaw: The Government cannot provide this information, under exemption 1(a) and (b) (Defence, Security and International Relations) of the Code of Practice on Access to Government Information.

Israel

John Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with EU ministers concerning Israel's export to the EU of goods manufactured in Israeli settlements in the occupied territories; and what action has been taken by the EU. [18864]

Peter Hain: The issue was discussed at the 19 November General Affairs Council, in preparation for the EU-Israel Association Council on 20 November. At the Association Council, the EU underlined its interest in maintaining a strong trade partnership with Israel and its intention to find a sustainable solution to the rules of origin issue. The council noted its concern that Israel should comply with the territorial scope of the agreement.

On 23 November the European Commission published a notice to importers in the EC Official Journal advising importers presenting documentary evidence of origin with a view to securing preferential treatment for products originating in Israeli settlements in the West Bank, Gaza strip, East Jerusalem and Golan Heights to take all necessary precautions.

Euro

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 19 November 2001, *Official Report*, column 27W, on the Scottish Executive, if the Minister of State for Europe discussed the timing of a referendum on the euro with the former Education Minister in Scotland. [19816]

Peter Hain: No.

NATO Parliamentary Assembly

Peter Bradley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the composition of the United Kingdom Delegation to the NATO Parliamentary Assembly. [20402]

Mr. Bradshaw: The following will represent the United Kingdom at the NATO Parliamentary Assembly:

The right hon. Member for Swansea, East (Mr. Donald Anderson)

The right hon. Member for North-East Hampshire (Mr. James Arbuthnot)

The hon. Member for the City of York (Mr. Hugh Bayley)

The right hon. Member for North-East Fife (Mr. Menzies Campbell CBE QC)

The hon. Member for Barnsley, West and Penistone (Mr. Michael Clapham)

The right hon. Lord Clark of Windermere

The hon. Member for Leyton and Wanstead (Mr. Harry Cohen)

The hon. Member for Ilford, South (Mr. Mike Gapes)

The right hon. Member for Walsall, South (Mr. Bruce George)

The Lord Gladwin of Clee CBE

The hon. Member for Portsmouth, South (Mr. Michael Hancock CBE)

The right hon. Lord Jopling DL

The hon. Member for Halifax (Alice Mahon)

The hon. Member for East Hampshire (Mr. Michael Mates)

The hon. Member for Vale of Glamorgan (Mr. John Smith)

The hon. Member for Dunfermline, West (Rachel Squire)

The right hon. Member for Tonbridge and Malling (Sir John Stanley)

The hon. Member for Gosport (Mr. Peter Viggers).

Sudan

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Sudan on the *(a)* creation and *(b)* restoration of churches in the north of the country. [19722]

Mr. Bradshaw: We regularly discuss issues relating to religious freedom with the Sudanese Government both bilaterally and through the EU. EU Heads of Mission in Khartoum held a meeting on 5 November with the Sudanese Minister for Religious Affairs to discuss religious freedom. Our Ambassador chaired the meeting in his capacity as local EU Presidency. They specifically raised concerns about impediments to church-building.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's approach to peace in the Sudan, with particular reference to democratic consent in the south of the country. [19725]

Mr. Bradshaw: The search for peace remains the focus of our policy towards Sudan. We continue to support the IGAD peace process, and, accordingly, the Inter-Governmental Authority on Development (IGAD) Declaration of Principles, which includes the right of self-determination for southerners. We continue to promote democratic transformation. We regularly urge the Government of Sudan and other authorities to improve freedom of political association and assembly, and to remove legislation and end practices limiting other popular freedoms. This is also a core focus of the EU-Sudan dialogue, which the UK is currently chairing as local EU Presidency.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with other African Governments on proposals to bring peace to the Sudan. [19723]

Mr. Bradshaw: As members of the Inter-Governmental Authority on Development (IGAD) Partners Forum, we regularly discuss Sudan with other African Governments, particularly Kenya, Uganda and Nigeria. Kenya has an important role to play in the Sudanese peace process because the IGAD Secretariat, which we have helped fund, is based in Nairobi. The Foreign Secretary has discussed Sudan with President Moi and our Embassy in Nairobi keeps in close contact with the Kenyan authorities.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with Christian Solidarity on the subject of slavery and abduction in the Sudan. [19724]

Mr. Bradshaw: We take the issue of abductions very seriously and are keen to work with any organisation that is dedicated to tackling the problem. FCO officials keep in touch with Christian Solidarity. They and our Embassy in Khartoum also work very closely with Save the Children (UK), who are involved in efforts to address the problem in Sudan, and we have given significant funding to them for their work with the Committee for the Eradication of Abduction of Women and Children (CEAWC). We have also provided funding through the EU to UNICEF. Our ambassador in Khartoum regularly urges the Sudanese Government to greater efforts, and encourages them to increase their support for the work of the CEAWC. We also raise the issue of abductions through the EU/Sudan dialogue.

European Bodies

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his position towards the establishment of conventions for joint information activities between *(a)* the European Commission, *(b)* its agencies and *(c)* his Department as proposed in Com (2001) 354. [19588]

Peter Hain: The Government welcome the Commission's initiative (Commission Communication Com (2001) 354) to improve the way in which information about the EU is provided to the citizen. The Communication makes sensible proposals (for example, better co-operation between the European Parliament and Commission offices in member states) and respects subsidiarity.

It is right that the EU institutions should co-operate properly with each other to supply information on Europe, and that they should work, where appropriate, with member states. The Commission's proposal does not affect the Government's role in providing information on the European Union to United Kingdom citizens. Nor does the proposal create any new powers for the EU institutions.

European Security and Defence Policy

Mr. Jenkin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the outcome of the recent talks held with the Turkish Government in Ankara about the European Security and Defence Policy. [19828]

Mr. Bradshaw: We, and the US, made considerable progress at the recent talks with the Turkish side in Ankara, clarifying the implementation of the Nice Conclusions on participation in ESDP by the six non-EU European Allies.

LORD CHANCELLOR'S DEPARTMENT

Contested Hearings

Mr. Lilley: To ask the Parliamentary Secretary, Lord Chancellor's Department how many either-way cases heard in magistrates courts have been contested in each year since 1987. [19726]

The Solicitor-General: I have been asked to respond to this question using information collected by the Crown Prosecution Service.

CPS records show that the number of contested hearings in magistrates courts in either-way cases was as follows:

Year	*Numbers*
1991[1]	32,744
1992	39,170
1993	34,695
1994	33,568
1995	28,942
1996	24,767
1997	25,323
1998	24,439
1999	23,022
2000	21,808
2001[2]	15,432

[1] April-December only

[2] January-September only

Note:

No comparable figures were collected before April 1991.

Mr. Lilley: To ask the Parliamentary Secretary, Lord Chancellor's Department how many *(a)* wholly and *(b)* partly-contested cases there were, and how many acquittals there were in each case, for (i) magistrates courts and (ii) Crown courts in each year since 1987. [19727]

The Solicitor-General: I have been asked to respond to this question using information collected by the Crown Prosecution Service.

The table shows the number of contested hearings in magistrates courts and in the Crown court. These are divided into two categories: hearings in which the defendant entered pleas of guilty to some charges while other charges proceeded to a contest, and hearings in which no guilty pleas were entered. The total number of contests is also shown.

The table also gives both the number and the proportion of acquittals. These are again divided up into those where guilty pleas were entered to some charges, those where no guilty pleas were entered, and the total number of acquittals.

No comparable figures were collected before April 1991.

Contested hearings 1991–2001

	1991[1]	*%*	*1992*	*%*	*1993*	*%*	*1994*	*%*	*1995*	*%*	*1996*	*%*
Magistrates courts												
Contests (some guilty pleas)	7,892	—	7,463	—	6,321	—	6,505	—	6,060	—	5,249	—
of which acquitted	1,131	14.3	786	10.5	653	10.3	676	10.4	644	10.6	544	10.4
Contests (no guilty pleas)	78,175	—	100,518	—	89,990	—	86,519	—	78,343	—	67,563	—
of which acquitted	19,854	25.4	24,424	24.3	21,300	23.7	20,644	23.9	18,498	23.6	17,161	25.4
Total contests	86,067	—	107,981	—	96,311	—	93,024	—	84,403	—	72,812	—
Total acquittals	20,985	24.4	25,210	23.3	21,953	22.8	21,320	22.9	19,142	22.7	17,705	24.3
Crown court												
Contests (some guilty pleas)	1,829	—	2,471	—	2,169	—	2,071	—	2,139	—	2,036	—
of which acquitted	639	34.9	756	30.6	700	32.3	651	31.4	585	27.3	488	24.0
Contests (no guilty pleas)	13,559	—	18,350	—	17,771	—	16,538	—	19,165	—	18,346	—
of which acquitted	6,459	47.6	8,471	46.2	7,920	44.6	7,409	44.8	8,014	41.8	7,709	42.0
Total contests	15,388	—	20,821	—	19,940	—	18,609	—	21,304	—	20,382	—
Total acquittals	7,098	46.1	9,227	44.3	8,620	43.2	8,060	43.3	8,599	40.4	8,197	40.2

	1997	*%*	*1998*	*%*	*1999*	*%*	*2000*	*%*	*2001*[2]	*%*
Magistrates courts										
Contests (some guilty pleas)	4,560	—	4,296	—	4,262	—	3,882	—	2,889	—
of which acquitted	407	8.9	396	9.2	530	12.4	506	13.0	368	12.7
Contests (no guilty pleas)	66,998	—	62,858	—	57,639	—	52,077	—	37,489	—
of which acquitted	17,916	26.7	17,294	27.5	16,263	28.2	16,122	31.0	11,922	31.8
Total contests	71,558	—	67,156	—	61,901	—	55,959	—	40,378	—
Total acquittals	18,323	25.6	17,690	26.3	16,793	27.1	16,628	29.7	12,290	30.4

	1997	%	*1998*	%	*1999*	%	*2000*	%	*2001*[2]	%
Crown court										
Contests (some guilty pleas)	2,170	—	1,641	—	1,338	—	1,376	—	923	—
of which acquitted	424	19.5	411	25.0	344	25.7	304	22.1	190	20.6
Contests (no guilty pleas)	19,813	—	18,874	—	19,116	—	18,099	—	13,134	—
of which acquitted	8,293	41.9	8,350	44.2	8,463	44.3	8,214	45.4	5,894	44.9
Total contests	21,983	—	20,515	—	20,454	—	19,477	—	14,057	—
Total acquittals	8,717	39.7	8,764	42.7	8,807	43.1	8,518	43.7	6,084	43.3

[1] April-December

[2] January-September

Contingency Fees

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department, what assessment she has made of contingent fees; and what plans she has for their introduction. [R] [19556]

Ms Rosie Winterton: None. Contingency fees are already used in many tribunals and for non-contentious business. The Government have no plans to extend their use.

Community Legal Service

Mr. Burstow: To ask the Parliamentary Secretary, Lord Chancellor's Department, how much funding the Community Legal Service has received in each year it has been in existence; and what *(a)* amount and *(b)* percentage of this has been given directly to advice-providing organisations in the form of grants to help them improve and develop their services. [18844]

Ms Rosie Winterton: In 2000–01, £810 million was made available to the Legal Services Commission to fund the Community Legal Service (CLS). In that year £1.5 million, or 0.2 per cent., was given directly to a range of organisations in the form of grants.

In 2001–02, £708 million has been made available to fund the CLS, of which approximately £3.94 million, or 0.6 per cent., has been committed to projects in grant funding.

On 8 May 2001 the Partnership Innovation Budget was set up with a budget of £15 million over three years (0.7 per cent. of total expected funding of £2,105 million). Bids were invited for initiatives intended to improve the delivery of legal services in innovative ways, and the first set of grant awards was announced in September 2001. To date, over £12 million in grants has been committed.

Court Buildings (Wales)

Gareth Thomas: To ask the Parliamentary Secretary, Lord Chancellor's Department, what plans he has to improve court buildings in Wales. [18867]

Mr. Wills: The Lord Chancellor's Department is exploring a number of opportunities to improve facilities within Wales. To provide new and refurbished courts, we are examining both Private Finance Initiatives (PFI), as well as evaluating the potential for shared or joint ventures.

The Gwent PFI project is already well advanced, covering the Newport, Blackwood and Caerphilly areas, and subject to the inclusion of additional magistrates courts or Court Service properties, the new or refurbished courts are planned to become operational during 2005.

We are also exploring the prospect of joining an existing police PFI project in North Wales. Negotiations are still at an early stage but it is intended that the project should incorporate existing properties in Bangor and Caernarfon.

In addition, the Lord Chancellor's Department continues to fund a significant programme of maintenance and refurbishment work, via both the Court Service and local authorities, on the existing estate.

CHURCH COMMISSIONERS

Ethnic Community Religious Groups

Mr. Cox: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what recent discussions he has had with the Church Commissioners on providing funding to ethnic community religious groups. [17831]

Mr. Bell: In 2000 the Commissioners made available £160 million to support the work of the Church of England, particularly in areas of need and opportunity. Within the Church of England there are many parishes with ethnic community religious groups that the Church seeks to serve.

HEALTH

Teenage Pregnancy

Mr. Hopkins: To ask the Secretary of State for Health when the Independent Advisory Group on Teenage Pregnancy will publish its first annual report. [19492]

Jacqui Smith: The Independent Advisory Group on Teenage Pregnancy has published its first annual report today.

This is a very comprehensive report and we commend the Advisory Group for the valuable work it has undertaken since it was formed. We welcome the Advisory Group's acknowledgement of the significant progress made to date across Government on implementing our Teenage Pregnancy Strategy. We recognise that, as with all long-term strategies, we must sustain our action and commitment if we are to achieve the strategy's goals. The report contains 49 specific recommendations on potential areas for further action and we will give these our full and careful consideration. We will aim to publish a detailed response to the report by next spring.

HIV (Health Care Workers)

Mr. Anthony D. Wright: To ask the Secretary of State for Health what was the outcome of the review of policy on patient notification exercises relating to HIV-infected health care workers. [20343]

Jacqui Smith: We have recently accepted advice from the Expert Advisory Group on AIDS (EAGA) and the United Kingdom Advisory Panel for Health Care Workers Infected with Blood-borne Viruses (UKAP). They advise that it is no longer necessary to notify every single patient who has undergone an exposure prone procedure[1] by an HIV infected health care worker because of the low risk of transmission and the anxiety caused to large numbers of patients.

In future, the need for and extent of a patient notification exercise will depend on the level of risk exposure. This may mean that in some instances there is no patient notification exercise, or it is limited in its scope. Until now, all patients who have undergone exposure prone procedures have been notified regardless of their level of risk. EAGA and UKAP are in the process of developing these criteria and we will be issuing operational guidance to the national health service in the new year.

[1] Exposure prone procedures are those where there is a risk that injury to the health care worker could result in their blood contaminating a patient's open tissues. Exposure prone procedures, in general terms, include most surgery, gynaecology and obstetrics, dentistry, and some aspects of midwifery and specialist nursing.

General Medical Council (Disqualifications)

Miss McIntosh: To ask the Secretary of State for Health if he will take steps to introduce a ban from registration with the GMC of *(a)* GPs and *(b)* consultants who have been banned from practising in (i) EU, (ii) Commonwealth and (iii) other countries. [8979]

Mr. Hutton: We are discussing with the General Medical Council extending the matters that can be considered under its registration and its fitness to practise procedures to include disqualifying decisions by authorities abroad. There is already provision covering doctors from the European Economic Area.

NHS Pension Scheme

Mr. Cousins: To ask the Secretary of State for Health what are the approved AVC providers under the NHS pension scheme; how many outstanding AVC contracts there are with these providers; when these AVC providers were first selected and when that selection was reviewed; and what was the source of the professional advice as to that selection and renewal. [10922]

Mr. Hutton: The authorised AVC providers for the national health service pension scheme in England and Wales are Equitable Life Assurance Society, Clerical Medical Investment Group Limited, Standard Life Assurance Society and the Prudential.

Equitable Life was appointed as the first, sole provider from 15 February 1991. The society was reappointed from 6 April 1998 for a further five years. On both occasions, the appointment followed a competitive tender with the Department. National health service employers and staff interests were represented on the selection panel. The Government Actuary's Department provided professional actuarial advice.

In March 2001, when Halifax plc purchased Equitable Life's operations, the range of AVC investment funds was extended by agreement to include seven from Clerical Medical, a Halifax Group subsidiary.

I understand that there are about 38,000 national health service contracts with Equitable Life and around 2,000 with Clerical Medical.

From 8 October 2001, following a further tendering exercise managed and endorsed by independent advising actuaries Bacon and Woodrow, Standard Life and the Prudential were added to the list of authorised providers. No contracts are yet operational.

Hospital Performance

Dr. Fox: To ask the Secretary of State for Health what assessment he has made of *(a)* a Commission for Health Improvement report and *(b)* the star-ratings as indicators of a hospital's performance. [13545]

Mr. Hutton: The Commission for Health Improvement (CHI) is an executive non-departmental public body which, among other things, reviews arrangements by national health service trusts for monitoring and improving the quality of health care for which they have responsibility.

The Department's NHS performance ratings, represent a high level summary of the overall performance of non-specialist acute NHS hospital trusts against a number of key targets and indicators with a particular staff, patient and clinical focus. The performance ratings concentrate primarily on the management of NHS trusts rather than the quality of care.

We are confident that the assessment made in both cases is robust, fair and complementary. The CHI looked at the performance ratings for those organisations it had already reviewed and confirmed that they provide a fair assessment based on the available data.

NHS Trusts

Dr. Evan Harris: To ask the Secretary of State for Health what was the total annual *(a)* surplus and *(b)* deficit for each NHS trust in England in each year since 1997 for which figures are available. [13622]

Mr. Hutton: The information requested has been placed in the Library.

David Wright: To ask the Secretary of State for Health what guidance he gives to NHS trusts on ordering their priorities between waiting *(a)* lists and *(b)* times. [13463]

Mr. Hutton: In meeting both waiting list and times targets, the national health service has been advised that above all patients' clinical need and priority must come first. In July 1997, an executive letter (EL (97) 42) was issued to the NHS about access to secondary care services. It stated that:

> "Clinical priority must be the main determinant of when patients are seen as outpatients or admitted as inpatients."

Since then, a significant amount of guidance from the Department has been given to the NHS on managing waiting lists and times targets. "Getting Patients Treated—The Waiting List Action Team Handbook" was issued to all NHS trust chief executives in August 1999 and provides detailed advice on how to monitor inpatient and outpatient waiting lists to ensure patients are treated in the right order.

Two reports specific to managing outpatient waiting lists were published jointly by the Department of Health and the NHS Modernisation Agency in November 1999 and July 2000 entitled "Variations in NHS Outpatient Performance". These reports contain practical actions that hospitals can take to reduce the time patients wait to see a consultant and to modernise outpatient services for the convenience of patients. Every hospital was instructed to take the actions set out in the reports.

In February 2000, a toolkit for primary care groups was also issued by the NHS executive entitled "Tackling Waiting Lists Together". This guidance was aimed at general practitioner practices and primary care groups to advise them on the causes of waiting list problems and how to address them.

More recently, the NHS was instructed to use guidance drawn up by the NHS Modernisation Agency called the "Primary Targeting Lists Approach" to assist them in treating patients within the shorter maximum waiting times targets for 2001–02. The guidance gives NHS organisations the practical advice to treat patients in the right order within the maximum waiting times targets.

In addition, the chief executive and chief operating officer of the Department have written to chief executives of NHS organisations on a number of occasions re-emphasising the importance of delivery and the actions they should be taking to achieve them.

The guidance can be found at the following websites:

Name of guidance issued	*Website address*
Executive letter 1997—42	www.doh.gov.uk/publications/coinh.html
Getting Patients Treated—The Waiting List Action Team Handbook	www.doh.gov.uk/wtactionteam.htm
Variations in NHS Outpatient Performance	www.doh.gov.uk/pspp
Tackling Waiting Lists Together	www.mfps.co.uk/toolkit.htm
Primary Targeting Lists Approach	www.modernnhs.nhs.uk/npat/documents/

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on the performance of NHS trusts in *(a)* 2000–01 and *(b)* 2001–02 in meeting their responsibility to absorb the cost of capital at a rate of 6 per cent. of average relevant net assets. [16949]

Mr. Hutton: The provisional annual accounts for national health service trusts in 2000–01 show 247 NHS trusts met the 6 per cent. capital absorption duty. However, exclusion of shortfalls deemed immaterial (that is less than 0.5 per cent.) increases this figure to 339.

Information for 2001–02 will not be available until the NHS trust audited annual accounts are received in autumn of 2002.

Oldchurch Hospital (A and E)

Mr. Rosindell: To ask the Secretary of State for Health what the average waiting time is for an A and E patient to see a doctor at Oldchurch hospital in Romford; and if he will make a statement. [14806]

Mr. Hutton: The information requested is not collected centrally.

Mr. Rosindell: To ask the Secretary of State for Health what plans he has to improve waiting times for patients waiting to see a doctor in the A and E department of Oldchurch hospital in Romford. [14804]

Mr. Hutton: We are committed to resolving the issue of waits in accident and emergency and the NHS plan includes clear objectives for reducing inappropriate waits. By 2004, no patient will wait more than a total of four hours in accident and emergency from time of arrival to admission, transfer or discharge, with the average waiting time reduced to 75 minutes.

Oldchurch hospital, part of Barking, Havering and Redbridge hospitals national health service trust, has already received £868,000 from the accident and emergency modernisation fund. The trust will also receive a share of the additional £100 million announced last month to support the recently published reforming emergency care strategy.

Furthermore, efficiency within the accident and emergency department at Oldchurch hospital will be boosted by the additional £300 million announced in October to tackle nationally the persistent problem of bed blocking. Of the £100 million allocated so far, local authorities in the area have received just over £1 million.

The trust will also be supported by the London modernisation board access taskforce to tackle the issue of meeting four-hour trolley waits as a priority.

Respiratory Disease

Kevin Brennan: To ask the Secretary of State for Health what plans he has to introduce a national service framework for respiratory disease; and if he will make a statement. [12691]

Jacqui Smith *[holding answer 14 November 2001]*: There are currently no plans to introduce a national service framework for respiratory disease. The NSF for older people recognised the importance of respiratory diseases to the health and well-being of older people. The NSF provides for a 10-year developing framework for action across health and social care and within this set arthritis and respiratory disease in older people as the next priorities for future work. The focus of this will be older people, but, much like the current NSF service models on stroke and dementia, such a service model will have implications for, and apply to, all who need these services, regardless of their age.

There is a range of Government initiatives already in place which take a preventive approach to respiratory disease and have long-term objectives to improve treatment and care. These include the investment of £53 million in smoking cessation services—smoking is the major cause of lung cancer and chronic obstructive pulmonary disease (COPD)—and asking the National Institute for Clinical Excellence to prepare clinical guidelines for the national health service for the diagnosis and treatment of lung cancer and the management and treatment of COPD.

Capital Projects

Ms Drown: To ask the Secretary of State for Health for major capital projects over £50 million in his Department, at what discount rate the value for money test would recommend that *(a)* a publicly funded project became a PFI scheme and *(b)* a PFI project became publicly funded. [15404]

Mr. Hutton: The decision on whether a capital investment project should test for private finance in the first place is taken early in the process, at the outline business case stage. Decisions will be based on the nature and complexity of the project, which in turn impact upon value for money factors such as the number and capability of bidders likely to be interested and the past track record of similar projects with regard to private finance initiative. Being a set constant the discount rate is not a relevant factor and is therefore not considered.

A single discount rate for all Government Departments is set by Her Majesty's Treasury. National health service trusts are therefore not required to apply different discount rates as part of their sensitivity tests in the full business case on assessing at what point a PFI option does not demonstrate value for money when compared to the public sector comparator.

It is not possible to set rates that would determine a switching value ahead of the priced bid as the exact rate will be determined by the rate of spend, exact timings of the cash flows, length of contract period and interest rates applicable at the time contracts are signed. As a general rule, compared to the current 6 per cent. rate, an increase makes revenue payments more attractive, a lower rate favours up-front capital investment.

Hospital Beds

Dr. Fox: To ask the Secretary of State for Health (1) what changes have been made to the designations of hospital beds since 1 May 1997; [15318]

(2) changes have been made to the methods of counting bed numbers since 1 May 1997. [15317]

Mr. Hutton: No changes have been made to the methods of counting the published average bed numbers since 1 May 1997. A new twice-yearly census was introduced in March 1999 to improve the availability of information on critical care. In addition, a special census of beds to inform progress on implementing capacity plans for winter was taken on 1 December 2000.

Information on numbers of beds is collected by broad ward designation not by individual bed designation. No changes have been made to the ward designation since May 1997. Additional categories, such as intermediate care, are being introduced to reflect changes to the way services are delivered.

Patient Lists

Mr. Edwards: To ask the Secretary of State for Health what guidance he gives to *(a)* dentists and *(b)* general practitioners on removing from their lists patients who have not attended for a period of time; and what plans he has to review this guidance. [15393]

Mr. Hutton: The Department does not issue guidance to general dental practitioners on removing patients. Under current regulations, dentists' terms of service provide that a continuing care arrangement or a capitation arrangement shall lapse at the end of the 16th month beginning with the month in which the patient was first accepted by the dentists or the arrangement was last extended. Continuing care arrangements apply to patients who are 18 years of age or older; capitation arrangements to patients who are under 18. A continuing care or capitation arrangement is extended when a patient attends the dentist for treatment or for a check-up.

The Department does not issue guidance to general practitioners on removing patients who have not attended their practice for a period of time. However, GPs' terms of service require them to invite patients for a consultation where they have not been seen for a period of three years.

Epilepsy

Mr. Edwards: To ask the Secretary of State for Health if he will make a statement about Government support for research into *(a)* child and *(b)* adult epilepsy. [15394]

Jacqui Smith: The main Government agency for research into the causes of and treatments for disease is the Medical Research Council (MRC), which receives its funding via the Department of Trade and Industry. The MRC has a large portfolio of research into epilepsy, out of a total spend of approximately £24 million on neurological diseases. The MRC always welcomes high quality applications for support into any aspect of human health and these are judged in open competition with other demands on funding. Awards are made according to their scientific quality and importance to human health.

The Department funds research to support policy and delivery of effective practice in the national health service. Research on the clinical effectiveness and cost effectiveness of new drugs for epilepsy in adult and children is currently being supported through the health technology assessment programme. Research includes a randomised controlled trial of longer-term clinical outcomes and cost-effectiveness of standard and new anti-epileptic drugs, at an overall cost of £1.3 million, together with reviews of existing research on behalf of the National Institute for Clinical Excellence.

In addition to specific projects, the Department also provides support for research commissioned by charities and the Medical Research Council that take place in the NHS.

Project details of work directly funded by the Department or supported through the NHS research and development budget can be found on the National Research Register (NRR). This is available in the Library and most medical libraries on CD-Rom, and on the internet: http://www.doh/gov.uk/research/nrr.htm. The NRR contains details of projects/trials relating to child and adult epilepsy.

Welfare Foods Scheme

Dr. Fox: To ask the Secretary of State for Health when he will announce the funding for the welfare foods scheme for 2002. [15322]

Jacqui Smith: The welfare foods scheme is demand-led. For 2002–03, funding will be sufficient to reach demand.

Diabetes

Mr. Simmonds: To ask the Secretary of State for Health when he will publish the national service framework for diabetes; and if he will make a statement. [15601]

Jacqui Smith: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Bethnal Green and Bow (Ms King) on 15 October 2001, *Official Report*, column 1046W.

GPs (Computers)

Mr. Todd: To ask the Secretary of State for Health what his estimate is of the proportion of general practitioners using a computer as part of their daily work. [15399]

Mr. Hutton: 98 per cent. of general practitioners have access to clinical computer systems in their practices and 95 per cent. have this available at their own desks.

As a result of project connect more than 95 per cent. of GP practices have access to NHSnet, the Internet and email.

Prostate Cancer

Dr. Kumar: To ask the Secretary of State for Health (1) what steps are being taken to promote awareness of prostate cancer nationally; and if he will make a statement; [16210]

(2) what percentage of men *(a)* in England, *(b)* in the north-east region and *(c)* in the Middlesbrough, South and Cleveland, East constituency have been checked for prostate cancer in the last 12 months. [16209]

Jacqui Smith *[holding answer 19 November 2001]:* The national health service prostate cancer programme was launched on 6 September 2000. The programme covers research, treatment and a risk management programme specifically around improving early detection and diagnosis. One element of the risk management programme is the informed choice project aimed at raising awareness among men about prostate specific antigen (PSA) testing. This education project is developing materials for patients, the public and professionals which can be given to any man requesting a PSA test, to help him make an informed choice about whether to proceed with the test or not.

Information on what percentage of men have been checked for prostate cancer is not collected.

Personal Social Services Grants

Mr. Bercow: To ask the Secretary of State for Health if he will make a statement on the change in the level of local authority personal social services grants from 2001–02 to 2002–03. [17166]

Jacqui Smith: The level of personal social services grants that will be available to local authorities in 2002–03 will be announced as part of the local government finance settlement.

Hospital Providers

Dr. Fox: To ask the Secretary of State for Health when he expects to draw up a list of approved hospital providers in the EU. [16851]

Mr. Hutton: The Department will begin a tender exercise to establish a list of approved providers in the new year, drawing on the experience of the three test-bed sites in the south-east of England which are currently working to send national health service patients overseas. This tender exercise will of necessity take several months.

Dr. Fox: To ask the Secretary of State for Health how the Commission for Health Improvement will assist him in drawing up a list of approved hospital providers in the EU. [16854]

Mr. Hutton: We are considering how the Commission for Health Improvement could best assist in this process.

The commission's involvement will be planned within the context of the commission's overall priorities in relation to helping to improve the quality of care to all national health service patients.

Dr. Fox: To ask the Secretary of State for Health with which hospital providers he has *(a)* had meetings and *(b)* corresponded in (i) Austria, (ii) Belgium, (iii) France, (iv) Greece, (v) the Netherlands, (vi) Germany, (vii) Portugal, (viii) Spain and (ix) Norway. [16850]

Mr. Hutton: Officials and members of the three test-bed sites working to send national health service patients overseas have had meetings with several providers based in Germany and a provider based in Greece.

In addition, officials have corresponded with a large number of hospital providers. Details will be placed in the Library shortly.

Treatment Abroad

Dr. Fox: To ask the Secretary of State for Health when he notified the European Commission of his decision to amend domestic legislation to clarify that health authorities and trusts may commission treatment from other member states of the EEA. [16855]

Mr. Hutton: Following my right hon. Friend the Secretary of State's public statement on 27 August, my noble Friend Lord Hunt of Kings Heath wrote to European Commissioners Byrne, Bokelstein and Diamontopolou on 4 September 2001.

Golden Hello Scheme (GPs)

Dr. Fox: To ask the Secretary of State for Health how much money was discharged to general practice under the Golden Hello scheme up to and including 16 November. [16845]

Mr. Hutton: We concluded consultation with the General Practitioners Committee of the British Medical Association on the detail of the scheme on 1 November and issued guidance to health authorities and primary care trusts the following day.

Entitlement is backdated to 1 April 2001 so that any general practitioner who has taken up an eligible post on or after that date qualifies for a payment.

Most payments are being made by health authorities from the national general medical services non-cash-limited budget and the next quarterly monitoring data on that budget are not due until January. We expect, however, expenditure on this new scheme to exceed £10 million this year.

Good Hope Hospital, Sutton Coldfield

Mr. Andrew Mitchell: To ask the Secretary of State for Health how many people have waited for more than one year for *(a)* in-patient and *(b)* out-patient treatment at the Good Hope hospital, Sutton Coldfield, in each month in each of the last five years. [16782]

Mr. Hutton: The national health service does not collect information on the number of out-patients waiting over one year. The NHS however does collect routinely the number of outpatients waiting over 26 weeks (six months).

In-patient monthly data have only been collected since April 1998. Prior to this they were only available quarterly. Out-patient data have not been collected on a monthly basis, being only available by trust quarterly.

In-patient and out-patient data for Good Hope hospital national health service trust

Month	*Number of in-patient over 12 month waiters*	*Number of out-patient over 26 week waiters*
1996		
September	0	n/a
December	0	202
1997		
March	5	18
June	5	42
September	70	47
December	180	127
1998		
March	201	145
April	97	n/a
May	n/a	n/a
June	92	120
July	100	n/a
August	76	n/a
September	69	126
October	90	n/a
November	99	n/a
December	130	98
1999		
January	154	n/a
February	150	n/a
March	139	107
June	163	n/a
April	206	n/a
May	198	177
July	211	n/a
August	200	n/a
September	215	185
October	202	n/a
November	210	n/a
December	263	186
2000		
January	266	n/a
February	191	n/a
March	172	36
April	169	n/a
May	164	n/a
June	168	77
July	160	n/a
August	140	n/a
September	117	121
October	119	n/a
November	112	n/a
December	132	120
2001		
January	188	n/a
February	213	n/a
March	190	143
April	203	n/a
May	165	n/a
June	181	213
July	213	n/a
August	202	n/a
September	152	135

Notes:

1. Data on the number of out-patients waiting over 12 months are not collected

2. Out-patient data shown are number of patients still waiting for a first out-patient appointment following GP referral who have waited over 26 weeks (six months)

Source:

KH07, QM08 quarterly returns, monthly waiting times returns—Department of Health

Hillingdon Local Modernisation Review

Mr. Gareth R. Thomas: To ask the Secretary of State for Health, pursuant to the answer of 19 November 2001, *Official Report*, column 112W, when he expects the Hillingdon local modernisation review to publish its conclusions. [17128]

Mr. Hutton: Reports on phase 2 of the local modernisation review are due to be shared with the Department by 30 November 2001. We expect to see detail of the key actions from local modernisation reviews in the health improvement and modernisation plans that all health authorities are required to publish in spring 2002.

Randomised Controlled Trials

Mr. Heald: To ask the Secretary of State for Health what plans he has to restrict treatments available in the NHS which have not been subjected to randomised controlled trials. [17122]

Jacqui Smith *[holding answer 22 November 2001]:* We have no such plans.

Cutlass Review

Mr. Heald: To ask the Secretary of State for Health if he will publish the results of the Cutlass review. [17218]

Jacqui Smith *[holding answer 22 November 2001]:* The Cutlass review is a project of the national health service health technology assessment (HTA) programme. This programme's outputs are published in the HTA monograph series, provided they pass a rigorous scientific assessment and editorial process including external peer review. The HTA monograph series is available on the internet at no charge.

Mental Health

Mr. Heald: To ask the Secretary of State for Health what investment has been made in each health authority area in respect of *(a)* the mental health national service framework and *(b)* the mental health aspects of the NHS plan. [17090]

Jacqui Smith *[holding answer 22 November 2001]:* Details of total investment in mental health by health authority are not available. As part of the self-assessment programme, this year local implementation teams will be completing a finance mapping exercise, the details of which will be in the public domain next year. This exercise will create a baseline from which investment in future years can be monitored.

In 2002–03 an extra £75 million revenue will be allocated to health authorities; this allocation will be earmarked for mental health services to implement actions outlined in the NHS plan. By 2004, the money will have been used to improve a range of services including assertive outreach teams, crisis resolution teams and early intervention teams.

Parliamentary Questions

Kevin Brennan: To ask the Secretary of State for Health when he will answer the question of 1 November on respiratory disease (UIN: 12691) from the hon. Member for Cardiff, West. [19555]

Jacqui Smith: I replied to my hon. Friend today, *Official Report*, columns 1192–93W.

Mrs. Ellman: To ask the Secretary of State for Health when he will reply to the question of the hon. Member for Liverpool, Riverside, of 12 November on the future of cleft lip and palate services for the north-west region. [19831]

Jacqui Smith: I replied to my hon. Friend on 28 November 2001, *Official Report*, column 976W.

Mr. Flook: To ask the Secretary of State for Health when he will answer the question tabled by the hon. Member for Taunton on 17 July (ref: 5667) on STI-571. [19484]

Ms Blears: I wrote to the hon. Member on 4 October.

DEPUTY PRIME MINISTER

Online Services

Dr. Kumar: To ask the Deputy Prime Minister what assessment he has made of his and other Government Department's progress in meeting the Government's targets for providing services online. [19066]

Mr. Leslie: Delivery is at the heart of our agenda for transforming public services, and e-government is one of the most powerful catalysts we have for achieving that transformation. The Office of the e-Envoy produces both an annual report and regular monthly reports giving details of the progress that is being made. The next annual report will be published shortly. The latest figures on progress towards the target of making Government services available electronically by 2005 show that over 50 per cent. of Government services are e-enabled now. Departments predict that 74 per cent. of services will be e-enabled by the end of 2002.

EDUCATION AND SKILLS

Schools Budgets

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills which categories of expenditure she proposes shall count as *(a)* schools budget, *(b)* individual schools budget and *(c)* local education authority budget for the purposes of implementing the Education Bill; and if she will make a statement. [19464]

Mr. Timms: The exact scope of these budgets will be defined in due course in Regulations, after further consultations. Broadly, however, we expect the schools budget to cover all expenditure for which funding is generally delegated to schools at present, along with most other expenditure relating to the cost of provision for pupils (including expenditure on school meals and out-of-school education, and most expenditure on special educational needs apart from costs relating to the carrying out of statutory assessments and the making of statements). The great majority of the schools budget will have to be delegated to individual schools through the individual schools budget, although LEAs will need to retain funding within the school budget for certain purposes, including out-of-school education and some aspects of special educational needs provision. We expect the schools forum to play a role in determining whether funding for some specified items should be delegated or centrally retained.

The LEA budget will cover those functions which cannot appropriately be carried out except at the level of the LEA. These are likely to include most functions for which funding is currently retained centrally by LEAs under the heads of Strategic Management, School Improvement and Access to Education (including home-to-school transport). The LEA budget will also include expenditure on LEA functions which do not relate to primary and secondary education.

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills (1) if she will list the aggregate for England of *(a)* local education authority budgets for education, *(b)* their local schools budgets, *(c)* their individual schools budgets and *(d)* (c) as a percentage of (b), for each year since the implementation of section 46 of the School Standards and Framework Act 1998; [19462]

(2) if she will list the aggregate for England of *(a)* local education authority general schools budgets, *(b)* their potential schools budgets, *(c)* their aggregate schools budgets, *(d)* (c) as a percentage of (b) and *(e)* (c) as a percentage of (a), for each year from 1996 until the implementation of section 46 of the School Standards and Framework Act. [19463]

Mr. Timms: The information is as follows:

England *£ million*

	1996–97	*1997–98*	*1998–99*
(a) GSB	16,437	16,711	17,549
(b) PSB	13,435	13,718	14,309
(c) ASB	12,157	12,438	12,966
(d) ASB as percentage of PSB	90.5	90.7	90.6
(e) ASB as percentage of GSB	74.0	74.4	73.9

	1999–2000	*2000–01*	*2001–02*
Total education revenue expenditure	21,290	21,705	23,418
LSB	19,508	20,615	22,292
ISB	15,760	16,845	18,446
ISB as percentage of LSB	80.8	81.7	82.7

School Buildings

Mr. Hoyle: To ask the Secretary of State for Education and Skills what information is available from asset management plans on school building condition needs. [20401]

Mr. Timms: Today we are publishing information on school condition needs, based on data supplied earlier this year by local education authorities from their asset management plans. At current price levels, these plans indicate that nearly £7 billion is needed for capital works fully to maintain and repair school buildings. This is a significant level of need that has been recognised by the Government in their huge investment programme to improve school building accommodation. A total of £7.5 billion has already been made available for investment in school buildings since 1997, and a further £6.3 billion is planned over the next two financial years—the highest investment levels for 50 years. In 2003–04, funding from central Government for capital investment in schools will reach £3.5 billion, compared with only £683 million in 1996–97.

By successfully introducing asset management plans, this Government have provided LEAs with a rigorous framework for identifying and prioritising accommodation needs across schools. This has highlighted the size of the problem we inherited in 1997, resulting from nearly two decades of under-investment in school buildings.

A copy of the publication has today been placed in the Library.

Secondary Schools

Mr. Drew: To ask the Secretary of State for Education and Skills if she will make a statement on progress towards the introduction of the literacy and numeracy hours into secondary school curriculum; and how this can be achieved without reduction of time for national curriculum subjects. [19473]

Mr. Timms: The Key Stage 3 strategy for raising standards for 11 to 14-year-olds does not advocate literacy or numeracy hours. The strategy will help schools improve teaching and learning in all subjects, with an emphasis on the core subjects of the national curriculum.

Head Teachers

Mr. Drew: To ask the Secretary of State for Education and Skills what recent discussions she has had with representatives of head teachers' organisations. [19472]

Mr. Timms: My right hon. Friend the Secretary of State meets representatives of the head teacher associations from time to time to discuss a range of issues. Recently, she met them with other unions on 2 July and 4 September 2001. The Secretary of State also had a meeting with the National Association of Headteachers (NAHT) on 30 October.

Mr. Drew: To ask the Secretary of State for Education and Skills if she will make a statement on how performance-related pay will affect the salaries of head teachers. [19474]

Mr. Timms: School governing bodies must review their head teachers' pay each year, and may award them a point on their individual pay range if they have shown a sustained high quality of performance taking account of agreed performance objectives. Since September 2000, the award of performance pay points has been supported by special grants. The Government are consulting on the mechanism for payment of a new special grant to take effect from April 2002.

Homework Clubs

Mr. Damian Green: To ask the Secretary of State for Education and Skills what progress has been made in the promotion of homework clubs in schools; and if she will make a statement. [19611]

Mr. Timms: We are committed to providing opportunities for young people to enrich their learning through out-of-school-hours activities. "Extending Opportunity: a national framework for study support", published in 1998, set out the contribution homework clubs can make to a school's wider programme of out-of-school-hours learning activities.

We also published Homework Guidelines, which require school homework policies to refer to any opportunities that exist for pupils to do homework, under supervision, at places other than home. In addition to school homework clubs, these may also include libraries and community centres. The homework area on the Department's Standards website supplements the guidelines with examples of good practice and case studies which teachers, governors, parents and pupils can access.

Admissions Forums

Mr. Damian Green: To ask the Secretary of State for Education and Skills what the estimated cost is of setting up admissions forums under the Education Bill. [19612]

Mr. Timms: The School Admissions Code of Practice recommended that LEAs set up local Admissions Forums as a vehicle for consultation and discussion of issues arising from proposed admission arrangements. The majority have already done so. LEAs currently have considerable costs associated with difficult admission issues and the benefits gained from resolving these matters more quickly make the setting up of forums, where they don't already exist, broadly cost neutral.

TNC Credit

Mr. Bercow: To ask the Secretary of State for Education and Skills what the cost is to public funds of the implementation of the TNC Credit (New Category of Provider) Regulations 1999. [14100]

Dawn Primarolo: I have been asked to reply.

It is not possible to produce an accurate estimate.

Instructors

Mr. Willis: To ask the Secretary of State for Education and Skills how many *(a)* full-time and *(b)* part-time instructors were employed in (i) primary, (ii) secondary and (iii) special schools in each of the last four years for which figures are available. [8840]

Mr. Timms: Instructors and other teachers without Qualified Teacher Status in maintained nursery, primary, secondary and special schools in England, 1998 to 2001 by full-time/part-time and phase were as follows[1, 2].

	1998	*1999*	*2000*	*2001*
Full-time				
Nursery and primary	530	610	750	1,340
Secondary	780	1,000	1,070	1,560
Special	100	140	130	210
FTE of part-time				
Nursery and primary	370	400	430	410
Secondary	800	850	760	730
Special	30	50	40	40

[1] Totals may not appear to equal the sum of their component parts due to rounding; all figures have been rounded to the nearest 10

[2] Table excludes teachers on routes to Qualified Teacher Status: the Graduate Teacher Programme, Registered Teacher Programme, Licensed teacher scheme and Overseas Trained Teacher scheme

When deciding whether to employ an instructor without QTS, head teachers take into account the fact that they can often bring valuable skills and experience to the classroom, particularly in subjects that have a high practical content. Instructors also include teachers with qualifications obtained overseas who are not currently seeking QTS.

Between January 1998 and January 2001 the number of full-time equivalent regular teachers in the maintained schools sector with Qualified Teacher Status rose from 394,400 to 404,500, an increase of 10,100.

Free School Dinners

Ms Buck: To ask the Secretary of State for Education and Skills if she will rank local education authorities according to the percentage fall in the proportion of children attending day schools who are eligible for free school dinners between 1991 and 2000; and what figures are available for 2001. [17777]

Mr. Timms: The available information is shown in the following table.

Local education authorities ranked according to the percentage fall in the proportion of pupils known to be eligible for free school meals in maintained nursery, primary, secondary and special schools

January 1993		*January 2000*			
LEA name pre-LGR	*Proportion of pupils[1] known to be eligible for free school meals*	*Equivalent region post-LGR*	*Proportion of pupils[1] known to be eligible for free school meals*	*Change in proportion of pupils known to be eligible for free school meals*	*% change in proportion of pupils known to be eligible for free school meals*
North Yorkshire pre-LGR	19.5	North Yorkshire post-LGR	9.1	−10.4	−53.4
	n/a	North Yorkshire	8.5	n/a	n/a
	n/a	York	11.0	n/a	n/a
Leicestershire pre-LGR	18.8	Leicester post LGR	13.0	−5.9	−31.2
	n/a	Leicestershire	7.9	n/a	n/a
	n/a	Leicester	23.6	n/a	n/a
	n/a	Rutland	5.4	n/a	n/a
City of London	53.3	City of London	35.9	−17.4	−32.6
Gloucestershire	13.7	Gloucestershire	9.5	−4.2	−30.9
Walsall	27.1	Walsall	19.1	−8.0	−29.6
Wiltshire pre-LGR	13.5	Wiltshire post-LGR	9.6	−3.9	−28.9
	n/a	Wiltshire	8.2	n/a	n/a
	n/a	Swindon	12.5	n/a	n/a
Avon pre-LGR	19.4	Avon post-LGR	14.1	−5.3	−27.5
	n/a	Bath and North East Somerset	10.3	n/a	n/a
	n/a	Bristol, City of	22.5	n/a	n/a
	n/a	North Somerset	9.8	n/a	n/a
	n/a	South Gloucestershire	8.4	n/a	n/a

Local education authorities ranked according to the percentage fall in the proportion of pupils known to be eligible for free school meals in maintained nursery, primary, secondary and special schools

January 1993		*January 2000*			
LEA name pre-LGR	*Proportion of pupils[1] known to be eligible for free school meals*	*Equivalent region post-LGR*	*Proportion of pupils[1] known to be eligible for free school meals*	*Change in proportion of pupils known to be eligible for free school meals*	*% change in proportion of pupils known to be eligible for free school meals*
West Sussex	11.6	West Sussex	8.6	–3.0	–26.0
Coventry	26.2	Coventry	19.6	–6.6	–25.2
Sheffield	29.3	Sheffield	22.5	–6.7	–23.0
Doncaster	26.6	Doncaster	20.9	–5.7	–21.3
Cornwall	17.2	Cornwall	13.6	–3.6	–20.9
Warwickshire	11.9	Warwickshire	9.6	–2.3	–19.2
Wolverhampton	26.9	Wolverhampton	21.8	–5.1	–19.1
Hertfordshire	11.2	Hertfordshire	9.1	–2.1	–18.8
Hampshire pre-LGR	13.7	Hampshire post-LGR	11.3	–2.4	–17.8
	n/a	Hampshire	8.5	n/a	n/a
	n/a	Portsmouth	17.6	n/a	n/a
	n/a	Southampton	21.8	n/a	n/a
Lancashire pre-LGR	22.7	Lancashire post-LGR	18.9	–3.8	–16.9
	n/a	Lancashire	16.9	n/a	n/a
	n/a	Blackburn with Darwen	27.5	n/a	n/a
	n/a	Blackpool	25.3	n/a	n/a
Bolton	21.2	Bolton	17.7	–3.6	–16.8
Hackney	52.4	Hackney	44.1	–8.3	–15.8
Dorset pre-LGR	9.4	Dorset post-LGR	8.0	–1.5	–15.7
	n/a	Dorset	6.5	n/a	n/a
	n/a	Poole	8.4	n/a	n/a
	n/a	Bournemouth	11.1	n/a	n/a
Berkshire pre-LGR	10.5	Berkshire post-LGR	8.9	–1.6	–15.7
	n/a	Bracknell Forest	6.8	n/a	n/a
	n/a	Windsor and Maidenhead	6.6	n/a	n/a
	n/a	West Berkshire	6.2	n/a	n/a
	n/a	Reading	14.2	n/a	n/a
	n/a	Slough	16.6	n/a	n/a
	n/a	Wokingham	4.4	n/a	n/a
Devon pre-LGR	17.0	Devon post-LGR	14.4	–2.5	–15.0
	n/a	Devon	11.4	n/a	n/a
	n/a	Plymouth	19.2	n/a	n/a
	n/a	Torbay	19.1	n/a	n/a
Kent pre-LGR	14.8	Kent post-LGR	12.8	–2.1	–14.1
	n/a	Kent	12.7	n/a	n/a
	n/a	Medway	12.9	n/a	n/a
Northumberland	15.6	Northumberland	13.5	–2.2	–13.8
Oxfordshire	11.0	Oxfordshire	9.5	–1.5	–13.5
Newcastle upon Tyne	35.6	Newcastle upon Tyne	31.1	–4.5	–12.5
Wigan	19.3	Wigan	16.9	–2.4	–12.5
Norfolk	15.7	Norfolk	13.8	–1.9	–12.1
Islington	50.3	Islington	44.2	–6.0	–12.0
Cambridge pre-LGR	14.5	Cambridge post-LGR	12.8	–1.7	–11.8
	n/a	Cambridgeshire	9.5	n/a	n/a
	n/a	Peterborough	21.4	n/a	n/a
Gateshead	27.6	Gateshead	24.4	–3.2	–11.6
Bedfordshire pre-LGR	17.4	Bedfordshire post-LGR	15.4	–2.0	–11.3
	n/a	Bedfordshire	11.2	n/a	n/a
	n/a	Luton	23.7	n/a	n/a
Knowsley	48.4	Knowsley	43.0	–5.4	–11.2
East Sussex pre-LGR	18.8	East Sussex post-LGR	16.7	–2.1	–11.2
	n/a	East Sussex	14.8	n/a	n/a
	n/a	Brighton and Hove	20.7	n/a	n/a
Bradford	29.1	Bradford	25.9	–3.3	–11.2
Surrey	8.8	Surrey	7.8	–1.0	–11.2
Calderdale	19.4	Calderdale	17.3	–2.2	–11.2
Lincolnshire	8.7	Lincolnshire	7.8	–0.9	–10.1
Wandsworth	32.9	Wandsworth	29.7	–3.3	–10.0
Stockport	15.9	Stockport	14.3	–1.6	–10.0
Isle of Wight	21.3	Isle of Wight	19.2	–2.1	–9.9
South Tyneside	31.2	South Tyneside	28.2	–3.1	–9.8
Essex pre-LGR	14.5	Essex post-LGR	13.1	–1.4	–9.6
	n/a	Essex	12.0	n/a	n/a
	n/a	Southend-on-Sea	18.3	n/a	n/a
	n/a	Thurrock	16.9	n/a	n/a
Waltham Forest	31.5	Waltham Forest	28.5	–3.0	–9.4
Solihull	13.9	Solihull	12.6	–1.3	–9.3
Lambeth	45.2	Lambeth	41.1	–4.1	–9.1
Nottinghamshire pre-LGR	21.3	Nottinghamshire post-LGR	19.6	–1.7	–8.2
	n/a	Nottinghamshire	14.3	n/a	n/a
	n/a	Nottingham	34.8	n/a	n/a

Local education authorities ranked according to the percentage fall in the proportion of pupils known to be eligible for free school meals in maintained nursery, primary, secondary and special schools

January 1993		*January 2000*			
LEA name pre-LGR	*Proportion of pupils[1] known to be eligible for free school meals*	*Equivalent region post-LGR*	*Proportion of pupils[1] known to be eligible for free school meals*	*Change in proportion of pupils known to be eligible for free school meals*	*% change in proportion of pupils known to be eligible for free school meals*
Durham pre-LGR	21.0	Durham post-LGR	19.3	–1.7	–8.0
	n/a	Durham	19.5	n/a	n/a
	n/a	Darlington	18.3	n/a	n/a
Shropshire pre-LGR	15.4	Shropshire post-LGR	14.3	–1.2	–7.6
	n/a	Shropshire	9.7	n/a	n/a
	n/a	Telford and Wrekin	21.3	n/a	n/a
Derbyshire pre-LGR	15.8	Derbyshire post-LGR	14.6	–1.2	–7.5
	n/a	Derbyshire	12.5	n/a	n/a
	n/a	Derby	20.8	n/a	n/a
Sandwell	26.4	Sandwell	24.4	–1.9	–7.4
Somerset	11.4	Somerset	10.6	–0.8	–7.3
Trafford	19.4	Trafford	18.0	–1.4	–7.2
Rotherham	21.2	Rotherham	19.8	–1.4	–6.8
Southwark	46.4	Southwark	43.2	–3.1	–6.8
Tameside	21.6	Tameside	20.1	–1.4	–6.7
Dudley	17.0	Dudley	15.9	–1.1	–6.5
Westminster	39.3	Westminster	36.8	–2.5	–6.4
Humerside pre-LGR	19.9	Humerside post-LGR	18.6	–1.3	–6.4
	n/a	Kingston upon Hull, City of	27.5	n/a	n/a
	n/a	East Riding of Yorkshire	10.6	n/a	n/a
	n/a	North East Lincolnshire	22.8	n/a	n/a
	n/a	North Lincolnshire	14.5	n/a	n/a
Staffordshire pre-LGR	16.3	Staffordshire post-LGR	15.3	–1.0	–6.3
	n/a	Staffordshire	11.7	n/a	n/a
	n/a	Stoke-on-Trent	27.7	n/a	n/a
Rochdale	27.5	Rochdale	25.8	–1.7	–6.2
Oldham	25.7	Oldham	24.2	–1.5	–5.7
Suffolk	12.8	Suffolk	12.1	–0.7	–5.5
Merton	17.8	Merton	16.8	–1.0	–5.5
Cleveland pre-LGR	27.4	Cleveland post-LGR	26.2	–1.2	–4.3
	n/a	Hartlepool	26.8	n/a	n/a
	n/a	Middlesbrough	32.1	n/a	n/a
	n/a	Redcar and Cleveland	25.4	n/a	n/a
	n/a	Stockton-on-Tees	21.9	n/a	n/a
Bromley	14.0	Bromley	13.6	–0.4	–3.2
Lewisham	36.7	Lewisham	35.8	–0.9	–2.5
Salford	30.5	Salford	29.8	–0.7	–2.4
Birmingham	33.9	Birmingham	33.1	–0.7	–2.2
Hereford and Worcester pre-LGR	9.4	Hereford and Worcester post-LGR	9.2	–0.2	–1.9
	n/a	Herefordshire	7.3	n/a	n/a
	n/a	Worcestershire	9.8	n/a	n/a
Kingston upon Thames	8.0	Kingston upon Thames	7.9	–0.1	–1.3
Manchester	45.2	Manchester	44.7	–0.6	–1.2
Bury	16.0	Bury	15.8	–0.2	–1.1
Sefton	21.4	Sefton	21.2	–0.2	–1.0
Liverpool	38.8	Liverpool	38.4	–0.4	–0.9
Kirklees	19.6	Kirklees	19.5	–0.1	–0.4
St. Helens	20.9	St. Helens	20.8	–0.1	–0.3
Tower Hamlets	60.2	Tower Hamlets	60.0	–0.1	–0.2
Barnsley	24.2	Barnsley	24.2	0.0	–0.2
Cheshire pre-LGR	14.2	Cheshire post-LGR	14.2	0.0	0.2
	n/a	Cheshire	12.4	n/a	n/a
	n/a	Halton	27.2	n/a	n/a
	n/a	Warrington	11.5	n/a	n/a
Camden	36.2	Camden	36.5	0.3	0.7
Greenwich	36.0	Greenwich	36.4	0.4	1.2
Brent	26.8	Brent	27.2	0.4	1.5
Leeds	19.6	Leeds	19.9	0.3	1.6
Wakefield	18.3	Wakefield	18.7	0.3	1.7
Richmond upon Thames	12.8	Richmond upon Thames	13.0	0.3	2.3
Sunderland	27.5	Sunderland	28.4	0.9	3.1
Hammersmith and Fulham	38.1	Hammersmith and Fulham	39.6	1.5	3.9
Barnet	16.0	Barnet	16.7	0.7	4.1
Northamptonshire	10.8	Northamptonshire	11.4	0.6	5.9
Bexley	13.3	Bexley	14.1	0.8	6.2
North Tyneside	20.2	North Tyneside	21.5	1.3	6.4
Ealing	24.6	Ealing	26.3	1.7	6.8
Wirral	27.4	Wirral	29.3	1.9	6.9

Local education authorities ranked according to the percentage fall in the proportion of pupils known to be eligible for free school meals in maintained nursery, primary, secondary and special schools

January 1993		*January 2000*			
LEA name pre-LGR	*Proportion of pupils[1] known to be eligible for free school meals*	*Equivalent region post-LGR*	*Proportion of pupils[1] known to be eligible for free school meals*	*Change in proportion of pupils known to be eligible for free school meals*	*% change in proportion of pupils known to be eligible for free school meals*
Buckinghamshire pre-LGR	8.2	Buckinghamshire post-LGR	8.8	0.6	7.8
	n/a	Buckinghamshire	6.6	n/a	n/a
	n/a	Milton Keynes	13.7	n/a	n/a
Redbridge	15.5	Redbridge	16.7	1.2	8.0
Sutton	10.1	Sutton	10.9	0.8	8.3
Haringey	36.3	Haringey	39.4	3.1	8.6
Kensington and Chelsea	35.2	Kensington and Chelsea	38.8	3.5	10.1
Hounslow	20.1	Hounslow	22.4	2.3	11.4
Isles of Scilly	4.6	Isles of Scilly	5.1	0.5	11.5
Croydon	19.5	Croydon	21.8	2.3	11.8
Havering	10.9	Havering	12.4	1.5	13.4
Cumbria	12.7	Cumbria	14.6	1.8	14.3
Newham	32.3	Newham	39.7	7.4	22.8
Hillingdon	10.9	Hillingdon	13.6	2.7	25.2
Enfield	17.8	Enfield	22.6	4.7	26.6
Barking and Dagenham	19.9	Barking and Dagenham	25.5	5.5	27.6
Harrow	10.2	Harrow	13.9	3.7	35.9

[1] Single registered day pupils

Notes:

n/a = not applicable

LGR = Local Government Reorganisation

Between 1997 and 2000, 24 LEAs were subject to Local Government Reorganisation

School Places

Mr. Bercow: To ask the Secretary of State for Education and Skills what recent assessment she has made of *(a)* school places and *(b)* the shortage of teachers in the Buckingham constituency. [17861]

Mr. Timms: My Department does not collect detailed information on school places. The Government believe that decisions concerning the supply of school places are best taken locally by the main partners in the provision of education, who have knowledge of local needs. Local education authorities have a duty to ensure that there are sufficient school places in their area. They must publish annually a School Organisation Plan setting out how they plan to deal with any surplus or deficit of places over a five-year rolling period.

Where an LEA can demonstrate overall growth in the need for school places it may apply to my Department for capital funding.

My Department does not hold figures on teacher shortages in the Buckingham constituency centrally.

Mr. Flight: To ask the Secretary of State for Education and Skills what latest assessment she has made of the shortage of *(a)* school places and *(b)* teachers in Arundel and South Downs. [18308]

Mr. Timms: My Department does not collect detailed information on school places. The Government believe that decisions concerning the supply of school places are best taken locally by the main partners in the provision of education, who have knowledge of local needs. Local education authorities have a duty to ensure that there are sufficient school places in their area. They must publish annually a School Organisation Plan setting out how they plan to deal with any surplus or deficit of places over a five-year rolling period.

Where a local education authority can demonstrate overall growth in the need for school places it may apply to my Department for capital funding.

There were 82 teacher vacancies in the maintained schools sector, 1.6 per cent. of teachers, in West Sussex at January 2001. Figures for the constituency of Arundel and South Downs are not held centrally.

Pupil Attainment

Dr. Julian Lewis: To ask the Secretary of State for Education and Skills if data showing average attainment level of pupils entering *(a)* individual primary and *(b)* individual secondary schools (i) are and (ii) could practically be made available centrally to her Department. [18266]

Mr. Timms: We do not hold data showing average attainment level of pupils entering individual primary schools.

We have recently published the results of a pilot programme for the calculation of value added measures for secondary schools, showing the progress made from Key Stage 2 to Key Stage 3 and from Key Stage 3 to GCSE/GNVQ. The evaluation of the pilot and further consultation in the new year will inform final decisions on the publication of these two measures for all secondary schools in the 2002 performance tables.

School Performance

Dr. Julian Lewis: To ask the Secretary of State for Education and Skills if she will make a statement in respect of the recent findings of the National Foundation of Educational Research in respect of average performance levels by *(a)* comprehensive schools and *(b)* grammar and secondary modern schools counted together. [18264]

Mr. Timms: The findings of the recent research by the National Foundation for Educational Research are interesting and not inconsistent with our own statistics that the GCSE results (based on grades and average point scores) for 15-year-olds in grammar schools are, broadly speaking, similar to those of the top 25 per cent. in comprehensive schools.

Investors in People (Slough)

Fiona Mactaggart: To ask the Secretary of State for Education and Skills which organisations in Slough received Investors in People awards in each year since 1997. [18648]

John Healey: Organisations in Slough which have received Investors in People awards since 1997 are as follows:

1997

ICI Paints
National Foundation for Education and Research
Harris and Cartwright Solicitors
Logical Networks plc
Thames Valley CCI Trading Ltd.
Brodeur Worldwide Ltd.

1998

Kinnarps (UK) Ltd.
Davies Turner Air Cargo Ltd.
Courtyard Marriot
Kidde-Graviner Ltd.
BT Teleconsult
Cellnet
Swan Stabilo Ltd.
Copthorne Slough Windsor Hotel
Citroen UK Ltd.

1999

BP Energy Ltd.
Database Consultants International Ltd.
Slough Grammar School
Baylis Court County Secondary School
Schneider Electric
Celcius Ltd.
Sara Lee Household and Body Care
Langcet Ltd.
Crane Davis Ltd.
Spaggo's Bar and Grill
Herschel Grammar School
Owen White Solicitors
Hygiene Group Ltd.
Lease Plan UK Ltd.
William Penn School
Lent Rise County Combined School

2000

Grant Thornton-Thames Valley Office
Sough Borough Council—Development and Consumer Protection
Montem Infant School
Compuware Ltd.
Kay O'Neill Ltd.
Godolphin Junior School
Montem Junior School
Westgate County Secondary School
Windsor Slough Education Business Partnership
Our Lady of Peace Catholic Junior School
Lynch Hill Combined School
Thames Valley Chamber of Commerce and Industry
Eiti Ltd.
Slough and Eaton CE School
Industrial Design Consultancy Ltd.

2001

Our Lady of Peace RC Infant and Nursery School
AC Controls Ltd.
Coinbrook CE Primary School
East Berkshire College
Lea Infant School
Marish Infant School and Nursery Unit.

Individual Learning Accounts

Mr. Paterson: To ask the Secretary of State for Education and Skills when she plans to introduce a replacement scheme for ILAs. [18294]

John Healey: We are developing future plans which build on the successful elements of the ILA programme. I hope to announce more details on the process for developing a further scheme in due course.

Infant Class Sizes

Mr. Brady: To ask the Secretary of State for Education and Skills what action her Department is taking in relation to infant classes of 31 or more. [18527]

John Healey *[holding answer 27 November 2001]:* Since this September infant classes for five, six and seven-year-olds have been limited to no more than 30 children, except in a few limited circumstances permitted by the class size legislation.

Figures published on 15 November 2001 showed that in September 2001 99.9 per cent. of infant classes had 30 or fewer pupils in them, or exceeded the limit for reasons permitted by the relevant legislation. Sixty-eight classes, just 0.1 per cent. of the total, appeared to be in breach of the limit. We are following these up with the local education authorities concerned to agree ways in which they can meet the limit.

Threshold Pay

Chris Grayling: To ask the Secretary of State for Education and Skills what the estimated total cost of threshold pay is in 2001–02. [19352]

Mr. Timms: My Department paid over £400 million in threshold special grant to local authorities in the 2000–01 school year. In addition to continuing payments for teachers already on the upper pay scale, the cost of threshold pay in the 2001–02 financial year will depend on the number of teachers who cross the threshold this school year. That will not be known until the new year.

Chris Grayling: To ask the Secretary of State for Education and Skills what recent representations she has received on the cost to schools and LEAs of threshold pay. [19339]

Mr. Timms: The Department provides special grant funding to meet the extra salary costs associated with teachers crossing the threshold. This arrangement is widely regarded as satisfactory.

Mrs. Calton: To ask the Secretary of State for Education and Skills, pursuant to her answer of 20 November 2001, *Official Report*, column 259W, on threshold allowance awards, how many teachers received threshold back pay in the 2000–01 financial year in each local authority; how many teachers have paid higher rates of tax because their threshold back pay was held up to the 2001–02 financial year in each local authority; and what was *(a)* the average, *(b)* the shortest and *(c)* the longest time between head teacher and assessor approvals of threshold by each local authority. [19250]

Mr. Timms: The information requested has not been collected centrally and could be gathered only at disproportionate cost.

Lecturers

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills what the latest figures are for the average pay of university lecturers; and what plans she has to increase this amount. [18672]

Margaret Hodge *[holding answer 28 November 2001]:* The figures in the table reflect data collected for 1999–2000. The Government play no part in setting pay levels in the higher education sector.

Average salary of full-time academic staff in UK HE institutions 1999–2000

Grade	Average salary (£)
Professors[1]	50,600
Senior lecturers and Researchers[2]	37,300
Lecturers[3]	28,400
Researchers[4]	21,800
Other grades[5]	30,000
All grades	30,600

[1] Includes heads of departments, professors, former UAP scale researchers (grade IV), clinical professors and those appointed professors on a locally determined scale.

[2] Includes principal lecturers, senior lecturers (former UAP/CSCFC scales), former UAP scale researchers (grade III), clinical senior lecturers and those appointed senior or principal lecturers on a locally determined scale.

[3] Includes lecturers, senior lecturers (former PCEF scale), clinical lecturers and those appointed lecturers on a locally determined scale.

[4] Includes all research grades not listed above and those appointed lecturers on a locally determined scale.

[5] Includes all other grades of academic staff not listed above.

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills what percentage of university lecturers are employed on a part-time basis; and what plans she has to increase the use of part-time lecturers. [18673]

Margaret Hodge *[holding answer 28 November 2001]:* The latest figures published by the Higher Education Statistics Agency are shown in the table. Higher education institutions as independent bodies are responsible for appointing their own staff. They will take into account their individual operational needs and circumstances in offering the contracts.

Academic staff in UK higher education institutions 1999–2000

	Numbers	Percentage
Full-time	113,790	84
Part-time	21,960	16
Total	135,750	100

Source:

Higher education statistics agency's staff record. Numbers have been rounded to the nearest 10.

Teaching Reforms

Chris Grayling: To ask the Secretary of State for Education and Skills, pursuant to her answer of 22 November 2001, *Official Report*, column 465W, on teaching reforms, for what periods the *(a)* current and *(b)* new special grants apply; if schools will receive permanent increases to their budgets to cover the cost of threshold pay; and if she will guarantee that no school will lose out financially when special grants for threshold pay come to an end. [19192]

Mr. Timms: There are two current teachers' pay special grants. The one for performance pay progression runs to March 2002 and will be replaced by a new performance pay special grant that runs until March 2004. The other is for threshold pay, which runs to March 2003. We will consider longer-term funding arrangements for both threshold and performance pay in the next spending review. But we fully accept that they mean a permanent increase in the cost of teachers' pay and we will take proper account of that in our financial planning.

School Funds

Mr. Hoban: To ask the Secretary of State for Education and Skills what guidance she gives to local education authorities to enable them to determine the allocation of funds to schools. [19202]

Mr. Timms *[holding answer 29 November 2001]:* In determining the allocation of funds to schools, local education authorities (LEAs) must comply with section 47 of the School Standards and Framework Act 1998, and the regulations made under that section contained in the Financing of Maintained Schools Regulations 2001, which set out the school funding framework in England.

In April 2001, the DfES issued a policy note to LEAs on funding allocation, which encouraged authorities to look at ways of simplifying funding formulae.

White Paper Responses

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills if she will summarise the responses to all consultations associated with the Education White Paper, including *(a)* the number of responses to each question, *(b)* the number and percentage supporting each provided response to each closed question, *(c)* a summary of the responses to open questions and *(d)* a list of those replying to each consultation. [19306]

Mr. Timms *[holding answer 29 November 2001]:* As well as the consultation on the White Paper itself, the Department launched six consultations associated with it during September 2001, covering School Governance;

Admissions; Exclusion Appeals Panels; Early Years Education and Childcare; and 16–19 Organisation and Inspection.

Quantitative reports on the White Paper, Governance and Admissions consultations are available on the Department's website and have been placed in the Library of the House. These consultations received 2,378, 4,385 and 416 responses respectively. In general, the consultation questions met with a broadly supportive response.

The remaining consultation summaries will be made available in the same way shortly.

Faith Schools

Mr. Hoban: To ask the Secretary of State for Education and Skills if she will place in the Library copies of representations received in connection with the Department plans for faith schools. [19200]

Mr. Timms *[holding answer 29 November 2001]:* Our policy of faith schools was part of the White Paper "Schools: achieving success", which was the subject of wide-scale consultation. A copy of the interim report on the consultation has been placed in the Library and the full report will be published in due course.

Publishing letters sent by members of the general public to this Department without their prior permission would represent a breach of confidentiality.

Teacher Recruitment

Chris Grayling: To ask the Secretary of State for Education and Skills if she will list *(a)* the amount being paid under the additional moneys for recruitment and retention, *(b)* how many teacher vacancies there are and *(c)* the allocation of funds under the Starter Home Initiative, broken down by local education authority. [17129]

Mr. Timms: Concerning the amount being paid to each local authority under the recruitment and retention fund I refer the hon. Member to the answer I gave on 8 November 2001, *Official Report*, column 408W. Concerning the number of teacher vacancies I refer the hon. Member to the answer I gave on 19 November 2001, *Official Report*, columns 59–60W. The successful bids to provide homes for key workers under the Starter Home Initiative, the total amount allocated to each bid and the areas the bid covers are contained in tables, copies of which have been placed in the Libraries.

Exam Results

Mr. Hoban: To ask the Secretary of State for Education and Skills (1) if she will make a statement on the relative examination performance of *(a)* faith and *(b)* non-faith schools since 1997; [17471]

(2) what are the average *(a)* GCSE and *(b)* A level results for each local education authority for (i) faith and (ii) non-faith schools for (A) 1997, (B) 1998, (C) 1999, (D) 2000 and (E) 2001. [17472]

Mr. Ivan Lewis *[holding answer 23 November 2001]:* The requested information for maintained mainstream schools is as shown.

The percentage of 15-year-old pupils in England achieving five or more GCSE grades A*-C or the GNVC equivalent in *(a)* faith and *(b)* non-faith schools since 1997 is as follows:

	Faith schools	*Non-faith schools*
1997	49.4	42.3
1998	50.6	43.6
1999	52.9	45.4
2000	54.5	46.7
2001	55.3	47.8

The average GCE A/AS point score per 16 to 18-year-old entered for two or more A/AS exams in *(a)* faith schools and *(b)* non-faith schools since 1997 is as follows:

	Faith schools	*Non-faith schools*
1997	17.1	17.1
1998	17.8	17.6
1999	18.0	17.9
2000	18.2	18.2
2001[1]	17.9	17.3

[1] The coverage of advanced results differs to that of previous years. The figures for 2001 are concerned with cumulative results over the last two years for 16 to 18-year-olds. The figures for 2001 are therefore not directly comparable with those for earlier years.

The LEA breakdown of this information is shown in tables, copies of which have been placed in the Libraries.

High Quality Teaching

Mr. Willis: To ask the Secretary of State for Education and Skills, pursuant to her answer of 7 November 2001, *Official Report*, column 245W, on high quality teaching, how much funding is provided to support teachers' performance pay through special grants for each local education authority; and how many teachers in each local education authority are in receipt of this funding. [18181]

Mr. Timms *[holding answer 26 November 2001]:* Allocations for each LEA under the new special grants for 2002 to 2004 will be made in the spring.

On threshold funding, for threshold assessments made in 2000–01, tables set out the number of full-time equivalent teachers who have passed the threshold and in respect of whom we have paid claims by LEAs. The payments made to LEAs are also listed. Copies of these tables have been placed in the Libraries.

TREASURY

Pre-Budget Report

Mr. Willetts: To ask the Chancellor of the Exchequer (1) if table 4.3 of the pre-Budget report includes the effects of *(a)* income tax, *(b)* housing benefit withdrawal and *(c)* council tax benefit withdrawal; [19652]

(2) if he will produce an amended version of table 4.3 of the pre-Budget report including the effects of withdrawal of housing benefit and council tax benefit; [19651]

(3) if he will produce an amended version of table 4.3 of the pre-Budget report including the effects of income tax. [19650]

Dawn Primarolo: Table 4.3 of the 2001 pre-Budget report includes the effects of income tax and the withdrawal of housing benefit and council tax benefit.

Working Families Tax Credit

Matthew Taylor: To ask the Chancellor of the Exchequer what studies his Department has undertaken on the impact of working families tax credit on the levels of *(a)* income tax paid, *(b)* national insurance paid and *(c)*other benefits paid by recipients; and if he will make a statement. [19520]

Dawn Primarolo: As a result of working families tax credit, families in receipt and working for more than 30 hours a week now pay no net income tax if their earnings are below £265 per week. The wider impact of working families tax credit will be assessed as part of a comprehensive programme of evaluation.

International Tax Recoveries

Mr. Gray: To ask the Chancellor of the Exchequer, pursuant to his answers of 25 October 2001, *Official Report*, column 375W, and 21 November 2001, *Official Report*, column 360W, on international tax recoveries, how much in total the International Division of the Inland Revenue recovered in compliance cases in the tax year ending 2000 from tax payers paying at least £100 million; whether those tax payers were individuals or corporations; and what was their national domicile. [19785]

Dawn Primarolo: The total amount recovered from taxpayers paying at least £100 million was £499 million. Both taxpayers were corporate entities, who are resident in the UK.

Statutory Maternity Pay

Brian Cotter: To ask the Chancellor of the Exchequer what proportion of those businesses providing statutory maternity pay to their employees have made a claim to be reimbursed in each financial year since 1996. [19111]

Dawn Primarolo: All employers are required to pay Statutory Maternity Pay (SMP) to eligible employees. Employers do not have to make a claim to have SMP reimbursed; they recover it from the national insurance contributions (NICs) that they are due to pay over to the Inland Revenue each month.

Information is not available in the form requested. Although we have accurate figures of the numbers of employers recovering SMP we do not presently record the number of employers paying SMP. The number of employers who recovered SMP in each year is as follows:

Year	*Number*
1997–98	95,524
1998–99	70,812

No data are currently available for any later year. A random sample check of employers who pay SMP is carried out each year. Data from this sample check indicate that between 88 per cent. and 90 per cent. of employers do recover all the SMP that they have paid out.

HOME DEPARTMENT

Immigration and Nationality Directorate, Liverpool

Mr. Lloyd: To ask the Secretary of State for the Home Department if he will make a statement on *(a)* delays at Liverpool office of the Immigration and Nationality Directorate, *(b)* their cause and *(c)* production of naturalisation certificates. [17911]

Angela Eagle *[holding answer 27 November 2001]:* Last month, new computer equipment was installed in the Directorate. It was necessary to stop issuing certificates of citizenship between 17 October and 12 November while the installation of the equipment was successfully completed. Certificates of citizenship are now being issued to successful applicants.

Residency

Mr. Gray: To ask the Secretary of State for the Home Department, pursuant to his answer of 12 November 2001, *Official Report*, column 558W, when his officials received an application on behalf of Mrs. Melissa Jane Gryspeerdt of Chippenham, Wiltshire, maiden name—Dodd, date of posting—August 2001; when they expect to process it; and if he will make a statement. [16276]

Angela Eagle *[holding answer 20 November 2001]:* It has not been possible to trace any application in August from Mrs. Melissa Jane Gryspeerdt. But an application from her was received by special delivery post on 17 September. On examination it was found to be invalid because a document specified in the application form had not been provided. It was accordingly returned to Mrs. Gryspeerdt by recorded delivery post on 18 October. The Royal Mail confirmed that the package was delivered in Chippenham on 20 October.

Charity Commission Investigations

Mr. Dismore: To ask the Secretary of State for the Home Department what organisations are being investigated by the Charity Commission for possible *(a)* terrorist links and *(b)* money laundering activities. [14823]

Angela Eagle: This is a matter for the Charity Commission who will write to my hon. Friend. A copy of the Commission's reply will be placed in the Library.

Wrongfully Convicted Prisoners

Mrs. Ellman: To ask the Secretary of State for the Home Department when he will reply to the Question of the hon. Member for Liverpool, Riverside, of 29 October on the publication of his Department's report on support for wrongly convicted prisoners. [19832]

Beverley Hughes: I have replied to my hon. Friend today. I am sorry for the delay in doing so.

Mrs. Ellman: To ask the Secretary of State for the Home Department when he will publish his Department's report on after-care for wrongfully convicted prisoners. [11784]

Beverley Hughes: The study has contributed useful material for further development of proposals but it does not stand alone, and was an internal document not designed for wider circulation. The National Association of Citizens Advice Bureaux has been commissioned to develop a project proposal. I expect to make an announcement early in the new year.

Vivisection

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department what plans he has to establish a Royal Commission on vivisection; and if he will make a statement. [19648]

Angela Eagle: I refer the hon. Member to the reply I gave my hon. Friend the Member for Redcar (Vera Baird) on 13 November 2001, *Official Report*, column 645W.

Asylum Seekers

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on progress towards the public service agreement target for reducing asylum decision times. [16934]

Angela Eagle: The target for the current year is to decide 60 per cent. of new substantive asylum claims within two months. We are taking a range of measures, including strengthening asylum decision capacity and streamlining internal casework procedures, to support delivery of the target. It is planned that interim data on performance during the period April-September 2001 will be published during the first half of 2002.

Fiona Mactaggart: To ask the Secretary of State for the Home Department what recent consultations he has undertaken with local authorities about proposals for levels of funding for asylum seekers. [18644]

Angela Eagle: Officials from National Asylum Support Service (NASS) met with representatives of the Association of London Government (ALG) and Local Government Association (LGA) on 22 October and 9 November this year. Also present at these meetings were representatives from the Audit Commission and, at the first meeting only, the Rent Service.

Discussions covered arrangements for an interim grant payment to cover costs in the first half of this year, and an agreed letter has been sent to all local authorities. They also covered proposals to increase the information given by local authorities to the Home Office in support of claims. This is to improve communication from the Home Office to local authorities on case status, so that next year's grant can be based on agreed lists of named asylum seekers. Discussion of grant arrangements for 2001–02 continue and another meeting is planned for early in the new year.

Fiona Mactaggart: To ask the Secretary of State for the Home Department how many local authorities have indicated that their costs of supporting asylum seekers exceed *(a)* current and *(b)* proposed grant levels. [18645]

Angela Eagle: In 2000–01, based on unaudited claims, some 60 local authorities had costs that exceeded the grant levels. Of these 38 had shortfalls of less than £50,000.

Grant limits for the current year have yet to be confirmed. We are discussing with local authority associations proposals which take into account the recommendations of the Audit Commission report "Halfway Home" and also allow proper scope to recognise the reasons for high costs in some authorities.

Kainos Programme Evaluation Report

Mr. Lidington: To ask the Secretary of State for the Home Department if he will place in the Library a copy of the recommendations made by the Kainos Programme Evaluation report. [18184]

Beverley Hughes *[holding answer 26 November 2001]:* I understand that the main report is still in draft form. When the recommendations are available the Kainos trustees (who own the report) have agreed that a copy may be placed in the Library, and I will ensure that this is done. The Executive Summary, which has been finalised, has already been placed in the Library.

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on the cost and effectiveness of the Kainos units in prisons. [17215]

Beverley Hughes: I understand from information provided by Kainos that the additional cost of the units was of the order of £60,000 a year in each prison. In the course of a year typically 50–70 prisoners went through the programme in each prison.

An independent evaluation found no statistical basis for concluding that prisoners who had been through the Kainos programme had re-conviction rates that were any lower than would be expected for similar released prisoners as a whole. It found some modest improvements in prisoners' attitudes and behaviour, and that the programme made a positive contribution to order and control.

The Prison Service Management Board concluded that the benefits of the programme were not sufficient to justify its meeting the costs from public funds.

Work Permits

Mr. Vaz: To ask the Secretary of State for the Home Department how many work permits were granted in 2000 and in which categories. [18746]

Angela Eagle: In the 2000 calendar year, a total of 102,174 work permit applications were approved as follows:

Type of permit	*Number issued*
Business and Commercial	72,550
Sports and Entertainments	21,817
Training and Work Experience	7,807
Total	102,174

Mr. Vaz: To ask the Secretary of State for the Home Department how many footballers have been granted work permits in each year since 1997. [18747]

Angela Eagle: The following table illustrates how many footballers have been granted work permits in each year since 1997:

	Number of work permits approved
1997	53
1998	67
1999	78
2000	76
2001 (To date)	36

Prison Officers (Ethnic Minorities)

Mr. Neil Turner: To ask the Secretary of State for the Home Department what proportion of prison officers are from black and ethnic minorities; and what is the proportion of those employed in prisons operated by private companies. [14196]

Beverley Hughes: The Home Secretary's Race Equality Employment Targets Second Annual Report was published on 13 November. On 13 March 2001, minority ethnic staff made up 3.7 per cent. of the Prison Service's 43,800 staff and 2.6 per cent. of the operational work force. There were 18,720 prison officers of which 1.7 per cent. were black and 1.2 per cent. were from other minority ethnic backgrounds. There were also 1,456 Prison Custody Officers employed in privately operated prisons, of which 2.1 per cent. were black and 1.2 per cent. were from other minority ethnic backgrounds.

By 30 September 2001 the proportion of minority ethnic staff in the service's work force rose to 3.8 per cent.

Justice and Home Affairs Council

Mr. Hood: To ask the Secretary of State for the Home Department what the outcome was of the Justice and Home Affairs Council held in Brussels on 16 November; what the Government's policy was on each issue discussed, including its voting record; and if he will make a statement. [16531]

Angela Eagle: I, together with my right hon. Friend the Home Secretary and Jim Wallace, the Acting First Minister for Scotland, represented the United Kingdom at the Justice and Home Affairs Council in Brussels on 16 November.

A Points

The A points were approved as in document 13978/01 (a copy of which is in the Library), except for items 6 and 7, on which one member state maintained its parliamentary scrutiny reserve.

Framework Decision on a European Arrest Warrant

On scope, the Presidency sought agreement to its compromise proposal that the European arrest warrant should apply to a list of offences, with dual criminality abolished for such offences. The Commission proposed that sabotage, arson, hijacking and serious violation of international humanitarian law be added to the list of offences. The majority of member states agreed to this proposal.

There was broad agreement to a 60-day deadline, extendable by 30 days, within which surrender procedures should be completed in the executing state.

The draft Framework Decision will return to the December Justice and Home Affairs Councils for final consideration.

Framework Decision on Combating Terrorism

Provisional agreement was reached on Article 1 (terrorist intent) with some drafting changes. An addition on the right to demonstrate was added at the request of one member state. The Council agreed, after an intervention from the United Kingdom delegation, to return to the definition contained in the United Nations conventions on terrorism restricting the exemption for belligerents in armed conflicts to the armed forces.

With regard to penalties for terrorist offences, the Commission made a compromise proposal based on a range of penalties for these offences and one member state proposed alternative wording for Article 4.3. Further consideration will be given to these options.

There was no opposition to a Presidency proposal for optional extraterritorial jurisdiction. The Framework Decision will be resubmitted to the December Justice and Home Affairs Council for final consideration.

Debate on Implementation of the Tampere Conclusions

There was a general debate on the papers which the Presidency and the Commission had produced. The Home Secretary emphasised the United Kingdom's commitment to playing a strong role in operational action to combat illegal immigration at and beyond the external borders of the European Union. One member state advocated the creation of a European Union border forum, while others argued for the creation of a European union border service, and one favoured a feasibility study into the creation of a European Union border service.

The Home Secretary stressed the need for faster progress on the asylum agenda; there was little support for a standstill clause on national legislation and an open method of co-ordinating national policies on asylum.

The Home Secretary argued that European Union law enforcement bodies should be more effective and co-ordinated and, together with one other member state, stressed that the Police Chiefs' Task Force should be more focused on operational activity and more accountable to the Justice and Home Affairs Council. Four member states spoke in favour of clarifying the role of the Task Force and one noted proposals for an operational Europol. The Home Secretary noted that the European Union needed to step up European Union action against drugs.

My right hon. Friend Jim Wallace stressed the importance of mutual recognition in civil matters and the good record of co-operation between the legal systems of England and Wales and Scotland. The Home Secretary agreed that the United Kingdom continued to regard mutual recognition of judicial decisions as fundamental to judicial co-operation in both criminal and civil matters at European Union level.

Harmonisation of penalties

This item was postponed until the December Council.

Other Business

Schengen Information System

The Austrian delegation introduced its initiative on use of the Schengen Information System and the Schengen acquis to combat terrorism. This issue will be considered at the December Council.

European Judicial Atlas

Work had been completed on the European Judicial Atlas. This would assist judicial authorities in each member state to identify the appropriate authority to receive and carry out a request for legal assistance in another member state.

Parenting Orders

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on the cost to public funds in *(a)* 2000–01 and *(b)* 2001–02 of parenting orders. [17326]

Angela Eagle: The estimated cost of parenting orders in 2000–01 was £1,274,000 and we estimate the cost in 2001–02 will be £1,668,000.

Anti-terrorism, Crime and Security Bill

Mr. Vaz: To ask the Secretary of State for the Home Department which Hindu groups he has consulted on the Anti-terrorism, Crime and Security Bill. [17209]

Beverley Hughes: Ministers have spoken informally about the Bill with a number of leaders of faith communities, including a representative of the National Council of Hindu Temples United Kingdom. Officials also discussed the proposals in the Bill with two groups of faith community representatives who requested meetings—Muslims and Christians—and there are arrangements in place for continuing contact with faith groups of all kinds on matters of interest to them.

Extradition

Mr. McNamara: To ask the Secretary of State for the Home Department which countries have reciprocal extradition arrangements with the United Kingdom, and to which countries he is unable to *(a)* deport and *(b)* extradite on humanitarian grounds. [17767]

Angela Eagle: The United Kingdom has general extradition arrangements with the following countries.

Countries which are party to European Convention on Extradition

Albania

Andorra

Austria

Belgium

Bulgaria

Croatia

Cyprus

Czech Republic

Denmark

Estonia

Finland

Germany

Greece

Hungary

Iceland

Israel

Italy

Latvia

Liechtenstein

Lithuania

Luxembourg

Macedonia, Former Yugoslav Republic of

Malta

Moldova

The Netherlands

Norway

Poland

Portugal

Romania

Slovakia

Slovenia

Spain

Sweden

Switzerland

Turkey

Ukraine

Countries with which UK has a bilateral treaty

Argentina

Bolivia

Brazil

Chile

Colombia

Cuba

Ecuador

El Salvadour

Guatemala

Haiti

Iraq

Liberia

Mexico

Monaco

Nicaragua

Panama

Paraguay

Peru

San Marino

Thailand

Uruguay

USA

Yugoslavia

Commonwealth extradition partners

- Antigua and Barbuda
- Australia
- The Bahamas
- Bangladesh
- Barbados
- Belize
- Botswana
- Brunei
- Canada
- Cook Islands
- Dominica
- Fiji
- The Gambia
- Ghana
- Grenada
- Guyana
- India
- Jamaica
- Kenya
- Kiribati
- Lesotho
- Malawi
- Malaysia
- Maldives
- Mauritius
- Nauru
- New Zealand
- Nigeria
- Papua New Guinea
- Saint Christopher and Nevis
- Saint Lucia
- Saint Vincent and the Grenadines
- Seychelles
- Sierra Leone
- Singapore
- Solomon Islands
- South Africa
- Sri Lanka
- Swaziland
- Tanzania
- Tonga
- Trinidad and Tobago
- Tuvalu
- Uganda
- Western Samoa
- Zambia
- Zimbabwe

Overseas Territories

- Anguilla
- Bermuda
- British Antarctic Territory
- British Indian Ocean Territory
- Cayman Islands
- Falkland Islands
- Gibraltar
- Montserrat
- Pitcairn, Henderson, Ducie and Oeno Islands
- St. Helena and St. Helena Dependencies
- South Georgia and South Sandwich Islands
- The UK Sovereign Base Areas of Akrotiri and Dhekelia (Cyprus)
- Turks and Caicos Islands
- British Virgin Islands

Other Countries

- Hong Kong Special Administrative Region
- Republic of Ireland.

Whether and to what country a person may be extradited or deported will depend on the facts of the particular case.

Mr. McNamara: To ask the Secretary of State for the Home Department how many *(a)* deportation orders and *(b)* extradition orders are subject to judicial review; how many have been subject to a judicial review in the past two years; how many reviews have been successful; what were the judicial rulings in each case; what was the time taken in each case; on how many occasions were successful reviews appealed by (i) his Department and (ii) those of his colleagues; how many of these appeals were successful; and what was the time taken in each case. [17768]

Angela Eagle: Seven decisions to order the surrender of a fugitive are currently the subject of judicial review applications. No such challenge to a surrender decision has succeeded in the past two years.

The information otherwise requested is not readily available and could be obtained, I regret, only at disproportionate cost.

Mr. McNamara: To ask the Secretary of State for the Home Department how many persons *(a)* have been in the past year and *(b)* are subject of extradition proceedings; and from which countries. [17766]

Angela Eagle: Over the recent past, the United Kingdom has received an average of 100 requests per year from its many extradition partners. The arrest of a fugitive marks the start of extradition proceedings. 120 cases are currently the subject of such proceedings. There would have been a similar number over the past 12 months. Requesting jurisdictions in the current cases are as follows:

Requesting jurisdiction	*Number of requests*[1]
USA	35
Germany	12
France	11
Italy	10
Switzerland	7
Czech Republic	7
Netherlands	5
Lithuania	5

Requesting jurisdiction	*Number of requests*[1]
Turkey	4
Belgium	4
South Africa	3
Portugal	2
Canada	2
Spain	2
HKSAR	2
Poland	1
Estonia	1
Russia	1
Seychelles	1
Greece	1
Finland	1
Sweden	1
Latvia	1
Algeria	1

[1] The figures do not include requests from Ireland which are not collected centrally.

Yacht Harbours and Marinas (Security)

Mr. Waterson: To ask the Secretary of State for the Home Department what security measures are applied at yacht harbours and marinas to counter *(a)* illegal immigration, *(b)* drugs trafficking and *(c)* terrorism; and if he will make a statement. [17143]

Angela Eagle: I understand from my right hon. Friend the Secretary of State for Transport, Local Government and the Regions that protective security advice has been circulated by Transec and covers maritime activities in these areas.

The Immigration Service is in contact with harbour masters and coastguards in order to increase their awareness of immigration issues. It works closely with Her Majesty's Customs and Excise maritime intelligence and has had success in apprehending small vessels as a result.

Yacht harbours and marinas are included within the overall drugs trafficking intelligence assessments used by Her Majesty's Customs and Excise; resources are deployed in line with these assessments.

Specific security measures at individual small ports are the responsibility of individual chief constables in those jurisdictions.

INDEX TO THE

PARLIAMENTARY DEBATES

SIXTH SERIES

OFFICIAL REPORT

SESSION 2001–2002

VOLUME 375

19th November—30th November 2001

Printed indexes to Hansard

The volume index is one of three printed indexes to Commons Hansard produced from the House of Commons Library's Parliamentary On-Line Indexing Service (POLIS). It contains references to material in the bound volumes of Hansard. The other indexes produced are:

- The fortnightly index to Hansard. This covers the same date range as the volume index but references are to the column numbering in the daily parts and weekly edition of Hansard.
- The sessional index to Hansard. This contains references to material in the bound volumes for a whole session.

Indexes on the Parliamentary website

Fortnightly, volume and sessional indexes covering material from the beginning of the 1999/2000 session will also appear on the Parliamentary website at http://www.parliament.uk with links to the full text of Hansard.

SCOPE

The indexes include entries covering:

- The content of all material recorded in Hansard, including debates, procedural motions and questions.
- The names of all Members contributing to the Parliamentary business recorded in Hansard.
- The names of some types of Parliamentary business whenever they occur in Hansard. These are 'Ministerial statements', 'Business statements', 'Opposition days' and 'Estimates days'.

ARRANGEMENT

- All headings are in one word-by-word alphabetical sequence, with Members' contribution entries distinguished from other entries by italics.
- Where a Member contributes to Parliamentary business and is the subject of Parliamentary business there are separate contribution and subject entries, the subject entry coming first.
- Entries beginning 'Mac' and 'Mc' are sorted in one sequence as 'Mac'.
- 'St', when abbreviated for Saint, is filed as 'Saint'.
- Numbers are filed as if spelt out, e.g. '10 Downing Street' as if 'Ten Downing Street'.

HEADINGS

Choice of headings

- *Specificity*—Entries summarise the overall content of a debate or question as specifically as the various POLIS thesauruses allow. For example, Education, Higher education, Universities or the name of a particular university is used depending on the breadth of the item.
- *Name headings*—Specific entries are included for the names of people, places, institutions, organisations, committees, programmes, initiatives, publications and legislation when these constitute the overall subject of an item.
- *Organisations and subjects*—Organisation entries are preferred for material about the general performance, administration and staffing of an organisation (for example, United Kingdom Passports Agency, Standards). Subject entries are preferred for what organisations do as part of their duties (for example, Passports, Fees and charges).

Geographical coverage

- *Subject headings*—Subject headings are assumed to refer to the whole of England, Great Britain or the United Kingdom unless otherwise stated.
- *Scotland, Northern Ireland and Wales*—Material relating to the whole of Scotland, Northern Ireland and Wales is indexed under these headings.
- *Places within the UK*—Material about specific towns, areas and institutions is entered under the name of the specific town, area or institution.
- *Foreign countries*—Most material relating to foreign countries is collected under the name of that country. Some additional material may be found under the names of—groups of countries, areas within countries, geographical features, place names associated with particular issues, politicians and heads of state, international bodies, and institutions and companies operating in those countries.
- *EC/EU material*—General material about the European Communities and European institutions as bodies is entered under 'European Communities' and 'EC institutions'. Organisational material about specific communities and institutions is entered under the name of the body, for example 'European Coal and Steel Community' or 'European Parliament'. Material about what the Communities and institutions are doing or propose to do is entered under various subject headings beginning 'EC' such as 'EC environmental policy'.

Parliamentary material and business

- *Material about Parliament*—This is indexed under 'Parliament', the names of the two Houses, the 'Palace of Westminster' and parts of the Parliamentary estate (such as 'Portcullis House').
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- *Parliamentary proceedings/procedures*—Material discussing these is indexed under the specific type of proceeding (such as 'Parliamentary questions' or 'Oral questions'), procedure (such as 'Calling of Members') or issue (such as 'Unparliamentary expressions').
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- *Members' names*—These are given in the form by which the Member prefers to be known.
- *Speaker and Chair*—Contributions by the Speaker and deputies are brought together under the heading 'Speaker and deputies'. Contributions from the chair during Committees of the Whole House are brought together under 'Chairman of Committee of the Whole House'. Significant rulings and statements (as opposed to routine comments) are indicated by the sub-heading 'Rulings and statements' in both cases.

Guidance on headings

- *Cross references*—'See' references indicate all the material has been entered under another heading. 'See also' references indicate that additional information may be found under another heading.
- *Concept thesaurus*—A copy of the subject thesaurus to POLIS, listing the concept entries used in the index, is available on the Parliamentary website. A hard copy is available from the Head of the POLIS Unit, House of Commons Library, 1 Derby Gate, London, SW1A 2DG (020 7219 6456).

REFERENCES

- References in the indexes are to columns rather than pages.
- References to debates, but not questions, are accompanied by the date of the item.
- There are separate sequences in Hansard for the material taken on the floor of the House, Westminster Hall sittings and written questions:
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    - References ending in 'w' indicate written questions.
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    - *Debates etc.* (which includes interventions and points of order as well as significant contributions to debates);
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ABBREVIATIONS

The following abbreviations are used in connection with the progress of bills:

- 1R=First reading
- 2R=Second reading
- Com=Committee stage
- Rep=Report stage
- 3R=Third reading
- res=resolution
- amendt(s)=amendment(s)
- *=matter taken formally without debate or division.

Parliamentary background

- The Parliamentary website at http://www.parliament.uk contains a range of information about Parliament and the full text of some Parliamentary papers and proceedings including Hansard.
- Information on current Parliamentary business is provided in the House of Commons Information Office *Weekly Information Bulletin*, available on the website and from The Stationery Office (020 7873 8499).
- Further information on Parliamentary proceedings and procedures is available from the House of Commons Information Office (020 7219 4272).

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